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DIE *EPISTOLA DE LAMENTABILI STATU* *FRANCIE*: EINE PROSIMETRISCHE ALLEGORIE AUS DER ZEIT DES HUNDERTJÄHRIGEN KRIEGES

Von Thomas Haye

Summary: The so-called Hundred Years' War (1337-1453) gave rise to a large number of Latin texts in contemporary France lamenting the political, military and social situation. Among them is the hitherto unedited *Epistola de lamentabili statu Francie*, which was apparently written soon after the defeat at Agincourt (1415). The text, arranged as an allegorical vision, describes the negative consequences of the inner-French conflicts and calls for an end to them. From a formal point of view, the text is impressive for its prose, which largely approximates metrical poetry.

Der sog. Hundertjährige Krieg (1337-1453) hat im zeitgenössischen Frankreich eine Vielzahl politischer Texte entstehen lassen, in denen nicht nur die grundlegenden Konflikte, sondern auch einzelne – zumeist militärische – Ereignisse von den jeweiligen Autoren dargestellt, kommentiert und emotional begleitet werden. Das herausragende texttypologische Motiv stellt hierbei (sc. auf französischer Seite) die Klage über den als bedauernswert empfundenen Zustand der *Francia* dar. Innerhalb der lateinischen Literatur sind die betreffenden Texte fast ausnahmslos rhetorisch überformt und als Kunstprosa oder Poesie gestaltet. Als Beispiele genannt seien das als anfeuernde Rede aufgebaute *Tragicum argumentum de miserabili statu regni Francie* des Franciscus de Montebelluna (1357),¹ der sapphische Planctus eines Anonymus über die Schlacht von Azincourt und den Tod des Dauphins Ludwig von Viennois (1416),² die Klagegedichte des Jean Gerson insbesondere über die Pariser Unruhen

1 Ed. Vernet 1962-1963.

2 Ed. Haye 2021.

(um 1418)³ sowie die von Robert Blondel in ca. 900 binnenreimenden Hexametern komponierte *Desolatio regni Francie* (alternativ: *Liber de complanctu bonorum Gallicorum*; 1420)⁴.

In diesen reich dokumentierten literarischen Diskurs gehört auch eine erstaunlicherweise bisher nicht beachtete *Epistola de lamentabili statu Francie, sub narratione poetica*, welche in drei aus dem 15. Jahrhundert stammenden Handschriften überliefert ist und hier erstmals ediert werden soll.⁵ Der als *Epistola* bezeichnete Text verzichtet zwar auf Begrüßungs- und Abschiedsformeln, folgt jedoch in seiner dreiteiligen Gestaltung dem zeitgenössischen Aufbau eines Briefes. Er beginnt mit einer als *Exordium* titulierten Einleitung (3-7),⁶ in der sich ein anonym er schriftlich an einen namenlosen geistlichen Bruder wendet (*amantissime frater*; 4). Nach eigener Aussage hat der Verfasser der *Epistola* zuvor von dem Bruder ein Schreiben erhalten, das ihn in der aktuell schwierigen Situation (*in hac sollicitudine*; 5) getröstet und mental gestärkt hat (4-5). Als Gegenleistung, so der Verfasser, übersende er ihm nun den Bericht über eine wenige Tage zuvor selbst erlebte Vision (6), welche eine überindividuelle Bedeutung habe (*res ... publica*; 7). Zum Abschluss des ersten Textteils drückt der Autor seine Hoffnung aus, dass sich der Adressat nach Lektüre des Visionsberichtes durch geistliche Intervention (d.h. durch Gebet) für die betreffende Sache verwenden werde (7).

Der zweite, als *Narracio* betitelte Textteil enthält den Visionsbericht (8-92). Hier wird der Adressat des Briefes erneut angesprochen: Auch wenn dieser in der Einsamkeit lebe (*ares solitarie*; 9) und die im Volk kursierenden Gerüchte deshalb gar nicht zur Kenntnis nehme, wisse doch zumindest die Region, in der er lebe, von der *nostri supereminencia lustrum* (9). Das Wort *lustrum* ist hierbei nicht etwa zivilisatorisch abwertend gemeint, sondern leitet bereits zur Allegorie über, durch welche die folgende Erzählung geprägt ist. – Der Sprecher selbst lebt in einem alles

3 Ed. Glorieux 1962; hier insbesondere die Gedichte 111 (*Deploratio studii Parisiensis*) u. 189 (= *De consolatione Theologiae* 1, m. 1); vgl. ferner 139 (*Lamentatio de miseris Franciae*) u. 151.

4 Ed. Pons & Gouillet 2001.

5 Der Text wird nur kurz erwähnt bei Meyenberg 1992: 53, Anm. 9 (mit Hinweis auf zwei Handschriften).

6 Die Zählung folgt der im Anhang dieses Aufsatzes publizierten Edition.

überragenden „Wald“. Dieser wird nun mit den gängigen Motiven des *locus amoenus* als naturhaftes Paradies beschrieben, welches alle menschlichen Sinne verzaubere und sich selbst genüge (10-11). Die Fruchtbarkeit des Waldes, das angenehme Klima und die allgemeine Harmonie hätten dafür gesorgt, dass einst selbst die Göttin Minerva ihre Heimatstadt Athen verlassen, die Alpen überflogen und diesen Ort zu ihrem neuen Wohnsitz gewählt habe (12). Nach dem Fall Trojas habe sich auch der Nachkomme des Priamus (d.h. der legendäre *Franco*) hierher begeben (13).

Der Erzähler berichtet nun, wie er vor wenigen Tagen den offenbar nahen Wald aufgesucht habe, um sich mental zu erquicken (14). Das Wetter sei zunächst angenehm gewesen: Sonnenschein, ruhige Wolken am Himmel, ein lieblicher Westwind (15). Doch plötzlich habe ein heftiger Wind die Blätter der (sc. großen) Bäume zum Rauschen gebracht (16-17). Laut habe sich die Klage des niederen Volkes erhoben (*vulgi querela minoris*; 18; gemeint sind die kleineren Pflanzen des Waldes), um Jupiter und die himmlische Kurie anzurufen (18). – Es folgt nun die direkte Rede des (sc. Wald-)Volkes (19-36): Gott solle auf das von Armut niedergedrückte Volk schauen (19). Er habe doch die Erde als gemeinschaftlichen Besitz geschenkt, so dass alle gleichermaßen ernährt und mit Wasser versorgt würden (20). Gottesfürchtig beachte daher dieser Wald (gemeint sind: dessen niedere Pflanzen) die Gesetze Jupiters (21). Auch Apoll und die anderen Sterne bevorzugten niemanden, sondern verteilten ihre Strahlen gleichmäßig auf alle (22-23). Anders verhielten sich hingegen die Bewohner (d.h. die großen Bäume) dieses Waldes (24): Sie ignorierten sowohl die göttlichen als auch die weltlichen Gesetze und strebten danach, die Diana (d.h. die Waldgöttin) der Auvergne zu vertreiben (25). So werde das niedere Volk unterdrückt (26), obwohl doch gemäß dem fundamentalen Prinzip alle – sc. natürlichen – Güter ein gemeinsames Eigentum seien (27). Woher komme dieses arrogante Streben nach Unterwerfung? (28). Die riesige Zeder behellige mit ihrem militärischen Anhang das niedere Volk, indem sie es überschatte, ihm das Sonnenlicht raube und es vom Regen abschneide, ferner wüchse sie immer höher und trockne so die zarten Wurzeln der kleinen Pflanzen aus (29). Das erreiche sie auch durch das viele Laub (30-31). So werde den kleineren Pflanzen die – sc. ihnen zustehende – Feuchtigkeit vorenthalten (32-33). Die Ursache liege

darin, dass der Zeder (sc. und den anderen großen Bäumen) die eigene Portion an Wasser nicht ausreiche und es ihr nicht genüge, nur vom Regen zu leben; auch wäre sie nicht stark genug, um Dürreperioden auszuhalten (34-35). So schnüre sie die Lebensadern der kleinen Pflanzen ab und trockne sie endgültig aus, falls nicht Jupiter eingreife (36).

Hierauf ergreift der – zum Volk der kleineren Pflanzen gehörende – Dornbusch das Wort (37-41): Eine solche, an Jupiter gerichtete Bitte sei unsinnig (37). Wenn Gott ihnen tatsächlich helfen wolle, müsse man ihn gar nicht – sc. durch Bitten und Gebete – dazu drängen (38). Wenn nicht, sei jedes Gebet ohnehin vergeblich (39). Abschließend zitiert der Dornbusch ein Sprichwort aus dem Volksmund (40): Wer klug sei, rede nicht allzu lange auf einen Tauben ein (41; gemeint ist die Vergeblichkeit solchen Tuns).

Auf diese Rede hin, so der Erzähler der Vision, habe sich das niedere Volk unter Führung der personifizierten Verwirrung, Hast und Zwietracht verbal gegen die hohen Bäume empört (42-43). Hierbei habe das Gestrüpp gegen die Eiche gewettert, die Tamariske gegen die Pappel, die Brombeere gegen die Kastanie, die Mispel gegen die Zeder, die Hasel gegen den Nussbaum, das Seegrass gegen die Zypresse und die Fichte (44). Die Zeder habe (zusammen mit den übrigen Bäumen) diese Klagen des Volkes gehört und verkündet (45): Der Abschaum der Erde beleidige sie und neide ihnen die hohe Abkunft. Wenn er tatsächlich den Aufstand probe, verweigere er sich ihrem Befehl und breche somit das Gesetz. Der Visionär berichtet nun, dass in dem Konflikt der – sc. nur mittelgroße – Feigenbaum zu vermitteln versucht und die folgende Rede gehalten habe (46-48): Man müsse mit den niederen Pflanzen Mitleid haben (46). Niemand könne lange unter Wasser bleiben, sondern müsse irgendwann wieder auftauchen (sc. um Luft zu holen) (47). Ein großzügiges Herz sei leicht zum Verzeihen bereit (gemeint als Appell an die hohen Bäume). Was auch immer das niedere Pflanzenvolk jetzt sage, am Ende unterwerfe es sich doch in seinem Handeln dem Befehl der hohen Bäume (48).

Hier, so erklärt der Erzähler, wird der Feigenbaum von der Eiche unterbrochen (49). Diese hält nun ihrerseits eine Rede (50-58): Der Feigenbaum sei ein Verräter, er mache sich mit dem Volk gemein und solle daher verschwinden (50). Die hohen Bäume hätten ihn jetzt durchschaut (51). Daher sei er nun mit seinen Verführungskünsten am Ende (52). Er

selbst habe ihnen doch in der Vergangenheit beigebracht, wie man den gesamten Boden aussaugen könne (53). Er habe gesagt: „Saugt ihn aus. Alles, was der Boden hervorbringt, gehört euch (54). Ihr seid nicht als Kinder der Juno im Schlamm geboren, vielmehr hat euch Saturn erschaffen und Jupiter hat euch beseelt“ (55-56). Nun aber spreche der Feigenbaum ganz anders und wage nicht mehr offen zu sagen, was er denke (57). Daher solle der Heuchler jetzt das Weite suchen (58). Auf diese Attacke hin, so der Erzähler, sei der Feigenbaum tatsächlich sofort verschwunden (59). Dann habe die Fichte ihre Wut ausgedrückt und die gesamte Ratsversammlung der hohen Bäume habe Drohungen – sc. gegen das niedere Volk – ausgestoßen (60).

