Domitian assumed *censoria potestas* most probably at the beginning of A.D. 85, and extended this authority for life at the end of the same year. In taking a lifetime tenure of the office he was not merely formalizing a long-standing Flavian policy, but (to judge by his severe punishment of the Vestals convicted of sexual misconduct) he seems to have felt seriously about his role as guardian of morals. Yet Martial, for all his apparent keenness to celebrate the regime, seems to have been surprisingly slow to comment on this important aspect of imperial policy. Certainly in Book 1, published in 85-86, he does mention the censorship, though only in passing (1.4.7). Subsequently, in Book 5 (dating to 89), he devotes a series of poems to the supposedly successful reaffirmation of a law which, even though not concerned with moral issues, was passed under the authority of the censorship (5.23.3), and governed seating arrangements according to rank in the theatre. It is worth noting that for the opening of this series Martial adopts a solemn and eulogistic tone, especially in the striking use, for the first time in his poetry, of the title "Master and God" to refer to Domitian:

Edictum domini deique nostri
quo subsellia certiora fiunt
et pueros eques ordines recepit

(5.8.1-3)

The mood soon becomes jocular, however; Phasis, resplendent in purple cloak, expresses relief at no longer having to mingle with the filthy masses-- and is promptly removed by the attendant since he himself is not an equestrian (5.8.4-12). But in the rest of the series (14, 23, 25, 27, 35, 38, 41) Martial adds another element which implicitly contradicts the sense of the opening poem, by detailing...
not only the absurd pretensions, but also the successful tricks of those who claim equestrian status and so defeat the law.

Not until the publication of Book 6, in 90, does Martial address himself to Domitian's reforms in the moral sphere, honouring the emperor as the founder of a new age of sexual propriety:

Lusus erat sacrae conubia fallere taedae
lusus et immertos exsecuisse mares.
Utraque tu prohibes, Caesar, populisque futuris
succurris, nasci quod sine fraude iubes.
Nec spado iam nec moechus erit te praeside quisquam:
At prius (o mores!) et spado moechus erat.

(6.2)

Martial bases his praise of the emperor on two pieces of legislation, the renewal of Augustus' law against adultery (Lex Iulia de adulteriis coercendis), and an edict forbidding the practice of castration. The former had been revived most probably in 89, and was certainly very recent, since in 6.7.1-3 Martial claims that no more than thirty days have passed since its renewal. The law against castration, however, dates to 81 or 82. We may reasonably suppose, therefore, that Martial's panegyric is inspired primarily by the law on adultery, which is not only by far the more topical of the two edicts, but is, as we shall see, the subject of a lengthy series of epigrams scattered throughout this book. By its placement at the very beginning of the volume, 6.2 is clearly intended as a preface to this cycle, as is 6.4:

Censor maxime, principumque princeps,
cum tot iam tibi debat triumphos,
tot nascentia templar, tot renata,
tot spectacula, tot deos, tot urbes:
plus debet tibi Roma, quod pudica est.

Although Martial begins by addressing Domitian as censor, he then broadens the scope to embrace the emperor's military exploits, his building projects and public benefactions. Nevertheless, he links the epigram once more with 6.2 by returning in the last line to the theme of the earlier poem, the restoration of moral purity. The panegyric is certainly strident; Domitian is not only the greatest of censors but the prince of princes, to whom Rome owes its physical and spiritual rebirth. Yet there seems no more reason to question the poet's sincerity than there is to dispute the apparent success of the emperor's moral policies.

---

5 Cf. RE 1.433-4 (adulterium).
The next epigram in the series begins in the same vein, with the earlier praise of Rome's newly found chastity echoed by the claim that chastity has now returned, by command of the Julian law, to every household:

Iulia lex populis ex quo, Faustine, renata est,
atque intrare domos iussa Pudicitia est,
(6.7.1-2).

