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## *Aisthesis* Vol VIII
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## Letter from the Editor-in-Chief

These are challenging times. The pandemics of COVID-19 and systemic racism have forced societies to undergo significant and burdening changes in an attempt to preserve a sense of balance. The world of education and academia is no exception to this trend; as education providers continue to struggle with the health risks posed by COVID-19, many students have also begun to tread on unfamiliar ground in the forms of online classes and limited academic resources, to name but a few complications.

And yet, in spite of the situation we currently find ourselves in, we must work even harder to promote and celebrate the excellent academic research of our Classics undergraduate communities. Above all, Classics is a discipline about connection, whether it be across academic fields, geographical borders, or even time itself. Therefore, especially in a world as technologically dominant as ours, the work of these students will no doubt play a crucial role in demonstrating to the wider public how the study of Classics remains incredibly pertinent to societies today.

This year, Aisthesis is proud to publish a two-year double edition of our journal, featuring six papers from exceptional undergraduate students across America and the world. If nothing else, this particular anthology truly highlights the diverse and versatile nature of Classics, with these papers providing analyses on a range of genres, themes, and mediums. From fresh takes on the tragic messaging of Aeschylus and Shakespeare to discussions of the significance of cats in the ancient world, this is a volume to remember. We are delighted to act as a stepping stone for these young classicists as they move forward in their academic careers, and will strive to sustain this role for generations of scholars to come.

On behalf of the rest of the journal, I would like to thank the Stanford Department of Classics for their constant support over the years, as well as the Associated Students of Stanford University for financially supporting the publication of this journal. I would additionally like to commend everybody who submitted a paper for consideration and our hard-working student editors, without whom the publication of this paper would not have been possible. We hope that this journal may serve as a source of enjoyment amidst this historic moment!

**Will Shao**
**Aisthesis Editor-in-Chief**

## CALL FOR SUBMISSIONS

*Aisthesis* is now accepting submissions for our upcoming Volume IX! We publish academic papers by classics students within the undergraduate community on topics relating to the ancient Mediterranean, as well as new translations of Greek and Latin texts. Our submission deadline for the spring 2021 volume is 11:59 PM EST on December 31, 2020. Each author can submit up to two submissions of a maximum of 10,000 words (roughly 30 double-spaced pages) each. Further journal information and submission guidelines may be found at the following link: https://classics.stanford.edu/projects/aisthesis-undergraduate-journal. We look forward to receiving your papers soon!

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# Apology for Merited Autocracy: A Thematic Answer to the "Aeschylean Question" of Prometheus Bound

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Aeschylus' portrayal of Zeus in *Prometheus Bound* seems to differ dramatically from his portrayal in the rest of Aeschylus' plays: within the entire surviving Aeschylean corpus, Zeus is considered a benevolent and just ruler, save in *Prometheus Bound*. In the *Suppliants*, Zeus is called "the Saviour, guard / Of mortals' holy purity!,"[1] "compassion's lord,"[2] "right-dealing,"[3] and he makes judicial decisions "with an impartial scale, apportioning, as is due, to the wicked their wrongdoing and to the godly their works of righteousness."[4] In the *Agamemnon*, it is stated how "the prudent mind awards Zeus victory: wisdom gives Zeus first place in piety. / For Zeus's law is first in all the world. / The law is this: no wisdom without pain."[5] This could not be farther from how Zeus is ostensibly described in *Prometheus Bound*. Although sources from antiquity, including the Great Library of Alexandria, unanimously ascribe *Prometheus Bound* to Aeschylus, many modern scholars disagree, in large part because of this disparity in the portrayal of Zeus.[6]

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1 trans. by E. D. A. Morshead; lines 26-27, "σωτὴρ τρίτος, οἰκοφύλαξ ὁσίων ἀνδρῶν"

2 trans. by E. D. A. Morshead; line 192, "αἰδοίου"

3 trans. by E. D. A. Morshead; line 360, "κλαρίου"

4 trans. by E. D. A. Morshead, lines 403-404, "ἀμφοτέρους ὁμαίμων τάδ᾽ ἐπισκοπεῖ Ζεὺς ἑτερορρεπής, νέμων εἰκότως ἄδικα μὲν κακοῖς, ὅσια δ᾽ ἐννόμοις."

5 trans. by Herbert Weir Smyth; lines 174-177, "Ζῆνα δέ τις προφρόνως ἐπινίκια κλάζων τεύξεται φρενῶν τὸ πᾶν: τὸν φρονεῖν βροτοὺς ὁδώ - σαντα, τὸν πάθει μάθος θέντα κυρίως ἔχειν"

6 Griffith 1983, pg. 34

However, I argue that Zeus is portrayed in the same positive light in *Prometheus Bound* as in the rest of Aeschylus' works, and it is Prometheus who is written to portray characteristics not worthy of emulation. The play paints the picture of a willing political martyr intending to topple a regime through a cultural war for his own personal gain: an individual whose political destabilization is portrayed as more destructive to the state than the potential good from some "perceived" moral ideal, and who in the end succumbs to the merited authority.

No meaningful critiques or summarizations of the central message within *Prometheus Bound*'s survive from antiquity. Many writers quote *Prometheus Bound* and some, most notably Aristophanes, attempt to parody it, but we lack a text from which we can glean what the ancients thought it to be about. There is one quote, though, which might be able to answer that question. In "Defense of Four Statesman," Aristides says that "Aeschylus writes in *Prometheus Bound*, 'Indeed, for many of mankind, silence is advantageous.'" This quote never occurs in *Prometheus Bound*, nor is there a quote similar to this. Perhaps what we see here is Aristides not quoting *Prometheus Bound*, but instead trying to summarize the central message of the play. But that seems contradictory, as that does not seem to be the message of Prometheus Bound. While Prometheus is a lot of things in this play, silent is not one of them. If one accepts Prometheus as the protagonist of the play and thus as designated for emulation by the audience, then silence would not be a characteristic put forth for emulation. There is one reference to silence from Prometheus in *Prometheus Bound*, but it is curious itself: in lines 436-437, Prometheus apologizes for his "silence" on his sufferings, when indeed he has not been remotely silent on them up to that point, nor is he silent afterwards. If an ancient author read a central argument of *The Prometheia* that is not in line with the behavior of the character whom we typically thinks portrays author's position, then our understanding of this character as spouting the "moral" of the story might be mistaken. Prometheus should not then be taken as the protagonist of the piece.

Prometheus' apology for his supposed silence would perhaps, isolated, be simply a curious anecdote, but when taken with the rest of the text, it is indicative of a larger issue. Throughout, Prometheus contradicts himself. In line 100, he asks "Where is a limit for my agonies ever to be set?"[7] but then realizes his mistake and quickly qualifies that he *does* know, as he has "accurate foreknowledge of all that is to

7 trans. by Herbert Weir Smyth, "πῇ ποτε μόχθων χρὴ τέρματα τῶνδ᾽ ἐπιτεῖλαι."

be, and no pain will come unexpectedly."[8] In line 270, he says he "did not think at all that punishments like these would have me withering away,"[9] yet later his immense foresight with Io seems antithetical to that. These contradictions continue: Prometheus qualifies himself as being inherently against tyranny, yet admits that "who else but myself completely determined" Zeus' rule,[10] and calls himself "the friend of Zeus, who helped him to establish his sovereign power."[11] Moreover, in lines 220-224, Prometheus seems to say that he knew Zeus would rule as a tyrant and that for him, the true injustice is not the rule of a tyrant, but this "evil reward," given that he had helped form the regime. He maintains this vacillation with Io, saying in line 617 that she will "learn everything from" him,[12] but only three lines later he professes that he will make clear "this much and no more,"[13] i.e. only what he just told her. While uncertainty is not necessarily a characteristic of moral insufficiency, taken on a larger scale, it does imply the basic dishonesty of a character; *falsus in uno, falsus in omnibus*.

The presence of Io in *Prometheus Bound* is curious in itself and should be examined. In a play with such a tragic tone, the sudden arrival of a human woman, turning into, of all things, a cow, seems almost comedic. She serves an important role, though, not for herself, but as a revelation of Prometheus' abilities and *modus operandi*. We can see this clearly in how Prometheus chooses to describe the cause of Io's suffering in *Prometheus Bound.* He does so very differently from how Aeschylus does in *Suppliants*, in which Aeschylus wrote of "the searching, poisonous hate, that Io vexed and drave was of a goddess... the bitter ire, the wrathful woe of Hera, queen of heaven."[14] Prometheus does reference Hera in 590 and 704, but in a dishonest way, using Hera

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8 trans. by Herbert Weir Smyth; "πάντα προυξεπίσταμαι σκεθρῶς τὰ μέλλοντ᾽, οὐδέ μοι ποταίνιον πῆμ᾽ οὐδὲν ἥξει."

9 trans. by Herbert Weir Smyth; "οὐ μήν τι ποιναῖς γ᾽ ὠόμην τοίαισί με κατισχνανεῖσθαι"

10 trans. by Herbert Weir Smyth; lines 439-440; "καίτοι θεοῖσι τοῖς νέοις τούτοις γέρα τίς ἄλλος ἢ 'γὼ παντελῶς διώρισεν;"

11 trans. by Herbert Weir Smyth; line 305; "τόνδε τὸν Διὸς φίλον, τὸν συγκαταστήσαντα τὴν τυραννίδα."

12 trans. by Herbert Weir Smyth; "πᾶν γὰρ ἂν πύθοιό μου."

13 trans. by Herbert Weir Smyth; line 621; "τοσοῦτον ἀρκῶ σοι σαφηνίσας μόνον."

14 trans. by Herbert Weir Smyth; lines 562-64 and 584-87, "αινομένα πόνοις ἀτί - μοις ὀδύναις τε κεντροδα - λήτισι, θυιὰς Ἥρας... κατέπαυσεν Ἥρας νόσους ἐπιβούλους"

both times as objects of a preposition, making her almost impersonal to the action.[15] For Zeus though, he holds back no description of how it is Zeus's fault. Before even mentioning Hera, he blames Zeus in line 589. In lines 736-740, he falls just short of saying that Zeus alone is guilty for Io's sufferings, through Zeus' desires. Moreover, he portrays Zeus not only as being the cause of Io's suffering - which is debatable, but not completely wrong, as Zeus' actions did lead to it - but he also portrays Zeus as elongating her suffering. He says that Zeus will be the one who restores Io to her sense, "by the mere stroke and touch of his fearless hand."[16] The inclusion of "μόνον" (mere) implants in the hearer's mind the concept that this action was relatively simple and easy for Zeus, and therefore that Zeus had no compelling reason not to do it. Someone suffering needlessly, when Zeus could easily end the suffering, would hardly respond positively towards Zeus if made aware of these circumstances. The inclusion of "ἀταρβεῖ" (fearless) at first makes little sense in this context. Why would Prometheus feel a need to point out that Zeus' hand was not fearing anything? Perhaps Prometheus lies. Zeus being afraid of Hera and letting her torture his mistresses from that fear is a common mythological trope. But here Prometheus is directly challenging that, saying that Zeus was not fearful and therefore had no reason not to help Io. Within the Io passage we perhaps can see the most pernicious nature of Prometheus, only hinted at by his worst enemies. One of the most classical examples of moral ineptitude is the charge of "corrupting the youths." From Socrates to Catiline, this was a predominate accusation against a defendant's character. Now Io is very much a youth, and indeed we can see something here. Io enters in 560, bemoaning her miseries. Immediately, she does attribute the sufferings to Zeus, but with an almost 'religious' question, asking what "had (she) done wrong?"[17] to cause her sufferings, not unlike Job or Jesus in the Garden, whose morality was not lessened when they asked the same questions. In 601, she says that she is a "victim of a rancorous scheme of Hera,"[18] and that Hera is cause of her misery,

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15 trans. by Herbert Weir Smyth; lines 562-64 and 584-87, "αινομένα πόνοις ἀτί - μοις ὀδύναις τε κεντροδα - λήτισι, θυιὰς Ἥρας... κατέπαυσεν Ἥρας νόσους ἐπιβούλους"

16 line 509, "Ἥρᾳ στυγητὸς πρὸς"; line 704, "οἷα χρὴ πάθητλῆναι πρὸς Ἥρας τήνδε τὴν νεανίδα."

17 trans. by Herbert Weir Smyth; lines 578-80; "ὦ Κρόνιε παῖ, τί ποτε ταῖσδ᾽ ἐνέζευξας εὑρὼν ἁμαρτοῦσαν ἐν πημοναῖσιν"

18 trans. by Herbert Weir Smyth; "σκιρτημάτων δὲ νήστισιν αἰκείαις λαβρόσυτος ἦλθον, Ἥρας ἐπικότοισι μήδεσι δαμεῖσα."

simply wondering the justice behind Zeus allowing her to suffer. This is the attitude of Io before her dialogue with Prometheus, but after hearing Prometheus, she makes a complete switch and has been turned against Zeus only, proclaiming how she is "one who suffers miserably from Zeus."[19] She drops any mention of Hera. Prometheus has successfully corrupted a youth against the King of the Gods, in only 150 lines.

We can learn more about Prometheus through the other characters as well, but we must qualify the level of authority we can accord to their individual opinions, as they should not all be trust equally. In *Prometheus Bound*, Hephaestus, the Chorus, and Oceanus are sympathetic towards Prometheus, while Cratus and Hermes are not. To begin, Oceanus stands out in Greek mythology as the only neutral god in the Titanomachy, with Pindar writing how during the war, the Titanesses, Hera, and the other goddesses, resided with Oceanus,[20] positioning him with the women, while the world fought. Oceanus is the eldest Titan, but does not play the part of a first born when Gaea implores her children to slay their father.[21] Later, Pseudo-Apollodorus goes farther, writing that all of the Titans attacked Uranus, "with the exception of Oceanus."[22] He is consistently portrayed as a god of inaction, an almost 'feminine god.' And his daughters, the Chorus, would not be expected to fall far from the tree. For Hephaestus, as a craftsman, he would not possess the same wisdom of other gods, such as Apollo and Athena. Moreover, we can see through the story of his crippling,[23] where he sides with Hera over Zeus, to not be a god of immense tact. Given this, their pity might not be as endorsed by Aeschylus. For the characters who do not pity him, Hermes carries immense authority, because as the Olympian god of trickery, he would be the most equip to understand Prometheus', according to the old adage, "it takes one to know one." Hermes himself actually seems to also have foresight, no less encompassing than Prometheus. In his monologue describing the future that will come to Prometheus if he continues refusing to tell Zeus the secret of the marriage that will depose him, lines 1007-25 could be as not knowledge of the future but the completion of Zeus orders. But, lines 1026-1030 seem to be about Heracles, who will free Prometheus.

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19 trans. by Herbert Weir Smyth; "ἐκ Διὸς πάσχω κακῶς;"

20 Fragment #30

21 Theogony, 167

22 Bibliotheca, 1.1.4, translated by Sir James Frazer; " Ὠκεανοῦ χωρὶς ἐπιτίθενται"

23 *Iliad*, 1.590

This would not have been part of Zeus' orders and instead seems to be premonition of the future, and not only of Prometheus' freeing, but also as referencing Heracles' labor to the Underworld. This is the same knowledge of the future that Prometheus spouts in lines 870-873 when he is proving his skill in telling the future. When he does this, it reassures Io and the Chorus of his veracity. Giving Hermes this same skill which Prometheus practices and is respected for having, would place them on equal footing. It's a parallelism between two characters that doesn't seem to be a coincidence, but rather a careful choice of the author to connect two characters.

Cratus is the other character who grants no sympathy to Prometheus, and, indeed at times he seems unnecessarily cruel towards our play's namesake. But we cannot ignore his nature as a *daimon* - a being neither a god nor human, but the personifications of a realm and supreme within that realm. Geras is the daimon of the realm of 'old age,' Nike, the realm of 'victory, Eirene, of 'peace,' etc. What is Cratus' realm? An analysis of the literary tradition of the word might help us fully decipher the implications. Plato's *Republic*, a text written in the same city as *Prometheus Bound* and only a couple decades after it, contains the impersonal noun version of the *daimon* Cratus. In it, there is an infamous character of Thrasymachus, recognizable for his portrayal as a heated aggressive man, who attempts to challenge Socrates. The nature of Thrasymachus, him being a rather belligerent man (his name literally means "hasty/fierce fighter"), has often led translators to read his philosophy in that light. However, they are mistaken, and his political philosophy is actually rather profound. Thrasymachus' overarching philosophy is usually categorized that, "Justice is the profit of the stronger,"[24] with "stronger" being "κρείττονος," the comparative form κρατύς. Socrates and those around him humorously muse that he is affording power to those who can lift the heaviest weights, but Thrasymachus quickly indicates that he is talking about a different 'strength,' one of political authority. For him κρατύς seems to be a characteristic inherently attributed to a king. It does not just carry the sense of brute force or strength of one supported by troops, but the innate authority of the holder, endowed through something significant or legitimate. Thrasymachus is putting forth a system similar to the "divine rights of kings" to rule.

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24 Trans. by Jowett; 338c, "φημὶ γὰρ ἐγὼ εἶναι τὸ δίκαιον οὐκ ἄλλο τι ἢ τὸ τοῦ κρείττονος"

However, that theory does not seem sound, as we can see that following those who were able to achieve political authority without question does not end well, as some just are not qualified to rule. If Thrasymachus argument stopped here, then it would not be defensible. The *pièce de résistance* lies in how Thrasymachus argues that this authority is bestowed, an argument brought out by Socrates counter to Thrasymachus' argument, when Socrates points out that "often, the 'stronger' err and rule against their interest."[25] This is a trick that Socrates utilizes often.[26] Thrasymachus responds accordingly that when a ruler rules outside their interests, they no longer are the "stronger,"[27] and this gives the implicit argument that to be "the stronger," to enliven "κρατύς," one must rule in one's best interest. This authority is bestowed through being the most capable in the art of ruling. Later in the text, Socrates shows how the aspect of Thrasymachus' claim that justice serves only to benefit the ruler is faulty, and Thrasymachus concedes that point, that being "κρείττονος" is to serve the interest of the people. Therefore, accepting that, Thrasymachus' argument can be summed up as: doing what is just is following the laws of those most capable of ruling, given that they are ruling best in state's interests. Not only is this an argument for meritocracy, it outlines a method of removal from power, pointing out that no power is absolute and rulers should be deposed when they do not rule for in the best interest of the state. Unlike Socrates' system, this doesn't require a "noble lie," as the people can assume that a ruler is the one who can rule in the best interests of the state, and if he isn't, then they have a moral ground to remove him from power. It creates a failsafe for the people, curing their obedience, as well places a heavy responsibility on the ruler to rule most capably, not simply assuming that he will, as Socrates does. But why is this important?

We swivel to the potential role that Cratus plays within this play. There is extreme important in the dichotomy of which he is apart. He exists with Bia, the daimon of the realm of "force." In contrast to Cratus, she seems to represent forceful, violent 'strength,' which juxta

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25 Trans. by Jowett; 340c; "ἀλλὰ κρείττω με οἴει καλεῖν τὸν ἐξαμαρτάνοντα ὅταν ἐξαμαρτάνῃ;

26 An obvious example of this is the "the returning of owed arms to their owner when he is in an ill state of mind" being morally wrong and therefore against Glaucus' definition of morality, but here Socrates isn't offering an honest counterclaim, as the example he lays out has corrupted the original system: a friend "in an ill mind" is not the same friend to whom you owed the arms and whom you promised to return said arms

27 Trans. by Jowett; 340c

poses quite cleanly with Cratus' strength, as combining to the strength of a ruler. He must be able to both utilize a tangible authority through some form of military or police power (Bia) and an inherent, ethereal political authority (Cratus). Given this and Thrasymachus' use of his realm when outlining his political philosophy, Cratus seems to represent the strength of legitimacy. He represents political legitimacy, or how it can be achieved and how it is sustained, through political efficacy. Now, his existence of being in service to Zeus indicates that Zeus has some political legitimacy. But did Zeus reach this legitimacy when Cratus and the realm he ruled joined Zeus' administration, or does Cratus represent the political legitimacy inherent in Zeus' administration?

At which, we arrive at another point. We must look at the moral implication of Zeus' authority outside of *Prometheus Bound*, to understand how Aeschylus could view it when writing *The Prometheia*. What is the basis for his authority? Zeus is the third in a string of rulers, having succeeded Cronus, who succeeded Uranus. Some have argued that he is "merely the best of a bad lot, the last of the strong men to rule in heaven, who... keeps the peace reasonably well,"[28] but that claim falters, as Blickman points out how "both the *Theogony* and *WD* praise (Zeus') defense of Themis and Dike,"[29] and he is is quite widely praised in Classical texts, with the main exception being our *Prometheus Bound*. Zeus is a moral leader. Hesiod strongly condemns both governing by "with might"[30] or Machiavellian qualities,[31] and would therefore not praise Zeus for ruling with those means, even if he succeeds in stabilizing the universe. Hesiod does not focus on the end, but rather the means. Even for his enemies, Zeus' punishments are just.[32] But why? Some, as I have discussed, afford it to his ability to control the daimones and their positive aspects (Dike, Nike, Eleus, Arete, Alethia). Zeus controls Cratus, so therefore he has political legitimacy. But this argument doesn't hold, as Blickman pointed out that the attendance of the *daimones* represents "his supreme power... it is in the possession of these powers by Zeus which needs justification, not the existence of these beings themselves."[33] Dike is an attendant of Zeus, working as a

28 Blickman, pg. 342

29 Blickman, pg. 342, pg. 345

30 *Works and Days*, translated by Hugh G. Evelyn-White; line 189, "χειροδίκαι"

31 *Works and Days*, translated by Hugh G. Evelyn-White, line 192; "δίκη δ᾽ἐν χερσί"

32 Loney, pg. 507

33 pg. 347

watcher for him, telling when injustice has been done so he can act, "so that people may pay for folly."[34] Blickman stresses that these beings came to Zeus voluntarily, seeing him as their embodiment in a ruler. Blickman unfortunately fails to give a reason why these beings saw Zeus in this light.

We might approach this by looking at the extreme to Zeus, Cronus, consistently portrayed as the most depraved god. But why? There are many clear similarities between Zeus and Cronus that seriously question why Zeus' portioning is "μητίετα" and Cronus', not. The most obvious example is their shared "swallowing." Cronus' swallowing his children[35] is one of the more famous myths of Hesiod, and Zeus swallows Metis similarly later in the text.[36] Many scholars have approached these scenes together, but only on a political plain,[37] concerning Zeus ability of "co-opting older gods and assimilating them into his regime."[38] His swallowing of Metis is different than Cronus' of his children, as he takes the most important function of Metis - her μητίς - so that she "would truly be his... He would, himself... understand more things than all the gods and all the mortals knew."[39] He does this with the counsel of Uranus and Gaea, in order that he is not dethroned. Schaerer put it most eloquently as "by devouring the mother with the child, he incorporated within himself any possible surplus of power, he made himself the source of his own transcendence, just as Descartes

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34 *Works and Days*, translated by Hugh G. Evelyn-White; lines 260-261, "ὄφρ᾽ ἀποτίσῃ δῆμος ἀτασθαλίας"

35 *Theogony*, translated by Hugh G. Evelyn-White; lines 459-460, "τοὺς μὲν κατέπινε μέγας Κρόνος, ὥς τις ἕκαστος νηδύος ἐξ ἱερῆςμητρὸς πρὸς γούναθ᾽ ἵκοιτο"

36 *Theogony*, translated by Hugh G. Evelyn-White; line 899, "ἐὴν ἐσκάτθετο νηδὺν Γαίης φραδμοσύνῃσι καὶ Οὐρανοῦ ἀστερόεντος."

37 Take Styx, whom Loney argued that, given her Titan parentage and "her dangerous offspring... (she) could be a threat to Zeus. One of her offspring could overthrow his rule, much as he did Cronus', but Zeus brings Styx and her children into his regime... Styx's children become his permanent companions (Theogony, line 401) and are allowed to exercise their destructive powers-but only under Zeus' direction (386-88)." (pgs. 523-524) Zeus' political success in the face of his predecessors' failures is his integration of his possible rivals into his power. The Cyclops and Hecathoneires are utilized for their skills, his siblings are each given realms of power (albeit lesser than Zeus'), "Gaia is safely circumscribed as 'πάντων ἕδος ἀσφαλὲς αἰεὶ ἀθανάτων,' (*Theogony*, lines 117–18) ... Hecate, 'ἕκητι' prayers are made effective, becomes a mediator between humans and gods, as well as a nurse, thus mitigating the threat their direct offspring might pose (*Theogony*, line 420)." (*id*., pg. 526)

38 Clay, pg. 22

39 Schaerer, pg. 41

did by the tour de force of his cogito."[40] But this is in service to him and his power. Ensuring that he stays in office. This understanding would not paints the moral and just ruler, that we see in other texts. Knowing that Zeus is an effective leader would not serve to guide our actions on a moral level, as most writers portray him.

There is a crucial piece of evidence in these "swallowing" passages, in their repeated use of 'νηδύς." But, we must realize to whom the word applies. In the first passage, 'νηδύς' is not with Cronus, but rather Rhea. In the first passage, 'νηδύς' is almost always translated as "womb," however in the second it is always translated as "belly" or "stomach." Translators are ignoring the parallelism and the significance of the use of νηδύς for Zeus, a word that cannot be removed from its sense of 'giving life.' A more honest translation for Zeus' 'swallowing' is "Zeus placed Metis in his womb," giving an incredibly gentler tone than Cronus' 'κατέπινε,' literally, "he devoured." Metis is in the place of life; of producing, not of consuming. In Greek culture, there is a concept of ἀρετὴ, which although commonly translated as 'excellence,' also holds a deeper meaning, as the fulfillment of one's function by living up to one's full potential. Now many have viewed a causal relationship between δίκε and ἀρετὴ,[41] that as Zeus acts justly, he outlives his ἀρετὴ. Now that is not an unreasonable way to view these attributes, but perhaps a more profound way to address it, is that Zeus' regime is just, as it is the embodiment of supporting ἀρετὴ. Blickman approached this when he argued that in Theogony the "orderliness of existence... (is) conceived under the aspect of justice,"[42] but fails to connect the orderliness of existence to ἀρετὴ and personal virtue. If orderliness (each doing what is best for them) is justice, and Zeus supports justice, Zeus supports ἀρετὴ. Cronus' greatest crime in eating his children was that "the function of life is blocked... (since) life is not destroyed in the maternal breast....(Cronus swallowing his children) goes from the female to the male and there is an end."[43] Zeus in comparison, does not end life. "Metis is precisely where her significance lies."[44] Zeus upholds Metis' ἀρετὴ, and in that regards, he is just. Zeus being a ruler who co-opts and utilizes the skills of his subject isn't just smart, it is right.