Hier schaltet sich der Erzähler direkt ein: Bisher habe seine Vision nur von aufrührerischen Reden gehandelt (61). Doch nun werde es schlimmer (62). Er wisse nicht, wer das nachfolgende Unglück ausgelöst habe (63). Jedenfalls habe sich die Unruhe jetzt so sehr verstärkt, dass am Ende bei allen nur noch einträchtige Zwietracht übrig geblieben sei (64). – So etwa beim Seegrass, welches schon von einem leichten Wind in jegliche Richtung gebogen werde, oder selbst bei der Zypresse, die – sc. durch ihr ätherisches Öl – nahestehende Pflanzen beeinflusse (65). Lucina speise sie mit klarem Harz und Minerva schenke ihr einen besonderen Äther, so dass sie die Übrigen heile und auf diese Weise zu ihrem Vorbild werde (66). Sie atme weder ein noch aus, befinde sich in einem Tiefschlaf und lasse sich nicht wecken – möglicherweise aus Furcht, dass sonst der Blitz des Mars in ihre Krone einschlagen könne (67). Der Kampf – sc. zwischen den Bäumen und den niedrigen Pflanzen – sei so heftig gewesen, dass die Äste den Stamm und die Blätter die Zweige erschüttert hätten (68). Vater kämpfe gegen Sohn, Sohn gegen Vater (69). Brüder brächten sich gegenseitig um und Zwillinge lägen am Boden, von der eigenen Axt dahingemetzelt (70). Auch die beobachtete Ermordung der eigenen Eltern sei ein schlimmes Verbrechen, das gegen die Gesetze der Natur verstoße (71).

Die Kunde von diesem mörderischen Kampf, so erläutert der Erzähler der Vision, habe sich rasch in der ganzen Welt verbreitet (72-73). Nun habe auch der alte Feind aus dem Norden zu den Waffen gegriffen und eine Truppe von Nichtsnutzen, Verbrechern und Betrügern zusammengestellt (74). Diese sei im Winter in den Wald eingefallen, d.h. zu einer Zeit, in der dessen Bewohner – sc. politisch – verstreut gewesen seien

(75). Die Nachbarn hätten dem Wald nicht etwa geholfen, sondern seien vielmehr selbst vorgerückt und hätten die Eichen, Zedern und Fichten des Waldes durchbohrt (76). Nun seien diese tot oder vertrieben, oder aber sie lägen in Fesseln und riefen (77): „Verschone mein Leben. Ich bin ja schon gefesselt. All meine Habe liegt in deiner Hand“ (78-80). Der Feind habe die Kapitulation akzeptiert, die Gefesselten dann aber dennoch ohne Gnade getötet (81). Der rasende Nordwind habe so nahezu alle Pflanzen vernichtet und nur jene verschont, die die Flucht ergriffen hätten (82).

Der Erzähler unterbricht hier die Narration: Sein Zittern verhindere, dass er fortfahre (83). Stattdessen werde er das folgende Unheil lieber auslassen (84). Es sei nämlich so schrecklich gewesen, dass der Bericht solcher Ereignisse selbst Hartgesottene in Schrecken versetzen würde (umso übler sei es für ihn selbst gewesen, der diese Ereignisse in seiner Vision gesehen habe) (85). Und er fürchte, dass es noch schlimmer kommen werde, sofern Gott es nicht verhindere (86). Denn obwohl im Innern Furcht herrsche und von Außen das Schwert des Feindes drohe, würden Neid, Machtgier, Verkommenheit, Hass, Niedertracht und Rachsucht – sc. im Kreis der Mächtigen – nicht enden (87). Selbst unter wenigen Parteien sei Eintracht kaum möglich (88). – Wie könne sie da unter vielen erreicht werden? (89). Dies sei sehr schwierig (90). Doch da nur Eintracht den inneren Frieden herstellen könne, sei es zwingend notwendig, die Streitereien zu beenden (91-92).

Hiermit schließt der Briefschreiber den Bericht über seine selbst erlebte Vision (93). Gemäß dem texttypologischen Formular folgt nun nach der *Narratio* die abschließende *Petitio* (auch wenn die den Text überliefernden Codices keine entsprechende Zwischenüberschrift enthalten). Der Verfasser wendet sich jetzt erneut an den Adressaten (94-101): Er habe diesem die Vision enthüllt, damit er zu Gott bete (94). Der Schöpfer möge nicht seine eigene Schöpfung im Stich lassen, sondern die Seelen der Menschen erleuchten und mit Nächstenliebe erfüllen (94). Hierfür bete zwar auch er (sc. der Briefschreiber) selbst immer wieder von ganzem Herzen, doch verhinderten seine eigenen Sünden, dass er von Gott erhört werde (95-96). Hingegen könne das Gebet des Adressaten Erfolg haben, da dieser ein friedliebender Mensch sei (97). Heitere Seelenruhe (wie sie der Adressat offenbar besitzt) sei etwas Göttliches (98).

Am Ende des Textes wendet sich der Autor einer sozialen Gruppe zu: In gleicher Weise – sc. wie der Adressat des Briefes – solle die gesamte Geistlichkeit, d.h. der Klerus und der Mönchsstand, einträchtig darum beten, dass Zerstörung, Unruhe, Hass, Rache und Rebellion endeten und stattdessen Eintracht, Glaube und Nächstenliebe herrschten (99-100). Rettung für alle möge erreicht werden durch die Abwesenheit jener Macht (d.h. des Teufels), dessen Anwesenheit die Ursache des allgemeinen Übels darstelle, so dass alle befreit ein Loblied auf Gott anstimmen könnten (100-1). Statt einer Abschiedsformel (*vale*) bietet der Text am Ende ein predigthafte *Amen* (102).

* * *

Auf der litteralen Ebene enthält der Brief (zusammen mit dem darin eingelegten Visionsbericht) nur wenige konkrete Informationen. Zum Autor lässt sich allenfalls feststellen, dass dieser ein Geistlicher aus der *Francia* sein dürfte. Bezüglich des Adressaten ist es fraglich, ob hierunter tatsächlich ein konkretes Individuum zu verstehen ist. Er wird als eine in der Einsamkeit lebende, d.h. offenbar dem Mönchsstand angehörende Person dargestellt, die sich an einem friedlichen Ort aufhält (der Absender befindet sich hingegen in einer anderen Landschaft). Selbst für den Fall, dass sich hinter dem Adressaten eine historische Person verbirgt, ist der Text zweifellos nicht exklusiv an diese adressiert. Wie der Schluss des Textes nahelegt, handelt es sich um einen „offenen Brief“, der sich zumindest sekundär auch an andere Mönche und Kleriker richtet.

Die Datierung fällt auf den ersten Blick nicht leicht. Einen *terminus ad quem* bieten die drei Überlieferungsträger, welche nach der Mitte des 15. Jahrhunderts entstanden sind (einer der Codices ist konkret in die Jahre 1465-1467 zu datieren). Einen ersten *terminus post quem* ergeben die im Text verarbeiteten Werke des Hochmittelalters.⁷ Allerdings ist es angesichts des Themas offenkundig, dass die *Epistola* nicht schon im ausgehenden 12. Jahrhundert, sondern erst zur Zeit des Hundertjährigen Krieges komponiert worden ist.

7 Siehe hierzu unten.

Eine konkretere historische Eingrenzung folgt erst aus der Analyse der jenseits des Litteralen angesiedelten Textebene. Bereits die der Überschrift beigegebene Erläuterung *sub narratione poetica* verweist auf den allegorischen Charakter der visionären Erzählung. Hinter der literarischen Fassade verstecken sich historische Personen, Orte und Ereignisse.⁸ So bezeichnet der beschriebene Wald im weiteren Sinne die zeitgenössische *Francia*. Da die *silva* jedoch darüber hinaus in spezifischer Weise als Wohnsitz der aus Athen zugezogenen Minerva dargestellt wird (12), muss auch und insbesondere die Universitätsstadt Paris gemeint sein.

Ferner beschreibt der Text die Klage des einfachen, von Armut geplagten Volkes (*vulgi querela minoris*, 18; *vulgus innobile*, 42), das seine Benachteiligung durch die Mächtigen nicht länger hinnehmen will und einen Anspruch auf stärkere Partizipation erhebt (20-23 u. 26-28 u. 42-44). Eine solche Aussage verweist auf die sozialen Unruhen des frühen 15. Jahrhunderts (insbesondere in Paris) und auf die verschiedenen Versuche einer Finanzreform durch die Generalstände. Hinter der mächtigen Zeder und den anderen hohen Bäumen, welche ihre Begnadung auf Jupiter zurückführen (56), stehen zweifellos das französische Königtum und der Hochadel (unter Einschluss des burgundischen Herzogs), welche sich auf das Gottesgnadentum bzw. die göttliche Ordnung berufen und die vorgebrachten Klagen als illegitim empfinden (45). Die Darstellung des folgenden Krieges, in dem nicht nur die Kleinen gegen die Großen, sondern schließlich Alle gegen Alle kämpfen (68-71), verweist insbesondere auf den zwischen Armagnacs und Bourguignons geführten Bürgerkrieg (in den Jahren 1410-1419) sowie auf die hiermit verbundenen Aufstände und Kämpfe in Paris: 1410 verheeren die Armagnacs die Pariser Gegend, 1411 erobern die Burgunder die Stadt, 1413 rebellieren die Pariser Schlachter (Cabochiens), welche ihrerseits von den Patriziern unter Jean Jouvenel niedergeworfen werden.

Die angeblich heuchlerische Feige, welche das Gottesgnadentum des Königs und des Adels bisher legitimiert hat (53-58), doch nun im dargestellten Krieg zu vermitteln sucht (46-48), repräsentiert einzelne Pariser Theologen wie Jean Courtecuisse, die sich für gewisse Reformen einsetzen. Hinter der Zypresse (65-67), welche als eine Figur porträtiert wird,

8 Zum historischen Hintergrund vgl. Famiglietti 1986; Autrand 1986.

die von Lucina (= Jungfrau Maria) und Minerva (= Gelehrsamkeit) beschenkt worden ist (66), verbirgt sich die Pariser Universität und insbesondere deren Theologische Fakultät.