But then comes an abrupt and startling change of tone:

aut minus aut certe non plus tricesima lux est,
et nubit decimo iam Telesilla viro.
Quae nubit totiens, non nubit: adultera lege est.
Offendor moecha simpliciore minus.
(6.7.3-6)

In the thirty days that have elapsed since the reenactment of the Julian law, Telesilla has married ten times; she has made a farce of the legislation, and Martial has undercut the entire premise of the earlier poems. Indeed, the poet seems now to mock not only the basis of the panegyric, but even the language in which it is expressed. The number of Telesilla's marriages, for example, is reckoned in the same terms (nubit totiens, 6.7.5) as the accomplishments of the emperor (tot...triumphos...tot urbes, 6.4.2-4). Moreover, the noticeably prosaic conclusion of 6.4, with its factual assertion of Rome's virtue (Roma quod pudica est), is echoed and underscored by the repeated est at the end of each of lines 6.7.1-3, only to be comically parodied at the end of 6.7.5 by the poet's equally categorical assessment of Telesilla's conduct--adultera lege est --she is, paradoxically, a legalized adulteress. Finally, not content simply to show the ineffectiveness of Domitian's legislation, Martial suggests that the law actually encourages behaviour far worse than the conduct it seeks to prohibit (6.7.6).

Similarly, in 6.22, Proculina's marriage of convenience to her lover to avoid the Julian law amounts to nothing more, according to Martial, than a confession of her adultery; while Laetoria (6.45), in marrying the homosexual Lygdus, will now behave more promiscuously as a wife than she used to do as an adulteress (Turpior uxor erit quam modo moecha fuit, 6.45.4).7

In the light of the following series, therefore, it becomes very difficult to see 6.2 and 6.4 as even a formal or perfunctory acknowledgement of the emperor's moral legislation.8 Rather, the poems appear, in retrospect, to have a deliberately ironic intent, their lavish praise of the reforms acting as a foil for Martial's

---

8 The contrast between 6.2, 6.4 and the following series has been briefly noted by H Szelest, "Domitian und Martial", Eos 62 (1974) 111; cf. also W Hofmann, "Martial und Domitian", Philol. 127 (1983) 243. On the other hand J P Sullivan, "Martial", Ramus 16 (1987) 182-3, appears to find no deliberate contradiction between these epigrams.
subsequent ridicule of the attempt to legislate morality. Indeed, the poet's technique is neatly encapsulated in the final epigram of the series:

Sancta ducis summi prohibet censura vetatque moechari. Gaude, Zoile; non futuis.

(6.91)

Once again Martial surely reflects, in the imperious tone and stately language of the first line, the official view of the censorial legislation; the censorship is, because of its holder, a divine office, and the emperor's prohibition of adultery amounts to a holy ordinance. But the second line abruptly shatters the image with its brief, and zestfully crude, address to Zoilus, the notorious practitioner of both fellatio and cunnilingus, whose sexual habits suggest yet another way of technically defeating the Julian law, as well as the absolute futility of trying to enforce morality.9

Let us note further that this series is not an independent unit, unconnected with the rest of Book 6, as is generally supposed; for beside the poems on the adultery law, Martial typically juxtaposes epigrams on a closely related topic.10 Thus the theme of 6.6 clearly anticipates the revelation of the number of Telesilla's marriages in 6.7; Lupercus' mate, Paula, has as lovers four comic actors-- one more, says Martial, than the number of speaking roles allowed on stage at any one time! Similarly, 6.22, on Proculina's adulterous marriage, is preceded by 6.21 in which Martial warns Venus, at the wedding of Stella and Violentilla, to ensure the fidelity not only of the bridegroom but also of the bride. Moreover, 6.90, in which Gellia is described as having just a single adulterous affair-- in addition to her two husbands!-- is obviously meant to partner the Zoilus poem, 6.91.11 Even Lygdus, Laetoria's cuckolded husband in 6.45, is prefigured in 6.39 where he appears as the father of one of Marulla's seven children, none of whom looks like the woman's husband, each resembling instead one of the household slaves or neighbourhood tradesmen.