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40 Schaerer, pg. 41

41 Beall, pg. 170

42 pg. 352

43 Schaerer, pg. 46

44 Blickman, pg. 345

Dike serves Zeus, but that does not mean that Zeus decides what is just; justice is just, regardless of any other. Dike, Nike, Eunomia, Eirene, etc., serve Zeus because they see him as the embodiment of their realm, having joined his' ranks voluntarily, not through compulsion.[45] Cratus similarly. He serves Zeus, giving him the strength of legitimacy, because Zeus deserves it, through upholding the ἀρετὴ of his subject. He is not Zeus' henchman, but a voluntary follower, seeing Zeus to enliven his realm of 'able' rule. This understanding of Cratus immediately legitimizes Zeus' rule over the opinion of all others. For Cratus, Prometheus is directly guilty of crime against the state, and deserves punishment, even extreme punishment, to ensure the safety of the state. This is similar to how Aeschylus portrays Zeus' judgment of Asclepius in *Agamemnon*, writing "No magic has that worth.... to raise the dead, if Asclepius once had the power... sooner than let him, Zeus tore him apart."[46] Aeschylus portrays Zeus as acting soundly here, because, even though the punishment is severe, it is in service to the greater good of the state, for, if death was eliminated, chaos would follow. It is this same chaos which reigned before Zeus, which Prometheus threatens to restore through his rebellion, and which Cratus abhors. Cratus is not against any rebellion of authority, as he supported Zeus' of Cronus,' only when it is directed towards a legitimate and merited power. Although autocracy is neither popular nor pleasing, it is stable, and Aeschylus opines this through Cratus.

Many should challenge this, since in Aeschylus' other works, especially *The Oresteia*, he clearly calls for a democratic society, and that would make my interpretation of *Prometheus Bound* against his credo. But if Aeschylus did indeed write *Prometheus Bound*, he would have done much later than his other works, in the last couple years of his life.[47] The defining political institution of Aeschylus' world would be the Athenian Democracy, which today we often look through rose colored glasses, disregarding that it was actually a failure. By Socrates' times, it was almost universally held that democracy was too unstable to last. And by the ending of Aeschylus' life, the Democracy was very much facing the issues that would eventually topple it. If we take *Prometheus Bound* to be arguing for deserved autocracy, it would not be

45 *Theogony*, line 397

46 trans. by Herbert Weir Smyth; lines 1023-26, "οὐδὲ τὸν ὀρθοδαῆ τῶν φθιμένων ἀνάγειν Ζεὺς ἀπέπαυσεν ἐπ᾽ εὐλαβείᾳ;"

47 Sutton, pg. 294

anachronistic to historical background.

Not all the gods realize their ἀρετὴ and Zeus' predecessors never supported their subjects'ἀρετὴ. Uranus refused the ἀρετὴ of the Hecatonchires or Cyclopes and even worse Cronus ignored the ἀρετὴ of almost his entire realm (perhaps why Uranus is later redeemable and Cronus is not). The most egregious is Prometheus though, who directly contradicted the ἀρετὴ of himself. Prometheus major transgression could be summed up as rebellion against Zeus, but his rebellions stands out among others, as we can see from the inherently cruel nature of his punishment. The other Titans all fought against Zeus too, but all their punishments were more banishment, constrained far away from civilization. Prometheus is also constrained, but in plain view of civilization. The reason Prometheus' punishment stands out is because his transgression wasn't simply rebellion, it was his method of rebellion: deceit. Deceit is an inherently human attribute, in regards that humans are by far the less powerful beings, and deceit is the modus operandi of a less powerful being. Prometheus' crime is more personal, a "self inflicted" action against his ἀρετὴ that Zeus saw to be so atrocious he had to be punished most cruelly. That is why the Chorus, arguably the most sympathetic towards Prometheus, still understand his nefarious nature of being a traitor to himself and his kin.[48] Cratus understood this, and implemented Zeus' punishment.

Equally to the means Prometheus used, the ends achieved by the means are wrong. This understanding of Prometheus' consequences are evident in the recording of the Promethean myth in *Protagoras* - the myth of Prometheus, Epimetheus, and the attribution of abilities and characteristics to mortal animate beings.[49] Protagoras forms a dichotomy between what Epimetheus dealt and what Prometheus dealt, with the former's being abilities, such as the ability to run fast or slow, the ability to protect oneself in the winter, the ability to fly or live underground, etc., could more or less be defined as skills. When Epimetheus forgets to give humans anything, Prometheus gives (or, rather steals) fire for humanity in place of what Epimetheus forgot for them. But this "fire" is so much more than just the rapid oxidation of a material in the exothermic chemical process of combustion. In *Protagoras*, it seems to be the ability to create and improvise, "the wisdom of daily life, civic wisdom... to articulate speech and words, and to invent dwell-

48 line, 1069

49 *Protagoras*, 320c

ings, clothes, sandals, beds, and the foods that are of the earth."[50] This creative spirit is *our* ability, superior to the abilities of animals which Epimetheus was supposed to give to us, because we can obtain the same skills that Epimetheus gave, through what Prometheus gave. In the place of a coat of fur, we can create a coat of wool; in the place of claws and sharp teeth, arrows and swords; in the place of natural digging abilities, the craft of domicile constructing.

But our gift - fire - goes beyond the mundane. We know this *ab ovo*, because if fire simply furnished man with the similarly temporal skills Epimetheus forgot to give to humans but gave to animals, then Prometheus' act should not be as egregious to warrant his punishment in other myths. Why then? In *Theogony*, it is written that only after Prometheus' deceit of the sacrifice to Zeus, did Zeus not continue to "give the strength of weariless fire to the ash trees for mortal men who dwell on earth,"[51] Before men used fire when Zeus sent it to them through lighting, when he saw fit. It seems then, that humans having fire was not the transgression, but rather being able to create it at their own volition, which Prometheus furnished. Why is that bad? Well, in the Tony Harrison film based on Prometheus Bound, Prometheus (1998), the character Hermes, with disdain, says the "theft of fire/First blurred the line dividing mankind and divine/ Letting lower challenge hire.By giving mere men Zeus' fire." Why is blurring the line of power so bad for Hermes?

The only ultimate authority for Man, is 'god.' But as soon as one eschews god, one eschews the possibility of an appeal to something objective beyond man, who we know is flawed and prone to mistakes. Therefore, all he can produce, is equally biased. The character that represents Prometheus in the movie, seems to endorse this understanding, only viewing it positively. He views man's rebellion against the divine as good, citing Prometheus with this rebellion. He disdains the tyrant for forbidding him "to smoke," and calls anyone in power "berks," who wish to deny men "joy." He calls fire the "first defiance," placing it not in the role of simple utility, as some do, but something stronger. He equates knowledge with fire, as Protagoras did in the Prometheus myth. The gift of fire made men no longer beholden to Zeus and the gods, letting us "call god's world 'ours.'" The consequences don't just affect the

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50 Trans. by Jowett; 322a, "ἔπειτα φωνὴν καὶ ὀνόματα ταχὺ διηρθρώσατο τῇ τέχνῃ, καὶ οἰκήσεις καὶ ἐσθῆτας καὶ ὑποδέσεις καὶ στρωμνὰς καὶ τὰς ἐκ γῆς τροφὰς ηὕρετο."

51 Trans. by Hugh G. Evelyn-White; lines 362-64, "ἐκ τούτου δὴ ἔπειτα δόλου μεμνημένος αἰεὶ οὐκ ἐδίδου Μελίῃσι πυρὸς μένος ἀκαμάτοιο θνητοῖς ἀνθρώποις, οἳ ἐπὶ χθονὶ ναιετάουσιν. "

gods though. Prometheus espouses no guidelines for men to live from. He gives men autonomy and control, without supplying them a means to defend against anarchy. He explicitly says that fire allowed men to raise their "sinners out of the mire," letting us redefine what sinning is. Which, I think, is inherently concerning, as the movie shows. Who regulates this "redefining?" We receive the power of the "god's world," but as we are not "gods," we should legislate as them.

But Prometheus is not just a rebel, but something more dangerous. Some have said that the greatest thing that Jesus' ever did was die, because Christians could then flourish even in persecution. Prometheus strives for this. Through his suffering, he tries to be the leader of a cultural rebellion, seeing a political one as not viable, at least not yet. This is why when Oceanus offers to "try if (he) can to free (Prometheus),"[52] Prometheus immediately refuses him not to, ostensibly so that Oceanus doesn't get hurt.[53] Oceanus pushes, because he is "confident that Zeus will give (him) this gift, (Prometheus') release from this ordeal,"[54] most likely because of the role he played as foster parent to Zeus' queen. But Prometheus implores Oceanus to "stay quiet,"[55] almost giving the sense of 'biding one's time,' and even more so by following it up with what he perceives to be crimes of Zeus against individuals, but using those who are also continuing to suffer, as if one day they will rise up against Zeus. He is making an implicit indirect command for them to wait for this. In the Aeschylean Fragment 107 from *Prometheus Unbound* (recorded in Cicero's *Tuscan Disputes*), we can see him continuing this pattern when, after Zeus frees the Titans, they come to Prometheus who describes to them how "Zeus, the son of Cronus, fastened me... with cruel art hath he riven my limbs by driving in these bolts. Ah, unhappy that I am!... the minister of Zeus... crammed and glutted to the full on my fat liver... with winged tail fawns upon my gore. But when my gnawed liver swells, renewed in growth, greedily doth he return... thus do I feed this guardian of my awful torture, who mutilates me living with never-ending pain...I endure woes fraught with torment:

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52 *Prometheus Bound*, trans. by Herbert Weir Smyth, lines 326-27; "εἶμι καὶ πειράσομαι ἐὰν δύνωμαι τῶνδέ σ᾽ ἐκλῦσαι πόνων."

53 *Prometheus Bound*, trans. by Herbert Weir Smyth, line 336

54 *Prometheus Bound*, trans. by Herbert Weir Smyth, lines 341-42; "αὐχῶ γὰρ αὐχῶ τήνδε δωρεὰν ἐμοὶ δώσειν Δί᾽, ὥστε τῶνδέ σ᾽ ἐκλῦσαι πόνων."

55 *Prometheus Bound*, trans. by Herbert Weir Smyth, line 346; "ἡσύχαζε σαυτὸν."

longing for death, I look around for an ending of my misery.[56] If Zeus freed the Titans, his primeval enemies, it is only logical for him to have offered a similar package to Prometheus, at one time an ally, who carried skills useful to Zeus. Therefore, perhaps "an ending of (his) misery," is truly not the most important goal of his, but rather a higher point of action.

Aeschylus paints us the picture of a self-righteous and willing martyr. We see someone not with a victim complex, as one could arguably attribute to Christians, but rather an individual who has calculated his legacy and is trying to implement it. We this calculated nature when he sees victory as not of the Titans and joins Zeus. But after the war, he was not willing to live as a lesser and politically powerless god. He knew he couldn't lead a rebellion of politics, and instead wanted to spearhead a movement of culture. His bemoaning of his state is a facade to cover his 'glorious mistreatment' to garner the sympathy of those that come. We see how he does this throughout the play with the Chorus, who never cease to describe how much they pity him.[57] But unfortunately the divine nature of the Chorus and Oceanus and Hephaestus make their pity secondary to a central understanding they all have, "to hate traitors."[58] Remember earlier when I showed her Prometheus corrupted Io against blaming Hera for her sufferings, but instead Zeus? Well even after hearing all of the dialogue between them and Prometheus' speeches, the Chorus still seems to know the truth about Io's sufferings, calling them the "toilsome wanderings of Hera."[59] They do acknowledge Zeus' hand in them, but Prometheus' deceit doesn't sway them like it does Io. They don't refute him, but they don't accept it. It is because of this, that in humans Prometheus has set the focus of his goal of a cultural revolu-

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56 *Tusculan Disputes*, trans. by Herbert Weir Smyth; 2.14-15, "Dolorem existimo maximum malorum omnium. Etiamne maius quam dedecus? Non audeo id dicere equidem, et me pudet tam cito de sententia esse deiectum. Magis esset pudendum, si in sententia permaneres. quid enim minus est dignum quam tibi peius quicquam videri dedecore flagitio turpitudine? quae ut effugias, quis est non modo recusandus, sed non ultro adpetendus subeundus excipiendus dolor? Ita prorsus existimo. quare ne sit sane summum malum dolor, malum certe est. Videsne igitur, quantum breviter admonitus de doloris terrore dejeceris? Video plane, sed plus desidero. Experiar equidem; sed magna res est, animoque mihi opus est non repugnante. Habebis id quidem. ut enim heri feci, sic nunc rationem, quo ea me cumque ducet, sequar."

57 *Prometheus Bound*, lines 241-245, 398, 1065, etc.

58 *Prometheus Bound*, trans. by Herbert Weir Smyth; line 1069, "τοὺς προδότας γὰρ μισεῖν ἔμαθον, κοὐκ ἔστι νόσος"

59 Prometheus Bound, trans. by Herbert Weir Smyth; line 900. "Ἥρας ἀλατείαις πόνων."

tion. He can - and does - control and corrupt them, unlike the gods, who, even when are emotionally in support of him, still do not take his side in their actions. The Chorus will stand by him in moral support, but never join him in a formal insurrection. But with humans, he can get physical support. This is why in his monologue to the Titans, he does the same thing he did in *Prometheus Bound*,[60] describing his gifts to mankind. For someone who knows that he "did wrong willingly... not think(ing) at all that punishments like these would (be)," he does see the immense value in his 'gift' to mankind. He sees how his gift can topple the relative peace Zeus has set up, through humans, and hope to utilize it, waiting for it to take effect.

Finally, we cannot deal erroneously with *Prometheus Bound* as it is with most critiques - singularly. We can not forget that *Prometheus Bound* is one of anywhere from two to possibly four different plays. *Prometheus Bound* is only one section of the larger work that Aeschylus wrote on the character of Prometheus. Moreover, the *pièce de résistance* lies in the absence of Zeus in this play, while being physically present in the later parts. An inclusion of him here, early on, would have potentially brought the conclusion of the play quicker than the author intended, by portraying the truth about Zeus - Aeschylus' truth - in the face of Prometheus veiled lies in *Prometheus Bound*, when only challenged by Zeus' emissaries. The fact that Prometheus ends up surrendering to Zeus and becoming a loyal subject, indicates this conclusion even more, as it would have been unlikely for a writer from antiquity to conclude a text with morality surrendering to injustice. If Prometheus is indeed the morally superior character, a more dramatic ending would have had Prometheus continue to suffer or simply expire while championing right, as happens in *Seven Against Thebes*, *Antigone*, *The Trojan Women*, etc. In Greek drama, where the genre is based not on a necessarily tragic ending but rather the conflict of ideas, the 'true' idea wins at the ending, either tangibly within the world of the play, through the "game of wills," or in the minds of the audience. But having a moral character succumb to tyranny would perform none of these. Any capitulation of an idea must be to right idea, which indeed, would make Zeus, in *Prometheus Bound*, in the right, as a deserving autocrat bringing needed stability.

All of this, results in an understanding that the qualifications of Zeus within this play are not as problematic as they initially pose. Although it is true that his epitaphs are far from adoring, the careful

60 *Prometheus Bound*, trans. by Herbert Weir Smyth; lines 225-241

and pointed mitigations of the authority of the one speaking them, portray how they are not endorsed by the author. Through using different characters to each individually analyze the situation at hand, the author paints us varied viewpoints to understand the purview of opinions on the conflict. Finally, by knowing what we we're missing, we can better interpret what we have. All of this leads me to argue that *Prometheus Bound* features an antagonist as its main character, who defames our heroes and tries to corrupt those around him to his point of view, in order to serve himself. In seeking his own personal power he chooses to try to return the world to chaos, by removing mankind's previous need to obey the gods for fire. Now they have no need to obey them and can create their own systems of rules and morality. Which not only threatens the gods' existence, but mankind themselves. Zeus knows this and is forced to punish Prometheus publicly for his rebellion, in order to at least somewhat quell the negative consequences of mankind fresh independence. Through his story, Aeschylus is arguing for a 'benevolent dictator,' rather than the more popular and 'nicer' system of democracy. He is arguing for stability over equality. Better to have one tyrant you can believe in 100%, than 7 billion you can't. He paints us a world that has finally achieved a semblance of calm and has the main character of his play threaten that for all those around him. He allows the character to be pitied by some, in order to portray how we often respond in kind to political martyrs who ostensibly fight for the "little man," but does not allow any of his pitiers to become participants in his movement. At the best, he is a misguided individual. But indeed, as other characters see, he is much worse, and deserve his fate. This is the Prometheus in Aeschylus' play *Prometheus Bound*, and fits quite cleanly both in the Prometheus tradition, and within the Aeschylean *corpus*. We don't need to explain *Prometheus Bound*'s portrayal of Zeus, because the portrayal comes from fallacious source within the play. The views of the main character are not the views of author, whose own views have not changed or evolved from all his previous plays.

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# Life after Death: A Recontextualization of Romano-British Infant Burials

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ABSTRACT

Infanticide looms large in modern interpretations of Roman life. The words of Cicero, Soranus, and other ancient writers have fostered the idea of rampant child murder, an idea that has remained largely uncontested for decades. Using a multi-pronged approach rooted in literary analysis, ethnographic studies, and archaeological data, I confront this claim, noting instead patterns in infant burials that parallel the rites of passage undergone by children who survived beyond infancy. Apotropaic amulets unearthed in Romano-British infant grave assemblages, along with the frequent placement of those burials in the eastern sectors of domestic complexes, suggest concern with the infants' social status and identity formation. The cultural and religious connotations of jet bears, amuletic coin reverses, and proximity to important family centers imbue Romano-British infant burials with layers of familial care. I argue that Romans during this period practiced a survivable form of exposure, not infanticide, and those newborns who perished before attaining full-fledged personhood through rituals like the dies lustricus could achieve social definition in death through the contents of their graves. This conclusion allows us to re-contextualize the family relationships of the Roman Empire to better reflect a holistic reading of the evidence.

## AN INVISIBLE POPULATION

"Hilarion to Alis his sister, heartiest greetings, and to my dear Berous and Apollonarion. Know that we are still even now in Alexandria. Do not worry if when all the others return I remain in Alexandria. I beg and beseech of you to take care of the little child, and as soon as we receive wages I will send them to you. If—good luck to you!—you bear offspring, if it is a male, let it live; if it is a female, expose it."

– Oxyrhynchus papyrus 744.G, Egypt, 1 BCE[1]

Hilarion's letter has enjoyed a long history among scholars and sensationalized media outlets as a firsthand account of Roman infanticide. This personal correspondence combines with an array of other documents—some legal, some economic, some rhetorical—seized as irrefutable proof of a barbarous practice. In fact, using these primary Latin texts as departure points, traditional scholarship about Roman funerary practice, even as recently as the past few decades, has attributed the apparent dearth in infant interments in the archaeological record to the permeation of infanticide across the Roman world.[2] Children one year of age or younger typically lack formalized monuments and epitaphs in adult cemeteries.[3] When scholars attempt to identify infant remains at all, most understand their frequent appearances within domestic contexts—under floors and otherwise within the confines of the *domus* complex—as haphazard disposals. After all, these graves lie within the sacred *pomerium* of Roman settlements,[4] making it simple

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1 Quoted in Rebecca L. Gowland, Andrew T. Chamberlain, and Rebecca C. Redfern, "On the brink of being: Re-evaluating infanticide and infant burial in Roman Britain," *Journal of Roman Archaeology,* Supplemental Series 96 (2014): 77, ISSN/ISBN: 1063-4304, 9780991373000.

2 Marshall J. Becker, "Childhood among the Etruscans: Mortuary Programs at Tarquinia as Indicators of the Transition to Adult Status," *Hesperia Supplements* 41, Constructions of Childhood in Ancient Greece and Italy (2007): 282, https://jstor.org/stable/20066794.

3 Maureen Carroll, *Spirits of the dead: Roman funerary commemoration in Western Europe* (Oxford: Oxford University Press, 2006), 176-179. In her 2011 report, she calculates that only about 1.3 percent of the "tens of thousands of inscribed funerary monuments from Rome and the rest of Italy" commemorate deceased infants younger than one years old (111).

4 Even emperors were not exempt from restrictions forbidding burials within the *pomerium* boundaries. Only two exceptions seem to have been made, one for Julius Caesar another for Trajan. See Eutropius 8.5 and *Epitome de Caesaribus* 13.11.

to label such domestic burials "surreptitious infanticides,"[5] the product of illicit or even state-sponsored child murder. By ignoring extant data that actually *confirm* the ritualized treatment of deceased infants, popular scholarship upholds the notion that, due to a high mortality rate, parents did not develop close relationships with their children during antiquity. Since these infants died before their families could confer personhood upon them through rituals like the *dies lustricus*,[6] many Classicists reason that their lives—and bodies—must have held little social value to their surviving family members.

I challenge this stance, relying instead on newer archaeological and theoretical frameworks that distinguish age-specific rituals for deceased infants involving a care and respect similar to that afforded to adults. Such practices began as early as pre-Roman Italy with the Etruscans and extended into the provinces of later antiquity.[7] I focus on the grave goods and spatial locations of infant burials in Roman Britain—especially those from the second, third, and fourth centuries CE—to "rediscover" and contextualize mortuary rites for infants. The prevalence of protective amulets in the burial assemblages, as well as the graves' patterned physical proximity to important family hubs, indicate that the parents of deceased infants endeavored to elevate their children into defined states of existence through death. Rather than being hasty disposals of unwanted offspring, these remains demonstrate intentionality and concern with the children's social status. The burials provided "rites of passage" for infants who did not live long enough to undergo those processes themselves, a means by which they could be boosted out of the realm of liminality into an understandable and culturally relevant plane of being.

To explore this hypothesis, I examine two lines of evidence for what they can reveal about Romano-British infant burial customs: 1) primary Latin literature, and 2) infant grave assemblages from eastern Britain. As I hope to prove, a re-evaluation of the epigraphic data—historically treated as testimony for rampant infanticide—will better

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5 Gowland, Chamberlain, and Redfern, "On the brink of being," 78

6 A rite attested to by Macrobius, *Saturnalia* 1.16.36 and Plutarch, *Quaestiones Romanae* 102.

7 See Becker, "Childhood among the Etruscans" and Maureen Carroll, "Infant Death and Burial in Roman Italy," *Journal of Roman Archaeology* 24 (2011): 99-120, doi: 10.1017/S1047759400003329. Although it is beyond the scope of this paper to investigate commonalities between infant burial practices in different parts of the empire, it is interesting to note that similar conclusions may be drawn in pre-Roman and Imperial Italy.

reflect the carefully-constructed domestic burials evident in the archaeological record. Infanticide is ultimately incompatible with a multidisciplinary study of the evidence that considers the issue through an assortment of scientific lenses. Most importantly, however, my analysis brings attention to infants, an archaeological population long marginalized not only by an epidemic of paterfamilias-centric modern scholarship, but also by the elite male writers of their own society.

## "MORE PLANT THAN ANIMAL"

Although besides archaeological remains, epigraphic sources serve as our only direct means of discerning social customs in ancient populations, researchers have generally regarded those on Roman infants as verification for infanticide without considering the context in which those documents were written. Most literature about Roman infancy adopts the restrained bias of their upper-class, male writers. Such texts, by virtue of their far remove from the everyday realities of life, cannot define the quotidian existences of lower- and middle-class Romans the empire over.[9] Composed primarily in the early 1st century BCE and 1st century CE in continental Italy, these works focused on the ways in which cultural values *encouraged* families to behave towards unviable or deceased infants, not on how those ideals actually translated into real experience.[10] As we will see, such stoic mindsets cannot be substantiated by the actual practices illustrated in the archaeological record.

"If a young child dies, the survivors ought to bear his loss with equanimity," Cicero writes in his *Tusculan Disputations*. "If an infant in the cradle dies, they ought not even utter a complaint" (1.39).[11] Modern scholars latch onto this sentiment as a window into Roman attitudes towards children, the perfect example of the apathy and detachment that could lead to infanticide. Other writers portray newborn infants as subhuman, seemingly strengthening this argument. Until the baby's umbilical cord falls off on the seventh day after birth, "an infant is more

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9 Carroll, "Infant Death and Burial," 99.

10 This sentiment is reiterated in Gowland, Chamberlain, and Redfern, "On the bring of being," 78.

11 Quoted and translated in Carroll, "Infant Death and Burial," 100; Mark Golden, "Did the Ancients Care When Their Children Died?" *Greece & Rome* 35, no. 3 (1988): 155, https://www.jstor.org/stable/642999; Gowland, Chamberlain, and Redfern, "On the brink of being," 69.

like a plant than an animal" Plutarch asserts (*Quaestiones Romanae* 102).[12] Soranus echoes Plutarch's assessment of newborns, believing that they become "to a certain degree a soul" after the embryo develops past 30 to 40 days (*Gynecology* 1.12.43).[13] Nevertheless, none of these excerpts confirms the practice of infanticide. Even the famous laws of Justinianus and Theodosius officially banning exposure in 374 CE (Codex Justinianus VIII, 51.2; Theodosius Code XI, 27.1)[14] do not imply that most infant burials recovered in domestic contexts were the consequence of premeditated murder.[15] When taken in conjunction with recent archaeological data, as well as other passages that offer glimpses into the real world, we can reassess statements like Cicero's as biased remonstration and statements like Plutarch's and Soranus's as evidence for a Roman conception of progressive life stages with accompanying rituals and rights.[16]

The idealized emotional control endorsed by Cicero may have governed public conduct among elites, but it is contradicted by a plethora of documents describing instances of private *and* public sorrow after the death of children of any age. Cicero himself produced some of these writings.[17] In several letters and especially his fragmentary Consolatio, he expresses a profound attachment to his daughter Tullia exacerbated by her death in childbirth. This pain affected him so deeply that he withdrew to his villa at Astura to mourn (Cicero, *De Divinatione* 2.3). "Those who have never raised children are blessed,"

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12 Quoted and translated in Carroll, "Infant Death and Burial," 100.