Mit dem äußeren Gegner, dem alten Feind aus dem Norden (*Septentrio rufa, hostis antiqua*; 74), sind zweifellos die Engländer unter Führung Heinrichs V. gemeint. Diese fallen *brumali tempore* (75) in den – sc. französischen – Wald ein, mithin zu einer Zeit, da die Waldbewohner „verstreut“ (*dispersam*; 75), d.h. zerstritten sind. Hier wird auf die Schlacht von Azincourt (25. Oktober 1415) angespielt, welche auf französischer Seite ohne Beteiligung der Bourguignons geschlagen wurde. Der Visionsbericht erläutert, dass der Feind viele hohe Bäume, d.h. den französischen Adel, vernichtet habe (*perfodit impietas communis*; 76). Das Adjektiv *communis* dürfte hierbei auf die englischen Bogenschützen anspielen, welche bekanntlich dem einfachen Volk entstammten. Auf ihre Pfeile und Bögen wird sogar ausdrücklich hingewiesen (*in pharetris sua tela gerens, arcuque parato*; 74). Des Weiteren wird erzählt, dass sich viele andere hohe Bäume dem Feind ergeben hätten (77-80). Obwohl sie ihrer Rüstung entkleidet (*cortice deposito*; 81) und gefesselt gewesen seien (*vincitur, 77; vincor, 79*), habe der Feind sie ruchlos getötet (81). Auch dieses Detail verweist auf das als skandalös empfundene Verhalten der Engländer bei Azincourt. Der Text kann erst nach der Schlacht entstanden sein. Die Aufforderung zur Eintracht und die intensive Bitte um Frieden (91-100) passen grundsätzlich zu den chaotischen Jahren 1415/1416-1419. Die emotionale Intensität des Briefes macht hierbei eher eine frühe Abfassung wahrscheinlich.

Tatsächlich lässt sich der Zeitraum noch etwas weiter eingrenzen. Angeblich, so der Erzähler, wollen die Mächtigen die Diana der Auvergne vertreiben (*atque tuam, Averno, nituntur repellere Dianam*; 25). Bei dieser Figur handelt es sich zweifellos um Bernard VII. d'Armagnac (ca. 1360–1418), den Grafen von Armagnac und Rodez, welcher seit 1410 die Partei der Armagnacs anführt, seit 1414 über Paris herrscht und seit 1415 das Amt des Connétable innehat.⁹ Er wird am 12. Juni 1418 im Rahmen jener Pogrome ermordet, welche die burgundische Eroberung von Paris auslöst. Bernard ist zur Zeit der Abfassung des Textes offenbar noch am Leben. Das Werk ist somit zwischen dem 25. Oktober 1415 und dem 12. Juni

9 Zu ihm vgl. Autrand 1986: 538-47.

1418 verfasst worden, hierbei vermutlich entweder noch Ende 1415 oder im Verlauf des Jahres 1416. Es gehört somit in das gewaltige literarische Echo, welches die Schlacht von Azincourt unter den Zeitgenossen ausgelöst hat.¹⁰

Da der Autor den Armagnakenführer als *nostram Dianam* bezeichnet und sich hierbei an die Auvergne wendet, dürfte er selbst aus dieser Gegend stammen. Er befindet sich zum Zeitpunkt der Abfassung aber offenkundig nicht dort, sondern vermutlich in Paris, wo er studiert oder lehrt. Wohl nicht zuletzt aus landsmannschaftlichem Interesse favorisiert er die Partei der Armagnacs. Diese beherrscht zudem bis 1418 die Stadt. Falls der Text tatsächlich als Brief verschickt worden ist, dürfte der Adressat (bzw. der Adressatenkreis) in der Auvergne zu lokalisieren sein. In diesem Zusammenhang sind die drei handschriftlichen Überlieferungsträger insofern von Bedeutung, als sie alle in Paris entstanden sein dürften. Einer von ihnen wurde zwischen 1465 und 1467 von dem damals in Paris studierenden Franziskaner Bertrand Gineste geschrieben, welcher aus dem Konvent von Rodez stammte.¹¹ Die Chronologie verbietet es, Gineste als Autor der *Epistola* zu identifizieren. Doch der wahre Verfasser dürfte ein ähnliches landsmannschaftliches, soziales und biographisches Profil wie Gineste aufweisen. Als dieser seine Abschrift erstellte, war der Krieg längst beendet, doch Azincourt keineswegs vergessen. Auch die sog. Praguerie (1440), eine Rebellion und Verschwörung des französischen Adels gegen König Karl VII., welche sich gegen dessen Militärreformen richtete, lag erst wenige Jahre zurück. Sie hatte ihren Ausgang im Poitou genommen, eine Ausweitung auf die Auvergne war jedoch gescheitert, da die dortigen Städte (*les treize bonnes villes de Basse-Auvergne*) königstreu geblieben waren. Die Erinnerung an die bürgerkriegsähnlichen Zustände war somit auch in Ginestes Heimat, der Auvergne, zweifellos noch sehr präsent und möglicherweise ein Motiv für den Pariser Studenten, die – wohl in Paris entdeckte – *Epistola de lamentabili statu Francie* zu kopieren.

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10 Vgl. die grundlegende Dokumentation bei Curry 2000.

11 Siehe hierzu unten.

Dass der Autor von einem literarischen Impetus getrieben wird, verrät bereits die allegorische Überformung. Darüber hinaus lässt sich auch ein rhetorisch-didaktisches Motiv erkennen. Denn in zwei der drei Handschriften erscheint als Zusatz zur Überschrift die Ankündigung: *Colores verborum et sentenciarum* (2). Tatsächlich überliefern diese beiden Codices eine stattliche Zahl von Randglossen, die ebenfalls von der jeweiligen Haupthand des Textes geschrieben sind und integral zu ihm gehören. Sie benennen eine Serie rhetorischer Figuren und stilistischer Techniken, die jeweils suo loco im Haupttext begegnen.¹² Mit einer solchen Fülle der im Text exemplifizierten Figuren möchte der Autor zweifellos seine rhetorische Kompetenz unterstreichen. Da jedoch jede von ihnen nur exakt einmal begegnet, scheint darüber hinaus auch ein didaktisches Motiv vorzuliegen. Es ist also nicht auszuschließen, dass der Verfasser in Paris die *Artes* gelehrt hat.¹³

Der Wunsch des Autors nach einer anspruchsvollen literarischen Gestaltung des Textes zeigt sich auch in der Verwendung von *Cursus*.¹⁴ Es fällt allerdings auf, dass diese wesentlich nur im ersten Teil, dem eigentlichen Anschreiben (*Exordium*), begegnen, nicht aber im narrativen Hauptteil (*Narracio*). Die Ursache dieses Defizits liegt in der besonderen Form: Zwar wird der gesamte Text in allen drei Handschriften als (ungegliederter) Prosa-Block präsentiert, tatsächlich weist die Sprache des Visionsberichts jedoch subkutan – ohne dass der Leser hierauf hingewiesen würde – eine massive metrische Qualität auf. Eine genauere Analyse ergibt, dass die meisten Sätze daktylisch gestaltet sind und als Hexameter (selten: als Pentameter) gelesen werden können. Dabei begegnen zwar zahlreiche prosodische Verstöße und Lizenzen, zudem sind auch nicht alle Verse vollständig, dennoch ist eine auktoriale Intention unverkennbar. Nur wenige Sätze verzichten vollständig auf eine metrische

12 *Abusio, Gradacio, Membrum, Denominacio, Translacio, Brevitas, Comparacio, Similiter desinens, Intellectio, Nominacio, Transgressio, Exclamacio, Conduplicacio, Contencio, Interrogacio, Complexio, Dissolucio, Raciocinacio, Subiectio, Expedicio, Pronominacio, Disciunctio, Similiter cadens, Adiunctio, Traductio, Diffinico, Sentencia, Repetico, Preciso, Transicio, Permutacio, Dubitacio, Contencio, Articulus, Annominacio, Correctio, Superlacio, Circuicio, Interpretacio, Permissio, Occupacio, Contrarium, Continuacio, Conclusio, Commutacio.*

13 Zu ihnen vgl. Weijers 1994–2012; eine Identifizierung ist nicht möglich.

14 Vgl. *visitare tugurium* (5; *cursus tardus*); *communicat et partitur* (5; *cursus velox*); *reserare curavi* (6; *cursus planus*); *prestolans interventum* (7; *cursus velox*).

Prägung. Da sich der Visionsbericht somit als „Dichtung“ verstehen lässt, dürfte die in der Überschrift zu findende Erläuterung *sub narratione poetica* (1) keineswegs nur auf die allegorische Überformung, sondern auch auf das hexametrische Substrat anspielen.

Nach dem Verständnis des Autors könnte es sich wegen des gleitenden Überganges von der Prosa zur Poesie zudem um eine Art „Prosimetrum“ handeln.¹⁵ Das Genre wird bekanntlich auch noch im Spätmittelalter gepflegt, so etwa in dem 1418 unmittelbar nach den Pariser Unruhen verfassten Werk *De consolatione Theologiae* des Jean Gerson. Die Einordnung als prosimetrischer Text ist indes problematisch. Dem modernen Verständnis nach zeichnet sich ein Prosimetrum dadurch aus, dass in ihm metrisch gebundene *neben* ungebundener Rede auftritt und mit dieser ein Werk Ganzes bildet. Die zwei – funktional unterschiedlich eingesetzten – Redeweisen werden jedoch für gewöhnlich nicht vermischt, zumindest nicht in dem Maße, wie es sich in der hier edierten *Epistola* beobachten lässt. Die besondere formale Beschaffenheit des Textes zeigt sich darin, dass sein prosimetrischer Charakter auf Amalgamierung, nicht auf Parataxe fußt. Wo andere Autoren die Hybridform des Prosimetrum dadurch produzieren, dass sie formal geschiedene Rede *neben-einanderstellen*,¹⁶ erreicht dies unser Autor, indem er die beiden Redeweisen *verschmelzen* lässt. Sein Werk erscheint zugleich auch offener. Denn einen eindeutig metrisch gebundenen Text nicht als gebundene Rede zu rezipieren, hieße, zumal im Lateinischen, ihn kräftig gegen den Strich zu lesen. Die *Epistola* dagegen ist aller Metrifizierung zum Trotz prosodisch noch unregelmäßig genug, so dass sich der Leser auf die poetische Qualität nicht unbedingt einlassen muss, sondern das Werk ohne interpretatorische Abstriche auch als Prosa lesen kann.

Das beschriebene Verfahren des Autors wird durch die literarische Ästhetik des Spätmittelalters begünstigt. In dieser Zeit ist die lateinische

15 Zur mittelalterlichen Ausprägung des Genres vgl. Pabst 1994.

16 Vgl. die Reflektionen über die Definition des lateinischen Prosimetrum bei Pabst 1994: 11-17. Eine Problematik wie die hier vorliegende ist dort indes nicht besprochen.