But this leads us to another epigram, 6.3, which also, if only because of its position, warrants comparison with 6.2 and 6.4:

Nascere Dardanio promissum nomen Iulo,
vera deum suboles, nascere magne puer:

9 On Zoilus cf. 3.82, 11.30 (fellatio); 11.85 (cunnilingus). On his portrayal in general see the discussion by N M Kay (ed.), Martial Book XI (London, 1985) 92-3. For Martial's depiction of cunnilingus as a form of adultery, cf. 3.84, 11.61.

10 K Barwick, "Zyklen bei Martial und in den kleinen Gedichten des Catull", Philol. 102 (1958) 306-7, assumes that the cycle on the Julian law consists exclusively of 2, 4, 7, 22, 45, 91. This makes no allowance for correspondences between these epigrams and the rest of the book though, unfortunately, as with his definition of the other cycles in Martial, these views have been accepted without question, e.g. Hofmann (above, n.8) 243.

11 Cf. Moechum Gellia non habet nisi unum (6.90.1) with prohibet censura vetatque/moechari (6.91.1-2).
cui pater aeternas post saecula tradat habenas,
qui rege regas orbem cum seniore senex.
Ipsa tibi niveo trahet aurea pollice fila
et totam Phrixi Iulia nebit ovem.

The epigram is puzzling, since it appears to anticipate the birth of a child to Domitian. But according to Suetonius, his sole offspring, a son, had been born during Domitian's second consulship in 73. The boy had died, if not in the following year, then certainly in early childhood; in 4.3 (dating to 88) Martial suggests that a shower of snow which fell on the emperor during the games was sent from the heavens as a prank by his late son (suspiror has pueri Caesaris esse nives, 4.3.8). The playful tone of the poem indicates that the death of the young Caesar was by then a rather distant and less painful memory.

Moreover, in 9.86, written some four years after the publication of 6.3, Martial still implies that Domitian had lost only this one child. In this poem, a consolatio to Silius Italicus on the death of one of his sons, Martial notes that even the gods of poetic inspiration (and therefore guardians of Silius himself) had been unable to prevent the loss of one of their own children. Thus Apollo had been deprived of Linus, as had Calliope of Orpheus. Similarly, the Fates had robbed even Jupiter (of Sarpedon) and Domitian himself. Martial is not explicit on this last point, but the context clearly suggests that the emperor too had lost one child—that is, the son mentioned in 4.3 as being long since deceased and deified.

Even conjecturing, as do several commentators, that Domitian's wife had become pregnant in 90, only to lose the child before, or even at, birth, it is obvious that Martial would then have withdrawn 6.3 from publication. Had the epigram already been submitted to the palace, or circulated as part of Book 6, then the poet's untimely celebration would certainly have required, and elicited, a subsequent consolatio. But nothing further is heard, from either Martial or Statius, about the birth, or death, of a second imperial child. In short, we are left with the likelihood that the poem, which is clearly modelled on Vergil's Fourth Eclogue, is

---

12 Deinde uxorem Domitiam ex qua in secundo suo consulatu filium tulerat alteroque anno consulavit Augustam, Suet. Dom. 3.1. The passage has long been recognized as defective, since Domitian could not have given his wife the title Augusta in the year following his second consulship (i.e. in A.D.74), some seven years before he became emperor. Of the many suggested emendations, perhaps the most plausible is that of G W Mooney (ed.), Suetoni de Vita Caesarum Libri VII-VIII (New York 1979) 518-9, who proposes in septimo for in secundo (i.e. in VII for in II). Whatever the date of birth of the son, he died before A.D. 83, and there is no evidence of the birth of any other child to the emperor and his wife; cf. J-L Desnier, "Divus Caesar Imp. Domitian F.", REA 81 (1979) 54-7. At Sílv. 1.1.97, written between A.D. 89-91 (cf. F Vollmer, P. Papini Stiiatí Silvarum Libri [Leipzig, 1898]. 4-5), Statius lists only this one son of Domitian among the deified Flavians.