13 Ibid.

14 Referenced in Ann M. E. Haentjens, "Reflections on Female Infanticide in the Greco-Roman World," *L'Antiquité Classique* 69 (2000): 262, doi: 10.3406/antiq.200.2440.

15 Those who take this as evidence of infanticide include William V. Harris, "The Theoretical Possibility of Extensive Infanticide in the Graeco-Roman World," The Classical Quarterly 32, no. 1 (1982): 114-116, https://www.jstor.org/stable/638743; and Simon A. Mays, "Infanticide in Roman Britain," *Antiquity* 67 (1993): 883-888, doi: 10.1017/S0003598X00063900. See below.

16 I will explore this latter concept in "Conclusions."

17 Interestingly, two of the Roman authors whose writings are widely construed as espousing parental negligence—Cicero and Plutarch—actually demonstrate that in various circumstances, emotional detachment towards children was not the norm. This seeming contradiction likely stems from the nature of their writings. Those writings intended for official consumption or high-ranking audiences tended to downplay parental affection, while those writings sent to closer acquaintances admitted tender feelings. This lends credence to my hypothesis that Roman parents did, indeed, form bonds with their children, even if they were discouraged from allowing their feelings to run rampant in public.

he laments (*Epistulae ad Familiares* 5.16.2-3).[18] Plutarch, too, in his *Consolatio ad Uxorem* 6, acknowledges a common breach of decorum regarding children, when "most mothers, after others have cleansed and prettied up their children, receive them in their arms like pets; and then, at their death, give themselves up to an unwarranted and ungrateful grief…because the combination with a little natural feeling of a great deal of vain opinion makes their mourning wild, frenzied, and difficult to calm."[19] A rare example of an infant's epitaph reads, "To Aemilia Cornelia…Scribonia Maxima set this up to a very distinguished girl, who lived 45 days" (CIL VI.1334).[20] These and other representations of the overt heartache displayed for Roman children indicate that Romans did, indeed, have emotional investments in their offspring, including newborns.

While such sources do not preclude the existence of infanticide, they refute the pervasive belief that ancient people lacked parental affection.[21] Indeed, Mark Golden's ethnographic fieldwork reveals that parents and caregivers in societies with high rates of infant mortality often offer greater levels of care during the early stages of life to better ensure survival.[22] Accordingly, rather than attesting to infanticide, or the deliberate killing of unviable perinatal or postnatal children, I argue that the Roman sources, including the Oxyrhynchus papyrus quoted above, suggest the practice of exposure, a practice not incompatible with parental affection.[23] The Latin term for exposure, *expositio*, does not possess the negative connotations implied by the term "infanticide."

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18 Quoted and translated in Gowland, Chamberlain, and Redfern, "On the brink of being," 72.

19 Retrieved from http://penelope.uchicago.edu/Thayer/E/Roman/Texts/Plutarch/Moralia/Consolatio_ad_uxorem*.html. Referenced also in Carroll, "Infant Death and Burial," 100.

20 Quoted in Gowland, Chamberlain, and Redfern, "On the brink of being," 70.

21 This argument was championed by Lawrence Stone in 1977. Referenced in Golden, "Did the Ancients Care," 154.

22 Golden, "Did the Ancients Care," 155. Although applying ethnographic studies to ancient peoples is inherently flawed considering that societies vary across time and space, Golden's fieldwork centers around populations deemed similar to those in the ancient Mediterranean, like the Sarakatsan shepherds of central and northern Greece. He also collects data from diverse peoples across the world, all of which suffer from a high mortality rate akin to that proposed for the Romans. Since the trend (large amounts of parental affection) remains consistent among these groups, he more safely comes to the conclusion cited here.

23 See Footnote 29.

Literally translated, *expositio* means "to place beyond/outside."[24] Up until 374 CE, exposure was a legally sanctioned means of family planning in Rome that generally resulted not in the exposed infant's death, but rather in its recovery by another family or individual, who often raised the child as a slave.[25] Although financially unstable families may have chosen to expose children they were unable to feed (Plutarch *De amore prolis* 497),[26] this decision does not appear to have been a death sentence. Official deeds between slave owners and wet nurses from Alexandria in 13 BCE (BGU 4.1106, 1107) describe foundling infants, both male and female,[27] hinting that recovery and slavery was the norm for exposure victims. Beryl Rawson notes that certain places in Roman communities had reputations among the local populace as *expositio* zones.[28] These were likely the haunts of slavers and entrepreneurs, as well, a reality that paints such locations as active sites of abandonment and retrieval, not as infant graveyards.[29]

Therefore, when Soranus encourages the *paterfamilias* and midwife to inspect a baby after it has been born to determine "whether it is worth rearing or not" (*Gynecology* 2.7.10), he does not insinuate that the baby would (or should) die if rejected. The archaeological record upholds my hypothesis. People who perish from exposure cannot be detected forensically due to rapid bone deterioration through scavenging and general contact with the elements.[30] Bones with elevated levels of vascularity and porosity—like infants'—experience particularly high

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24 Gowland, Chamberlain, and Redfern, "On the brink of being," 76.

25 Ibid., 75.

26 See Haentjens, "Reflections on Female Infanticide," 263.

27 Referenced in Gowland, Chamberlain, and Redfern, "On the brink of being," 76.

28 Beryl Rawson, *Children and Childhood in Roman Italy* (Oxford: Oxford University Press: 2003).

29 To modern audiences, exposure, too, may appear to be an act of brutality on the part of an infant's family. However, the existence of well-known *expositio* locations frequented by slavers and other opportunistic parties suggests that families who participated in the practice of exposure would have felt some certainty that their abandoned infant would survive. Thus, the decision to expose an infant on economic grounds, as attested in the ancient literature (see Plutarch *De amore prolis* 497), is not incompatible with parental affection. It may be argued that such an act could have been motivated by compassion, a desire to provide the infant with a better life in slavery than its family could afford had it remained in their custody. Urban Roman slavery typically lacked the abuse notorious in American chattel slavery. See Thomas Wiedemann, *Greek & Roman Slavery* (New York: Routledge, 2005).

30 Martin Millet and Rebecca L. Gowland, "Infant and Child Burial Rites in Roman Britain: A Study from East Yorkshire," *Britannia* 46 (2015): 172, doi: 10.1017/S0068113X15000100.

rates of decay when left unburied.[31] Despite the profusion of epigraphic evidence describing the common recovery of exposure victims, we cannot ignore the fact that some infants likely did die at the site of exposure. However, a statistically significant number of infants were interred, *covered*, in designated graves beneath the floors of homes across the Roman Empire. The frequency of burial in homes not only ensured the survival of osteological material, but also indicates that many infants had avoided an unattended death. Beyond this, domestic burials connote intentionality. Comparative studies of modern African tribes show that a family who has severed its social bond with an exposed infant do not retrieve its remains for a "surreptitious" funeral within or near the family's living quarters, nor do practitioners of infanticide inter the remains in a domestic context.[32] In either case, doing so would negate the psychological and physical effort required to dispose of the infant in the first place. Roman infant burials at domestic complexes, then, must be explained through other means, ones that do not rely on theories of infanticide.

Nevertheless, Roman Britain in particular remains a hotbed for scholarly interpretations of domestic infant burials reliant on the notion of endemic infanticide.[33] The idea originated with Mays's 1993 study of 164 infant remains. Using now-outdated regression-based methods to calculate each infant's age-at-death, Mays concludes that most of these Roman graves contained full-term babies, which does not align with a normal pattern of mortality and consequently must be the result of infanticide. His theory, bolstered by the aforementioned overreliance on poor readings of primary sources and the scarcity of infant tombstones in adult cemeteries, received immediate acceptance. The mathematical analysis of archaeological remains appeared to echo the anomalous burial patterns at *domus* sites, where numerous infant skeletal remains have been unearthed.[34] In this way, Mays's work set a precedent that invigorated a long-enduring and infanticide-based impression of Roman history.

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31 Gowland, Chamberlain, and Redfern, "On the brink of being," 78.

32 Ibid., 83. As noted above in Footnote 22, modern African tribes (like other ethnographic populations) do not provide a direct, undeniable correlate to ancient Roman society. However, these tribes are living practitioners of exposure, the strongest directly observable parallel to Roman exposure practices and the embodied experiences therein.

33 Mays, "Infanticide."

34 Ibid., 884.

Recent studies of Romano-British mortuary populations, most notably that conducted by Gowland and Chamberlain in 2002, apply Bayesian mathematics to the problem using similar (yet larger) data sets. The types of regression models that Mays relies upon, they claim, "introduce systematic statistical bias in the estimation of age from the skeleton," making age-of-death approximation ranges seem smaller than they really are.[135] After locating the long bone lengths of 396 infants from 19 Romano-British sites scattered across the British Isles—from villas and "adult" cemeteries alike[36] —Gowland and Chamberlain mitigate inaccuracies in their age-of-death estimates with Bayesian, calculus-based techniques.[37] Their calculations indicate that these infant burials actually exhibit a normal age distribution, one consistent with natural causes of death.[38] Where Mays deems domestic interments a consequence of emotional detachment and/or infant murder, Gowland and Chamberlain contend that the unusual domestic placement of many newborn children must have suggested a specific funerary ritual for members of that age group.[39] This idea is reinforced by similar burial patterns between *domus* complexes and amuletic grave goods discovered in association with many of the infants. The graves' spatial locations and apotropaic items signify a deliberate attempt on the part of the infants' families to furnish them with proper passage into death. Although atypical in terms of positioning, the infant graves share with adult burials not only a normal age-at-death distribution (at least for a society with a high risk of mortality),[40] but also a concern with social and religious custom.

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35 Rebecca L. Gowland and Andrew T. Chamberlain, "A Bayesian Approach to Ageing Perinatal Skeleton Material from Archaeological Sites: Implications for the Evidence for Infanticide in Roman-Britain," *Journal of Archaeological Science* 29 (2002): 678, doi: 10.1006/jasc.2001.0776.

36 Some babies were actually interred in adult cemeteries, but this phenomenon was rare enough that it does not warrant further commentary here. Gowland, Chamberlain, and Redfern, "On the brink of being," write that when infants are recovered from these formal cemeteries, "practices such as exposure or infanticide are rarely discussed, if at all" in modern literature (79).

37 Gowland and Chamberlain, "A Bayesian Approach," 679-683. Bayesian mathematics is popular among current archaeologists (and scholars of other disciplines), for the techniques involved reduce the biases unavoidable within regression-based models.

38 Ibid., 684.

39 Ibid. Referenced in Gowland, Chamberlain, and Redfern, "On the brink of being," 81.

40 Alan H. Goodman and George J. Armelagos, "Infant and Childhood Morbidity and Mortality Risks in Archaeological Populations," *World Archaeology* 21, no. 2 (1989):

## DIGGING UP THE TRUTH

Gowland and Chamberlain's revision of the archaeological data has paved the way for new approaches to the question of infanticide. Archaeologists have found Roman Britain exceptionally rich in infant burials, both cremations and inhumations. The sheer number of infant graves flooding excavation reports within the past forty years can be credited to an escalation of archaeological interest in Britain, as well as to an improvement in methods for recognizing infants at archaeological sites. In the past, excavators often confounded infant skeletons in domestic settings with faunal remains.[241] Even when they were able to properly identify the bones as human, researchers during the early- to mid-20th century disregarded babies altogether in favor of more "pressing" anthropological concerns; a 1920s report from Yewden Villa—widely considered one of the most notorious breeding grounds for "infanticide"[342] —insists that "it is not necessary to mention at this point the…remains of scores of babies—these concern the domestic life of the villa."[43] Other excavators, realizing that few infants were interred in formal cemeteries, failed to search for them elsewhere (like at intramural house sites).[44] When they did consider data linked to infants, researchers could construe this information—or, rather, the lack thereof—as proof of infanticide. Because the skeletal remains of infants clumped

225, http://www.jstor.org/stable/124910, by comparing figurative data from ancient populations to those measured in contemporary groups, believe that, of all demographics, ancient infants suffered the highest rates of mortality. Becker, "Childhood Among the Etruscans," 282, puts infant mortality at 50 percent in nonindustrial societies. That same rate can be extrapolated to the Roman infant population discussed here.

41 Carroll, "Infant Death and Burial," 109.

42 An excerpt from the excavation report written by Alfred H. Cocks, "A Romano-British Homestead in the Hambledon Valley," *Archaeologia* 71 (1921): 150, doi: 10.1017/S0261340900008699, briefly mentions the huge assemblage of infant remains at Yewden Villa before moving on to other concerns. Cocks notes that babies "littered" the courtyard, concluding that "as nothing marked the position of these tiny graves, a second little corpse was sometimes deposited on one already in occupation of a spot, apparently showing that these interments took place secretly, after dark" (150).

43 Quoted by Gowland, Chamberlain, and Redfern, "On the brink of being," 80. This report reflects attitudes towards domestic life during the early 20th century, when (as mentioned in Footnote 8) scholars discounted evidence for women, children, and slaves. In this report and numerous others, excavators would lump the material remains of children under an overly-broad category labelled "domestic." This implied that no further research needed to be conducted.

44 Carroll, "Infant Death and Burial," 113.

together within *domus* complexes or appeared entirely nonexistent, the simplest solution was to sweep them under one all-encompassing category of irrelevance. Today, numerous archaeological publications seek to remedy these blunders with improved artifact categorization systems and a standardization of the terminology related to infants.[45]

*Grave Goods*

Of particular interest to my current study is a collection of infant tombs from eastern Roman Britain compiled by Nina Crummy in 2010. Due to their assemblages—filled, as they are, with items imbued with meaning—these interments offer compelling evidence that combats most of the arguments in favor of infanticide. Each burial contains one or more of the following artifacts: jet bears, black mineral jewelry, coins, and pottery beakers.[46] Crummy divides the burials into two groups. Group 1 encompasses five burials of young infants with jet bears, while Group 2 includes five burials of slightly older infants from Butt Road, Colchester, and Lankills with coins and/or amulets.[47] A closer examination of the symbolic connotations of the jet bears and the coin reverses indicates that the items possessed very conscious implications for children who had died early. Their iconography evokes protection, parenthood, and resurrection, the help required by an infant crossing from one state into the next.[48] Neither haphazard nor uncaring, the burials permitted their young owners to escape the liminal state illustrated in Virgil's *Aeneid* (6.426), where we encounter untended infants "whom, on the very threshold of the sweet life they shared not, torn from the breast, the black day swept off and plunged in bitter death."[49]

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45 See Becker, "Childhood among the Etruscans"; Carroll, "Infant Death and Burial"; Nina Crummy, "Bears and Coins: The Iconography of Protection in Late Roman Infant Burials," *Britannia* 41 (2010): 37-93, doi: 10.1017/S0068113X1000005X; Gowland and Chamberlain, "A Bayesian Approach"; Gowland, Chamberlain, and Redfern, "On the brink of being"; and Millet and Gowland, "Infant and Child Burial Rites."

46 Crummy, "Bears and Coins," 37.

47 Ibid., 38, 46.

48 Ibid., 37, 50, 79.

49 Retrieved from http://www.theoi.com/Text/VirgilAeneid6.html. Although a poem produced by Virgil, another elite, male source, the line referenced here indicates the predominant cultural notion that infants were special, liminal beings who required unique rites of passage in order to attain full-fledged personhood. The line reflects, in written form, the need for the grave goods actually found in Romano-British infant burials. In

Archaeologists have uncovered jet bears and other types of bear figurine elsewhere in Britain, Gaul, and Italy, typically at grave sites.[50] Considering their find spots, we may deduce that they held importance in funerary rituals for the children they followed into the grave; a pipe-clay bear from Brescia, Italy, holds a lamp, "an image that undoubtedly represents the animal as both a guide and a companion" (see Appendix, Fig. 2).[51] The burials of Group 1 hail from areas heavily influenced by Roman colonization: urban centers and military camps skirting the east coast. This, coupled with the fact that bear imagery rarely surfaces in native British contexts and mythology, leads Crummy to suspect that the "bear deity" embodied by the jet bears could be a representation of Artemis herself.[52] A Greco-Roman origin to the (potentially) mythological being implied by the infants' jet bears is further supported by the other items found in close proximity to those figurines—silver pendants and rings with stag engravings—that are "Italian" in character. In fact, the images bear little resemblance to grave goods inspired by indigenous cults seen within other British tombs.[53] Speculating as to the religious associations of the jet bears allows us to contextualize the function of the infants' grave assemblages. If the burials are a result of infanticide, why would the families who killed the babies take such pains to include with them images of Artemis?

Ancient people across the Mediterranean understood Artemis as a protector of children and soon-to-be mothers. Artemis Lochia, defender of women in various stages of labor, and Artemis Hegemone, leader of

addition, the line parallels the other epistolary sources on infant liminality cited in this paper, which again, based on the makeup of real infant burials, suggests that babies *were* considered liminal beings. See Conclusions.

50 For an example of a jet bear from a burial in Group 1, see Appendix, Fig. 1. Artemis frequently appears across the Roman Empire in her guise as a bear. Consider in particular the Sanctuary of Artemis Brauronia and the bear votives offered at many of her Italian temples. It is also important to note that the bear was not a native inhabitant of Britain during this period. A logical conclusion (and the one presented here and by Crummy) is that bear figurines deposited in Romano-British grave contexts drew from Artemis' long-standing and Mediterranean-wide association with bears.

51 Crummy, "Bears and Coins," 56, 60.

52 Ibid., 59-60, 77. Artemis and bear iconography were inextricably entwined across the ancient Mediterranean. It is important to note that few real bears roamed the wilds of Britain during that period, lending credence to the conclusion that bear iconography was imported from continental Europe.

53 Ibid., 77.

children, were well-known monikers for the goddess.[54] From the Sanctuary of Artemis Brauronia to the Temple of Artemis at Ephesus, devotees offered bear-related paraphernalia as votives in the hopes of securing Artemis' guidance and protection. It is quite likely, then, that in these eastern Roman Britain burial contexts, the jet bears assume the same role of guardian. The amuletic quality of the figurines conferred to the deceased a degree of religious care that would be incompatible with the interment of an infanticide victim. Rather, the bears allegorically steered the otherwise defenseless infants through their journeys through the underworld.[55]

The coin reverses from Group 2 demonstrate a similar concern with the successful passage of the deceased baby into the afterlife (see Appendix, Fig. 3). Most of the coins (Class A) feature female deities and personifications that conjure a generic idea of motherhood.[56] Here, fertility goddesses and Romulus and Remus suckling the she-wolf frequently appear. Those coins that display male figures (Class B) create the overarching impression of a martial male defender through depictions of warriors holding spears or riding into battle. Crummy believes that "together the two groups act as substitute parents for the dead children."[57] When a specific deity can be identified (Class C), he or she—Christ or Cybele—is always connected to ideas of rebirth. The recurrent imagery between burials in eastern Britain suggests an intentional iconographic link. The families of dead children appear to have selected each coin for its distinct relationship to parental devotion and life after death.

The presence of coins in Roman funerary contexts is not rare. They emerge in all reaches of the empire across time and space, and scholars generally agree that they represent fare for Charon that will enable the deceased to transition into the afterlife.[558] The special protec-

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54 Ibid., 75

55 Crummy, "Bears and Coins," 60, seems to agree, stating that "the jet bears stand out prominently as a group of funerary artifacts, the coherence of their contexts inviting interpretation of the animal as a protective guardian for the dead children with whom they were buried."

56 The following interpretations (and groupings) of each type of coin come from Crummy, "Bears and Coins," 60.

57 Ibid.

58 Crummy, "Bears and Coins," 66-67; Susan T. Stevens,"Charon's Obol and Other Coins in Ancient Funerary Practice," *Phoenix* 45, no. 3 (1991): 215-229, doi: 2307/1088792.

tive imagery of the thematically-related coins in these Romano-British infant burials, however, provide a special, apotropaic dimension to the funerary ritual, which seems to have been age-specific and tailored to the extra protection a baby would have required to integrate effectively with the beyond. At the very least, the inclusion of expensive objects like jet bears and coins in the grave assemblages indicates that the infants' parents hoped to bestow some level of status upon them in the afterlife, for in composition their graves parallel those of Romano-British adults in the same socio-economic bracket.[59]

*Spatial Locations*

Not all Romano-British burials contain grave goods. Nevertheless, the placement of these burial assemblages also reveals patterns symptomatic of an interest in the infants' religious well-being and their families' continuing declaration of kinship bonds. In 2015, Millet and Gowland analyzed two large burial groups from East Yorkshire that include significant numbers of neonatal infants, one from Shiptonthorpe, the other from Burnby Lane. Infants between 38 and 40 gestational weeks normally occupied a domestic context, the older children and adults a formal cemetery.[60] Instead of being deployed as evidence for the hasty dumping of infanticide victims, the household positioning of infants suggests age-specific rituals grounded in the domestic sphere and emphasizing the infants' liminality as they teetered "on the very threshold of the sweet life they shared not," expressed in Virgil above. Millet and Gowland believe that the infants' "liminal status is attested in the location of the infant next to boundaries, most notably walls, or sites of transformation, such as hearths or agricultural features."[61] For example, at Shiptonthorpe, each infant was interred in a small pit in the home. Most of these pits cluster around the eastern end of the main domestic building, with one beneath its main hearth (see Appendix, Fig. 4).[62] At Burnby Lane, too, neonatal infants occupy spaces within the

59 Carroll, *Spirits of the Dead.*

60 Millet and Gowland, "Infant and Child Burial Rites," 178.

61 Ibid., 186.

62 Ibid., 175-176. It is difficult to determine the cultural and/or religious significance of the eastern portion of the house considering that no literary sources specifically attest to this. However, most domestic infant burials across different sites are located in the eastern sectors of the house, and many important household features (i.e., hearths, locations of industry, etc.) appeared here. The patterned nature of this data suggests that the eastern portions of the domus figured ideologically in mortuary rituals for deceased infants.

confines of the *domus* complex, close to or within buildings and especially at room corners (see Appendix, Fig. 5). These locations, simultaneously marginalized while also inhabiting well-traversed spaces in Romano-British homes, helped to define the dead infants' potentially ambiguous standing in the household. Although the babies died before they could reach an age at which their families could formally recognize them through the *dies lustricus* and similar rites, their domestic burials reinstated them as important household members with demarcated social value.

The same trend recurs in a study conducted at Yewdon and Barton Court Farm by Eleanor Scott, where she establishes that infant burials congregate in the eastern portion of domestic buildings[63] like Millet and Gowland later observed at Shiptonthorpe and Burnby Lane. Scott's survey verifies another component of infant burials at villas suggestive of religious ritual: the remains of animals accompanying most of the infant burial pits within her data set.[64] Whether votive offerings or the remnants of ritual feasting during funerary celebrations, the faunal bone fragments crack yet another fissure in the arguments of scholars who promote a dramatized version of Roman history through the assumption of infanticide. The infants of Roman Britain may not have been granted the typical funerary inscription given to adults, but their burial in the vicinity of important family centers hints at their power to influence family memory even after death. Festivities at the sites of infant burial, much like the burials' standardized placement,[65] would have thrust deceased babies into the fore of family activity. No longer anonymous beings, these babies played a key role in the household; their presence was felt even in their absence.

## CONCLUSIONS

While the literature from Italy retains a stoic and aristocratic attitude not reflective of everyday experience or the lives of lower- and

63 Eleanor Scott, "Animal and infant burials in Romano-British villas: A revitalization movement," in *Sacred and Profane: Proceedings of a Conference on Archaeology, Religion, and Ritual, Oxford, 1989*, ed. P. Garwood, D. Jennings, R. Skeates, and J. Toms (Oxford: Oxford Committee for Archaeology, 1991), 115-121.

64 Ibid., 117. Referenced in Millet and Gowland, "Infant and Child Burial Rites," 184. Millet and Gowland also observe faunal remains in association with the infant burials at Burnby Lane (183-184). They figure that "a substantial number of deposits…seem to have been associated with communal feasting on lambs and sheep" (183).

65 Millet and Gowland, "Infant and Child Burial Rites," 182, 186. They believe that the placement of the burials must have been "governed by social rules."

middle-class Romans (especially provincials), their works do insist that infants across the empire could not attain full-fledged personhood until they reached a certain age. Soranus' *Gynecology* designates progressive stages during which children slowly accumulated new social standings among their family members and society at large.[66] The baby was not named until the eighth day for girls and the ninth for boys, at which point their families observed the *dies lustricus* ceremony noted above. Since they had died before the *dies lustricus* could occur, the special burial customs for neonatal and perinatal infants indicate that the deceased infant resided within a liminal state of "nonbeing." Both Juvenal (15.139) and Pliny the Elder (*Historia Naturalis* 7.68, 7.72) explain that "children cut their first teeth when 6 months old; it is the universal custom of mankind not to cremate a person who dies before cutting his teeth."[67] The burials in Roman Britain certainly do not contradict this statement. A dead baby was, indeed, a special case requiring a special solution.

However, where I break away from previous scholarship is in my interpretation of this liminal status and how it materializes in the archaeological record. The combination of distinct grave goods and spatial relations within the home, as I have discussed, reveal that infants received a large degree of familial care, even in death. The domestic context of their graves is not a symbol of parental neglect or infanticide. Instead, I contend that Romans practiced age-specific mortuary rituals that involved actions and symbols akin to those within the rites of passages undergone by children who survived past infancy. The actions and symbols within those rituals helped to classify the ambiguous standing of babies who died too soon. In other words, the protective amulets and jet bears in Roman Britain, in addition to the easterly burial locations at most *domus* sites there, propelled the deceased infant safely into the afterlife, just as analogous rites would have propelled that child into adulthood had he or she lived on. By recognizing the baby's liminality—and by tackling the issue head-on—Romano-British families could mend familial bonds broken by the frequent deaths of children in their high-risk society. Dead infants *required* the protection of amulets, *required* burials near their surviving family members, to supersede the fact that they perished before becoming "people" in the Roman sense.

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66 Briefly described in Gowland, Chamberlain, and Redfern, "On the brink of being," 74.