Kunstprosa maßgeblich durch die Dichtersprache geprägt. Wie zahlreiche Similien belegen,¹⁷ verfügt der Autor über eine gewisse Lektüre-Erfahrung. Klar erkennbar ist seine Rezeption der Bibel; des Weiteren gibt es einige wenige Parallelen bei Hieronymus und Gregor d.Gr. Aus der Riege der römischen Klassiker werden – kaum überraschend – nur Vergil und Ovid (sowie vielleicht Statius) verarbeitet. Wenige und kaum verlässliche Spuren deuten zudem auf die spätantiken Dichter Ausonius, Paulinus von Nola, Arator, Sidonius und Paulinus von Périgueux hin. Ebenso wenig beweiskräftig sind die vereinzelt Parallelen bei einigen französischen bzw. in Frankreich tätigen Poeten insbesondere des Hochmittelalters (Odo von Cluny, Johannes von Salisbury, Stephan von Rouen, Walter von Châtillon, Galfred von Vinsauf, Johannes de Hauvilla, Nigellus Wireker, Aegidius von Paris, der anonyme „Karoellus“). Hingegen lässt sich klar nachweisen, dass der Autor den anonymen „Pamphilus de amore“ sowie die Dichter Hildebert von Lavardin, Eberhard von Béthune, Petrus Riga und – vor allem – Alanus ab Insulis rezipiert. Trotz der Kenntnis solcher französischen Klassiker des 12. und frühen 13. Jahrhunderts verfügt der Autor der *Epistola* selbst augenscheinlich nur über geringe Kompetenzen auf dem Feld der Poesie und Metrik. Es ist nicht möglich, ihn dem frühhumanistischen Diskurs zuzuordnen. Vielmehr steht er einerseits sprachlich-poetisch in hochmittelalterlicher Tradition, andererseits demonstriert er mit seiner auf den ersten Blick völlig undurchsichtigen Amalgamierung von Poesie und Kunstprosa in anschaulicher Weise, wie sich im späteren Mittelalter die Grenzen dieser beiden Formen weitgehend auflösen. – Die Prosa ist nicht nur rhetorisch extrem aufgeladen, sondern in ihren Formeln auch so sehr von der Dichtersprache durchsetzt, dass den Zeitgenossen eine Abgrenzung zunehmend schwerfällt oder nicht mehr sinnvoll erscheint. In der Perspektive des frühen 15. Jahrhunderts erhebt bereits die als *res ficta* verstandene Allegorie die *Epistola* zu einem „poetischen“ Text. Durch die metrische Gestaltung der Sätze erhält diese Klassifizierung eine zusätzliche Begründung. In seiner sehr konsequenten Produktion hexametrisierender Prosa nimmt das Werk allerdings eine ungewöhnliche, vielleicht sogar einzigartige Stellung ein: Bislang lässt sich kein zweiter Text dieser Epoche nachweisen, welcher ähnlich radikal vorgeht.

17 Vgl. die Nachweise in der unten stehenden Edition.

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Die *Epistola* bietet mehrere Möglichkeiten der texttypologischen und literaturgeschichtlichen Einordnung. Erwähnt wurde bereits, dass das Werk durch die Überschrift und den dreigliedrigen Aufbau (*Exordium - Narratio - Petitio*) auf die Gattung des Briefes verweist. Ferner erinnert die Mischung aus Prosa und Vers an das Genre des Prosimetrum. Darüber hinaus lässt sich der Text wegen der herausgestellten *colores* und *sententiae* sowie vor dem Hintergrund der Überlieferungsgemeinschaften¹⁸ als eine rhetorische Übung interpretieren, die sich in die Tradition der *declamatio* einordnet.

Wie allerdings der Überschriftenzusatz *sub narratione poetica* hervorhebt, muss das Werk vor allem als allegorische Vers-Erzählung verstanden werden, deren Tradition innerhalb der christlichen Literaturgeschichte insbesondere durch Prudentius, Bernardus Silvestris, Alanus ab Insulis und Johannes de Hauvilla repräsentiert wird. Wie beliebt diese narrative Form auch noch im spätmittelalterlichen Frankreich ist, illustriert etwa das 1350 in Paris entstandene Epos *De iudicio Solis* des Simon von Couvin.¹⁹ Gerade wegen der formalen Verbindung zum Genre des Prosimetrum läge es hier nahe, als konkretes Vorbild die *Cosmographia* des Bernardus anzunehmen, da diese einleitend mit dem Motiv der *Silva* arbeitet. Allerdings lässt sich keine derartige Rezeption nachweisen; auch die *Psychomachia* des Prudentius wird – der vergleichbaren martialischen Szenerie zum Trotz – offenbar nicht reaktiviert. Immerhin mag der *Architrenius* des Johannes de Hauvilla einen gewissen Einfluss ausgeübt haben. Doch die entscheidende, den Autor der *Epistola* in jeder Hinsicht inspirierende Instanz stellt Alanus ab Insulis dar. Auch hier könnte man wegen des Titels (*De lamentabili statu Francie*), des Klage-Motivs und der Vers-Prosa-Mischung zunächst vermuten, dass sich der Autor primär an Alans Prosimetrum *De planctu Naturae* orientierte, doch findet sich hierfür kein Beleg. Vielmehr folgt er in vielen sprachlichen Details dem epischen *Anticlaudianus* (unter Einschluss des dem Epos vorgeschalteten

18 Siehe hierzu unten.

19 Vgl. Hays 2014.

Prosa-Prologs).²⁰ Dabei verwendet er nicht etwa größere Vers-Partien oder ganze Verse, sondern beschränkt sich in der Regel auf einzelne Junktoren, Klauseln oder exquisite Vokabeln, die er sowohl in seine Prosa-Sätze als auch in seine eigenen Hexameter integriert (in letzterem Fall nicht selten ohne Rücksicht auf die Gesetze der Prosodie). Auch bei den Hauptmotiven orientiert er sich am *Anticlaudianus*: So ist die von ihm beschriebene *silva* durch den Sitz der Natura (*Anticl.* 1.55-206) und den diesen umgebenden Wald (*silva*; *Anticl.* 1.84) geprägt. Ferner richtet sich die vom Autor beschriebene Versammlung der hohen Bäume am *concilium caeleste* aus, welches Alanus im unmittelbar folgenden Abschnitt darstellt (*Anticl.* 1.207-2.309). Zudem lässt sich der Autor bei der Deskription des aus dem Norden hereinbrechenden Sturms von der *Fortunae sedes* leiten, die Alanus im siebten Buch zeichnet (insbes. *Anticl.* 7.405-35). Der zwischen den großen und den kleinen Pflanzen tobende Bürgerkrieg evoziert sodann – auch sprachlich – die Rebellion der Höllennächte gegen den neu geschaffenen Menschen (insbes. *Anticl.* 8.147-273). Und schließlich verarbeitet der Autor in seinem Text die beiden Figuren der *Discordia* (*Anticl.* 9.16) und der *Pauperies* (*Anticl.* 9.54-71).

Auch wenn Alanus somit zweifelsfrei die zentrale Vorlage darstellt, ist eine weitere Beeinflussung durch andere Literaten keineswegs ausgeschlossen. So klingt die vom Autor der *Epistola* abgegebene Erklärung, dass er „zur geistigen Erholung“ den Wald durchstreift habe (*Hanc [sc. silvam] ego perlustro recreandi causa lacessitos spiritus*; 14), in ihrer positiven Natur-Motivik durchaus ein wenig petrarkesk. Tatsächlich zitiert der Autor in der Vision ein Proverbium (*Nemo sub aquis diu vivit, oportet erumpat*; 47), das sich auch im Vorwort des von Petrarca verfassten und im 15. Jahrhundert weit rezipierten Traktates *De vita solitaria* findet.²¹ Ferner preist er am Schluss seiner *Epistola* die Ataraxie als göttliches Geschenk (*Magna etenim et divina res est animi tranquilla serenitas. Agite pariter,*

20 Vgl. hierzu die Nachweise in der Edition.

21 Vgl. Petrarca, *De vita sol.*, prohem. 1: *Nemo sub aquis diu vivit: erumpat oportet et frontem, quam celabat, aperiat.*

deo donati populi devocio; 98-99). Auch diese Formulierung liest man nahezu wortgleich im ersten Buch von *De vita solitaria*.²² Da es sich allerdings um proverbiales Gut handelt, ist nicht auszuschließen, dass unser Autor hier lediglich aus einer Florilegiensammlung oder einer anderen sekundären Quelle schöpft.

Schließlich ist als weiterer literarischer Bezugsrahmen an jene eingangs erwähnte politische Lyrik zu erinnern, die insbesondere nach der Schlacht von Azincourt (1415) und bis zum Vertrag von Troyes (1420) entstanden ist. Diese überwiegend allegorischen Texte operieren bevorzugt mit einer reichen Naturmetaphorik, in der Frankreich als *locus amoenus* und England als brutaler Nordwind geschildert wird, welcher die Pflanzen zerstört.²³ Eine konkrete Beeinflussung unseres Autors durch einen einzelnen Text lässt sich jedoch nicht belegen.

Fazit: Innerhalb der politischen Literatur des späten 14. und frühen 15. Jahrhunderts erreicht die *Epistola de lamentabili statu Francie* ihre herausgehobene Position nicht nur durch die eigenartige Vermischung von Prosa und Metrum, sondern auch durch die konsequente Allegorisierung zeitgeschichtlicher Ereignisse. Lediglich in der Schlusspartie des Textes wird die zentrale Botschaft unverhüllt artikuliert: Der Autor versucht geistliche Kreise dazu zu bewegen, sich für die Beendigung des französischen „Bürgerkrieges“ einzusetzen, da dieser eine erfolgreiche Abwehr des äußeren Feindes verhindere. Die Beilegung der inneren Konflikte sei zwar außerordentlich schwierig (*Difficile nimium*; 90), jedoch zwingend notwendig (*lites sedare necesse*; 92). Der Empörung des einfachen Volkes scheint der Verfasser zwar ein gewisses Verständnis entgegenzubringen, doch verurteilt er die Folgen der Rebellion als äußerst schädlich für die *res publica* (vgl. 7). Zu jener Textstelle, in der das Volk eine materielle Gleichberechtigung einfordert und sich hierbei auf Gott beruft (*Tu terram communem facis, ut omnes eque cibentur ea, roremque partiris omnibus afatin*; 20), notiert eine – möglicherweise auf den Autor selbst zurückgehende – Glosse: *Vide hic, qualiter populus commoveri ad sedicionem possit*. Aus Sicht der angesprochenen klerikalen und monastischen Kreise bedrohen die

22 Vgl. Petrarca, *De vita sol.* 1.1.12: *Magna enim et divina quaedam res est animi tranquilla serenitas et que non alterius donum sit quam solius Dei.*

23 Vgl. Hays 2021: 255-63; zur literarischen Tradition des *locus amoenus* vgl. Thoss 1972.

Aufstände nicht nur die göttliche Ordnung und das politische Gemeinwesen der *Francia*, sondern auch die eigene soziale Position. Die Wiederherstellung des inneren Friedens ist daher das oberste Gebot der Stunde. – Damit dürfte der Autor eine im geistlichen Milieu des frühen 15. Jahrhunderts weit verbreitete Ansicht vertreten. Die Wertschätzung des Textes lässt sich vielleicht an dem Umstand ablesen, dass er noch fünfzig Jahre nach seiner Entstehung dreimal abgeschrieben wurde und es sich bei zweien der Überlieferungsträger um Prachthandschriften aus Pergament handelt.

* * *

Der Text wird in drei Handschriften des 15. Jahrhunderts überliefert:

P₁ = Paris, Bibliothèque nationale de France, lat. 7876A, ist wohl nach der Mitte des 15. Jahrhunderts offenbar in Frankreich entstanden.²⁴ Es handelt sich um eine einheitlich gestaltete Prachthandschrift aus Pergament, die neben der *Epistola* auch *Salutatis* zu dieser Zeit recht weit verbreitete *Declamatio Lucretiae*,²⁵ die pseudo-sallustische Invektive gegen Cicero, ferner dessen ebenfalls fingierte Gegenrede sowie Ciceros *orationes Catilinae* enthält. Der Codex lässt sich somit aufgrund seines Inhaltes in einen frühhumanistischen Diskurs einordnen. Die Wertschätzung der *Epistola* dürfte sich daran ablesen lassen, dass der Text am Beginn des Codex (auf fol. 2r-5v) steht. Die erste Seite (fol. 2r) ist zudem reich verziert. Die Glossen (*Colores verborum et sententiarum*) sind von der Haupthand am Rand eingetragen. Buchstaben bzw. Zeichen stellen jeweils den Bezug zwischen der einzelnen Glosse und der einschlägigen Stelle im Haupttext her.