13 For the supposition of an actual pregnancy see e.g. Friedlaender (above, n.3) 432; F A Paley & W H Stone (ed.), M. Val. Martialis Epigrammata Selecta (London, 1881) 176; F Sauter, Der Römische Kaiserkult bei Martial und Statius (Stuttgart-Berlin, 1934) 100.
an imaginative fiction, expressing (as Scott puts it) simply "a general wish" for a son and heir for the emperor.  

Nevertheless, since this is the only epigram of its kind in Martial, we may wonder why the poet chose this particular occasion for such a composition, and why he placed it between two epigrams (6.2 and 6.4) which are closely related to one another. Possibly he may simply have been repeating a hope which Domitian himself was expressing at the time, though since there is nothing to indicate that the emperor was personally acquainted with the poet, it is very unlikely that Martial would have heard such sentiments directly. Alternatively, the vision of an imminent age of greatness and decency portrayed in 6.2 and 6.4 may have led Martial, after his Vergilian model, to prophesy a new leader to champion and symbolize the novum saeculum, though his insincere, if not cynical, attitude in these two poems suggests that this may be a rather superficial explanation.

Yet we can see that 6.3 is indeed designed as an integral part of the cycle on the Julian law. Clearly the connections between 6.2, 6.4 and 6.7 are verbal as well as thematic; so, for example, nasce quod sine fraude iubes (6.2.4) is picked up by tot nascentia tempa, tot renata (6.4.3) and echoed further by Jul/a lex ex quo, Faustine, renata est (6.7.1). But the most emphatic link in this chain is between 6.2 and 6.3. Thus:

\[
\begin{align*}
\text{populis futuris} \\
\text{succurris, nasce quod sine fraude iubes}
\end{align*}
\]

(6.2. 3-4)

is followed two lines later by

\[
\begin{align*}
\text{Nascere Dardanio promissum nomen Iulo,} \\
\text{vera deum suboles, nascere, magne puer.}
\end{align*}
\]

(6.3.1-2)

Domitian's command that future generations are to be born without deceit is followed almost immediately by Martial's own imperative to the emperor's heir that he now be born. But this seems to suggest an apparently bizarre correlation between the two statements, as if the birth of Domitian's child is somehow connected to, or might even benefit from, the guarantee that, thanks to the moral reforms, the next generation may now be born free of dishonour.

We might dismiss this as nothing more than an unfortunate, but quite accidental, implication, were it not for the prominent, arguably almost maternal, role in 6.3 of the emperor's niece, Julia. In contrast, Domitian's wife, Domitia, who is, presumably, to be the actual mother of the boy, is surprisingly...

---

14 Scott (above, n. 4), 75; for the Vergilian parallels, compare 6.3.1-2 with Ecl. 4.60-2:

\[
\begin{align*}
\text{Incipe, parve puer, risu cognoscere matrem} \\
\text{(matri longa decem tulerunt fastidia menses)} \\
\text{incipe, parve puer.}
\end{align*}
\]

Cf. also vera deum suboles (6.3.2) and cara deum suboles (Ecl. 4.49).
excluded. Yet the passage of the Fourth Eclogue which this epigram otherwise most strongly echoes is concerned precisely with the infant's relationship with his mother. Martial's intentions, particularly in 6.3.1 (*Dardanio promissum nomen Iulo*) to which I will return shortly, have confused several commentators, prompting some ingenious, though erroneous, suggestions. Paley and Stone, for example, proposed that Martial is hinting that the child was to be entrusted to Julia to be educated, but noted "the historical allusion is not clear". Stephenson went even further, conjecturing that "some child, or expected child, of Julia, Domitian's niece with whom, after he repudiated Domitia, he lived, is most likely referred to". But at the time 6.3 was written Julia was dead, her death and deification having occurred between A.D 87 and the end of 89. Martial himself is clearly portraying her in this poem as now deceased, for she is to take over the role of the Fates, and spin the life-thread of the expected imperial child (6.3.5-6).