67 Quoted and translated in Carroll, "Infant Death and Burial," 105.

To put it mildly, crying "infanticide" oversimplifies the literary and archaeological evidence. Infanticide may serve as a straightforward (and interesting) response to biased primary literature and methodologically-unsound excavation reports. Nevertheless, this explanation ignores the complexities of Roman mortuary practice and identity-formation. We may never determine how, exactly, Romans commemorated their deceased infants beyond the scant clues that remain, but a multi-disciplinary approach that incorporates literature, ethnography, statistics, and artifacts may bring us closer to that end. In so doing, it becomes increasingly apparent that we should not treat infant skeletons in the archaeological record as evidence of neglect or as testaments to the hasty disposal of soon-forgotten murder victims. Rather, these burials demonstrate efforts to remember, to successfully acknowledge and assimilate family members through socially-defined means.

APPENDIX

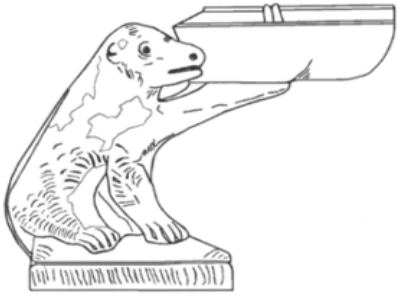
Fig. 1.

Jet bear from burial in Group 1; Abbey Field, Colchester



*From Crummy 2010.*

Fig. 2.
Ceramic bear figurine holding lamp; Brescia, Italy



*From Crummy 2010.*

Fig. 3.
Coin reverses from burials in Group 2




*Class A: female/maternal figures; Class B: male/martial figures; Class C, rebirth/resurrection images. From Crummy 2010.*

Fig. 4.

Plans of Shiptonthorpe Trench 3 showing the location of infant burials




*From Millet and Gowland 2015.*

Fig. 5.
Distribution of early-mid-Roman burials at Burnby Lane




*From Millet and Gowland 2015.*

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# Cats Turn the Tide of the Battle of Pelusium

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*Cat drinking from public water source.*
*Mykonos, Greece. June 2017.*

ABSTRACT

The domestication of cats within the ancient world is believed to have started in the lands of the Nile; Egypt. While the origins of the integration of cats into society are well supported through archeological evidence, the understanding of the felid's value and impact on not only Egyptian, but also Roman and Greek societies appear to be less understood. Exploring the importance and incorporation of this species into society as either divinity, companions, or vermin control enables the Classists to better understand the motives of these peoples as it pertained to war, worship, and human-animal social contracts. A prime example that captivates the importance of cats and their role in society is retold in the Battle of Pelusium which lead to the first Persian conquering of Egypt. During this battle the exploitation of the Egyptian correlation of cats to divinity lead to a surprising surrender, turning the outcome of Egypt's war against Cambyses II. Although felids appear to not be as thoroughly associated with divinity within Greek or Roman pantheons, the Greco-Roman societies of the ancient world held the feline population in another light and did not seem to build such a divine foundation around these creatures, but rather sought them as vermin hunters and household companions. Regardless of their incorporation into society, their ability to alter history and to redefine the borders of a mighty nation bears weight upon their impact within the ancient world.

*This article is dedicated to a lovely fellow feline classicist named Pandora, who touched the hearts of all who had the pleasure to see her around the campus of the American School of Classical Studies in Athens.*

The presence of felids within the four ancient societies of Egypt, Greece, Rome, and Persia can be seen today through the archaeological discoveries of art, texts, and osteological remains. The cat is thought to have originated around Egypt sometime before 4,000 BC, which is heavily supported through dating of skeletal remains found at the city of Mostagedda.[1] From there these felids migrated across the borders of various countries via stowing away on trade ships, as well as accompanying moving families as household pets. Regardless of how these cats migrated into the lives of the three societies mentioned above, each society displayed their own unique outlook on cats, which lead to an exclusive role for them in each culture. Cats are commonly associated with Egypt due to the Egyptian society's unbreakable connection between felid and divinity, however the Greco-Roman societies incorporated these Egyptian demigods into their society as well; although not in the unified strength of the Egyptian populus. The unified belief of the cat's association with divinity within Egyptian society turned the tides of war, reshaping their nation.

A demonstration of the Egyptian values in cats as companions and divinity can be summed up in one battle: the battle of Pelusium in 525 BCE. This battle involved the pharaoh Psametik III and the Persian king Cambyses II and ultimately lead to the first Persian conquest in Egypt as these two battled for the land's holding.[2] The battle's outcome was a result of Cambyses II's understanding of the respect and relation to divinity that the felids held in Egyptian society, which lead to his success in the holding revered animals as hostages, especially cats.[3] Professor Mark from Marist College, NY, describes the Persian king as commanding his army to paint their shields with the image of their goddess Bastet.[4] Seeing their own sacred goddess painted as an idol upon their enemies' shields, the army of Psametik III hesitated as they did not want to enrage the goddess by destroying an idol which depicted her image. The writer for the second century CE, Polyaenus, recalls in his *Stratagems of War*:

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1 J. Malek. 1993. *The Cat in Ancient Egypt*. London: 45.

2 J. J. Mark. 2017. "The Battle of Pelusium: A Victory Decided by Cats," *Ancient Histories Encyclopedia.*

3 Mark. 2017: 2.

4 Mark. 2017: 2.

> "Against the destructive showers thus discharged upon him Cambyses ranged before his front line, dogs, sheep, cats, ibises, and whatever animals the Egyptians held sacred. The fear of hurting the animals, which they regard with veneration, instantly checked their operations: Cambyses took Pelusium…" [5]

Although the battle was lost, the Egyptians held true to their beliefs and refused to chance hurting the animals which were sacred to them; showing their great devotion to their religion and the animals associated with each of the gods within their pantheon. After the battle of Pelusium, Cambyses proceeded to throw cats in the face of the Egyptians, boasting aloud that they were inferior for losing a battle on account of such little creatures such as cats.[26] Nonetheless, the Egyptians displayed immense respect to the various animals on the day the battle of Pelusium that took place in 525 BCE. Through analyzing the response of the Egyptian pharaoh, one may wonder: how this form of psychological warfare could be immensely potent amongst the Egyptian culture, but have no effect on nations such as Greece and Rome?

Prior to diving into the impact of cats on society it is crucial to recall who this man was who developed the psychological war tactic which won him the city of Pelusium without any bloodshed. Cambyses II was a Persian prince, son of Cyrus the Great who ruled over the Achaemenid empire from 559 BCE to 530 BCE.[37] Herodotus notes in his *Histories* that "the son of Amasis was encamped at the Pelusian mouth of the Nile waiting for the coming of Cambyses," during Cambyses II's siege on Egypt in route to conquer Memphis.[8] Not only did Cambyses II seek to rule over Egypt, but he also understood that in order to keep the conquered people pleased, he should respect and incorporate their customs into his own ways of living, which might explain how Cambyses II knew about the Egyptians' divine ties between animals and gods. After conquering Memphis, the capital of Egypt at the time, Cambyses II began to appeal to the Egyptian customs as it is noted by Udjahorresnet, the physician to the pharaohs:

> "His Majesty commanded that offerings should be given to Neith, the Great One, the Mother of the God, and to the great gods who

5 Polyaenus, *Stratagems of War*, IX: 9.

6 Mark. 2017: 5.

7 J. Lendering. 1995-2018. "Cambyses II" *Livius.org.*

8 Herodotus, *Histories*, III: 10.

> are in Sais as it was earlier. His Majesty commanded (23) that all their festivals should be [organized], and their feasts of manifestation, as was done earlier. This did His Majesty do because I had caused His Majesty to recognize the greatness of Sais."[9]

Udjahorresnet recalls his relationship with the new pharaoh, Cambyses, as being one of teaching and guided perception as he aides Cambyses in commiserating the Egyptian religious customs. The progression of Cambyses II into Egyptian religion and culture led to his knowledge of the inner workings of the Egyptian tradition and appreciation for animals within their naturalistic pantheon; including the Egyptian association of cats with divinity.

Congruently, Cambyses II's society was familiar with felids due to the rise of the Zoroastrian religion in Persia during 224-651 CE (the Sasanian period) led to the correlation between cats and evil.[10] The religion was heavily focused on the good and evil of the world, personifying the good as the Beneficent Spirit or Ohrmazd and the evil within the Evil Spiritas Ahriman.[11] The Persian outlook on cats that developed later contrasted greatly with the positive Egyptian association of cats with divinity. Herodotus also recounts the event of hunting these evil animals for sport as he describes the Magian practices:

οἱ δὲ δὴ Μάγοι αὐτοχειρίῃ πάντα
πλὴν κυνὸς καὶ ἀνθρώπου[12]
*The Magians kill with their hands*
*all but not dogs nor men*

Noting the act of killing these "evil" creatures and saving those which were thought to be associated with the Beneficent Spirit, Herodotus captures the violent outlook of the Zoroastrian religion towards these outcasted animals. The vast difference between the two, but the common association of the cats with divinity in both regions provokes the question of whether the Battle of Pelusium or Cambyses II influenced the negative connotation that branded cats in the Zoroastrian religion.

However, cats were not always seen as divine creatures. Rather, in the beginning of human-cat relationships, cats found a similar start-

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9 Udajahorresne, *The Inscription of Udajahorresne.*

10 M. Moazami. 2005. "Evil animals in the Zoroastrian Religion". The Unviersity of Chicago Press, Chicago: 301.

11 Moazami 2005: 301.

12 Herodotus *Histories*, I: 140.

in the beginning of human-cat relationships, cats found a similar starting purpose throughout Persian, Egyptian, Greek, and Roman societies as a vermin hunter, which benefited all people from farmers to statesmen as the cat protected rations from unwanted intruders. Egyptians did not always associate cats with divinity, and prior to the integration of the cat into a divine role in society, the Egyptians utilized cats for hunting vermin. It is recalled by Jaromir Malek that the cats combated two dangers to the prosperity of the Egyptians (i.e. snakes and rats) which threatened both the life of Egypt's people and their food rations.[13] In addition to this, Malek even states that, "The wild cat (*Felis silvestris libyca*) would have strayed into settlements and recognized granaries and silos as ready-made killing grounds."[14] This relationship of cats being naturally drawn to vermin such as rats and mice, while it benefited both mankind's and the cat's needs to satisfy its hunger; prompting a symbiotic relationship. This is not only reflected in Egyptian society, but also in Greek society as Donald Engels presents evidence that there is evidence which points to the arrival of cats as ship companions as they are described as, "...opportunists who enjoyed dining on fish, shipboard rats, and mice."[15] The relationship between man and cat likely began as a symbiotic relationship benefitting both sides of this human-animal social contract.

Likewise, Engel recounts the importance of the cat in Rome during the time of the bubonic plague. With the introduction of the black rat into Roman territory around the first century AD, the threat of the bubonic plague and other diseases came with it from what is suspected as the trade ships returning from southeast Asia.[16] By this time, the Romans had already established the symbiotic relationship with cats as they realized the talent these felid had for combating rat and mice infestations. Thus, these cats aided the Roman populus in both hygiene and public health by ridding the city from disease carrying vermin; saving Rome from an even more severe amount of casualties caused by this rat carried plague.[17] Pliny the Elder recalled in his *Natural History* the tactics these felids [5]used in capturing their vermin prey:

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13 Malek 1993: 54.

14 Malek 1993: 54.

15 D. Engels. 1999. *Classical Cats The rise and fall of the sacred cat.* London: 48.

16 Engels 1999: 108.

17 Engels 1999: 114.

> "Cats too, with what silent stealthiness, with what light steps do they creep towards a bird! How silly they will watch then dart out upon a mouse!"[18]

The felid presence in Rome prevented a more catastrophic fatality rate of people who died from the bubonic plague through their unique talent to hunt rats and mice, which drew all three of these nations to the cat in various forms of integration into society. Additionally, according to the Egyptian society, black cats were specifically associated with protection of the house from disease. Additionally, the importance of cats as a barrier between human casualties resulting from the bubonic plague can be seen in the historic killing of cats in 14th century Europe. During this horrific time of death throughout Europe, many believed that the plague was a result of the Almighty's wrath due to injustice such as witchcraft and unfortunately cats were heavily associated with such crafts.[19] Thus the verdict passed by Europe was to burn witches and kill hundreds of cats which lead to a decline in feline presence and an increase in the overwhelming amount of vermin plague transmitters.[20] The presence of the cat in a household, not only as a vermin hunter, but also a protector further develops the relationship of cats within the societies of various countries as they move away from their initial use.

In addition to this, it was accustomed for the Egyptian people to name themselves after animals as their culture largely held a respect for all life that the gods created around them. Examples of the names that would be given to children would be names like 'Wolf', 'Mouse', 'Crocodile', and even 'Cat' or 'Tom Cat' for boys.[21] The Egyptians were not the only ones to incorporate the felids into their naming systems as this can be seen throughout Roman culture as well. It is stated by Engel that the names of "Felica and Felicula" were among the most common cognomens for women throughout the western Empire and they mean cat or kitten.[22] Additionally, a surviving tombstone from approximately the second-century was constructed by Calpurnia Felicula,

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18 Pliny the Elder, *Natural History*, X. 94.

19 W. Andrews. 2008. "Killing the Cats (Some Brief Thoughts on the Dangers to Civilization of Imaginary Solutions to Impending Catastrophes Large and Small)"

20 Andrews 2008.

21 Malek 1993: 47.

22 Engels 1999: 99.

meaning "little cat", for her husband and herself, which is seen written in the inscription of the tombstone[23] (Appx. B Fig. 1). The utilization of the noun "cat/kitten" for a name for individuals ranging from children to adulthood suggests how large a role these animals played on the Egyptian and Roman society. In these ancient civilizations, a person's name was their word and sacred as it carries the weight of the family's reputation. Thus this connection between man and felid shows a respect for the animal's presence within the society by connecting it with mankind's social construct evolving around the significance of an individual's name.

Following through with the development of cats into the Egyptian, Greek, and Roman societies, the cat is documented as developing from their roles as vermin control to domesticated companions. Egyptians' affection to the felid brought together individuals from all socioeconomic statuses, serving as a social glue. Archaeologists discovered remains of a felid buried near southern Cyprus which was closely linked to the human remains situated in close proximity to the felid.[224] Pennisi and her team unearthed the remains of the eight month old felid and discovered that the cat wore a bell around its neck which strongly suggests the domestication of the little kitten.[25] This discovery was crucial to understanding the domestication timeline of cats in Egyptian culture as this discovery pushed the timeline of cat domestication back from 4000 years ago to 5000 years based on the osteo dating of the felid.[426] The remains of the bell around the neck of the feline creature suggests that the kitten was domesticated and claimed by a family most likely as a household companion; displaying the development of cats' roles within society from a simple vermin controller to a beloved member of the household.

Likewise, evidence in Greece suggest that these four-legged rat hunters slowly developed into household family members as companions to the lower class society. One of the main archeological proofs of this connection between man and cat is a funeral stele created around 440 BC by a sculptor who also worked upon the Parthenon Frieze.[27]

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23 Engels 1999: 99-100.

24 E. Pennisi. 2004. "Burials in Cyprus Suggest Cats Were Ancient Pets," *American Association for Advancement of Science*, 304. 5668: 189.

25 Pennisi. 2004: 189.

26 Pennisi. 2004: 189.

27 Engels. 1999: 79-80.

The stele depicts a youth, who perished during a military campaign, with his right hand lifted upwards (suspected of holding a bird perched upon his finger) and depicted below his right elbow is a felid perched upon a shelf like structure[28] (Appx. C Fig. 1). The depiction of the cat on the funeral stele shows the connection the Greek soldier shared between his cat, bird, and younger family member; as his family insisted that these three people be immortalized with him upon his funeral monument.

Congruently, Roman society developed to accept cats as companions, even though it was thought that cats were too Greek-like in terms of their independence and freewill.[29] Archeological evidence, however, points to a companionate relationship which developed between the Roman Empire and this adorably independent felid. The most common archeological find that points towards cat companion relationships in Rome is the famous tombstone found in Bordeaux of Laetus's daughter, which is dated to be approximately from 75-125 AD[30] (Appx. B Fig. 2). The young girl is shown holding her pet cat in her hands and bringing the felid close to her chest. The positioning of the cat being held and not perched on a ledge as seen in the other tombstone stele, implies that there exists a more intimate relationship between this cat and the little girl. In addition to this, another high relief was recovered from Roman Alesia dating around the second of third century[31] (Appx. B Fig. 3). This relief is crucial in understanding the domestication of cats in the Roman world as the cat is depicted as being held lovingly in the boy's tunic; a domesticated cat that wore a red collar around his/her neck with the presence of a little bell.[32] The presence of a collar displays the domestication of the animal and the incorporation of the companion into the family's house. Although cats were held in close proximity to the hearts of the household in all three societies, the early adoption of felids as divine companions within Egyptian religion/culture lead to their higher respect for the animal; rendering them vulnerable to the psychological warfare of Cambyses II.

Furthermore, these three civilizations demonstrated respect via their burials of the animals as well as creating a connection between

28 Engels. 1999: 80-81.

29 Engels. 1999: 92.

30 Engels. 1999: 101.

31 Engels. 1999: 100-102.

32 Engels. 1999: 100.

cats and divinity. First and foremost, the Egyptian culture worshipped the cat as demi-gods associated with the cat goddess Bastet/Bastis. The association between the cat and this goddess can be seen in the practice of relocating deceased cats to the city Bubastis, sacred to Bastet, in order to be embalmed, mummified, and buried in the sacred city of the cat goddess. Archaeologists have uncovered a plethora of mummified cats from the city Bubastis buried in holes located within a wall which overlooked the human tombs[33] (Appx. A Fig. 1). Not only is the placement of the cat cemetery intriguing as the cats watch over human tombs as if in protection, but the mummies discovered here and at the city of Saqqara are intricately and delicately preserved. The idea that the Egyptians would carry out the mummification process like they do for humans for cats shows a respect for the cat in the moment and during their transition to the afterlife. Saqqara was the location of an animal catacomb which contains various species of animals such as dogs, cats, crocodiles, and ibises in their mummified state[34] (Appx. A Fig. 2). Both Ikram and Malek capture the traditional positioning of the cat in their mummified positions, which suggest a religious burial as these tend to contain patterns in burial place, burial method, and position of the person being buried. The cat mummies' xrays show the cat in a position with the back legs pulled up in almost a fetal like position with their forelimbs angled down straight[35] (Appx. A Fig. 3 & 4). In addition to the association to the divinity Bastet, the Egyptians would mourn the loss of a cat much like they would mourn the loss of a human. Herodotus recalls within his Histories:

> "And in whatever houses a cat has died by a natural death, all those who dwell in this house shave their eyebrows…"[436]

The same mourning treatment was given to the cats, thus showing their involvement within their homes and the respect the Egyptians felt for the animal as it was linked to their goddess Bastet.

In addition to this, zooarchaeology has presented evidence which points to cats being present at the port of Berenike, Egypt which was an early Roman port on the Red Sea. A team of archaeologists discovered one-hundred complete animal skeletons with an abundance of cat remains in a section of the port known as the Early Roman trash dump

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33 L.A. Vocelle. 2013. "Bubastis, City of the Cat Goddess Bastet (Part III)," *The Great Cat.*

34 S. Irkam. 2005. *Divine Creatures Animal Mummies in Ancient Egypt*. Cairo: 46-71.

35 Irkam. 2005: 114c. Malek. 1993: 131.

36 Herodotus, *Histories* II:66.

and pet cemetery[37] (Appx. B Fig. 4). The significance of this site lies in the dating of the remains which are scattered around the site as well as the presence of collars around some of the specimens. Osypinska recalls that the animal burials that have been excavated were dated to around the second century AD which aligns with the presence of the Romans within the port; linking the remains with the presence of Romans.[38] Congruently, the lack of mummification of the animals which is linked to the Egyptian culture further suggests that these burials were conducted by Roman hands and not the Egyptians showing the introduction of burial rights for cats in the Roman culture.[39] These osteological remains display the connection between cats and the Roman culture instead of the Egyptian culture. The presence of iron collars around the necks of three of these felids and another two cats buried with what appears to be egg-shell beads beside their necks, potentially once attached to a collar, have been recorded by the archaeological team.[40] The presence on these collars show ownership and potential domestication of these felids within the Roman port. Additionally, an important, yet odd trend amongst the burial positioning, is the trend of cats occasionally being buried in pairs of two; each pair containing an adult felid and a youth[41] (Appx. B Fig. 5). Why do this with the cats and not the dogs which were found buried here as well? Were they parent and offspring? Although difficult to answer these questions with confidence, it is an interesting component found at the site in Berenike, Egypt.

Likewise, the Greeks and Romans later associated cats with their goddesses Artemis and Diana, goddess of the hunt and wilderness; including animals and goddess of the moon. Alexander of Tralles ponders:

> "Why are some able to see during the day but not at night?...For at night the air becomes heavy because of the cold and the absence of the sun, while during the day, the air becomes lighter and warmer. Therefore cats, hyenas, and bats can see more clearly at night than in the day, because they have a lighter and brighter vital spirit."[42]

37 M. Osypinska. 2016. "Pet cats at the Early Roman Red Sea port of Berenike, Egypt," *Antiquity Publications* 90: 1-5.

38 Osypinska. 2016: 3.

39 Osypinska. 2016: 2.

40 Osypinska. 2016: 1.

41 Osypinska. 2016: 1.

42 Engels. 1999: 75.

In addition to this, Engels recalls that many naturalists thought that the cat could see at night as their eyes, specifically their pupils, would match that of the moon's phases.[43] The connection made with the cat and the moon introduced the associations of cats with divinities such as Artemis and Diana in Greece and Rome respectively. Artemis is also seen transforming into a cat in Ovid's *Metamorphoses*, "...Apollo hid in a crow's shape, Bacchus in a goat; the sister of Phoebus, in a cat…"[44], as Artemis is yet again associated with the cat directly as this is her form of choice in the scenario depicted by Ovid. Likewise, archaeologists discovered a statue of Artemis/Diana of Ephesus dating to the early Empire which depicts the goddess with multiple cats and references to the Egyptian goddess Bastet as well as her containing some attributes of Isis as well[45] (Appx. B Fig 6).

Overall cats played a crucial role in the development of the societies throughout Egypt, Greece, and Rome as vermin hunters and devoted companions. The extent to these symbiotic relationships and social contracts each society made with the felids within their cities can be seen in their representation of cats in art and in their written works. It is important to consider that whilst there may be a lack of material evidence, such as the lack of burial epitaphs for cats in Roman society, this does not mean that these did not exist. New conclusions are being reached with each new discovery of art, tombstones, paw prints, mummies, etc. However, the new material only adds to the conclusion that these felids managed to protect against diseases, serve as companions to women and men within their household, and served a role in divinity and the afterlife. Cats, although small, managed to leave a monumental pawprint upon the hearts of all three of these societies.

43 Engels. 1999: 75.

44 Ovid, *Metamorphoses*, V. 325-331.

45 Engels. 1999: 121.

Appendix A: Egyptian Artifacts Representing Cats



Figure 1:[46]
Image of the catacombs of cat remains uncovered at the city of Bubastis, sacred city to the goddess Bastet.

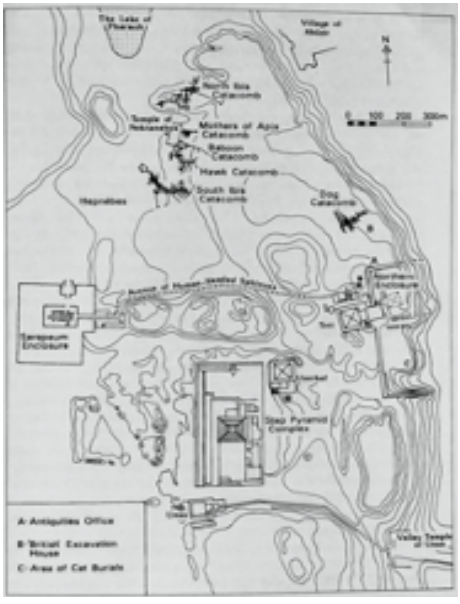



Figure 2:[47] Image of the layout of zooarchaeological finds of the divine animal necropolis at Saqqara. Note: the cat burial grounds are marked by the letter C located on the border of the left side of the necropolis.

1 'Cat burials', in Vocelle 2013.

2 'Map of the Sacred Animal Necropolis', in Ikram 2005: 47.



Figures 3 & 4: [48]
The images above are from Ikram (left) and Malek (right) depicting the traditional burial position of cats when they were mummified.

Appendix B: Roman Artifacts of Cats



Figure 1:[49]
Image of Roman tombstone from the second-century for Calpurnia Felica and her husband. Contains a relief of a felid at the base as a potential play on her name, which means "little kitten".

48 'Intact cat mummy found in its limestone sarcophagus during the excavation of the chapel of the tomb of 'Aper-El'', Ikram 2005: 114c. 'A radiograph of a cat mummy', Malek 1993: 131.

49 'Tombstone of Calpurnia Felicia and her husband, with bas relief of a kitten or small cat,' Engels 1999: 100.



Figure 2:[50]
The tombstone to Laetus's daughter depicts a young girl holding her pet cat as well as her pet rooster which is in the lower left hand corner.



Figure 3:[51]
Image of Roman relief of a boy holding his pet cat in his upraised tunic. The cat in his arms wears a red collar with a bell.

50 'Tombstone to Laetus's daughter with her pet rooster and cat,' Engels 1999: 101.

51 'Base of offertory table showing a boy with a cat in his raised tunic,' Engels 1999: 102.

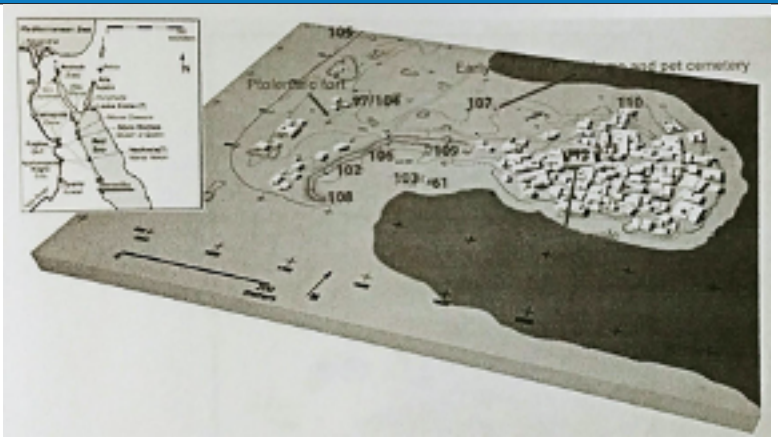



Figure 4:[52]
Image of the archaeological site of Berenike Egypt. The area labeled as Early Roman trash dump and pet cemetery are marked with a red star.