24 Bibliographie unter: <https://archivesetmanuscrits.bnf.fr/ark:/12148/cc67130h>. Ein Digitalisat ist online gestellt unter: <https://gallica.bnf.fr/ark:/12148/btv1b52517989t>.

25 Vgl. Menestò 1979: 924.

P₂ = Paris, Bibliothèque nationale de France, lat. 8247, ist ein optisch unauffälliger Papier-Codex aus dem Pariser Universitätsmilieu.²⁶ Gemäß mehrerer Kolophone (fol. 23v, 58r, 84r, 87r) hat der in Paris studierende, aus dem Konvent von Rodez stammende Franziskaner Bertrand Gineste die Handschrift in den Jahren 1465 bis 1467 in Paris teils selbst geschrieben, teils schreiben lassen.²⁷ Neben der *Epistola* überliefert der Codex auch Ovid (*De remedio amoris*), Heinrich von Settimello (*Elegia*), Vitalis von Blois (*Geta*), Alexander von Villedieu (*De algorismo*), den pseudo-aristotelischen *Liber de pomo*, Costa ben Luca (*Tractatus de differentia spiritus et animae*), Domingo Gundisalvo (*Libellus de unitate et uno*), einen Facetus (*Inc. Cum nihil utilius*) sowie eine Sammlung von Merkversen (*Inc. Gaudent gaudenti flens*).²⁸ Die *Epistola* befindet sich hier auf fol. 84v-86r. Unmittelbar davor, auf fol. 84r, nennt Gineste in einem Kolophon das Jahr 1465 und Paris als Schreibort; unmittelbar danach, auf fol. 87r, erwähnt er in einem Kolophon das Jahr 1466 (und wiederum Paris). Die Abschrift muss somit 1465/1466 entstanden sein. Der Text ist nahezu schmucklos und weist keine Glossen auf.

P₃ = Paris, Bibliothèque nationale de France, lat. 15087, ist wohl ebenfalls nach der Mitte des 15. Jahrhunderts offenbar in Frankreich entstanden.²⁹ Es handelt sich um eine einheitlich gestaltete Prachthandschrift aus Pergament, die neben der *Epistola* auch Pseudo-Seneca / Martin von Bracara (*De quatuor virtutibus*), ferner den fingierten Briefwechsel zwischen Seneca und Paulus, *Salutatis Declamatio Lucretiae*³⁰ sowie die fingierte Invektive Ciceros gegen Catilina (die sog. *Quinta Catilinaria*) und dessen (ebenfalls fingierte)

26 Bibliographie unter: <https://archivesetmanuscrits.bnf.fr/ark:/12148/cc67517g>. Ein Digitalisat ist *online* gestellt unter: <https://gallica.bnf.fr/ark:/12148/btv1b90779898>.

27 Vgl. Samaran & Marichal 1974: 27 (hier fehlt die Information zum Kolophon auf fol. 84r). Gineste hat 1467 in Paris auch eine Horaz-Handschrift erstellt (heute: Bern, Burgerbibliothek, cod. A 60).

28 Nachgewiesen bei Walther ²1969: Nr. 7098.

29 Vgl. Delisle 1869: 71; weitere bibliographische Angaben unter: <https://archivesetmanuscrits.bnf.fr/ark:/12148/cc75803n>. Ein Digitalisat ist *online* gestellt unter: <https://gallica.bnf.fr/ark:/12148/btv1b525175681>.

30 Vgl. Menestò 1979: 924.

Antwort enthält. Der Codex lässt sich aufgrund seines Inhaltes wie P₁ in einen frühhumanistischen Diskurs einordnen. Die *Epistola* befindet sich auf fol. 6v-9v. Hierbei ist die erste Seite des Textes (fol. 6v) etwas weniger aufwändig verziert als in P₁. Die Glossen (*Colores verborum et sentenciarum*) sind von der Haupthand am Rand eingetragen (allerdings ohne Referenzzeichen, weshalb die Zuordnung für den Leser nicht immer eindeutig ist). Von ihr stammt auch eine zusätzliche, nicht in P₁ und P₂ überlieferte Glosse (zu Satz 20: *Vide hic, qualiter populus commoveri ad sedicionem possit*). Am Textrand befinden sich zudem mehrere Zeichnungen von Gesichtern und Händen (*maniculae*), durch welche die Aufmerksamkeit des Lesers auf einzelne Passagen gelenkt werden soll.

Keine der Handschriften ist ein Autograph oder ein vom Autor durchgesehenes Exemplar. Alle enthalten eindeutige Schreiberfehler. Die reich verzierten Codices P₁ und P₃ sind Schwesterhandschriften, die nur in wenigen Lesarten sowie in einigen Graphien voneinander abweichen. Beide überliefern fast dieselben Glossen. Bei beiden ist jeweils die erste Seite des Textes ornamental ausgezeichnet (stärker in P₁, etwas weniger in P₃). Sie weisen zudem nicht selten dieselben, von P₂ abweichenden Lesarten sowie einige Bindefehler auf. Allerdings hängt die eine nicht von der anderen ab. Die beiden Codices sind somit stemmatologisch grundsätzlich gleichwertig. Obwohl keine Prachthandschrift, steht P₂ in ihrem editorischen Wert nicht hinter P₁ und P₃ zurück. Sie enthält mehrfach überzeugende, mitunter sogar die klar besseren Lesarten. Sie hängt nicht von einer der beiden anderen ab. Ebenso wenig hängen diese von ihr ab.

Bei der Edition müssen alle drei Überlieferungsträger in gleicher Weise für die Textkonstitution berücksichtigt werden. Die wenigen Konjekturen sowie die jeweils abweichenden Lesarten werden nur in den Fußnoten nachgewiesen. Die – vermutlich vom Autor selbst stammenden – Glossen sind als integrale Bestandteile des Textes anzusehen.

Bei der Graphie verbietet sich angesichts der drei grundsätzlich zeitgenössischen Überlieferungsträger eine modernisierende Begradigung. Da jedoch alle drei Handschriften in graphischen Details voneinander abweichen, ist die Favorisierung eines einzelnen Codex unerlässlich. We-

gen der Glossen kommen nur P_1 und P_3 in Frage. Hier wird die Prachthandschrift P_1 gewählt. Ihre Graphie ist in der Edition konsequent abgebildet (einzige Ausnahme: Um der besseren Lesbarkeit willen wird zwischen u und v differenziert). Bei den in den Fußnoten nachgewiesenen Textvarianten bleiben die rein graphischen unberücksichtigt.

In der Edition wird die Groß- und Kleinschreibung vereinheitlicht (auch bei den Glossen). Die Interpunktion orientiert sich grundsätzlich an den Regeln der deutschen Rechtschreibung. Sofern die Interpunktion der bzw. einzelner Handschriften eine abweichende Sinnstiftung vorgibt oder suggeriert, wird dies in den Fußnoten vermerkt.

Die Anfänge bzw. Enden der Verse und der direkten Reden werden in den Codices nicht markiert. In diesen präsentiert sich der Text vielmehr als ungegliederter Prosa-Block.

Die in der Edition unternommene „Rekonstruktion“ der Verse, d.h. ihre Herauslösung aus der Prosa, ist keineswegs unproblematisch, da der Autor die Prosodie nur unzureichend zu beherrschen scheint und zudem offenbar keineswegs immer auf die Schaffung vollständiger Verse abzielt. Zur Demonstration der metrischen Qualität vieler (Teil-)Sätze sind in der Edition die jeweils zu betonenden Silben mit einem Iktus versehen. Dabei müssen allerdings viele prosodische Verstöße in Kauf genommen werden. Zudem böten sich an nicht wenigen Stellen alternative Möglichkeiten der Gestaltung von Vers und Prosa an. Aus diesen Gründen werden in der Edition nicht etwa die – fehlerhaften bzw. unvollständigen – Verse, sondern die einzelnen Sätze durchnummeriert (hochgestellte Zahlen in spitzen Klammern zu Beginn eines jeden Satzes), so dass trotz der vielen Unsicherheiten ein zitierfähiges Referenzsystem bereitsteht.

EDITION

<¹>Epistola de lamentabili³¹ statu Francie, sub narratione poetica.

<²>Colores verborum et sententiarum³²

<³>Exordium³³

<⁴>Consolata est anima mea³⁴ tuis sacris eloquii verbis,³⁵ amantissime frater. <⁵>Hec nempe michi est in hac sollicitudine³⁶ grandissima recreacio, quod, que mentis indomite obice repagulo³⁷ meum recto calle dedignantur visitare tugurium, secreta celestia³⁸ tua vicissitudo gratissima communicat et partitur³⁹. <⁶>Ea propter more relativo⁴⁰ eam, que me paucis exhaustis diebus circumfulsit, visionem religioni tue reserare curavi. <⁷>Res est pia, publica et miranda nimis, tuum sacrum prestolans interventum.

<⁸>Narracio

<⁹>Non tuam, ut estimo, latuit regionem (te fortassis, cuius aures solitarie recusant populi rumoribus inculcari) nostri supereminencia lustris.

31 In P₁ ist *elamentabili* durch Rasur zu *lamentabili* korrigiert. In P₃ stand ursprünglich ebenfalls *elamentabili*, jedoch ohne die davorstehende Präposition *de*; eine andere Hand hat (in anderer Tinte) nachträglich ein *d* eingefügt und auf diese Weise *dela-mentabili* hergestellt (zweifellos als zwei Wörter verstanden).

32 *Colores verborum, colores sententiarum* P₃; die Überschrift fehlt in P₂. Sie ist ein ausdrücklicher Hinweis auf die Glossen, in denen die im Text begegnenden rhetorischen Figuren benannt werden. Da P₂ keine Glossen enthält, ist es stimmig, dass dort auch diese Überschrift fehlt.

33 Fehlt in P₁.

34 Vgl. z.B. *Verba seniorum* 1.12: ... *consolata est anima eius*.

35 *verbis eloquii* P₂. Zur Formulierung vgl. Gregor d.Gr., *hom. in Ez* 1.7.9: ... *quia in verbis sacri eloquii intelligentia coelestis aperitur*.

36 *solitudine* P₁ P₃.

37 Hier adjektivisch gebraucht.

38 *celestia* P₂.

39 *patitur* P₂.

40 „im Gegenzug“.

- <10> Quícquid⁴¹ enim dépascít oculós⁴², inébríat áures,
 áfficít gustús, narés refícít, demúlcet táctum⁴³, hic⁴⁴
 spónte suá, non éxternó tellús adiúta colóno,⁴⁵
 cóncipit, cóncéptúm⁴⁶ parít, partúmque propríis
 álit ín pascuís, nón aliúnde queréns.
- <11> Nón demórsa sitú, non íram pássa secúris
 nec deiécta soló silvá⁴⁷ nec dévia rámis.⁴⁸
- <12> Áthenís⁴⁹ exórte priús sic pércussit⁵⁰ áures

Minerve huius fecunditas⁵¹ silve, aeris temperies et

Ástreá concórdia rérum,⁵² ut tránsvolans Álpes⁵³
 órigíne solúm⁵⁴ suá viduáret preséncia
 nóstramqué suó radiáret sídere⁵⁵ sílvam.