As a newly deified member of the Flavian heaven, it might be natural to envisage Julia as the divine protectress of the embryonic Caesar. But on the other hand, it is surely tactless to mention her at all in the context of the Julian law against adultery. For almost invariably Julia is mentioned in the ancient sources in connection with the charge that until her death she herself had lived in unconcealed adultery with her uncle Domitian. Further, it is alleged that her death actually resulted from an abortion which the emperor, the father of the child, forced upon her. These accusations may, of course, be slanderous, and are a matter of disagreement among modern scholars. But their accuracy is not the issue here. The essential point is that they are reported in almost every account of Domitian's reign and were undoubtedly widely known. Pliny, for example, was clearly confident that his audience already knew the relevant details, and so felt no need to elaborate on his reference to the statues of an incestuous emperor (*cum incesti principis statuis permixta deorum simulacra sorderent*, [Pan. 52.3]). Similarly, at the beginning of the *Histories*, Tacitus summarizes Domitian's reign with a brief allusion to the pollution of sacred rites (i.e. the Vestal scandal) and adulteries among the powerful (*pollutae caerimoniae, magna adulteria*, [Hist. 1.2]). Admittedly, these references were made after Domitian's assassination. But it is most unlikely that the rumours concerning Julia's life, and very possibly her death, were not already circulating at the time 6.3 was written, or that they were unknown to Martial and a large part of his audience.

---

15 Ecl. 4.60-2, quoted above, n.14.
17 H M Stephenson (ed.), *Selected Epigrams of Martial* (London 1907) 293.
18 Cf. Mooney (above, n.12) 475.
19 Suet. Dom. 22.1; Dio Cass. 67.3; Pliny, Pan. 53; Philostratus, Vit. Apoll. 7.7.
20 Juv. Sat. 2.29-33; Pliny, Epist. 4.11; Suet. Dom. 22.1.
Yet Martial does more than merely mention Julia; as I have already noted, he seems intent on creating as close an association as possible between her and Domitian’s expected son, particularly in his curious designation of the boy as the name promised to Trojan Iulus (Dardanio promissum nomen Iulo, 6.3.1). Also puzzled by the phrase, Sauter proposed that it recalls the supposed Julian child of the Fourth Eclogue. But what Martial surely has in mind is part of Jupiter’s prophecy in Aeneid I of the name which will one day spring from the great Trojan Iulus:

Iulius, a magno demissum nomen Iulo.

(Aen. 1.288)

By this Vergilian echo, Martial seems to be implying that the child is to be called Julius, thus linking him even more strongly with Julia. But this is a startling suggestion, since the name is found nowhere among the male representatives of the Flavian house; even for the provenance of Julia’s name we must search outside the Flavian family. Moreover, however strong his feelings for his late niece, it is extremely unlikely that Domitian would have chosen, for the heir destined to consolidate the Flavian dynasty, a name reminiscent of the defunct Julio-Claudians. It is worth noting that when he adopted two of the sons of Flavius Clemens as his heirs apparent, he renamed the boys Vespasian and Domitian.

In short, it is difficult to believe that Martial is here echoing the emperor’s intentions; rather, we may suspect that he is deliberately toying with the name Julius, simply to forge a link between the child and Julia. That it is strongly suggestive of a maternal bond is reflected in Friedlaender’s comment that this line seems to mean that the infant is to be a substitute for the child that Julia had not produced. In this respect, it is perhaps significant that Martial goes on to portray Julia spinning a golden thread of life for the future emperor (6.3.5-6). The motif of the Fates fashioning a long lifeline, sometimes made of gold, for a prince or hero, is not uncommon; but Martial is alone, so far as I know, in imagining it as the

---

23 The full Vergilian context is:
Nascetur pulchra Troianus origine Caesar
imperium Oceano, famam qui terminet astris,
Iulius, a magno demissum nomen Iulo.