Figure 5:[53]
The image above depicts the burial positioning of the cats found at the port of Berenike in Egypt. The burials above also showcase the mysterious coupling of an adult cat with juvenile.

52 'Location of the Bernike and specific town zones,' Osypinska 2016: 2.

53 'Selection of cat burials from Berenike,' Osypinska 2016: 4.



Figure 6:
Depiction of Artemis/Diana with cats on her garments, linking her with imagery associated with Egyptian goddess Bastet, as well as some Isis imagery. Dated to be approximately from the early Roman Empire.

Appendix C: Greek Artifacts Representing Cats in Greek Society

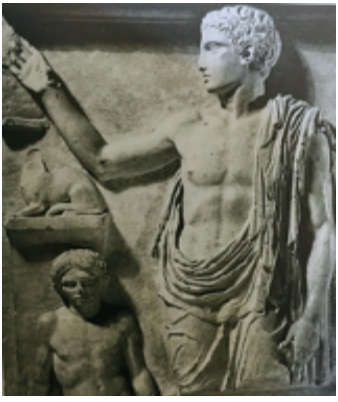


Figure 1:[55]
Image of Greek funeral monument erected for a fallen soldier dating to around 440 BC. The stele depicts his pet cat below his right elbow and a younger family member; as well as what is assumed to be a pet bird

1 'Funeral monument showing the departed youth with a young relative, bird, and cat,' Engels 1999: 81.

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# Beg by the Bard's Beard: Decaying Sincerity in Greek and Shakespearean Supplicative Gesture

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ABSTRACT

By Aristotle's definition the very nature of theatre is imitation not of men, but of action and of life, which results in a forced suspension of disbelief for dramatists, actors, and spectators alike regarding the authenticity of performance. Although narrative works like epic poetry present sincere gestures of supplication, they open the door to exploration of the performative nature of ritualistic gesture and artistic representation of that gesture. Dramatists expand this Homeric tension in their own theatrical performances, drawing attention to the imitative qualities of gesture and, thereby, their authenticity. We see that these false actions evoke emotional responses from audiences, indicating that the true emotive effect of performance depends not on production but on reception of gesture. In this paper, the works of three playwrights show how decay of sincerity in performative gesture elevates metatheatricality and distrust of performance, leading to a more faithful reflection of the human experience in theatre. The implementation of supplicative gesture as a tool of manipulation manifests in Shakespeare's works. Like Sophocles' *Electra*, Shakespeare stages gestures which other characters onstage see and react to, but, like Euripides' *Orestes*, the gestures he produces are intentionally inauthentic. This shift in intentionality and authenticity evinces a heightening of naturalistic performance in the theatre.

One touch of a hand makes the difference between acceptance and dismissal. Thetis, desperate for favor, "clasped [Zeus] beneath the chin" (*Iliad* 1.501) in a gesture of devotion and supplication. To the same end, Samuel Pepys "stroked [the wife of his client] under the chin"[1] as a means of seducing her. The same gesture of grasping another's chin, which appears frequently in ancient Greek[2] and early modern[3] culture and theatre, undergoes radical transformation in meaning and use between the two periods. While Homer implements this action as supplicative, Pepys exploits the gesture's "[amorous] insinuations."[4] The power dynamic between these two instances is inverted. In the former, the individual grabbing the other's chin occupies a position of submission; in the latter, a position of power. However, the interpersonal dynamic remains the same: in both instances the individual clasping the chin assumes an active role, while the recipient remains passive. This action's drastic change in meaning indicates larger implications in the development of gestures' uses and sincerity: if we reduce a gesture of desperation to a method of seduction, what does that mean for the rest of our actions?

Homer provides a literary representation of the standard Greek supplication ritual in the *Iliad*.[5] The gesture first appears between Thetis and Zeus, two divine beings, in Book One (495-530). The immediacy of its occurrence highlights the significance of this action in Greek

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1 Qtd. in Will Fisher, "The Erotics of Chin Chucking in Seventeenth-Century England," *Sex before Sex: Figuring the Act in Early Modern England*, edited by James M. Bromley and Will Stockton (University of Minnesota Press, 2013), 147.

2 Maarit Kaimio, *Physical Contact in Greek Tragedy: A Study of Stage Conventions* (Helsinki: Suomalainen Tiedeakatemia, 1988), 49-53.

3 Gordon Williams, "Chin-chucking" in *A Dictionary of Sexual Language and Imagery in Shakespearean and Stuart Literature* (London: The Athlone Press, 1994), 238. Williams defines the gesture of cupping the chin or stroking the cheek as an "amatory signal." This gesture can be seen in *Hamlet* (3.4.167) and *Venus and Adonis* (352) among others of Shakespeare's works.

4 John Bulwer, *Chirologia; Or, the Natural Language of the Hand and Chironomia; Or, the Art of Manual Rhetoric*, edited by James W. Cleary (Southern Illinois University Press, 1974), 78. The history of gesture as a social linguistic form is a growing field of study. See, e.g., *The Cultural History of Gesture*, ed. Jan Bremmer and Herman Roodenburg (Ithaca, N.Y.: Cornell University Press, 1991) and *Gesture: Visible Action as Utterance* by Adam Kendon (Cambridge: Cambridge University Press, 2004).

5 Timothy McNiven, *Gestures in Attic Vase Painting: Use and Meaning, 550-450 B.C.* (University of Michigan, 1982) provides numerous examples of vase paintings which illustrate this posture in antiquity.

culture, and its exchanging between divine beings embeds religious and hierarchical connotations within the ritual. Thetis, lowering herself at the feet of Zeus, takes hold of him and refuses to leave until her appeal is heard. Catching him under the chin with her right hand, she delivers her plea. Zeus assents, and she leaves in humility. The narrative of the epic poem depicts her actions along with their accompanying intentions and because we as an audience are privy to both, we deem her supplication to be sincere.

Traditionally, the presentation of epic poetry was oral, meaning that physical action did not accompany these narratives; their content existed only through a single lens of performance. However, when placed in dramatic context, the actions within these narratives accrue additional lenses of performance. By lens of performance, I mean the conduit through which the audience is able to experience the intended substance of art. In epic poetry, this lens is direct oration of narrative; in theatre, the substance of art must filter through action, dialogue, and gesture. By Aristotle's definition the very nature of theatre is imitation not of men, but of action and of life,[6] which results in a forced suspension of disbelief for dramatists, actors, and spectators alike regarding the authenticity of performance. Thetis' supplication of Zeus is entirely genuine, but the performativity of epic poetry invites consideration of the relationship between ritualistic gesture and artistic representation of that same gesture within a narrative. Theatrical dramatists, I argue, explore and expand this Homeric tension in their own performances, drawing attention to the imitative qualities of gesture and, thereby, their authenticity. We see that these false actions still have the ability to evoke emotional responses from their audience, which indicates that the true emotive effect of performance relies not on the sincerity of intent behind an action but rather on its spectators' interpretation—not on production, but on reception.

In this paper, I focus on three scenes of supplication in the works of three playwrights to show how the decay of sincerity in performative gesture elevates metatheatricality and distrust of performance, leading to a more faithful reflection of the human experience in theatre. In Sophocles' *Electra*, Electra's supplication upon the return of Orestes' ashes illustrates this question of performative sincerity. Her lamentations are sincere. She displays strong reactions of fear, grief, guilt, and outrage, which move her audience to sympathy. When acknowledged

6 Aristotle, *Poetics* 1450a.

through the lenses of performance, however, the futility of her real emotion becomes apparent and her actions become inauthentic to an audience. In contrast, Euripides' *Orestes* exploits manipulation of others through subversion of supplicative gestures' assumed sincerity. Whereas Electra remained unaware of the futility of her actions, Orestes himself establishes additional lenses of performance. An audience can recognize them, but other players cannot. This behavior contributes to Euripidean metatheatricality. The implementation of supplicative gesture as a tool of manipulation extends to Shakespearean theatre. Like Sophocles, Shakespeare stages the gestures for other characters onstage to see and react to, but, like Euripides, the gestures he produces are intentionally inauthentic. This shift in gestures' intentionality and authenticity reflects the human experience within dramatic production and an increase of "characterization in depth and […] naturalistic"[7] performance, as John Barton puts it.

## SOPHOCLES' ELECTRA

The question of genuineness in performance appears in an anecdote of a late-fourth to early-third century performance of *Electra*.[8] Polos, an actor famous for his roles in tragedies, suffered the loss of his son. After a period of mourning, Polos returned to the theatre and, cast as the titular character in Sophocles' *Electra*, donned again the somber robes which he had just discarded. During the performance, Electra cradled her brother's ashes as tenderly as if they were his body. Polos cradled his son. To produce a compelling performance, Polos took up his son's real burial urn and "filled everything about him not with representations and imitations, but with real living grief and lamentation."[9] By subjecting himself to this "real living grief," he circumvented layers of emotional separation between actions onstage and those actors who perform them and as a result, Polos offered a deeply moving performance with sincerity. Despite the fictitiousness of his literal performance onstage, his emotions had authentic underpinnings and thus evoked genuine empathy from his audience. However, Polos' use of this performance method raises the question: can sincerity be accomplished by representations, or are performance and authenticity

7 Barton, 13.

8 Aulus Gellius 6.5 apud Eric Csapo and William Slater, *The Context of Ancient Drama* (Ann Arbor, MI: University of Michigan Press, 1995), 264.

9 Csapo and Slater, 264.

mutually exclusive? Regardless of the authentic emotion anchoring Polos' performance, other actors who produce representational performances and an audience fully aware that they were observing a performance received his actions. These spectators knew that no matter how moving and desperate they were, Polos' lamentation and supplication would unalterably be futile—he would never be allowed to keep the urn of ashes.

Electra, like Polos, suffers real living grief; however, her actor must attempt to provide representation of this grief. After receiving her brother's ashes, Electra laments immensely. In her mind, she holds genuine sorrows and suffers them without respite. Therefore, when Orestes, posing as a messenger, demands she set aside the urn, she adamantly refuses and drives him to take the ashes by force. Her transition in appeal from pleading "by the gods" (1206) to by the messenger standing before her indicates the desperation of her supplication: "by your beard," she cries while reaching to clasp his chin, "don't take my beloved away" (1208). The physical contact which she reaches for instigates the supplication ritual.[110] Electra's staging, in distress and clutching at the remnants of the "man dearest to [her]" (1126), places her in a position of emotional and physical weakness and enhances the effectiveness of her supplication. Combined with her verbal appeal, her adherence to the rules of the ritual—a "game of life or death,"[11] as John Gould refers to it—creates a compelling petition. These rules demand to be followed. By actors obeying these rules in their performance, spectators can interpret the meanings of words and gestures of supplication onstage.[12] Thus, faithfulness to these rules reassures the audience that the performance that they see onstage is representation.

Orestes' neglect of the rules, therefore, disrupts spectators' expectations, Electra's especially. Because she knows the rules of the game which she instigated, Electra seems appalled that she may not "weep for [her] dead brother" (1212) nor have "[her] rights over the dead" (1214). It is just unfair. Orestes rigidly denies her these claims, of course, because he engages in his own performance. He deceives his sister by concealing his identity and posing as a messenger; however, he still expresses genuine response to her lamentations (1175). Despite this affect, Orestes still rejects her supplication because he sees the

10 Peter Kapsalis, *Gesture in Greek Art and Literature* (Baltimore, MD: Johns Hopkins University, 1946), 37-38.

11 John Gould, "HIKETEIA," *The Journal of Hellenic Studies*, vol. 93 (1973): 81.

12 Maarit Kaimio, 49.

inauthenticity, recognized or not, of both their performances. Orestes has knowledge of his own performance, as he is the director, but it is a result of his self-recognition that he sees Electra as an unknowing actor in his production. Without Orestes' performance—his arrival under false pretenses—Electra would not act in the manner that she does. Thus, he recognizes the inauthenticity of her action; it merely plays into the charade which Orestes orchestrated. This chain of performance reveals that while Electra's gestures of supplication may evoke sympathy or another emotion from an audience, their authenticity hinges on their interpretation by the recipient: in this case, another performer.

Electra's desperate fight to hold onto her brother and his memory makes the sincerity of her grief apparent. She weeps for her negligence in caring for her brother. Ironically, though, her tears blind her to Orestes' presence before her and lead to further inaction. Repeated focus on the operations of her hands emphasizes the regret and lamentation that illuminate her speech.

> νῦν μὲν γὰρ οὐδὲν ὄντα βαστάζω χεροῖν,
> δόμων δέ σ', ὦ παῖ, λαμπρὸν ἐξέπεμψ' ἐγώ.
> ὡς ὤφελον πάροιθεν ἐκλιπεῖν βίον,
> πρὶν ἐς ξένην σε γαῖαν ἐκλιπεῖν χεροῖν [...]
> κοὔτ' ἐν φίλαισι χερσὶν ἡ τάλαιν' ἐγὼ
> λουτροῖς σ' ἐκόσμησ' οὔτε παμφλέκτου πυρὸς
> ἀνειλόμην, ὡς εἰκος, ἄθλιον βάρος,
> ἀλλ' ἐν ξένησι χερσὶ κηδευθεὶς τάλας
> *Now I hold you in my hands and you are nothing,*
> *yet I sent you off in glory from your home.*
> *I wish that I had left this life before I sent you*
> *with these hands forth to a foreign land [...]*
> *So sad that with my loving hands I did not wash*
> *your body and place it in the blazing fire*
> *as I should have done, a painful burden.*
> *No, you were cared for by foreign hands* (1129-1141)[13]

This fixation on the action of her own hands lends proof of sincerity to Electra's grief and draws attention to her current performance. Her

13 Mary Lefkowitz, "Sophocles' *Electra*," *The Greek Plays*, ed. Mary Lefkowitz and James Romm (New York, NY: Modern Library, 2016) and Hugh Lloyd-Jones, "Sophocles' Electra," *Sophocles I*, edited and translated by High Lloyd-Jones (Cambridge, MA: Harvard University Press, 1994). Unless otherwise specified, all translations of the *Electra* come from Mary Lefkowitz, and all original Greek text of the *Electra* comes from Hugh Lloyd-Jones.

description of having "sent [Orestes] off in glory … to a foreign land" establishes the high hopes which she held for not only his future, but for the house of Atreus. She intended for Orestes to return in triumph and reinstate the honor of their family by avenging their father's murder. Instead, Orestes dies alone. The hands of foreigners care for him, and with his body burn Electra's hopes. Only by "[living] below forever" (1167) will she escape the pain of her brother's death. These woes reek of hyperbole, which the chorus draws attention to by reminding Electra, "do not grieve too much. / Every one of us must pay this debt" (1172-1173). With these lines, the chorus unmasks a performative aspect within Electra's dialogue. Rather than allowing her to wallow in unrestrained grief, the chorus buffers the theatricality of Electra's emotion and serves as a director to her performance.

The hyperbolic and frantic words which Sophocles wrote for this character convey the desperation of a grieving woman; however, when burdened with layers of emotional and embodied separation, staged performance continually undermines the authenticity of language. Playwrights created dramatic works intending for them to be performed. Therefore, dissociation between the action and the words spoken onstage stems from the drama genre en masse, not the texts themselves. Every actor has an identity of his own, as does each character that he plays. Layers of purporting—the actor interpreting the text, the actor playing a character, the character acting as himself, the character conveying emotion with words or gestures, and the reception of that emotion by other actors—establish a chain of dissociation that limits the authenticity of performance. This dissociation between performance and reception exists both in epic poetry and dramatic performance; however, theatre intentionally explores and expands this tension in its means of performance. By augmenting the lenses of performance in place, theatre engages in a agreement of accepted falsehood between the playgoers and the actors themselves. As a result of this agreement, as well as the implicit metatheatricality that arises from having more than one lens of performance in effect, actors with the intent of sincerity must engage in inauthentic means to communicate those emotions. As Polos exhibits, this practice can succeed in arousing significant emotional response, but cannot escape the inauthentic confines of drama.

Although the words of Electra's speech move Orestes, his attendants—Pylades, and us as spectators all bear knowledge of the futility and needlessness of her lamentation.As spectators, we become complicit in the performance; we are asked to suspend our disbelief of auth-

enticity and believe the actions onstage to be true. Orestes grants no yield. In Electra's mind this behavior shatters the bonds of an honored ritual and she responds with aggression when her "rights over the dead" (1214) are kept from her; in Orestes', the veil of sincerity has already been ripped away. He recognizes that only exposing her actions as an unnecessary performance will free her from feeling genuine sorrow. Lost in waves of emotion, Electra struggles to maintain physical connection with what, or whom, she perceives to be her brother. She clutches at the urn tightly, refusing to abandon him as she did once before. Upon Orestes' confession, she rises from her place of vulnerability and embraces him as an equal, juxtaposing their supplication and reunion. Even though she believed her actions to be requisite, the revelation of Orestes' identity exposes Electra's supplicative behavior as performative. Overcome with elation at this revelation, Electra engages in a second performance of jubilation.

To characters onstage, this act surpasses Electra's prior lamentation in both sincerity and necessity. They accept it as truthful and worthwhile because they have no reason not to consider it thus. However, as the scope of the performance broadens, we as an audience find ourselves still aware of her performance's disingenuousness. Again, Electra's emotions are genuine. Her actor's emotions, however, are an imitation. As Electra's lamentations moved Orestes and Polos' performance moved a theatre full of people, we, too, can experience the turbulent emotion of a performance, but we also reside in a state of suspended awareness: always conscious of the dissociation of performance.

## EURIPIDES' ORESTES

Characters' manipulation of the layers of presentation in drama leads to performances that mimic a deceitful, self-serving image of man. An image of the human experience. Whereas the *Iliad* and *Electra* provide supplicative actions with sincere intentions, Euripides' *Orestes* blatantly exploits the ritual's standardization to manipulate characters onstage. Rather than adopting its expected use of subordination and desperation, Orestes uses supplication to lull Helen into false security. This departure from ritual sincerity does not occur unprovoked. Throughout the *Orestes* a progression of inauthenticity develops. Orestes first engages in genuine supplication by imploring Menelaus to sway the vote of the Argive men and save the lives of himself and his sister.

ἑκὼν ἐγώ σοι τἀμὰ μηνύσω κακά.
τῶν σῶν δὲ γονάτων πρωτόλεια θιγγάνω
ἱκέτης, ἀφύλλους στόματος ἐξάπτων λιτάς·

I will reveal my misfortunes to you of my own accord.
But as a first offering I grasp your knees as a suppliant
and add the prayer of my mouth, unadorned by boughs.
(381-383)[14]

Orestes' supplication mirrors Thetis'. He takes up a position of inferiority by kneeling in the dirt before his uncle and clasping at his knees, and references how his supplication lacks completeness (i.e., "ἄφυλλος," meaning "leafless").[15] This admission, while instilling a sense of dependence and humility in his appeal, brings to question if his supplication leaves something to be desired. Orestes takes on a posture of genuflection or kneeling, just as Thetis, but there is a more reverent and submissive posture which he ignores: prostration, an act which serves the same function as kneeling but would draw emphasis to the totality of his defenselessness, desperation, adoration, and humility.[16] This posture, synonymous with Greek προσκύνησις, differs from typical supplication (ἱκετεύσειν). It is reserved for reverence to the gods.[17]

Orestes expresses sincere fear and desperation in his petition, and the entire performance's veil of sincerity holds steady; however, Orestes' choice of words hints at more nefarious action. The term "μηνύω," which can be interpreted as "to disclose what is secret or reveal" has an alternative meaning of "to betray."[18] While this meaning insinuates the betrayal of a secret, it also foreshadows the impending revenging

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14 David Kovacs, *Euripides V* (Cambridge, MA: Harvard University Press, 2002). Unless otherwise specified, all text and translations of the *Orestes* come from David Kovacs.

15 LSJ, s.v. "ἄφυλλος." *Orestes* 383. In formal supplications, the petitioner typically offers a branch to whomever they supplicate. Orestes' lack of offering marks a flaw in his presentation; his acknowledgement, humility.

16 *Oxford English Dictionary*, s.v. "prostrate," accessed June 27, 2019, https://www-oed-com.grinnell.idm.oclc.org/view/Entry/153089?rskey=EX7tgI&result=2&isAdvanced=false#eid. "Of a person: lying with the face to the ground, in token of submission or humility, as in adoration, worship, or supplication." This definition lends itself to a position of more persuasion in terms of supplication; such disregard for personal pride may encourage the supplicated party to entertain the supplicant's plea with more patience.

17 A non-theatrical but still very dramatic instance of this action appears in the New Testament, in which a formerly blind man whom Jesus healed expresses his belief in Jesus as his Lord (ὁ δὲ ἔφη· πιστεύω, κύριε· και προσεκύνησεν αὐτῷ [John 9:38]).

18 LSJ, s.v. "μηνύω."

actions of Pylades and Orestes. Those who observe the supplication, including Menelaus, his escort, and the audience, hold Orestes' actions in good faith. By all rules of the ritual, Orestes presents a compelling supplication. Menelaus disagrees. Orestes performs the first half of his petition to satisfaction; however, because Menelaus fails to raise Orestes from his kneeling posture—he stands unguided, effectively cutting his supplication short when he addresses Tyndareus—the ritual remains incomplete, and therefore, Menelaus feels no obligation to abide by his entreaty. Menelaus declines his appeal and the infallible system of supplication which stood in Orestes' mind becomes flawed and proves capable of being manipulated.

Orestes and Pylades take advantage of this development and use their knowledge of supplicative ritual and its assumed sincerity to entrap Helen and extract revenge upon Menelaus. After his sentencing by the Argives, Orestes initially proves willing to act nobly and commit himself to die. Pylades suggests revenge and insists that the task necessitates deception.

ΠΥΛΑΔΗΣ
εἴσιμεν ἐς οἴκους δῆθεν ὡς θανούμενοι.
ΟΡΕΣΤΗΣ
ἔχω τοσοῦτον, τἀπίλοιπα δ' οὐκ ἔχω.
ΠΥΛΑΔΗΣ
γόους πρὸς αὐτὴν θησόμεσθ' ἃ πάσχομεν.
ΟΡΕΣΤΗΣ
ὥστ' ἐκδακρῦσαι γ' ἔνδοθεν κεχαρμένην.
ΠΥΛΑΔΗΣ
καὶ νῷν παρέσται ταὔθ' ἅπερ καίνῃ τότε.
PYLADES
We enter the house as if truly about to die.
ORESTES
That much I understand, the rest not.
PYLADES
We bewail our plight to her.
ORESTES
Yes, so that she will weep while inwardly being glad.
PYLADES
The same will be true for us as for her.
(1119-1123)

Pylades' inclusion of the emphatic adjective "δῆθεν" in his proposal exposes the insincerity and performative nature of their actions. They plan to "enter the house as if *truly* about to die," which emphasizes the

metatheatricality of their performance. This adjective also establishes the audience of each layer of their performance: while those inside the house will be ignorant to the falsity of the supplication scene, audience members of the whole production will recognize the insincerity of their performance. These audience members do not only note the insincerity of Orestes and Pylades' actions, but they see the inauthenticity of the actors performing as these characters. The phrase "ἐκδακρῦσαι γ' ἔνδοθεν κεχαρμένην" indicates that Orestes assumes Helen, too, will engage in performance. By claiming she will "outwardly cry" and "inwardly be glad," the men signify the theatrical development of human experiences like deception and manipulation. These men act with self-awareness and expose other characters' performances.

With additional elements of the human experience in theatre, characters do not only react to what they see, hear, or experience onstage, they also appear to develop thoughts outside of direct experience and attempt to predict the actions and motives of other characters. This kind of recognition affects the audience's perception of the performance. Whether it pushes them away or draws them nearer, though, proves difficult to distinguish. If characters become capable of behaving outside of the realms of sincerity and expectation, the audience has no choice but to negate their assumptions of sincerity. However, as the audience pulls away from the performance in this way, it leads them to consider performance as more unreliable. Rather than imitating life in a predictable way, performance becomes a naturalistic extension of real life: erratic and untrustworthy. This contrasts Aristotle's theory of the craft of drama, which he claims must either present men as better than they are or worse.[19] As performance drifts toward the middle of that spectrum, it distances itself from Aristotle's classifications of drama. That is to say, the further performance strays from genuineness in intentions and actions, the closer it draws to authenticity of real life.

Though the scene of Orestes and Pylades' deception does not appear on stage, it still has several spectators. Electra and the chorus have knowledge of the men's intentions. They stand guard outside the house to ensure that the rest of the characters in the drama will remain unaware of the ongoing deception. The audience, too, has knowledge of what the men have in mind. However, unlike Electra and the chorus, the audience has no control and agency in assisting or preventing the impending action. Despite their insider knowledge, the audience,

19 Aristotle, *Poetics* 1448a.

Electra, and the chorus remain as blind to the action indoors as those who do not see the deception coming. Helen included. A Phrygian slave flees the house and delivers a messenger speech which conveys the action within.

οἱ δὲ πρὸς θρόνους ἔσω
μολόντες […]
[…], ὄμ-
μα δακρύοις πεφυρμένοι,
ταπείν' ἕζονθ', ὁ μὲν
τὸ κεῖθεν, ὁ δὲ τὸ κεῖθεν, ἄλ-
λος ἄλλοθεν δεδραγμένοι.
περὶ δὲ γόνυ χέρας ἱκεσίους
ἔβαλον ἔβαλον Ἑλέναις ἄμφω.
*[…] they went to the throne*
*[…]*
*and their faces were smeared with weeping:*
*all lowly they sat, the one*
*on this side, the other on the other,*
*grasping her from this side and that,*
*the both of them casting, casting*
*their suppliant hands about her knees.*
(1408-1415)

The men's implementation of supplicative gestures leads Helen to adopt a mindset of control. As they throw themselves at her feet, sitting "lowly" and "casting, casting / their suppliant hands about her knees," she assumes that she inhabits spatial and symbolic power over the petitioners. She expects exactly what she sees. She suspects nothing else. In their disruption of this expectation, the two Greek lions smother Helen with the blanket of faux sincerity which they have woven, leaving her defenseless in the net of their performance.