41 Glosse: *Abusio* (fehlt in P₂).

42 Das Wort *oculos* in P₁ nach Korrektur.

43 In P₃ von der Haupthand am Rand ergänzt; ferner zum Teilsatz die Glosse: *Gradacio* (fehlt in P₂). Als Vorlage des Satzes dient Alanus ab Insulis, *Anticl.* 1.71-73: *Quidquid depascit oculos vel inebriat aures, // Seducit gustus, nares suspendit odore, // Demulcet tactum, retinet locus iste locorum.*

44 Eine Konjektur *hoc* ist nicht zwingend erforderlich; vgl. den Beginn des folgenden Satzes (13): *Hic ...*

45 Vgl. Alanus ab Insulis, *Anticl.* 1.78: *Sponte, nec externo tellus adiuta colono.*

46 Glosse: *Membrum* (fehlt in P₂).

47 Davor gestrichen in P₃: *sulv.*

48 Vgl. Alanus ab Insulis, *Anticl.* 1.82-84: *Non demorsa situ, non iram passa securis, // Non deiecta solo, sparsis non devia ramis, // Ambit silva locum ...*

49 Glosse: *Denominacio* (fehlt in P₂).

50 *pertulit* P₂. Vgl. z.B. Anon., *Karolellus* 4.265: *... aures percussit equorum.*

51 *facunditas* P₂.

52 Vgl. z.B. Paulinus von Nola, *carm. app.* 3.1: *... concordia rerum.*

53 Glosse: *Translacio* (fehlt in P₂). Zur Formulierung vgl. z.B. Aegidius von Paris, *Karol.* 2.170: *... transvolat Alpes.*

54 *suum* P₁; in P₃ vor *solum* gestrichen: *suum.*

55 Vgl. z.B. Ov. *Tr.* 1.4.2: *... suo sidere turbat aquas.*

- <13> Híc Priamí prolés⁵⁶ se tránstulit, Tróia sepúlta.⁵⁷
 <14> Hánc⁵⁸ ego pérlustró recreándi cáusa lacéssitos
 spíritus.
 <15> Órto iám solé⁵⁹ tranquíllis núbibus cédit
 Áuster,⁶⁰ Áurorá rutilát,⁶¹

cuius estum Zephirus temperat.⁶² <16> Sed caduca.⁶³ <17> Nam

prótinus⁶⁴ ínsurgít turbó, lacrimósa procélla,⁶⁵
 múrmur fit⁶⁶ ín silvá moré torréntis⁶⁷ fluéntis

ex impetu,⁶⁸ alcius tonant⁶⁹ frondes,⁷⁰ occidunt flores et folia tremunt.

- <18> Créscit in⁷¹ ímmensúm vulgí queréla minóris,⁷²

56 Vgl. z.B. Donizo, *Math.* 1.69: *Nam Priami proles ...*

57 Glosse: *Brevitas* (fehlt in P₂). Die Junktur *Troia sepulta* verweist auf die Geschichte des Trojaners Franco. Zur Formulierung vgl. z.B. Auson. *Epitaph.* 14.1: *... Troia sepulta est*; Albert von Stade, *Troil.* 6.556: *... Troia sepulta iacet.*

58 Sc. *silvam.*

59 Vgl. z.B. Albert von Stade, *Troil.* 6.525: *Orto sole ...*

60 Glosse: *Comparacio* (fehlt in P₂).

61 Vgl. z.B. *Analecta Hymnica* 2516, Inc. *Aurora rutilat lucis praenuntia*; *Hymni Christ.* 70.2: *Lucis aurora rutilans coruscat.*

62 Glosse: *Similiter desinens* (fehlt in P₂).

63 Vgl. z.B. Hildebert von Lavardin, *misc.* 99.120: *Sed caduca, sed mortalis.*

64 *pro cuius* P₂.

65 Vgl. Ier 30.23: *Ecce turbo Domini, furor egrediens, procella ruens ...*

66 Vgl. Ov. *Met.* 15.35: *... fit murmur in urbe.*

67 Vgl. Eupolemius, *Bibl.* 1.367: *... torrentis more fluentem*; Alanus ab Insulis, *Anticl.* 4.430: *... torrentis more tonando.*

68 Glosse: *Intellectio* (fehlt in P₂).

69 *altitonant* P₂ (statt *alcus tonant*).

70 Glosse: *Nominacio* (fehlt in P₂).

71 Fehlt in P₁. Zur Formulierung vgl. z.B. Johannes von Salisbury, *Enthet.* 969: *Crescit in immensum ...*; Stat. *Theb.* 6.683: *Crescit in adversum ...*

72 Glosse: *Transgressio* (fehlt in P₂).

Iovis celsi⁷³ éxcitat áures, et talibus verbis provocat organo divum celestem curiam:

<19> „Ó celicólarúm princéps et dívum cúria tóta,⁷⁴
cónspice, quám gravitér nostrá quatitúr depréssa
páuperiés⁷⁵.

<20> Tu terram communem facis,⁷⁶ ut omnes eque cibentur⁷⁷ ea, roremque partiris omnibus afatin⁷⁸.

<21> Iúra tuá servát illésa⁷⁹ régio sácra⁸⁰

poli. <22> Nam Phebus, luminare maius, ceteraque minora favorem nesciunt.

<23> Rádios námque suós infúndunt⁸¹ ómnibus éque⁸².

<24> Nón sic,⁸³ quós tellús nostrá⁸⁴ parit, nón sic.⁸⁵

<25> Ísti némpe tuís sacris canónibus óbstant,

73 *celsas* P₁; *excelsas* P₂.

74 Glosse: *Exclamacio* (fehlt in P₂). Zur Formulierung vgl. z.B. Hildebert von Lavardin, *misc.* 45.45: ... *curia tota*.

75 Vgl. Alanus ab Insulis, *Anticl.*, prol.: ... *nostrī libelli depressam pauperiem* ...; ebd. 8.235: *Pauperies, facie deiecta et paupere cultu*. Vgl. ebd. 9.54-99 (Angriff der Armut).

76 Zum Motiv (20-24) vgl. Ovid, *Met.* 6.349-51: ... *usus communis aquarum est. // Nec solem proprium natura nec aera fecit // Nec tenues undas: ad publica munera veni.*

77 *cibantur* P₁.

78 Die Graphie verweist auf eine französische Nasalierung. Zum gesamten Satz findet sich eine zusätzliche Glosse in P₃ (ebenfalls von der Haupthand): *Vide hic, qualiter populus commoveri ad sedicionem possit* (fehlt in P₁ P₂).

79 Vgl. z.B. Alanus ab Insulis, *Anticl.* 7.346: *Illaesā servare fide* ...

80 *sacra regio* P₁.

81 Vgl. Arator, *Apost.* 2.96: ... *radios infundere fervens*.

82 Vgl. Iuvencus, *Evang.* 4.214 u. Galfred von Vinsauf, *Poetr.* 166: ... *omnibus aequē*.

83 Vgl. z.B. Verg. *Aen.* 2.496: *Non sic* ...

84 Vgl. z.B. Stephan von Rouen, *Norm.* 3.68: *Tellus nostra sapit* ...

85 Glosse: *Conduplicacio* (fehlt in P₂).

- tépet légis vigór,⁸⁶ canónis tēperies⁸⁷ et
 sácri cólloquiá iurís
 átque tuám, Avérna, nitúntur⁸⁸ repéllere Diánam⁸⁹.
 <26> Ó quibus ópprimimúr, o quántis ópprimimur!⁹⁰
 <27> Ómnia dícit léx primá commúnia.⁹¹ <28> Únde
 sérvitútis pródiit rúga?⁹²
 <29> Nóbis ínsultát crebró gigántica cédrus⁹³
 cúm sua mílicia ét, nobís umbrás porrígens⁹⁴
 nón modicás, solís solácia tóllit,
 ýmbribus nós vacuát,⁹⁵ terrám vorat,⁹⁶ créscit in áltum⁹⁷
 ét nostrás furtím tenués desíccat radíces.
- <30> Cur? <31> Hinc,⁹⁸ quoniam
- frónidiúm numerósa comá⁹⁹ assistit¹⁰⁰. <32> Quid índe?
 <33> Súbtrahitúr aliénus humór.

86 Glosse: *Contencio* (fehlt in P₂).

87 Davor gestrichen in P₃; *vigor* (Doublette).

88 *nititur* P₂.

89 Vgl. z.B. Verg. *Aen.* 11.843: ... *coluisse Dianam*.

90 Vgl. Eberhard von Béthune, *Grec.* 3.20 u. 20.154: *O quibus, o quantis, o qualibus es viduata!*

91 Vgl. Act. 4.32: ... *nec quisquam eorum, quae possidebant, aliquid suum esse dicebat, sed erant illis omnia communia*.

92 Glosse: *Interrogacio* (fehlt in P₂).

93 Glosse in P₁: *Complexio*; in P₃: *Complectio*; fehlt in P₂. Zur Formulierung vgl. Alanus ab Insulis, *Anticl.* 7.426-7: ... *demissaque cedrus // Desinit esse gigas ...*

94 Vgl. Stat. *Theb.* 12.251: ... *porrigat umbras*.

95 Glosse: *Dissolucio* (fehlt in P₂).

96 Vgl. Petrus Riga, *Deut.* 161: *Ignis edax terram vorat ...*

97 Vgl. Sid. Apoll. *Carm.* 7.265: ... *crescit in altum*.

98 Glosse: *Raciocinacio* (fehlt in P₂).

99 *comes* P₂.

100 *assistat* P₁.

<34> Quid?¹⁰¹ <35> Quia tantis proprius¹⁰² non sufficit nec sibi sat est ex aere vivere,

néc tam róbusa forét ieiúnia pássa.

<36> Nóstras érgo mínuit vénas,¹⁰³ ýmmo desíccat,
ní tua¹⁰⁴ próvideát cleméntia, Satúrnia próles.¹⁰⁵

<37> „Quid ultra deliras?“, sentis ait. <38> „Si velit¹⁰⁶ nobis succurrere, non est¹⁰⁷ ultra pulsandus.¹⁰⁸ <39> Si non, incassum preces funduntur. <40> Audite, quid loquitur vulgaris¹⁰⁹ nostra sententia:

<41> ‹Témpore nón longó¹¹⁰ loquitúr prudéncia súrdo›.¹¹¹

<42> Ád hec érigitúr vulgús innóbile¹¹²,
nón racióné fretúm¹¹³ nec órđine,¹¹⁴ cúius
dúx fuít confúsio,

ínconsúlta comés et ímprovísa celéritas.

<43> Híc¹¹⁵ ad túmultúm paritér discórdia vénit.¹¹⁶

<44> Cónqueritúr dumús de quércu, miríca
dé populó, de glánde rubús, de cédro népulus,

101 Glosse: *Subiectio* (fehlt in P₂).

102 *propius* P₂.