(Aen. 1.286-9)

It might be suggested that Martial is alluding to the name Caesar rather than to Julius, especially since Desnier (above, n.12) 63-5 conjectures that Domitian had named the son born in 73 Titus Flavius Caesar. But it is very unlikely that Domitian would have given, as a name, a word which was by now simply a title of the emperor. In any event, Aen. 1.286 would appear to be an easily adaptable line if Martial had indeed wanted to highlight the name Caesar. Instead, his choice of line surely directs the reader much more readily to Julius.

25 Suet. Dom. 15.1.
27 Catull. 64.311-5; Petron. Satyr. 29.6; Statius, Silv. 1.4.123-7; for a golden thread, cf. Sen. Apocol 4.11.5-9.
thread of the golden fleece or, as he puts it, of Phrixus' ram. He thus directs our attention not so much to the thread itself, as to the mythical boy related to it -- Phrixus, the son of the phantom Nephele who was herself created by Jupiter in the exact likeness of Juno. And though Phrixus was not the son of Jupiter, this hinted analogy between the child of a surrogate, spectral Juno, and the son of Domitian, the earthly Jupiter, adds to the feeling that the imperial child of 6.3 is being given closer ties to Julia than to the empress.28

We might add that in the only epigram which Martial devotes fully to Julia (6.13), he concentrates on the idea that she is able to capture the love of even the greatest gods. In commenting on a statue of the emperor's niece, the poet picks out the magic girdle of Venus which Julia is portrayed as holding, and which makes its possessor irresistible to any male. Before Juno can reclaim the love of almighty Jove, or even Venus of Mars, they must first, says Martial, regain the girdle from Julia.

In the years following the death and damnatio memoriae of Domitian, the charge of hypocrisy could be openly exploited against him. But allusions to this topic during the emperor's lifetime would naturally require the utmost care and subtlety. Indeed, it might be felt that any criticism of the emperor, however covert or oblique, would have been simply too hazardous for Martial to contemplate; this may explain why the implications of this series of epigrams have never been fully explored. In reply, however, we should perhaps not dismiss as mere hyperbole Juvenal's observation that Domitian could be gulled by even the most blatantly false flattery, and that there was nothing which a man whose power was praised as the equal of the gods' would not believe of himself.29 Further, Quintilian, Martial's contemporary, tells us how, by means of emphasis, or intentional double entendre, one could successfully and safely criticize even the most oppressive tyrants, provided that what was said could also be taken another (namely, positive) way.30

This, I believe, is precisely the technique which Martial is using in Book 6. Superficially, 6.2 and 6.4 offer a glowing tribute to the emperor and his censorial legislation. Only in retrospect are they found to be deceptive, their panegyric comically undercut by the following series which shows the absolute ineffectiveness of the lex Iulia as a moral weapon. In particular, 6.7 adopts the language and imagery of these two introductory poems, only to end by parodying their message. As I have argued, 6.3 is also intended, through its position and its verbal links with the surrounding epigrams, as an integral part of this series. Yet its inclusion adds a cynical, rather than humorous, note, directed at the emperor.

28 For the poetic conceit, in both Martial and Statius, of Domitian as the earthly Jupiter, see Scott (above, n.4) 133-40.
29 Juv. Sat. 4.69-71.
himself, though again artfully hidden behind a facade of flattery. Its theme is not inspired, in all likelihood, by any actual or expected event; but by setting Julia in the context of the legislation against adultery and, further, by contriving an almost maternal relationship between her and a fictional son of Domitian, Martial seems to be hinting at a contradiction between the emperor's pretensions as a moral reformer and the suspected scandal of his private life.

It has been suggested that Juvenal's vivid attack against Domitian in Satire 2, on precisely this contrast between his law against adultery and his own adultery with Julia, is aimed also as a sneer at Martial's earlier praise of the emperor's moral legislation.\(^3\) But, perhaps, it is quite the opposite. For, as in several other details in this satire, Juvenal may once again be paying his fellow poet the compliment of the sincerest form of flattery.

\(^3\) R Colton, "Juvenal's Second Satire and Martial", *CJ* 61 (1965) 71; for parallels between this satire and Martial, see ibid. 68ff.