The *Orestes*' acknowledgement and manipulation of standard supplication ritual shows decaying sincerity in gesture as well as an increased realism in theatre. Homer introduces the relationship between gesture and artistic representation with sincere gestures; Sophocles explores this relationship using sincere intentions; Euripides refracts sincerity and creates character-made lenses of performance. Oliver Taplin approves. He labels this "break with the repetitiousness of ritual," along with their ability to "exploit ritual, not just conserve and subserve it," as one of the great achievements of Greek tragedians.[20] The progression of how seriously these rituals were taken, or how sincerely they were

20 Oliver Taplin, *Greek Tragedy in Action* (Berkeley: University of California Press,

offered, extends to early modern theatre, especially Shakespeare's work. As performance becomes more self-aware and more reflective of the human experience, supplication becomes seen onstage as a purely performative gesture: a set of rules to follow, a means to an end, a hoop to jump through, a tool to use.

Greek supplicative posture originated as a form of surrender. A soldier would stand with shield dropped and arms raised, indicating surrender. This gesture differs from the standard kneeling posture seen in Greek poetry and drama, but Peter Kapsalis argues that the underlying elements pervading each posture remain the same: "indefensibility, submissiveness, and self-humiliation."[21] Instruction for supplication appears frequently in ancient texts. The *Iliad, Electra*, and *Orestes* all designate its sequence. Electra spells it out for her sister, Chrysothemis, prior to her visit to their father's grave. "Give them to him, this dull hair," she instructs, "and my sash, though it has no rich ornament. / Kneel down and ask him to come to us, / a kindly helper from below" (Sophocles' *Electra* 451-454). Orestes self-narrates this same process. Kneeling at Menelaus' feet, he "[grasps] your knees as a suppliant / and [adds] the prayer of [his] mouth, unadorned by boughs" (Euripides' *Orestes* 382-383). Like these ancient sources, two components make up Shakespearean supplication: posture and verbal appeal. *Titus Andronicus* demonstrates both. Titus himself instructs a messenger how to deliver proper supplication: "Then here is a supplication for you, and when / you come to him, at the first approach you must / kneel, then kiss his foot, then deliver up your pigeons" (4.3.112-114). This sequence mirrors that presented in *Electra* and emphasizes the physical contact seen in *Orestes* and several other ancient dramas.[22]

## SHAKESPEAREAN SUPPLICATION

Despite their physical similarities, Shakespeare's implementation of supplicative gesture diverges from its use in Greek culture. There are numerous attested cultural practices based on a give-and-take relationship. One of the most significant is the rule of hospitality (ξενία). Like the supplication ritual, which dictated reciprocity, ξενία required dependency and respect to be offered by the visitor in exchange for accommodation by the host.[23] While Greek tragedy commonly enacted the

21 Kapsalis, 40.

22 For additional examples, see Kaimio, 50-53.

23 This relationship is preeminent in the Odyssey as well as the Iliad, as disregard for this rule allegedly instigated the Trojan War.

"socio-religious procedure of supplication"[124] as a method of asking for protection from physical harm, Shakespeare employs supplication as a means to ask for forgiveness. Electra begs to be reunited with her brother, to "be with [him] in [his] tomb. / For [she sees] that the dead do not feel pain" (Sophocles' *Electra* 1169-1170). In her mind, to die would be an escape from harm. To be with her brother is all she desires. Orestes begs for his life to Menelaus (Euripides' *Orestes* 381-383) and (falsely) to Helen (1408-1415). Juliet (*Romeo and Juliet*), however, approaches her father to seek forgiveness for past transgressions rather than to shield herself from physical harm (3.5.164-165; 4.2.18-23). This apparent dilution of gravity in supplication may very well be a result of the domestic nature of this play; however, the implementation of this potent device is an intentional choice by the playwright. By applying it retroactively in this domestic squabble, Shakespeare uses this gesture as a device to resolve past errs rather than a sincere act of desperation and dependence. To Shakespeare and to early modern England, "[g]esture is something to put on, like a garment, to enable one to fulfill a social role."[25] This perspective emphasizes the performative aspect and insincerity of behavior in Shakespearean theatre.

Juliet's first supplication to her father to prevent her marriage fails immediately, indicated by Capulet's refusal to hear or touch her after her appeal. He insults Juliet repeatedly and commands her to "Speak not; reply not; do not answer me" (3.5.169); however, his response that "My fingers itch" (3.5.170) suggests that he refrains from engaging her physically.[26] Because of her insincerity of intention and failure to abide by the supplication ritual, her petition lasts only two lines before Capulet aggressively dismisses her. Juliet introduces her supplication by lowering herself into a position of inferiority, announcing her intention to beseech her father.

JULIET,
Good father, I beseech you on my knees,
Hear me with patience but to speak a word. (3.5.164-165)

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24 Taplin, 69.

25 David Bevington, *Action Is Eloquence: Shakespeare's Language of Gesture* (Cambridge, MA: Harvard University Press, 1984), 67.

26 *Romeo and Juliet*, edited by René Weis (London: Arden Shakespeare, 2012), 282 and *Romeo and Juliet*, edited by James N. Loehlin (Cambridge, UK: Cambridge University Press, 2002), 200. This term is interpreted as Capulet feeling a strong desire to provide Juliet with a thrashing. However, it does not necessitate that he acts on this desire.

Falling to one's knees as a gesture of supplication occurs commonly in Shakespeare's texts, especially between children and parents. Lavinia's greeting to her father in *Titus Andronicus* exemplifies this posture: "And at thy feet I kneel, with tears of joy / Shed on this earth for thy return to Rome. / O bless me here with thy victorious hand, / whose fortunes Rome's best citizens applaud" (1.1.161-64). She exalts her father, honors him, deifies him, submits to him. Lavinia surrenders not only in a familial sense but in a borderline religious context. Bulwer classifies the gesture which Titus employs as *benedico*, a gesture "significantly used in condemnation, absolution, pardon and forgivenesse" and which carries religious connotations.[27] This connection illuminates early modern cultural fixation with seeking absolution and atonement. Incorporation of martial and religious undercurrents behind Lavinia's words and actions reminds us of the origins of Greek supplicative posture and emphasizes the influence that Greek drama still has upon Shakespearean supplication.

Because Shakespearean supplication derives from antiquity, they share requirements for posture and verbal appeal—a key element of the former being touch. The location of touch varies depending on familiarity, desperation, and distance,[28] but touch will likely be established. Having fallen to her knees, Juliet initiates a well-known transaction. She first offers a kneeling posture, then a concise plea "but to speak a word" (3.5.165). Her efforts, however, are short-lived as she neglects to secure any physical connection with her father. An insurmountable mistake. In contrast, Perdita (*The Winter's Tale*) takes care to abide by the sequence. As she gazes upon her mother's statue, she speaks with reverence and awe: "And do not say 'tis superstition, that / I kneel, and then implore her blessing. / Lady, / Dear queen, that ended when I but began, / Give me that hand of yours to kiss" (5.3.50-53). She kneels firstly, implores a blessing, and makes certain to initiate physical connection by kissing her mother's hand. In addition to showing reverence with her supplicative actions, Jan Frans van Dijkhuizen claims that "Perdita mediates between her parents, in a supplication by proxy: she kneels on Leontes' behalf."[29] Again, Shakespeare's preferred use of supplication as an absolving mechanism emerges.

Purves notes that in Greek culture "[s]upplication […] optimally

27 Bulwer, 137.

28 Kaimio, 49 and Kapsalis, 37-38.

29 Jan Frans van Dijkhuizen, *A Literary History of Reconciliation: Power, Remorse, and the Limits of Reconciliation* (London: Bloomsbury, 2018), 67.

involves a kind of grafting onto the body of another"[30] as a means of creating a physical and ontological merge between supplicant and supplicated. Supplicative gesture, derived from a position of surrender in Greek conflicts, would oblige Greek soldiers to adopt their opponents under unwritten Greek laws of combat. It would oblige them to show mercy.[31] By protecting opponents under Greek law, a shared identification and, in Alan Boegehold's words, "a bond or a sense of unity between two people" would arise.[332] In Shakespearean supplication, the ritual operates in much the same way. By assuming a supplicative posture, the petitioner asks the supplicated to recognize them under the shared law of supplication—to hear their words, and to grant them mercy.

By clasping the knees, hands, chin, or feet of those supplicated, the petitioner communicates a sense of symbolic and physical dependence. This dependence appears perhaps most poignantly between Priam and Achilles in Book Twenty-four of the Iliad. "Unseen of these great Priam entered in, / and coming close to Achilles, clasped in his hands his knees, / and kissed his hands, the terrible, / man-slaying hands that had slain his many sons" (24.476-479). The potency and necessity of this understood law speaks volumes occurring between enemies in the middle of the Greek camp. With a silent touch, the supplicant necessitates that their plight be heard. Just the simple act of contact joins both parties into a relationship. As Anne Sophie Refskou and Laura Søvsø Thomasen claim, "Rather than just projecting something unto what it touches, [a touching hand] takes in what it perceives […] Thus touching […] is significantly passive as well as active."[33] Elizabeth Harvey agrees: "Touch evokes at once agency and receptivity, authority and reciprocity […]."[34] It is the touch of supplication which enjoins both parties into reciprocity more than any other aspect of submission. Thus, Juliet's failure to initiate this relationship is as significant as Capulet's refusal to acknowledge her pleas. In a supplica-

30 Alex Purves, *Homer and the Poetics of Gesture* (New York, NY: Oxford University Press, 2019), 172.

31 Kapsalis, 40.

32 Alan Boegehold, *When a Gesture Was Expected* (New Jersey: Princeton University Press, 1999), 19.

33 Anne Sophie Refskou and Laura Søvsø Thomasen, "Handling the Theme of Hands in Early Modern Cross-over Contexts," *Early Modern Culture Online*, vol. 5 (2014): 33-34.

34 Elizabeth D. Harvey, "Introduction: The 'Sense of All Senses'" in S*ensible Flesh: On Touch in Early Modern Culture*, edited by Elizabeth D. Harvey (University of Pennsylvania Press, 2003), 2.

tive transaction, both parties have responsibility to fulfill their end of the bargain.

Capulet's verbal refusal to listen to Juliet, commanding her to "speak not; reply not" (3.5.169) serves as a marker of significant action which directs Juliet to attempt some response and Capulet to reject her. James Loehlin supports this interpretation with an anecdote regarding the "vivid inner life" of Isabella Nossiter, who played the titular character, during Capulet's haranguing of her. "You would swear it was her cue to speak, till he stops her … She turns from him, with a look that speaks, 'It is in vain to try to move him.'"[35] With this interpretation of significant action in mind, we can conclude that physical interaction between Juliet and Capulet would be embedded in the text if it existed. Since no acknowledgement or rejection of physical advances occurs in following lines, Juliet likely does not attempt to engage her father physically. Without this connection, Juliet does not establish "humility and desperation," two essential elements to "complement the beseeching tone of [her] request."[36] No actions back her words.

From surrounding context, we can interpret that Juliet's words, too, lack substantiation. Juliet has no genuine humility to convey. She openly defies her father's actions, declaring herself "[n]ot proud you have [wrought a gentleman], but thankful that you have. / Proud can I never be of what I hate" (3.5.1511-152). Although lack of pride ("having inordinate self-esteem"[37]) typically suggests humility, Juliet does not enact this meaning. Instead, she denies "feeling greatly honored, pleased, or satisfied by something which or someone who does one credit." Her resistance deviates from proper conduct of 17th-century children towards their parents as set forth by Robert Cleaver and John Dod, namely, to "obey their parents, and do serue them, and also do feare, loue, honour, and reuerence them; not onely in word and deed, but in their hearts and minds also."[38] Juliet's admission to not being proud of what her father has done for her defies these dogmas. Her honor seems lacking; her humility, false. Her supplicative posture

35 Loehlin, 200.

36 Victoria Pedrick, "Supplication in the *Iliad* and the *Odyssey,*" *Transactions of the American Philological Association (1974-2014)*, vol. 112 (1982): 125.

37 *Oxford English Dictionary*, s.v. "proud," accessed July 27, 2019, https://www-oed-com.grinnell.idm.oclc.org/view/Entry/153378?rskey=jRa8t7&result=1&isAdvanced=false#eid.

38 John Dod and Robert Cleaver, *A Godly Form of Household Government* (London: R. Field for Thomas Man, 1621), Y.

proves to be nothing more than going through the motions of an old ritual to mend a previous offense.

This same approach of penance for wrongdoings appears in early modern English religion. Sarah Beckwith lays out "Rites of Forgiveness" performed by the Church. In many cases, it demanded that offenders make public appearance and "meekly kneeling on his knees confess the said fault […], desiring God to forgive him" for his transgressions. The most important aspect of penance, however, was its outward expression. Beckwith puts it thus: "Confession in short must be performed; it is not something that takes place inside the mind."[40] With such import placed on performance of penance per se, it stands to reason that the action would devolve into an insincere gesture—a mere party trick for attaining absolution. By requiring public recompense, the Church withdrew gravity from the remorse of the offender. Instead, they forced it on reception of their confession by their audience: their peers.

A public spectacle of confession or supplication does not ensure forgiveness, however, in Shakespearean drama. Tamora (*Titus Andronicus*) attempts to supplicate Titus before his family, Roman senators, citizens, and her own sons. She begs for the life of her first-born, pleading that Titus bear "nobility's true badge" (1.1.119): mercy. Tamora appeals to Titus' martial prowess and pride. To deny earning another badge or another honor would be nearly impossible for an established military hero. No embedded action of kneeling nor physical contact appears in her speech other than a vaguely religious appeal for Titus to "stain not thy tomb with blood. / Wilt thou draw near the nature of the gods?" (1.1.116-117). This deifying petition does not suggest any posture of prayer or supplication. Tamora appeals with sincere intentions, of that there can be little doubt, but her failure to adhere to the supplicative ritual leads to denial of her petition. She neglects to graft herself onto Titus. Strike one. Her attempt to verbally create a shared identity between herself and Titus (1.1.107-113) fails. Strike two. Her third and final strike does not arise from her own actions, but from Titus' strong bond with his family and Roman people. "These are their brethren whom your Goths beheld / Alive and dead," Titus states, "and for their brethren slain / Religiously they ask a sacrifice" (1.1.122-124). This loyalty comes into effect later as the Andronici come before Titus with the same postural deficiencies which Tamora suffered, yet successfully beseech him with only words to bury their kinsman in the family

40 Beckwith, 105.

tomb. The unifying bond between petitioner and those supplicated[41] can be established through verbal means, but Maarit Kaimio holds that "it does not put the same pressure on the person supplicated as the complete ritual."[42] Between strangers, as with Tamora and Titus, the bond depends heavily on augmentation by physical connection, but among acquaintances or family a verbal reminder of that bond can suffice.[43] The Andronici's reminders of the bond which they share with Titus (e.g., "Father," "Brother," "soul and substance of us all" [1.1.377-390]) successfully completes their supplication.

Rather than reminding her father of their bond, Juliet neglects to convey reverence or honor. She speaks out against her father's actions and causes Capulet to unbind himself from what he then describes as a "Mistress minion" (3.5.156), "green-sickness carrion" (3.5.161), and "disobedient wretch" (3.5.166). Juliet fulfills neither the appropriate posture nor verbal appeal in her supplication and the ritual remains incomplete. Like Orestes, she is not raised from her bowed posture. Instead, she stands on her own after her father's departure (3.5.216). Through this scene, Juliet realizes the fallibility of supplication. It becomes clear that her father has decided on her marriage to Paris as a fait accompli[44] and her actions, regardless of their sincerity, would have no effect on her father's decision. The success of her supplication depends on its reception by her father, not the sincerity of her actions.

Like in the *Orestes*, Juliet sees that she can accomplish her objectives by performing whatever people want or expect to see with insincere intentions and inauthentic actions. While speaking to her nurse, she claims her purpose for going to Friar Lawrence's cell is "to make confession and to be absolved" (3.5.246). On one hand, absolution means "to set free from sin or guilt," the most common interpretation in the Church.[45] This meaning would mollify her nurse's anxiety about her disobedience. Unlike the *Orestes*, in which multiple characters become aware of the inauthenticity of the supplication to come, Juliet casts

41 Boegehold, 19.

42 Kaimio, 49.

43 E.g., Clytemnestra's appeal to Agamemnon in *Iphigenia in Aulis* (ll.1146-1209) does not adopt the posture of supplication that Clytemnestra previously enacted toward Achilles (900-916).

44 Diane Dreher, "The Paternal Role in Transition," *Dominance and Defiance: Fathers and Daughters in Shakespeare* (University of Kentucky Press, 1986), 51.

45 *Oxford English Dictionary*, s.v. "absolve," accessed July 27, 2019, https://www-oed-com.grinnell.idm.oclc.org/view/Entry/693?redirectedFrom=absolve#eid.

a curtain between herself and the rest of the characters onstage. She intentionally uses "absolved" for its secondary meaning: "to set free from an oath, obligation, liability, etc." This interpretation only arises during her following soliloquy, in which she announces her intention to "remedy" (3.5.254) her looming marriage. By cleverness or death, she demands absolution. Her performance breaks the fourth wall although her speech does not (3.5.248-255). We become privy to her deceptive language and her foreshadowing of the upcoming insincere action.

> CAPULET
> How now, my headstrong, where have you been
> gadding?
> JULIET
> Where I have learned me to repent the sin
> Of disobedient opposition
> To you and your behests, and am enjoined
> By holy Lawrence to fall prostrate here
> To beg your pardon. Pardon, I beseech you.
> Henceforward I am ever ruled by you.
>
> (4.2.16-23)

Having been confronted with her father's wrath, Juliet supplicates him once more. She begs forgiveness for her prior transgression, this time fulfilling the posture and verbal appeal that successful supplication requires. She begins the ritual by "fall[ing] prostrate," enhancing her supplication in a way that Orestes did not and augmenting the honor of her father to, by the Greek standard, godliness. In addition, Juliet speaks only when spoken to. She respectfully answers her father's direct address and maintains the unified bond between them. To repent her breach of familial etiquette, Juliet, like Orestes when he supplicated Menelaus,[46] admits her fault and establishes humility, which augments her prostration. She publicly confesses her "sin / Of disobedient opposition" verbally and physically, declaring herself to have "learned […] to repent." Her penitence restates Capulet's earlier insults: she confesses disobedience to soothe her father's jab of "disobedient wretch" (3.5.166). This direct response catches Capulet's attention. Unlike her first petition which only lasted two lines, Juliet leads with this response and earns six total lines to perform her apology. Her following devotion maintains it.

By performing her penance in multiple ways, Juliet ensures her penance will be believed. For, as Timothy Gould states, "An unex-

46 *Orestes* 383.

pressed confession […] is not a confession. The act of making a confession is indispensable to the existence of a confession."[47] By this logic—which the Church's directives support—the expression of confession makes it genuine in the mind of the recipient. The thought, in this case, is not what counts. Although she performs with insincerity, her audience (i.e., the other actors onstage) believe her. Her verbal petition fits the rules of supplication in antiquity, both humble and desperate, but her posture still lacks the desired "grafting." No embedded action appears in the text, and it can be extrapolated that due to her prostrate position she does not initiate contact with her father. Despite this defect in her posture, the added verbal devotion "Henceforward I am ever ruled by you" instills even greater deference and humiliation into her supplication. Capulet believes he has regained control over her. He believes he has won. As Dreher argues, Capulet proves to be a "mercenary father"—one of those who "prize their daughters as valuable possessions."[48] By appealing to his desire to rule over her, seen in his previous proclamation that "I think she will be rul'd / In all respects by me; nay, more, I doubt it not" (3.4.13-14) while he promises her hand to Paris, Juliet manipulates her father through inauthentic language. In addition, she atones for her prior transgression by offering "becomèd love" (4.2.27) to Paris, implying either her submission to a befitting love (i.e., one that fulfills the wishes of her father) or a love that has come about.[49] The dual meaning of this word hints at Juliet's insincere intentions behind this penance—intentions which the audience sees, but her father, who hears only the adjectival form of "becoming," remains blind to. These instances of inauthentic language, when accompanied by Juliet's improved supplicative poster, render her appeal a success. Her father's command for her to stand signals his acceptance of her petition and the completion of the ritual. Her performance has convinced her audience.

As Juliet's supplications demonstrate, Shakespeare's implementation of insincere supplication and language mirrors Euripides' false appeal to Helen; however, the key distinction between the two resides in their manner of presentation. Whereas *Orestes* employs a third per-

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47 Timothy Gould, *Hearing Things: Voice and Method in the Writing of Stanley Cavell* (Chicago, IL: University of Chicago Press, 1998), 70.

48 Dreher, 48.

49 *Oxford English Dictionary*, s.v. "becoming," accessed July 27, 2019, https://www-oed-com.grinnell.idm.oclc.org/view/Entry/16785?redirectedFrom=becomed#eid.

former, the Phrygian slave, to relay the events via messenger speech, Shakespeare presents the deceit openly upon the stage. This manner of presentation combines Euripides' exposure of the human experience with Sophocles' performance of gesture onstage. Rather than relegating deceit to being recounted or only presenting theatre through a lens of sincerity, Shakespeare's intentional subversion of expectations engenders realism in actions' inauthenticity. He did not use gesture to maliciously deceive an audience. Rather, Steven Urkowitz posits that "Shakespeare probed for more and more compelling and evocative gestures for his actors, hoping, I believe to create a more binding sympathy between player and audience."[50] His implementation, and more importantly manipulation, of gesture drew the audience out of the realm of pure theatricality and helped the real world seep into theatre. It exposed the nature of performance, particularly gestures of supplication, to be representations of sincerity, not authentic by and of itself.

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50 Steven Urkowitz, "'I am not made of stone': Theatrical Revision of Gesture in Shakespeare's Plays," *Renaissance and Reformation, New Series,* Vol. 10, No. 1, The Language of Gesture in the Renaissance (February 1986): 79-93.

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# Menstruation as an Example of Sense Perception in Aristotle: The Purpose of *On Dreams* 459b24-406a33

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ABSTRACT

In the short treatise *On Dreams*, while describing the residue of sense perception that can lead to dreams, Aristotle gives the puzzling example of a stain that remains on a mirror from one's gaze. This stain is only left by the eye of someone who is menstruating. Aristotle tells the reader that the change in the eye is caused by the 'disturbance and bloody inflammation' of one's period, seemingly giving this example as evidence for the qualitative change caused by normal perception. There is little English discussion of this passage before the 20th century: Rosamond Kent Sprague in 1985 seems to be the first to offer an account of the purpose and meaning of the passage, arguing that Aristotle means to compare the stain on the mirror to a stain left on our eye by the act of seeing. I argue that her reading aligns the passage with a wider contemporary discussion in Aristotle scholarship. The interpretation created by Sprague provides evidence for Richard Sorabji's account of Aristotelian sense perception as literally coloring the jelly of the eye. In other words, when the passage on menstruation's effect on mirrors is read as an example of the effect of objects on our eyes, it must describe a literal, physiological change of the eye, rather than a metaphorical conception of vision.

In *On Dreams*, Aristotle argues that our sense organs undergo substantial "qualitative change" when we have sense experience in waking life, enough to give content for our dreams. As evidence for this claim, Aristotle offers the observation that if one gazes into a mirror while they are menstruating, they leave a "bloodshot cloud" on the mirror. This observation is not a metaphor; Aristotle tells us that the newer the mirror is, the harder it is "to wipe off such a stain." J.L. Beare's translation of this bizarre passage begins as follows:

> That the sensory organs are acutely sensitive to even a slight qualitative difference is shown by what happens in the case of mirrors; a subject to which, even taking it independently, one might devote close consideration and inquiry. At the same time it becomes plain from them that as the eye is affected, so also it produces a certain effect. For in the case of very bright mir rors, when women during their menstrual periods look into the mirror, the surface of the mirror becomes a sort of bloodshot cloud; and if the mirror is new, it is not easy to wipe off such a stain, while if it is old it is easier. The cause is, as we said, that the eye is not only affected by the air but also has an effect upon it and moves it—as bright objects do (for the eye is a bright object and has colour). Now it is reasonable that the eyes, like any other part whatsoever, should be affected during the menstrual period; for they are veined by nature. That is why, when the menstrual discharges occur because of a disturbance and bloody inflammation, the change in the eyes is not evident to us although it is present (for the nature of the discharges is the same as that of semen); and the air is moved by them, and has a certain effect on the air on the surface of the mirror which is continuous with it, i.e. it makes that air affected in the same way that it is itself; and the air on the mirror affects the surface of the mirror" (Aristotle 1984, 459b24-460a11).

At first, the passage may seem irrelevant or digressive to the overarching purpose of the treatise: to describe the origin of dreams. Rosamond Kent Sprague notes that the passage has received "scant attention" and proposes an explanation for the choice to ignore it. Her 1985 essay on the passage, "Aristotle on Red Mirrors," opens as follows: "This passage in Aristotle's treatise *On Dreams* was for a considerable time regarded as too indelicate for the English reader, and thus languished in the decent obscurity of a dead language: both Beare in the Oxford Translation and Hett in the original Loeb edition preferred a Latin version." (Sprague 323). Sprague then proposes a reading that aligns this passage with both Aristotle's account of dreams and Aristotle's account of sense perception.

Aristotle argues that a dream is an "image based on the movement of sense impressions" (462a30). In order to argue as much successfully, he must describe such "images, or residuary movements" (461a19). He must demonstrate that our sense impressions move within our bodies

after the impression is made, and that these "residuary movements" remain long enough to give rise to dreams. The passage we are concerned with is meant to be evidence for the claim that even small changes in sense perception leave in us "impressions" which "persist" (460b3). Those changes must leave such persistent impressions on us if they are to come up again in perception as dreams while we are sleeping.

When the mirror in this passage is read to be "like" the eye, as in Sprague's reading, it offers the necessary evidence for Aristotle's account of the "residuary movements" that are caused by sense perception. Only when framed this way, I argue, can the passage become an example of what Aristotle is trying to show; namely, that the act of sensing leads to a persistent residual movement within us. Thus, Sprague's reading situates the passage on red mirrors as the required defense of Aristotle's claim. Then, because the passage must be read with the mirror as "like" the eye, the passage on red mirrors describes the eye as literally stained by what it perceives, just as the eye of a menstruator stains the mirror that it looks in. In the final stage of the paper, I hope to show that this account aligns the passage with Richard Sorabji's reading of Aristotle's account of sense perception.