103 Glosse: *Expedicio* (fehlt in P₂).

104 *In tua* korrigiert zu *tua* P₂ (wohl ursprünglich eine fehlerhafte Doublette zum vorhergehenden Wort *ni*).

105 Glosse: *Pronominacio* (fehlt in P₂). Zur Formulierung vgl. Ov. *Met.* 14.320: *Picus in Ausoniis, proles Saturnia, terris.*

106 *velis* P₁ P₃.

107 *es* P₁ P₃.

108 Glosse: *Disiunctio* (fehlt in P₂).

109 *vera* P₁; in P₂ steht *vulgaris* nach *nostra*.

110 *longuo* P₃ vor Korrektur.

111 Vgl. Pamphilus de amore 183: *Tempore non longo loquitur sapientia surdo.*

112 Vgl. z.B. Verg. *Aen.* 1.149: *... ignobile vulgus.*

113 Vgl. Odo von Cluny, *occup.* 2.390: *... rationeque fretus.*

114 Glosse: *Similiter cadens* (fehlt in P₂).

115 *Hunc* P₂.

116 Glosse: *Adiunctio* (fehlt in P₂). Zur finalen Formulierung vgl. z.B. Stephan von Rouen, *Norm.* 3.1353: *... praesens discordia venit.*

dé nuce córulus,¹¹⁷ algá de ciprésso;
 páriter álta¹¹⁸ pinús¹¹⁹. ^{<45>}Audierát questús populáres
 árduá cedrús¹²⁰ tótaque sílva maiór

et¹²¹ „Nobis insultant¹²²“, inquit, „terre feces et vilia fragmenta rerum
 nostre invident celse propagini, nituntúr nostrís iussís obsístere, leges
 infringere,

si córnua súmant.“¹²³

<46> „Ést¹²⁴ miserándum eís“, ait fícus média ténens.

<47> „Némo súb aquis diu vívit, opórtet erúmpat.“¹²⁵

<48> Ád veniám facilís

117 Vgl. Alanus ab Insulis, *Parab.* 81: *De nuce fit corylus, de glande fit ardua quercus.*

118 *alba* P₁ P₃. Diese Variante erscheint zunächst als *lectio difficilior*, jedoch stammt die Weiße Pinie aus Nordamerika und scheidet daher aus sachlichen Gründen eigentlich aus. Die Junktur *alta pinus* ist zudem in der Poesie etabliert (vgl. z.B. Paulinus von Nola, *Carm.* 21.311: *... pinus ut alta ...*; Johannes de Hauvilla, *Architr.* 4.36: *Hic pinus ... alta capillos*). Allerdings ist es möglich, dass der Autor hier einen Horaz-Vers (*Carm.* 2.3.9: *Qua pinus ingens albaque populus*) missverstanden hat. Vgl. auch Satz 76 (*ardua pino*).

119 Am Ende des Satzes ein stillschweigender Konstruktionswechsel (wie in Satz 48); gedanklich zu ergänzen: *verbis petita est*. Eine Konjektur (z.B. *alba spinus* = „weißer Schlehdorn“) verbietet sich hier, da die Fichte als Repräsentant der hohen Bäume auch in den Sätzen 59 und 76 genannt wird.

120 Vgl. Ov. *Am.* 1.14.12: *Ardua derepto cortice cedrus habet.*

121 Glosse: *Traductio* (fehlt in P₂).

122 Glosse: *Diffinició* (fehlt in P₂).

123 Vgl. Ov. *Ars am.* 1.239: *... cornua sumit.*

124 *Et* P₁ P₃.

125 Glosse: *Sentencia* (fehlt in P₂); ferner in P₃ am Rand ein Handzeichen mit der Bemerkung: *Nota hoc*. Das mittelalterliche Proverbium etwa bei Petrarca, *De vita sol.*, prohem. 1: *Nemo sub aquis diu vivit: erumpat oportet et frontem, quam celabat, aperiat.*

*mens generosa*¹²⁶ *quicquid proferat verbis*¹²⁷, *factis*¹²⁸ *se submittit dicioni vestre*¹²⁹.“

<49> DÍxissét ultrá, sed quércus intérsecat vérbum¹³⁰:

<50> „Cede, proditor“, ait, „cede¹³¹, sodalis¹³² proterve maligneque cohortis.¹³³ <51> Audivimus, qualia latuit¹³⁴ animus. <52> Non, non seduces¹³⁵ ultra mellifluis verbis¹³⁶, susurre¹³⁷ .

<53> Híc prius nós docuít modós viásque laténtes¹³⁸,
tótam súggendí dulcédinem sóli: <54> <Súggite.
Véstrum ést¹³⁹, inquit, <quicquíd parit húmus.¹⁴⁰

<55> Nón vos dé limó¹⁴¹, velút quos génuít Iúno.

<56> Nám vos ínseruít magnús Satúrnus et ípse

126 Vgl. Ov. *Trist.* 3.5.32: ... *mens generosa capit*. Nun erfolgt stillschweigend ein Subjektswechsel: *mens generosa* verweist auf die hohen Bäume, im Folgenden ist jedoch das niedrigere Pflanzenvolk gemeint.

127 *dictis* P₁. Vgl. jedoch Satz 81: *Annuerat verbis, quibus sua facta repugnant*.

128 *factisque* P₁.

129 *nostrae* P₁ P₃. Zur gesamten Formulierung vgl. Paulinus von Périgueux, *Mart.* 1.170: *Subdita submittens dicioni colla iubentis*. Vgl. ferner das sprachliche und gedankliche Pendant in Satz 81.

130 *verba* P₁.

131 Fehlt in P₁ P₃; zum gesamten Satz die Glosse: *Repeticio* (fehlt in P₂).

132 Davor ein Wort gestrichen in P₂.

133 Glosse: *Precisio* (fehlt in P₂).

134 Hier transitiv i. S. v. *abscondidit* o.Ä. (ThLL 7,2 v. *lateo* c. 997 ll. 39-45).

135 Davor gestrichen *sed* in P₂.

136 Vgl. z.B. Petrus Riga, *reg.* 2.225: *Verbis mellifluis populi venatur amorem*.

137 Vgl. Alanus ab Insulis, *Anticl.* 7.445: ... *dulcique susurro* (v.l. *susurre*).

138 Vgl. Alanus ab Insulis, *Anticl.* 5.196: ... *vias pertento latentes*.

139 Vgl. Lc 6.20: ... *vestrum est regnum Dei*.

140 Vgl. Gn 1.28: *Benedixitque illis Deus et ait: Crescite et multiplicamini et replete terram et subicite eam et dominamini piscibus maris et volatibus caeli et universis animantibus, quae moventur super terram*.

141 Vgl. Gn 1.7: *Formavit igitur Dominus Deus hominem de limo terrae*; in der Poesie vgl. z.B. Petrus Riga, *Gen.* 189: *De limo surgit hominis formatio ...*

Iúpiter íngenuám infúdit¹⁴² in córpore méntem.>¹⁴³
 <57> Núnc variús loquitúr nec áudet, que cóncipit, pálam¹⁴⁴.
 <58> Hóc satis, íníqué díssimulátor, abí.“
 <59> Dísparuít subitó. <60>Fremít¹⁴⁵ íra pinús¹⁴⁶ totáque
 cúria máior frónde mínás loquitúr. <61>Ergó¹⁴⁷ de
 múrmure sólum fúit hec méa vísio príma.
 <62> Séd graviór¹⁴⁸ sequitúr.¹⁴⁹
 <63> Néscio, quis¹⁵⁰ huiús exstíterit péstis orígo,¹⁵¹
 sí non ámbiciósa lués¹⁵². <64>Tantús nempé crévit
 túmúltus, út solá superéssét discórdia cóncors¹⁵³.
 <65> An fórté dúctilis álga,
 quáam ventús modicús
 fléctit ad ómne látus, an ípsa cypréssus, que quóndam
 ínfectás corticé distántes córpore plántas
 ac dévias rámis¹⁵⁴
 cúrat, cóniungít, dirigít¹⁵⁵ solámine sácro.
 <66> Hánc Lucína suó cibát puríssimo lácte¹⁵⁶
 ét Minérva suó spirámine cómpluit¹⁵⁷ íllam¹⁵⁸,

142 Fehlt in P₂.

143 Hier wird angespielt auf Ov. *Met.* 1.76–88; zum Versschluss vgl. z.B. Alanus ab Insulis, *Anticl.* 4.51: ... *cum corpore mentem*.

144 Sc. *dicere*.

145 Konj. Haye; *fremuit* P₁ P₂ P₃. Vgl. z.B. Johannes de Hauvilla, *Architr.* 4.314: ... *fremít ira leonis*.

146 Glosse: *Transicio* (fehlt in P₂).

147 *Ego* vor Korrektur in P₂.

148 *graviter* P₁.

149 Glosse: *Permutacio* (fehlt in P₂).

150 Vgl. z.B. Verg., *Ecl.* 3.103: *Nescio, quis ...*

151 Glosse: *Dubitacio* (fehlt in P₂).

152 Vgl. Johannes de Hauvilla, *Architr.* 7.292: *Ambitiosa lues ...*

153 Glosse: *Contencio* (fehlt in P₂). Zur finalen Junktur vgl. z.B. Alanus ab Insulis, *Anticl.* 5.317: ... *discordia concors*.

154 Vgl. Alanus ab Insulis, *Anticl.* 1.83: ... *devia ramis*.

155 Glosse: *Articulus* (fehlt in P₂).

156 Vgl. Petrus Riga, *Exod.* 471: *Lacte cibát pueros ...*

157 *compluat* P₃.

158 Vgl. Alanus ab Insulis, *Anticl.* 2.124: ... *compluit orbem*.

út essét ceterís eiús fragráncia sálus

et exemplar¹⁵⁹. ^{<67>}Nec spirat,¹⁶⁰ exspirat, dissimulat

áut letárgi sómpnia pássa¹⁶¹
 éxcitarí nescít, fortássis¹⁶² vérita, súis
 ne fúlmina Mártis¹⁶³
 írruant cérvicibús. ^{<68>}Nam tántus ímpetus érat,
 evérsio tánta,
 út palmités truncúm propulsárent, fólía frón-des.
^{<69>} Ármatúr¹⁶⁴ pater ín genitúm, genitús in paréntem.
^{<70>} Gérmaní sesé perimúnt gemellíque recúbant
 éxanimés solí, propriá perémp-ti bipénne.
^{<71>} Hórrendúm facínús¹⁶⁵,
 éxulát naturále
 fedús, lugéns funerále paréntum.
^{<72>} Éxit¹⁶⁶ ín-de rumór, veriús fuscá-cio fáme,
 cúrsu vélocí nubés et áera fíndit.¹⁶⁷
^{<73>} Múltiplicátur ín-de et vástum¹⁶⁸ fértur per ór-bem.
^{<74>} Létatúr Septéntrio rúfa, hóstis antíqua,¹⁶⁹
 ínvida¹⁷⁰, fállax, dolósa,¹⁷¹
 Mártis et ín stimúlúm¹⁷² natívos éxcitat ígnes,¹⁷³

159 Vgl. Alanus ab Insulis, *Anticl.* 6.431: *Numinis exemplar ...*

160 Glosse in P₁: *Annominacio*; in P₃: *Ammonicio*; fehlt in P₂.

161 Vgl. Alanus ab Insulis, *Anticl.* 6.87: *... lethargi somnia passam.*

162 Glosse: *Correctio* (fehlt in P₂).

163 Vgl. Alanus ab Insulis, *Anticl.* 2.232: *... fulmina Martis.*

164 Vgl. Alanus ab Insulis, *Anticl.* 8.217: *Armaturo, cedrosque cupit delere myrica.*

165 Vgl. z.B. Nigellus Wireker, *Spec.* 923: *Horrendum facinus ...*

166 *Exiit* P₂.