The passage under consideration is given to the reader as an empirical observation, an example that, by virtue of its inclusion, seems meant to lend credence to Aristotle's account of dreams. Aristotle argues that dreams are to be explained by "residuary movements" that, in sleep, "move in the blood" of the sense organs and "take on likenesses" which we then, under the "effect of sleep", interpret to be objects of perception (461b16, 28). When we are asleep, we find that this movement has left behind impressions substantial enough that we mistake them for objects of actual perception. These mistaken perceptions are dreams.

The first evidence Aristotle gives to defend the notion that seeing something causes an "affection" that "continues in the sensory organs" is an appeal to "cases where we continue for some time engaged in a particular form of perception," like the stain left on your eyelid from staring at the sun (459b7). Looking at a brilliant object like the sun clearly causes a change within our sense organs. But unlike the stain on one's eyelid from staring into the sun (459b13), a modern reader can't seem to recreate the "bloodshot cloud" left on a mirror by their menstruating gaze (459b30). In this passage on red mirrors, unlike the case of a stain of the sun on their eye, the modern reader can't fathom the phenomenon in question, let alone see the stain for themselves. However, this passage is still given as the only evidence that even objects

that do not leave a visible residue on our eyes will still leave a persistent impression within us, an impression that will be perceptible when we sleep.

In the notes to his translation of *On Sleep and Dreams*, David Gallop describes this mirror phenomenon as an "ancient superstition" that Aristotle likely heard about but was unlikely to think actually happened (145). If Gallop is right, then regardless of the veracity of the phenomenon in question, Aristotle may have chosen to use the supposed phenomenon of bloodshot mirrors in order to compare the stain left by the gaze to the persistent residue left behind in sense perception. Gallop writes that the phenomenon of persistence is "hardly" defended by the example of red mirrors (146). Because of this anomaly, Gallop questions the passage's authenticity. He suggests that the passage may have been altered or added to the original text. But it is the only evidence in *On Dreams* for the claim that all sense impressions leave a residue on our sense organs and so can give rise to dreams, not just objects as "brilliant" as the sun whose sense impressions are readily visible while awake (459b13). Aristotle gives no other demonstration of residual perception caused by normal sense impressions. One might well argue that the passage has been added by a student of Aristotle's. But it should not be considered a digression, as it is the only argument offered in defense of Aristotle's claim that dreams are caused by residues of sense perception, small residual movements left behind in our sense organs from normal, everyday sense impressions. The passage is in fact a well-considered and necessary argument in defense of the main claim of *On Dreams*, and so its role cannot be ignored in the progression of Aristotle's account of dreaming.

That our sense organs are "acutely sensitive to even a slight qualitative difference" is "shown" by the passage on red mirrors (459b24). Aristotle needs this claim not only to describe dreaming but also to describe perception as a "qualitative change" which occurs in our sense organs (459b3). If the sensory organs do not themselves change in response to subtle changes in the environment, they cannot sense, and there can be nothing to dream. While the passage's existence itself is not compelling evidence that Aristotle believes in the mirror-staining phenomenon, it should be possible to understand this passage as an example of a subtle change in our sense organs, a change which remains in our bodies in all cases of sense perception, no matter how mundane or subtle.

At our passage's point in the text of *On Dreams*, Aristotle must show a way in which a "remnant of a sensory impression" can persist

within us, such that it can come out in dreams (461a21). He must show that an object impresses something that remains in our sense organs after the object is out of view. Given that a dream is characterized by the absence of simple sense perception, the remnant must be an object of awareness only when sense is absent. To later result in a dream, what it is we perceive cannot just affect our sense organs alone. It must impress upon our bodies something that "is present" even when the original object has "departed," something that remains long enough to become vivid when we are asleep (459a28). It's not necessary that this residual movement be material, but it is necessary that it leaves "impressions" in our sense organs that "persist, and are themselves objects of perception" (469b3).

Therefore, to defend this account of dreams, Aristotle has to show that there is some sort of qualitative change in our bodies when we perceive, and that such a qualitative change persists even after we've stopped actively perceiving. That is, he has to explain why "the affection continues in the sensory organs", just as movement continues in projectiles moving through space (459a29, 459b4). If Aristotle cannot explain how this "affection" remains— if he cannot show that we're sensitive to this kind of qualitative change, and if he cannot show that this sensitivity leaves an impression on us like that of the sun on our eyelid— then his account of sense perception won't be able to give rise to dreams.

In describing the "affection" caused by the operation of sense perception, Aristotle first argues that the movements caused by sense perception "can be compared" to projectiles moving in space, in that the movement "continues" after one body is struck by another. However, the kind of change that could cause a dream is "qualitative" and caused by sense organs (459b1).

The case of the sun's stain on the eyelid is vivid but ultimately unsatisfying as a justifiable account of such a qualitative change. First, the sun case only shows that our sense organs can have an effect on us when the perceptive activity is intense, or lasts for "some time" (459b7). Second, it only tells us that those intense sense impressions have what seem to be a temporary effect on our organs of sense. It does not show that the affection persists long enough to later be perceived in a dream. Finally, the sun case does not offer an idea of how this residuary effect is impressed upon us (459b2). It's reasonable that Aristotle would offer the passage on red mirrors to fill these holes. He seems to think that this passage on red mirrors will show us why it must be the case that a qualitative change persists in our eyes when we have vision.

Aristotle states outright the conclusions we are meant to draw from this passage, "that motion is set up even by small differences, and that perception is swift, and that the organ which perceives color is not only affected but also has an effect in return" (460a24).

Anthony Preus notes that these conclusions are echoed in the introductory statement to the passage: the sense organs are "acutely" sensitive to "slight" differences, and the eye also "produces a certain effect" (Preus 177). Then, it's clear that the passage on red mirrors is meant to substantiate these claims, which resemble those holes left by the examples listed in the previous paragraph. The passage must show that even "small" differences can leave impressions on us, and it must offer a sense in which perception can be thought to be residuary such that a dream can arise. So if the passage on red mirrors is successful, it will show how it could be that anything we perceive could leave an impression that's itself an object of perception (460a3).

This claim isn't very well shown by a passage about change in mirrors rather than in the eyes. It thus seems likely that this example is meant to illustrate a similar change that must occur within the eye. In Rosamond Kent Sprague's interpretation, the mirror "stands for the eye, and the eye for the object perceived" (324). The stain left on the mirror by the gaze is correlated to the stain left on the eye by the objects it sees. In this passage, then, the eye can be stained by an impression, a stain that persists when the object of our perception is removed, in the same way that the stain left on the mirror "does not leave new mirrors quickly" (460b19). It's the eye that's left with something like a "blood-shot cloud" on its surface, and even though the "change is not evident" to someone who looks at the eye, when we look at an object it's still enough to cause movement in us, "as bright objects do" (459b27-460a2). This is the kind of persistence that would allow for dreams to arise: the eye, in this interpretation, is stained by a bright object by perceiving it, even when the stain itself is not visible in our perception.

On this reading, the passage on red mirrors becomes a solution to the problems left open by the previous examples that Aristotle gives in *On Dreams*. First, it shows that our sense organs can have an effect on us even when that affection is not intense. The mirror, here, 'perceives' a change of the systems of the body, even when that change isn't significant enough to be perceived by our own eyes. In this case, one can see the effect of this slight change of the veins of the body on the mirror when they look to find this bloodshot stain.

Second, the red mirror analogy becomes an example of, or a correlate to, the phenomenon of persistence required by Aristotle's theory

of dreams. Sprague emphasizes this second characteristic, arguing that the significance of this example is that the bloodshot cloud stains, and can't easily be wiped off (Sprague 325). In both the case of the mirror and the eye, the stain is left by a "bright object that has color" (460a2). Moreover, the stain shows up best on the "purest" mirrors, and the stain left by our sense perception shows up best when it isn't "obscured" by the senses and the intellect (461a1). Finally, in the case of red mirrors, the eyes are "veinous" and the stain is "bloodshot." The movement is caused by a "bloody disturbance" of the body. In the case of dreams, it's only when an impression begins to "move in the blood" in sleep that it's perceived (461b18). This connection from the body to the eye and then to the mirror can be understood as an example of the residuary nature of sense perception only if one accepts Sprague's reading of the mirror as "like" the eye.

The final conclusion that Aristotle defends with the red mirror passage, that "the organ which perceives color is not only affected but also has an effect in return," is the least obvious, and at first might seem to imply how Aristotle thinks that the sense organ plays an active role in perceiving. But under Sprague's interpretation, this comment is an affirmation that the effect the eye has on the mirror is one of impression, not perception: it leaves the kind of residuary impression that can be shown to us in dreams, when the senses cannot "realize themselves" (461a5). Then, the effect that the eye has is on our imagination, not perception, and the eye has no active role in perceiving; nothing need emanate from the eye in order for us to see. Something must change within the eye, and only in order for us to dream. Sprague's interpretation, then, strengthens Anthony Preus' claim that "Aristotle assumes that the audience accepts the theory that sight is (primarily) *passive*," as in *De Anima* and in contrast to emanationist theories of sense perception, "and *adds* that it is *also* active" (Preus 180). Thus, Sprague's interpretation of this passage affirms that Aristotle sees no need for an emanation theory of sense perception.

The passage on red mirrors might not convince a reader that an impression from sense persists in the body. But it is an example of how Aristotle expects persistence to occur. It's also an example that supports the three conclusions the author intends to make 'plain': that we're sensitive to even small differences, that perception is immediate, and that the organ that perceives color is "not only affected but has an effect"— the act of leaving an impression on the perceiver— "in return" (460a24).

This reading of the passage seems to require that sensing an object

makes some kind of physiological change on us, in the same way that the menstruating viewer's gaze leaves a stain on a physical object. Raphael Woolf develops this passage as evidence of Richard Sorabji's reading of *De Anima*. Sorabji, in 1974, argues that Aristotle's account of sense perception in *De Anima* involves a "physiological process" within the eye (Sorabji 72). He reads Aristotle's account to require the "literal taking on of color," and then argues that Aristotle proposes this taking on color to be a physiological process that literally colors the jelly of the eye. Sorabji argues that with the description of sense perception as taking on the form of an object without the matter, Aristotle means to describe a physiological process that literally colors the jelly of the eye with what is seen. He proposes that an account such as this would be perfectly reasonable "with the instruments available to Aristotle" (72). Sorabji then argues that when one is aware that one is seeing, they perceive a "material cause, the coloration of the eye-jelly" (88).

In reply, Myles Burnyeat argues that there is no "physiological process" necessary in Aristotle's account of perception as taking on "the sensible form of the object perceived without the matter" (Burnyeat 16). A physiological process requires a material change; form cannot "flit from here to there, with or without a material vehicle, and be absorbed" (24). So "receiving the form of something without its matter means becoming like it in form but not becoming like it in matter," which must be a kind of "registering, noticing or perceiving" the form of something without becoming materially like it at all, and certainly without the literal coloring of eye jelly. Thus, he argues that if we distinguish between physical facts and mental facts at all, then "we" ought to "junk" Aristotle's theory of receiving sensible forms without matter, rather than revive it as an alternative to Cartesian dualism (Burnyeat 23, 26).

Raphael Woolf presents the passage on red mirrors as evidence that Aristotle does indeed think that the form of the eye is literally changed by sense perception (1999). While Woolf does not cite Sprague, he offers as evidence a variation of Sprague's reading, arguing that the effect of the eye on the mirror is a "reciprocal relation of what objects do to the eye" (388). He argues that the "'just as…so too language' strongly suggests" that Aristotle is presenting the two cases as the same, "except for the fact that in each case the direction is reversed." And as he puts it, in the case of red mirrors "the transmission results in the literal coloration of object by eye." So in the case of the eye, "what Aristotle has in mind is the literal coloration of eye by object" (389). Woolf offers a development of Sprague's interpretation that makes the passage "one

piece of evidence" for Sorabji's reading (391). Thus, the passage on red mirrors becomes a notable piece of evidence for a significant debate in what is referred to as Aristotle's philosophy of 'mind'.

I have hoped to show that this odd passage of Aristotle's is not a digression in the context of *On Dreams*. In fact, the passage is clearly meant to defend the kind of persistence Aristotle requires, and the question of its interpretation is relevant to questions about Aristotle's account of sense perception in *De Anima*. If Sprague is right that this passage has been avoided because of its uncomfortable subject matter, it is certainly worthy of consideration now as an example of Aristotle's view of the kind of formal change caused by sense perception.

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# The Legal Position and Commercial Power of Women: A Critical Analysis of the Archive of the Sulpicii

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ABSTRACT

This article looks to correct the common misconception that Roman women were unidimensional and lacking agency. It examines the commercial dealings of Roman women as illustrated by the banking records of the Sulpicii. In contrast with perceptions of the commercial world as ruled by men, this article finds that the world of Roman commerce was filled with women from a diverse range of social classes and financial hierarchies, such as freedwomen and foreigners. Despite Roman society's cultural perceptions of women, as sufferers of inherent weakness, the records and juristic writings show that the law did not entirely reflect, nor rigidly enforce, these misogynistic approaches to the role of women. In fact, women had vast-ranging powers on par with those of men to run their own businesses, select their own staff and acquire loans. The adverse consequences of such commercial powers are also discussed, in that the power to enter commercial dealings brings with it the risks of liability. It will be considered that there were some limitations on women's inclusion into commerce, such as the inability to act as witnesses. This article will conclude that Roman women were as much businesswomen as they were *Matronae*.

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## INTRODUCTION

Few sources provide overarching clarity as to the realities of Roman law in action, but some documentary collections have served to shed light in such a way as to change our thinking on the subject and add coherence to the finer points of the Roman legal world.

One such source is the collection of 127 tablets found at the Archive of the Sulpicii in 1959 at Puteoli, about 600 meters to the south of the Stabian Gate of Pompeii.[1] The Sulpicii were members of a prolific banking house consisting of three generations of freedmen, who conducted both local and international commercial dealings on a massive scale.[2] Many of their records were preserved by means of the massive volcanic eruption of Mount Vesuvius. These documents pertain to a broad spectrum of commercial topics, ranging from contracts to records of debts and transcriptions of dispute settlement processes. They date between 35-55 CE,[3] during which time, Puteoli was arguably the commercial centre of the Mediterranean world, considering that it was one the most heavily frequented ports for Rome and the whole of Italy at the time.[4] In this sense, such documents can provide an accurate reflection of commercial practice and practical legal standards, despite some

1 Obcarskas 2017, 12

2 Johnston 1999, 86

3 Jones 2006, 11

4 Obcarskas 2017, 14

tablets having been partially destroyed or incomplete.However, the source of the work as well as the motivations of its author must be considered when critically analysing such documents. The tablets of the Sulpicii Archive were not written with the intention of being read or interpreted, instead they were created as an end within itself, as receipts, records and documentary evidence of the contracts which they administered on behalf of themselves and their clients. Thus, when one reads the contents of a tablet it can be read as a somewhat accurate and reliable self-contained unit of commercial or legal information, especially compared to a second-hand account written after the fact. Such a perfectly preserved and revealing collection is rare and highly valued. However, the contents of the tablets add as many questions as answers to our knowledge of the Roman legal world, even going so far as to challenge our existing understanding of social roles and legal autonomy in Rome as will be discussed below.

This essay discusses the tablets of the Sulpicii and shows that there was vested power in persons previously thought to be powerless, with an exclusive focus on the legal and commercial powers of women. It will be demonstrated that although women were not equal to men in Rome by any account, the structure of Roman commerce bestowed upon them powers not commonly discussed by legal scholars. In fact, the tablets reveal that the role of women was integral to the function, development and expansion of Roman businesses. This is evidenced by the fact that 24% of the tablets found at the Archive chronicle the business dealings of women, which directly contradicts the formalist legal approach that women had complete "subordinate legal status" in ancient Rome.[5] Moreover, the Sulpicii Archive shows that women had a much more active role and interest in commercial affairs than one would assume from social context.

Roman contracts can be separated into two main categories, formal and informal, and between those two formats there exists 4 essential types of contract.[6] The most common type of formal contract was the *stipulatio*, an ask-and-answer form of contract, which the Sulpicii primarily used in their transactions.[7] For this form of contract parties would engage in a face-to-face discussion of the terms where one party 'stipulates' the required action which the other party duly promises

5 Jakab 2013, 124 and 130

6 Johnston 1999, 77

7 Jakab 2013, 135

to complete.[8] The possible statements to form a *stipulatio* are set out below:

> "An obligation by words is created by question and answer, such as: Do you solemnly promise to give? I solemnly promise. Will you give? I will give. Do you promise? I promise. Do you faithfully promise? I faithfully promise. Do you faithfully authorise? I faithfully authorise. Will you perform? I will perform."
> (Gaius *Institutes* 3.92)[9]

Thus, this contract was one which relied on precision, clarity and a complete 'meeting of the minds' between parties (*ad idem*).[10] It was a spoken rather than written contract, where the words themselves formed the agreement and bound the parties to action. In fact, "...writing was in no way necessary – though a written record might be the best way of keeping evidence of it."[11] *Stipulatio* was a formal yet very flexible type of contract, and could be used as a format for any type of agreement.[12] Its flexibility and verbal nature led to its "universal and constant use" for almost all areas of Roman life and commercial practice.[13] However, it had flaws such as its requirement that the promisor had to be present to form the contract and that it did not allow for agency and that it was unilateral. The requirement of presence was often impractical, and restriction on the use of agents limited the allowable agents to slaves. Thus, for diverse or foreign-based businesses there was in-built reliance on slaves as promisors and business managers. The unilaterality of the contract was also a strong barrier to ease of agreement. If a deal included multiple agreements of action from both parties, separate agreements would have to be made for each term.

The second type of contract was 'real contract', which was a formal agreement solidified by a deposit to any willing steward of the document. Such a type of contract relied on an honour code and an assumption of honesty on all parties.[14] The third type of contact was the

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8 Crook 1967, 207-208

9 Translation from Gordon and Robinson 1988, 315

10 *Ad idem*: a 'meeting of the minds' in the sense that there is a consensus between contracting parties as to the essential terms of the contract. Without such consensus, the contract is not valid.

11 Crook 1967, 208

12 Johnston 1999, 78

13 Crook 1967, 208

14 Crook 1967, 210

the 'contract by writing' (*litteris*), which was a written document, bearing more resemblance to modern contracts. However, this type was rare as it was only used for highly specialised transactions and came later in Rome's history.[15] Crook explains that "... this form of contract proved unsatisfactory because the Romans did not have double-entry bookkeeping; it does not seem to have been particularly used by banking houses, who kept the most systematic accounts."[16] The fourth type of contract is the 'consensual contract', the essential characteristic of this contract is that it did not require any particular wording, nor procedure. All that need occur was a consensual agreement and a transfer of goods based on good-will (*bona fide*).[17] These types of contract share one defining characteristic, the reliance on relational trust and social connection. The Roman commercial world was a network of complex relationships in which everyone was perpetually enmeshed.[18] Thus, this paper will discuss the extent of the inclusion of women into the Roman commercial world, and provide documentary evidence of their ability to contract.

## CHAPTER ONE: THE COMMERCIAL & LEGAL POWER OF WOMEN
### *Confronting the Myth of Women's Weakness*

In his book *Women of the Ancient World* J.P. Sullivan remarks "Just as it is thought masculine to resist and endure, it was thought feminine to yield to fear, desire and impulse."[19] This vision of women's societal role and character is stark. From this perspective, women can be thought to have more limitations than talents, and inspire more distrust than confidence. It insinuates that the constitution of women does not lend itself to the challenges and demands of the commercial world in that women are depicted as favouring traits such as unpredictability and unreasonableness as opposed to clarity, strategy and forethought. Such a blunt and unflattering image of women can be found throughout commentary about Roman law and society, where myriad terms for the inherent fragility and failings of women can be found. One such term is

15 Crook 1967, 214

16 Crook 1967, 214

17 Crook 1967, 215 and Johnston 1999, 81

18 Crook 1967, 243

19 Sullivan 1984, 149

"Women's Weakness" as described by Grubbs. She describes this as the view that the role of women is defined by their physiology, which naturally predisposes them to be unsuited to any realm but the domestic world. However, Grubbs offers a caveat, stating that the writings pertaining to Roman ideas on women may be misleading and exaggerated, especially Roman legal texts and commentaries, stating "The Romans, like the Greeks before them, held many traditional ideas about women's behaviour and the role women should play in society. The views are reflected in writings of the jurists, even when, at times, the jurists themselves did not agree with or believe them."[20] Obcarskas refers to this concept as the inherent "tension between the 'law in books' or 'law in codex' and the 'law in action'."[21] Regardless of whether these authors' works spoke to their truly held beliefs as to the role of women or whether these works were written as a means to pander to a naturally misogynistic upper class male audience, the point remains that at least on a theoretical level the role of women was limited.

Furthermore, such writings affirm the belief that the existing structures of Roman law did not facilitate or allow for women's involvement in many male dominated fields such as commerce. In even more drastic terms, women were regarded in legal theory to be on par with slaves, in that they were regarded as lesser beings worthy of contempt and suspicion rather than encouragement and trust. This perspective of women falls in line with the cultural attitudes of Rome; that "underprivileged groups such as women and ex-slaves were both reputed to be morally unreliable and underhanded."[22] Thus, existing commentary pertaining to Roman social context has concluded that women were thought not only to be incapable of commercial dealings, but also highly suspect if allowed to enter the world of commerce. This underlying mistrust of women put them in an arguably impossible position when it came to business. The world of Roman contract was highly social and goodwill-based. For example, when securing a loan, many preferred the more personal contract format of stipulatio, a format which was flexible and adaptable to any transaction or agreement of any kind, as opposed to less personal and transaction-specific contract formats, such as contracts of sale (*emptio venditio*).[23] On this basis of social and personal

20 Grubbs 2002, 46

21 Obcarskas 2017, 7

22 Riggsby 2010, 81

23 Johnston 1999, 78 and 79

contract, women were placed at a significant disadvantage.

Contrary to the many ancient literary and sociological constructions of women's place in Roman society, the tablets found in the Sulpicii Archive show the prevalence of women's commercial engagement to be rather varied and evidently broad in scope. In this section, the image of the Roman woman as a business person, capable of exercising commercial autonomy, will be discussed. To analyse this theme fully, one must first consider the social context surrounding the lives of women. Namely that limitations on women were thought to be legitimate by virtue of their 'inherent weakness' and natural affinity for deceit. While it is possible that authors did not truly believe what they wrote, this assumed fragility is reflected in much literature from the time, and such opinions are even affirmed in legal oratorical works. One need look no further than Cicero's *Pro Caelio* to find sweeping statements of sexism and misogyny.[24] Although Cicero represents juristic and oratory theatre more than legal reality, his approach to the supposed moral dubiousness of women proves the point all the same that in ancient Rome women were props, not autonomous entities.[225]

Such a view on women is also affirmed by the writings of the jurist Ulpian, who claimed that women were "...the weaker sex and ignorant in business and legal matters."[26] This underlying assumption about women will be deconstructed by comparing the typical image of women to their factual and practical legal rights. Lastly, having formed a foundation based on the context surrounding the legal and social role of women, case studies from the Archive of the Sulpicii will be used as illustrations of not only the existence, but prevalence, of women as commercial entities in the Roman world.

*Woman-led Business and Staff Selection Powers*

First, we come to the transactions of Lollia Saturnina.[427] Her transactions provide significant insight into the everyday processes of women-led businesses and reveal details about the function and selection of administrative staff.

I, Marcus Lollius Philippus, have written: I have received a loan of

24 Berry 2000, 143: Such as when, in an attempt to undermine her veracity and moral standing, Cicero made the unsubstantiated accusation that Clodia, the defendant's former lover, was a prostitute (*meretrix*). Cicero *Pro Caelio*, Section 38

25 Hall 2014, 155-161

26 Ulpian, *Rules* 11.1: Translation from Leftanowski and Fant 1982, 193

27 Recorded under TPSulp. 54, TPSulp. 109 and TPSulp. 73

> HS20,000 from Gaius Sulpicius Cinnamus and owe him this sum. And the above mentioned HS20,000 Gaius Sulpicius Cinnamus and owe him this sum. And the above mentioned HS20,000 Gaius Sulpicius Cinnamus has stipulated is to be duly paid back to him in good coin; I Marcus Lollius Philippus, have promised that I shall do so. [second half omitted] TPSulp. 54[28]

This records a transaction for HS20,000 between Philippus and the Sulpicii. From TPSulp. 73 it is determined that Philippus is in fact an agent for Lollia Saturnina, as both a member of her household and her staff.

> I, Gaius Sulpicius Cinammus, have written: I have received from Gnostus, the slave of Lollia Saturnina, on behalf of Marcus Lollius Philippus, the sum of... TPSulp. 73 21 August 48[29]

These two records provide considerable insight in the position and commercial power of Roman women. Marcus Lollius Philippus was Lollia Satrunina's freedman.[30] Lollia had elected Marcus Lollius Philippus as her business agent (*procurator*), who served as the face of her financial interests when conducting business with the Sulpicii. This has layers of interpretation, as on one level this tablet shows the ability of Roman women to contract at all. An ability to enter contracts encompasses myriad legal implications, including legal capacity and legal agency. Moreover, contracts were widely recorded and catalogued, leading to the conclusion that the process of women entering contracts, whether in their own name or through an intermediary, was met with collective recognition and acceptance in the legal world. On a more in-depth level, it shows that despite the existence and prevalence of guardians (*tutores*) it was the women themselves who selected their own agents. Lastly, the mention of Gnostus as her cashier (*servus dispensator*) shows a remarkable hierarchy-based business structure where women acted through staff to conduct complex transactions. In this way, these tablets serve as both a vivid illustration and solid proof of women's presence in the commercial world. Moreover, they demonstrate the structures through which women regularly conducted financial affairs in the ancient world.

Lollia is a unique figure among the women mentioned in the Archive of the Sulpicii. Not only for her general status as a lady of high

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28 Translation from Jones 2006, 122

29 Translation from Jones 2006, 123

30 Jones 1999, 123

birth, but more specifically for her direct link to the Julio-Claudian dynasty. As the sister to Lollia Paulina, married to emperor Gaius (Caligula), Lollia Saturnina was intimately tied to the Imperial family. Further, Lollia was married to Valerius Asiaticus, a well-respected and highly decorated consul.[31] Considering that Lollia Saturnina was Emperor Gaius (Caligula's) sister-in-law and a member of the Roman senatorial aristocracy, it would be easy to assume that such freedom and commercial participation was restricted to the "close-knit upper class" of the Roman elite.[32] However, the forthcoming tablets show this assumption to be unfounded, considering that they record the transactions of a varied collection of business women in terms of class, wealth and social status,

From elsewhere in the Archive, records preserve similar staffing structures by women from other socio-economic backgrounds.[33] This time affairs of a freedwoman, Caesia Priscilla, are recorded:

> ...In addition to the HS20,000 listed in the account of my mistress Pricilla, Gaius Sulpicius Faustus had asked that the sum of the HS4,000 above-mentioned shall be duly paid back in good coin and I, Pyramus, slave of Caesia Priscilla, have promised to repay the sum.
>
> [Witnessed] Pyramus, slave of
> Caesia Priscilla Decimus Caesius
> Lucrio Marcus Valerius Euphemus
> Aulus Futius Alexander
>
> TPSulp. 58[34]

The mention of an existing financial/debt balance leads us to reasonably conclude that Priscilla was a well-established client of the Sulpicii. In this case, Priscilla has chosen the slave Pyramus as her business manager (*institor*), whom she has authorised to take out a loan on her behalf. This provides some procedural insights, as Pyramus himself makes the oath/promise (*fidepromissio*) to repay the loan. However, in spite of the fact that Pyramus has made the promise, liability for the loan itself and any disputes which relate to it rests with Priscilla.[35]

31 Jakab 2013, 131

32 Jakab 2013, 131 and Daube 1969, 65

33 TPSulp. 58 and TPSulp. 71

34 Translation from Jones 2006, 124

35 Jones 2006, 125

This relates to the general legal position of Roman women. In relation to commercial dealings, it could be questioned whether women could produce and be responsible for their own liability, however this tablet proves that women could attract liability. This leads to the conclusion that, in business, women took on risk in equal measure with reward.

A third example, the transactions of a freeborn Greek woman Euplia, illustrate some finer details of women's ability to borrow.[36] In this case, the tablet illustrates a loan executed between two different women, Euplia and Titinia Anthracis.[37]

> Paid to Euplia, daughter of Theodorus, a citizen of Melos, [HS1,600], with the authority of her guardian Epichares, son of Aphrodisius, a citizen of Athens.
>
> She asked for and received in cash in the house from the cash box, HS1,600. The above mentioned HS1,600 in response to a question put by Titinia Anthracis, Epichares, son of Aphrodisius, a citizen of Athens, has guaranteed (fide iussit) to Titinia Anthracis on behalf of Euplia, daughter of Theodorus, a citizen of Melos.
>
> TPSulp. 60 20 March 43[38]

The most notable aspect of this tablet is that both the borrower and the lender are female. In addition, not only is the borrower (Euplia) female, she is a foreigner.[4] Although these are characteristics which carry presumed legal and commercial disadvantage, this tablet shows these factors to be immaterial for the formal execution of large loan contracts. It shows yet another example of the Sulpicii and, in a wider sense, Roman law "brushing aside formal status distinctions" in favour of conducting profitable business transactions.[40] As the intended use of the loan and the nature of the relationship between the two figures is not discussed on the tablet, we are not provided with a complete picture of the context surrounding the transaction. However, the messages contained in the tablet should not be dismissed or underestimated, as the formalisation of any commercial transaction between two women is considerably insightful, let alone two women of different nationality, legal standing, and social status. This tablet expands our understanding of what sort of

36 Jones 2006, 125

37 Recorded in TPSulp. 60, TPSulp 61 and TPSulp. 62.

38 Translation from Jones 2006, 126

39 Obcarskas 2017, 23: Foreigners were often legally restricted and offered less rights than those offered to Roman citizens.

40 Rowe 2005, 2

contracts women could enter and with whom. Obcarskas articulates the significance of the tablet in the forthcoming way:

> "Such contracts allowed status inferiors, as Euplia in this case, to participate in business in the same way as the main Roman law subject- free male citizens. With such contracts foreign women could lend and borrow money with the Sulpicii as middlemen."[41]

The importance of these tablets is twofold. Firstly, the tablets demonstrate that women could hold multiple large-scale contemporaneous loan contracts.[42] Showing that Roman businesswomen, or in Euplia's case foreign women operating business in Italy, could be expected to manage multiple accounts at one time. Secondly, the tablets show that women could not only hold multiple accounts, they could conduct loan contracts with different people at one time. The possibility of multiple loans adds a complexity of business structure, and the ability to acquire loans from a varied selection of lenders illustrates a complexity of lability. Euplia not only owes differing amounts, she holds equal liability and risk to all of her lenders.

*Women's Powers to Borrow, Inherit and Own Property*

Laws surrounding property offer some clarity on the legal position of women in Rome. In Justinian's Codex at 9.12.1. it is stated that:

> "Those who seize the property of a wife as a pledge on account of a debt of her husband, or because of some public civil liability which he had incurred, are considered to have been guilty of violence."[43]

In simple terms, this statute demonstrates that women's property was insulated from the bonds of marriage, in that the wife's property brought into the marriage, and acquired throughout, remained her property alone.[44] Although this is a ruling on a very particular matter, it illustrates the power of women to maintain property rights. Further, it shows that the debts or liabilities incurred by the husband did not legally extend to the wife. Thus, the inverse can be concluded, that women were able to incur debts and liability of their own. Therefore, despite Roman marriage being seen as "...a partnership...in accordance with natural law", marriage did not result in the immediate pooling

41 Obcarskas 2017, 24

42 The other two tablets which address Euplia's transactions outline two other loans one for HS1,000 and the other from Sulpicius Cinnamus to the value of HS500.

43 Translation from Leftanowski and Fant 1982, 116

44 Johnston 1999, 34

and unification of assets, women's property afforded them a legally affirmed means of independence.[45] This begins to unveil a much more independent and liberal vision of women's legal position. A vision of women who have, and who act upon, legal rights of a diverse and wide-ranging nature.

*The Role of Guardians*

One arguable limitation to the ability of women to operate freely on a commercial scale can be found in the existence of guardians (*tutores*). Such guardians were thought to dictate the major decisions of women, with overarching powers to approve or veto any transactions and administrative decisions made by women in both the domestic and the commercial world.[46] At first glance, these figures seem to have immense power over women, regardless of their age.[47] This is evidenced by Johnston's point that the guardian was a barrier to women's freedom to execute their affairs, especially when it is pointed out that a woman could not make a will, free their own slaves nor dictate any formal acts without a guardian's dispensation.[48] The existence and powers of guardians was also discussed by the jurist Gaius, who attributes the existence of guardians to the tradition of the ancients and the 'women's weakness' which he refers to as the "levity of their disposition".

> "Parents are permitted to appoint testamentary guardians for their children who are subject to their authority, who are under age of puberty, and of the male sex; and for those of the female sex, no matter what their age may be, and if they are married; for the ancients required women, even if they were of full age, to remain under guardianship on account of the levity of their disposition"
>
> (Gaius *Institutes* 1.144)[49]

However, I argue that these guardians did not have such wide-reaching and restrictive powers as some scholars have previously concluded. Firstly, there is significant evidence that being "... the guardian of an adult woman had a fairly limited function" in that their ability to

45 Grubbs 2002, 81

46 Riggsby 2010, 169

47 This was often by virtue of the powers of the *Paterfamilias*: a socio-familial structure whereby the patriarch of the family was legally empowered to dictate all substantial household decisions and affairs, who retained full ownership over all family property.

48 Johnston 1999, 39

49 Jakab 2013, 133

restrict "or oppose certain acts of sale" was heavily overshadowed by women's overarching property rights over both their possessions and her general wealth.[50] In this way, one legal right is shown to be greater than the other, in that women's exclusive control over their property was more compelling than a guardian's ability to limit their legal autonomy. Secondly, guardians could be removed and replaced for myriad reasons; whether excessive severity, lack of cooperation or professional/personal incompatibility.[51] Thus, the existence of Roman women's power to remove such non-compliant guardians can reasonably lead us to the conclusion that some more independently-minded women made use of such powers, showing that the legal position and autonomy of Roman women was greater than it at first appears.

There is also evidence that the formalist legal perspective, which championed the power of guardians, was not the pervading view of law makers of the time. This is shown in an opinion written by the jurist Gaius, where he contemplates his significant doubt as to the function and necessity of guardians (*tutores*) for adult women.[52]

> "There does not seem to be any good reason, however, why women of full age should be under guardianship, for the common opinion that because of their levity of disposition they are easily deceived, and it is only just that they should be subject to the authority of guardians, seems to be rather apparent than real; for women of full age transact their own affairs..."
>
> (Gaius *Institutes* 1.190)[53]

Thus, direct commentary from leading Roman jurists contradict and undermine the existing view on the legal powers of guardians (*tutores*) over women. Instead, the "reality was not as rigid and systematic as the law textbooks would suggest."[54] Moreover, as referenced in the opinion, it was common practice for women to "transact their own affairs", which shows that Roman women acting independently was commonplace rather than an anomaly.

Laws surrounding succession, inheritance and borrowing rights add more clarity to the legal position of women in Rome. Notably, Roman women's position in terms of inheritance was strong, even by modern

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50 Riggsby 2010, 168

51 Riggsby 2010, 169

52 Jakab 2013, 133

53 Translation from Jakab 2013, 133

54 Jakab 2013, 136

standards, in that on the whole they had the same rights of succession as men.[55] In fact, Jones states that inheritance was the main source of income for commercially active women in Rome.[56]

Lastly, and perhaps most relevant to the following chapters, was the fact that women had much the same borrowing rights.[57] This creates a break in the chain of Roman logic, in that this concept of a loan as "... an elaborate network of obligations owed from one friend to another" is not conducive to women's involvement in such commercial affairs.[58] The social context would have us believe that women were thought of as "morally unreliable and underhanded", both characteristics which do not align with the trust required for Roman business practices.[59] However, as Jones' statement shows and the following case-studies illustrate, the business world was observably more concerned with growing wealth through enterprise than strictly observing the cultural attitude that women should be excluded. Having now established a firm argument founded in statute and wider legal processes, case-studies can now be analysed to provide a broader idea of how the women of Rome exercised their legal rights and commercial freedoms.

## CHAPTER TWO: THE DETRIMENTS OF INDEPENDENCE
*Power, Risk & Liability*

For Roman women, the law restricted the variety of roles available to them on a massive scale.[60] They could not vote or hold public office. This limitation on women's ability to hold public office is analysed by Grubbs who relays that "Jurists of the Imperial period...explained that restrictions on women's public roles are due to women's weakness and to the moral impropriety of a woman appearing in an active role in public."[61] Grubbs 2002, 60 Thus, this is a prime example of the nega-

55 Johnston 1999, 40

56 Jones 2006, 119

57 Jones 2006, 121: As Johnston puts it, "there seems to be no distinction between men and women borrowers" when it came to the recorded transactions in the Archive of the Sulpicii.

58 Johnston 1999, 84

59 Riggsby 2010, 81

60 Riggsby 2010, 122

61 Grubbs 2002, 60

tive social archetype of Roman women being mirrored and affirmed in the legal theory. However, when assessing the statutes directly, one can see that women were not helpless, nor entirely excluded from action by Roman law. For example, women could sue for breach of contract, especially where the contract in question was executed in *stipulatio* form.[62] This is shown in Justinian's *Digest* 45.1.121.1.

> "To protect herself effectively a woman who was about to marry a man stipulated from him that if he resumed relations with his concubine during the marriage, he would pay her two hundred. I replied that there was no reason why if that happened the woman could not sue on the stipulation, which was in accordance with sound morality." (Papian)[63]

At first sight, this statute seems to limit women's legal recourse to actions which relate to marital or moral affairs. But the value of Papian's conclusion should not be understated. Such a statute solidifies women's power and legal right to have their matters brought before the court. Furthermore, regardless of the fact that the contract was of a personal nature, Papian's conclusion confirms women's ability to sue on contracts of the *stipulatio* form.

In wider terms, the women of Rome were not, in a legal sense, legally bound to accept breaches of contract without any recourse or remedy. They had the right to bring proceedings and enforce the terms of contract. Moreover, despite the fact that women were "banned from courtroom activity by rule" the legal statutes support a more liberal view of women's inclusion into courtroom practices.[64] In fact, some statutes show that women could go to court for their own affairs, going so far as to allow them to represent their own legal interests at court. This is shown in the *Sententiae Pauli* I.ii.2:[65]

> "A woman is not prohibited from undertaking the work of a legal representative in regard to her own affair." (Paulus)[66]

This section provides many significant revelations. However, it must be considered that this statute has multiple possible interpretations. One reading of the statute suggests that not only is the blanket statement that women were "banned from courtroom activity" incorrect, but also that

62 Leftanowski and Fant 1982, 116

63 Translation from Leftanowski and Fant 1982, 116

64 Riggsby 2010, 57

65 Grubbs 2002, 65

66 Translation from Grubbs 2002, 65

the statute illustrates a statutorily granted right for women to actively participate in legal procedure.[67] Which leads to the conclusion that where the matters at issue were regarding a woman's own affairs, she could interact with the court system to defend her own case and launch relevant causes of action. A narrower reading yields a stricter interpretation. The statute states that women could undertake "the work of a legal representative" which may be interpreted as being limited to the research process and analytical analysis of the law. If this interpretation of the statute is correct then women were still relegated to the background of legal preparation, rather than invited to engage at the forefront to defend their legal positions.

I favour the wider reading, in that the "work of a legal representative" can be reasonably thought to include actual representation and thereby court appearance. This reading is affirmed through a pragmatic view of the Roman legal world and a literal interpretation of Paulus's wording in the statute. As Paulus does not specify limitations on women's involvement in the body of the statute, it can be reasoned that there were no overt or strictly codified limitations. On the limb of pragmatism, it could be argued that it would be inefficient and impractical to invite the participation of women only occasionally. It is more logical to read the statute as written, which invites women to take on legal work pertaining to their affairs, whatever form that work may take. Whichever reading is championed and approved, this statute alludes to powers which show a disparity between the supposed widespread moral panic over women's involvement in legal affairs versus the reality of everyday legal practice. In broader terms, this statute shows that women could not only precipitate legal action, but pursue it personally and on their own recognisance.

*Dealing in Large Sums and High Value Assets*

Having established that women could contract, take out loans and attract liability, the question now arises as to whether there was a limit to the amount of money they could use or the scale of transaction they could enter. The tablets of the Archive do not allude to any such limit, in fact the tablets reveal that the transactions entered into by Roman women could pertain to monumental amounts or extensively varied and valuable goods or services. One such example of this is the request of Magia Pulchra for the loan of HS30,000.

67 Riggsby 2010, 57

> Paid to Magia Pulchra, daughter of Lucius. She asked for and received HS30,000 in cash in the house from the cash- box. Repayment of funds due on 1 May next.
> If on I May next, to me or my heir, the above-mentioned HS30,000 had not been paid, by evil practice on the part of either of you, and you have not come to an agreement with my heir or given satisfaction to me, Gaius Sulpicius Cinnamus [or Faustus] has stipulated that double the sum of money is to be duly repaid. Magia Pulchra, daughter of Lucius, has answered to this stipulation and made an oath by Jupiter and the Divinity (*numen*) of the Deified Augustus.
> The same (*idem*) [guarantor's name] answered to this stipulation (*spondit*). TPSulp. 63 September-October 45[69]

There are three notable aspects of the tablet. Firstly, the fact that Magia is acting without a guardian.[70] Secondly, the large amount being transacted and lastly the fact that this tablet alludes to a certain type of oath, thereby providing insight into the possible punishments attached to liability. The amount mentioned is HS30,000 which provides evidence that there was no set limit to the amounts which women could transact. As to the concept of liability and of giving effect to punishment, this tablet is considerably intriguing..As Jones points out, declaring an oath on the name of the emperor had significant risk. Namely, if Magia were to default on the loan, she would not only have to pay double the value of the initial loan but she will have defaulted on the emperor's name and been guilty of perjury.[71] Technically, such a failure would result in flogging.[72] As aforementioned, in relation to the dealings of Caesia Priscilla (TPSulp. 58) and in reference to wider legal context, liability rested with the woman for whom business is transacted.[73] This presents a major area of contention as to whether punishment was rigidly enforced against women who attracted liability.

In light of this approach, it would be logical to conclude that Magia would have to undergo the punishment. There is evidence of Roman women being subjected to such punishment and torture. One such example is freedwoman Epicharis, who is recorded as having suffered

69 Translation from Jones 2006, 127

70 Jakab 2013, 147 and Jones 2006, 128

71 Jones 2006, 128

72 Jones 2006, 128

73 Jones 2006, 125

mauling, burning, beatings, the rack and dislocation of all her limbs while being interrogated.[74] However, this example must be regarded as unique and extreme, considering that the interrogation was in relation to the infamous Piso conspiracy, which had threatened to assassinate the emperor Nero. The conclusion that women were routinely subjected to punishment/torture also faces a logical challenge when one attempts to reconcile such a gruesome punishment with cultural views on women as delicate, defenceless maternal figures. Such a cultural view does not correspond with a woman being openly flogged for defaulting on a loan. On the other hand, there exists the commercial reality that without some form of enforceable punishment parties entering contracts and loan agreements with women would face greater risk of loss. Direct discussion on the matter of rigidly applying punishment can be bound in Justinian's *Digest* where Marcian notes that judges did not have the discretion to alter or curtail proscribed punishments:

> "It is for the judge to see that a sentence more severe or lighter than the case demands is not passed; for he should not strive for a reputation either for severity or for clemency, but should sentence with considered judgement, as each case demands."
>
> (Marcian, Justinian's *Digest* 48.19.11)[75]

Arguably, such a lack of discretion means that women had little recourse to avoid violent and undignified punishment. However, no clear conclusion can be made, as we lack sufficient evidence on the matter. The topic of legal liability resulting in corporal punishment for women is an excellent area for further study, but is beyond the scope of the current discussion.

The record pertaining to the transactions of Patulcia Erotis, a freedwoman, serves as another affirmation that women were not limited in terms of the category of transaction. Although we have seen mostly loans from the other tablets, this tablet discusses a highly lucrative auction of unidentified goods.

I, Lucius Patulcius Epaphroditus, have written at the request and instruction (*rogatu et mandate*) of Patulcia Erotis, my freedwoman, and in her presence:She has received from Gaius Sulpicius Cinnamus, HS19,500 from her auction: [the transaction may be verified] from enquiries made of sealed tablets (*ex interrogatione facta tabellarum signatarum*).

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74 Tacitus, *Annals* 15.57. Trans A.J. Woodman

75 Translation from Watson 1998, 363

PAID TPSulp. 82 5 December 43/5[76]

As Obcarskas emphasises, this is a significant tablet if only on the basis that it dispels the assumption that women were only allowed to participate in transactions of minute scale or significance. She states, "This was a significant amount of money at the time, it was worth 40 tons of grain or 10-40 slaves on the market, depending on their quality. The fact that women possessed such amounts of money adds to the significance of this tablet."[77] Such commentary adds context to the transaction, and illustrates that the values in which Patulcia were dealing could be considered a collection of substantial assets and highly noteworthy in scale. Thus, this tablet adds yet another layer of perceived commercial capacity to women of Rome, whether entitled elite women, industrious freedwomen or foreigners.

## CHAPTER THREE: WOMEN AS OUTSIDERS

### *Witness Lists as a Reflection of Social Status*

The transactions of Faecia Prima serve to illustrate two of the more obscure points about the business transactions of women in Rome. Namely, that witness lists attributed to certain contracts could be used to show off elite social status. Second, that women themselves were not commonly, if ever, used as witnesses.

> Paid to Faecia Prima...HS...with the authority of her guardian [Numerius Castricius Agathopus?]. She asked for and received in cash in the house from the cash-box...
> The above mentioned HS...], in response to a question put by Titinia Basilis, Numerius Castricius Agathopus, has guaranteed (*fide iussit*) on behalf of Faecia Prima...
>
> [Witnessed]: Quintus Putelolanus
> Gnaeus Pompeius Celer Gaius
> Vestorius Felix Publius Vedius
> Hermeros Gnaeus Pollius Blastus
> Marcus Popidius Optatus Quintus
> Attius Icarus Quintus Attius
> Primigenius Numerius Castricius
> Agathopus TPSulp. 64 2 February 53[78]

76 Translation from Jones 2006, 83

77 Obcarskas 2017, 25

78 Translation from Jones 2006, 128-129

We are not certain of the financial details of this transaction, as the tablet was too damaged to render a full translation. However, the impressive list of nine witnesses does provide some contextual information. From the names on the list Jones makes the following statement "She certainly appears to be a woman of some consequence since she has, or the Sulpicii have on her behalf, assembled a list of witnesses who have connections with two of Puteoli's leading families, the Vestorii and Castricii."[79] As Cook explains, the importance of witnesses and their socio-legal status was immense, "...the personal standing and credit of their friends and patrons brought in as a guarantee of their transactions."[80] Thus, witness lists and the social status of those mentioned, could reflect a woman's reliability and commercial power let alone increase a woman's chance of being granted the loan.

In terms of the role of women on witness lists, we have little evidence. However, based on women's social position and the assumption that they were inherently untrustworthy, it is logical to conclude that they could not stand as witnesses. This is possibly due to the highly social nature of contract in the ancient Roman world, it was a system built on trust and favours to which women would not be welcome. Judicial commentary provides little clarity as to the legal requirements to serve as a witness to a debt. The metric provided is a normative one, in that witnesses must meet an undefined requirement of reliability and gravity per Justinian's *Digest*:

> "... evidence is often and necessarily given and should be sought particularly from those who are reliable."
>
> (Arcadius Charisius, Justinian's *Digest* 22.5.1)[81]

> "The value of testimony (or surety) depends on the dignity, faith, morals and gravity of witnesses..."
>
> (Modestinus, Justinian's *Digest* 22.5.2)[82]

Such a standard would not, at first blush, lend support to the inclusion of women in witness lists. As discussed throughout this paper, women were not considered as unquestionably reliable as men were, nor would they likely have been regarded as having sufficient moral character or dignity to serve in surety. Despite the lack of detail as to the legal requirements for standing in surety, the drafting of the statute infers that

79 Jones 2006, 129

80 Crook 1967, 243

81 Translation from Watson 1998, 192

82 Translation from Watson 1998, 192

it was unlikely that women could stand as witnesses.

However, there is a disparity of legal application in the tablets themselves. The law regards women and slaves as equally legally restricted, yet, in the transactions of Caesia Pricilla, the slave Pyramus is listed among the witnesses.[83] Therefore, one can conclude that in terms of legal surety, women were of a lower legal class than slaves. This seems counter intuitive, as the power to witness equates to a faith based assurance, and such a faith would seem misplaced in the hands of a slave. On this point, it must be acknowledged that women's position is accurately reflected in the letter of the law. For example, the Roman legal system provided no shortage of proclamations that "forbade women to stand surety for the debts of others, including their husbands." [84] Thus, women were barred by law and by social convention. As Jones explains:

> "The participation of women in financial affairs also differs markedly from that of men in as much as women hardly ever appear as witness to transactions. The absence of women wit ness lists may simply be a reflection of an entrenched attitude- that women had no role to play in transactions between men..."[85]

As shown by the witness list on TPSulp. 64, witness lists and standing as a witness was a matter of networking, and to put it simply Roman men did not want Roman women in their network. On this point, women are shown to have a limited position in terms of the logistics of commercial dealings.

## CONCLUSION

Rome was a powerful and dynamic society. Its history, philosophy and legal system have helped to form the modern world as it exists today. Of the many aspects of Roman life which attract study and interest, the metrics by which commerce was conducted is still a matter of ongoing debate. How exactly contracts were formed, enforced and executed are all matters of serious contention. However, there has been less enquiry into the parties to these contracts, namely what role the Roman women could play in such dealings. From the societal context, it was surmised that the role of women was limited, that they were the 'weaker sex' and as such had little place in the world of commerce. The

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83 TPSulp. 58, Translation from Jones 2006, 124

84 Tellegen-Couperus 1990, 86

85 Jones 2006, 132

Archive of the Sulpicii brought this assumption into question, not only lluminating the possibility of women in business, but proving that such roles were regularly held by women. The transactions recorded on the tablets of the Sulpicii Archive demonstrate that despite social norms surrounding the limitations of the Roman women, the world of commerce took a much more pragmatic and inclusive approach. In light of these revelations from the tablets the law in codex was then considered, ultimately showing that the law allowed women much the same borrowing, inheritance and lending rights as men. Furthermore, according to judicial commentaries and statute, these powers of lending and borrowing were consistently and commonly used by women. The tablets themselves show that some powers even extended so far as to allow women defend their own interests in court and launch claims for breaches of contract, illustrating a notable level of legal agency and freedom. To this effect, not only were women part of the commercial deals of the Roman world, they often stood at the top of businesses as leaders of their own companies, with staff beneath them and subject to their determinations.

Despite the pervasive assumption that guardians (*tutores*) left women legally powerless, the reality showed a completely contrasting vision of women's legal independence. Based on evidence of guardian-free independent transactions, the role of the *tutores* was, in fact, limited and largely administrative. There were possible detriments attached to the use and exercise of legal powers. Powers such as the ability to enter into high value dealings and contemporaneous loan contracts invited liability and risk. As a result, the recorded perimeters of liability led to the conclusion that a failure to abide by the exact requirements of a loan might result in severe and gruesome punishment, and that despite social views of women's 'frailty' women would indeed likely suffer such punishments where breaches of contract or law in general occurred. Despite the freedoms shown through the dealings of Roman women as recorded in the Sulpicii Archive, there were limitations to their inclusion, such as their absence on witness lists. The absence of women in such a capacity is likely explained by the relational and trust-based nature of Roman commerce. Thus, it was demonstrated that the commercial and legal power of Roman women was vastly different than the law in codex, and that women were indeed fixtures in the complex world of Roman business dealings. That Roman women could be, and often were, *matronae* and masters of commerce in their own right.

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