167 Glosse: *Superlacio* (fehlt in P₂). Zur finalen Junktur vgl. Ov. *Met.* 4.667: *... aera findit.*

168 In P₂ ist das Ende des Wortes nicht klar lesbar; in P₃ steht das gesamte Wort auf Rasur (korrigiert von der Haupthand).

169 Glosse: *Circuicio* (fehlt in P₂).

170 Fehlt in P₂.

171 P₁ P₃ interpungieren erst nach *Martis*; keine Interpunktion in P₂.

172 *stimulo* P₁ P₃.

173 Vgl. Alanus ab Insulis, *Anticl.* 8.260: *Martis in ardorem nativos excitat ignes.*

héc quoniám mucróne suó¹⁹¹ cacúmina fíndit
córtice dépositó.

<82>Sic furit in omnes impetuosa¹⁹² venti rabies¹⁹³ et omnibus sigillat¹⁹⁴
vestigia

púgne, éxeptá¹⁹⁵, si dícere fás est,¹⁹⁶ quám fuga
sálvavit. <83>Tremuló¹⁹⁷ próferre nón valeó.¹⁹⁸

<84>Malo preterire¹⁹⁹ casum. <85>Tantus etenim fuit, ut ferreas²⁰⁰ terreát
reláció méntes, quanto magis visio²⁰¹. <86>Vereór, peióra sequántur, ni
deus avertat.

<87> Nám licet íntus pavór vastét²⁰² et gládius fóris,²⁰³

191 Vgl. Alanus ab Insulis, *Anticl.* 9.65: *Eludit mucrone suo ...*; ebd. 9.71: *Argumenta suo Virtus mucrone refellit.*

192 Vgl. Alanus ab Insulis, *Anticl.* 9.15: *Impetuosa petit ...*

193 Vgl. Alanus ab Insulis, *Anticl.* prol.: *... imperiosa venti rabies ...*

194 Vgl. Alanus ab Insulis, *Anticl.* 3.387: *... sua facta sigillat.*

195 = *excepta* (so in P₁ P₂).

196 Glosse: *Occupacio* (fehlt in P₂); innerhalb der mittellateinischen Poesie vgl. z.B. Walter von Châtillon, *Alex.* 1.516: *... si dicere fas est.*

197 Verdächtig, aber haltbar; offenbar strebt der Autor hier nach einem Binnenreim.

198 So die Interpunktion in P₁. In P₂ wird alternativ interpungiert: *salvavit tremulo; proferre non valeo*. In P₃ begegnet eine dritte Variante: *salvavit; tremulo. proferre non valeo*.

199 Davor gestrichen in P₂; *pro*.

200 *feroces* P₂; vgl. hierzu Paulinus von Périgueux, *Mart.* 2.477: *... mentes mutare feroces*. Die in P₁ und P₃ überlieferte Lesart *ferreas* ist allerdings gut begründet durch Hieron. *Ep.* 4.117.6: *... etiam ferreas mentes libido domat*.

201 In P₁ davor gestrichen *vereor* (Doublette). In P₂ danach gestrichen: *ve*.

202 *vastat* P₂.

203 Vgl. Dt 32.25: *Foris vastabit eos gladius et intus pavor*.

adhuc tamen²⁰⁴ expirare²⁰⁵ nequit livor, ambicio, rancor, odium,
 detractio et²⁰⁶ cruoris sitibunda vindicta²⁰⁷. <88>Nec potest cum paucis
 concordia.²⁰⁸ – <89>Qualiter multis? <90>Difficile nimium!²⁰⁹

<91> Út pacém sepelít discórdia,²¹⁰
 répellít concórdia lítes.²¹¹

<92> Cúm igitúr²¹² pax síť tante sedáció péstis,
 fomés discórdia, lítes
 sedáre necésse,

non inquietare pacem.²¹³

<93> Hóc fuit óstentúm mirábile, vísió mágna²¹⁴,

que meis apparuit luminibus. <94>Hanc tibi revelo²¹⁵, frater devotissime²¹⁶,
 ut preces infundas ad dominum, ne genituram derelinquat genitor nec
 perdat facturam factor,²¹⁷

quátinus íllustrét mentés lux véri, diléctio
 córda.

204 In P₁ am Rand ergänzt.

205 *spirare* P₂.

206 Davor sind in P₂ Buchstaben gestrichen.

207 Fehlt in P₃.

208 *Nec potest cum paucis concordia* fehlt in P₃.

209 P₁ interpungiert: *qualiter multis. difficile nimium*. P₂ interpungiert: *qualiter multis difficile? nimium*. P₃ interpungiert: *qualiter multis difficile nimium*.

210 Vgl. Alanus ab Insulis, *Anticl.* 2.272: *Si nostram pacem discordia dissuit ...*

211 Glosse: *Contrarium* (fehlt in P₂). Zum Vers vgl. Alanus ab Insulis, *Anticl.* 9.51: *Vera fides odium perimit, concordia litem*.

212 Glosse: *Continuacio* (fehlt in P₂).

213 Glosse: *Conclusio* (fehlt in P₂).

214 *magis* P₂P₃. Vgl. Ex 3.3: *Dixit ergo Modes: Vadam et videbo visionem hanc magnam ...*

215 *revelo* P₁.

216 Das Wort ist als Vokativ (zu *frater*), nicht als Adverb (zu *revelo*) zu verstehen. Keine der Handschriften interpungiert zwischen *frater* und *devotissime*.

217 Glosse: *Commutacio* (fehlt in P₂). Zur Formulierung vgl. Alanus ab Insulis, *Anticl.* 6.453: *His donis ditans facturam factor ...*

<95> Hóc ego déprecór totís precórdiis²¹⁸ méntis.

<96> Séd mea pérturbant aliúnde crímina múlta,
út missá quociéns oráció,

tociéns paciátur repúlsam²¹⁹.

<97> Séd tua²²⁰ gráta deó, quia sémpér hópita²²¹ pácis.

<98> Magna etenim et divina res est animi tranquilla serenitas.²²² <99> Agite
pariter, deo donati populi devocio,

cléri cólegiúm, monachórum légio sácra,²²³

ut sanctarum vestrarum precum concordi interventu

cessént cassáció, múrmur,²²⁴

ódium, víndictá, rerúm rebéllio²²⁵, ráncor.

<100> Régnet cóncordiá, pietás, diléctio. <101> Sítque

ómnibus úna salús²²⁶ eiús abséncia, cúius

préséncia éxstitít públicá cáusa malí,²²⁷

218 Vgl. Sap 8.21: ... *Adii Dominum et deprecatus sum illum et dixi ex totis praecordiis meis.*

219 Vgl. Ov. *Met.* 2.97 u. 3.289: ... *patiere repulsam*; Alanus ab Insulis, *Anticl.* 2.419: ... *patiens sine fine repulsam.*

220 *Sc. oracio est.*

221 Vgl. Ov. *Trist.* 3.3.64: ... *hospita semper erit.*

222 Vgl. Petrarca, *De vita sol.* 1.1.12: *Magna enim et divina quaedam res est animi tranquilla serenitas et que non alterius donum sit quam solius Dei.*

223 So die überzeugende Interpunktion in P₂. Hingegen interpungiert P₃ anders: *deo donati populi. devocio cleri. collegium monachorum legio sacra.* An dieser Stelle weist P₁ keine Interpunktion auf.

224 Vgl. Ov. *Ars am.* 3.795: ... *murmura cessent.*

225 *rebellium* P₂ (bezogen auf *rancor*); *rebellio rebellio* P₃. Vgl. Galfred von Vinsauf, *Poetr.* 22: ... *rebellio rerum.*

226 Vgl. z.B. Venantius Fortunatus, *Mart.* 4.581: *Omnibus una salus ...*

227 Vgl. Galfred von Vinsauf, *Poetr.* 1107: *Publica causa mali ...*; Ov. *Ars am.* 1.688: ... *publica causa fuit*; Ov. *Rem.* 768: ... *maxima causa mali.*

ut liberati altissimo persolvere²²⁸ valeamus canticum eius psalmodie
 <Benedictus dominus deus Israel, quia visitavit et fecit redempcionem
 plebis sue>²²⁹ . <102> Amen.²³⁰

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228 P₂ interpungiert: ... persolvere. Valeamus ...

229 Cantus Index, Nr. 1719.

230 Darunter in P₃: Da (d.h. der Beginn einer weiteren an Gott gerichtete Bitte).

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CRITO'S SOCIAL CIRCLES IN PLATO'S CRITO

By Yosef Z. Liebersohn

Summary: In this paper I identify and discuss three different circles concerning Crito's social relations: the internal circle of those who know him well; the external circle of those who are Crito's fellow citizens but who do not know him well; and the third circle which is the *polis* with its laws. Crito uses – both consciously and unconsciously – different stratagems in dealing with these different circles. The speech of the Laws is Socrates' attempt to allow Crito to see his actual behavior, as if reflected in a mirror. In fact Crito harms his friends, cheats his fellow citizens and destroys the *polis*.

Introduction

I shall open this paper with three questions.

1. The *Crito* is usually divided by scholars into two main parts, the first being Socrates' attempt to prevent Crito from persuading him to escape from jail (from the beginning to 50a5), and the second being a long speech by Socrates who imagines the Laws speaking to him and reproaching him for considering the escape (50a6 to the end). In what can be taken as an introductory passage to the Laws' speech (49c10-e8), Socrates obtains Crito's assent concerning two assertions which seem to be necessary for the Laws who make use of them later in their speech. The first claim is: ὡς οὐδέποτε ὀρθῶς ἔχοντος οὔτε τοῦ ἀδικεῖν οὔτε τοῦ ἀνταδικεῖν οὔτε κακῶς πάσχοντα ἀμύνεσθαι ἀντιδρῶντα κακῶς (“that it's never right to act unjustly, nor to retaliate (lit. “do wrong in return”), nor should anyone who's being maltreated defend himself by retaliation” – 49d7-9). I shall call this the Non-Retaliatio Argument (NRA). The second point is to be understood from the question πότερον ἂ ἢ τις ὁμολογήσῃ τῷ δίκαια ὄντα ποιητέον ἢ ἐξαπατητέον; (“whether one should do whatever one

agrees with someone to do, if it's just, or deceive" – 49e6-7).¹ I shall call this the Agreement Argument (AA). Indeed, the Laws' speech seems to be structurally divided according to these two points. Up to 51c5 the Laws seem to concentrate and base their arguments on the first assumption that by escaping jail Socrates actually retaliates with injustice, and from 51c6 to 53a8 the Laws seem to concentrate on the fact that Socrates breaks his agreement with the *polis* and its laws.² Logically speaking, however, in order to refute Socrates' attempt to escape from jail, the Laws could have contented themselves with using the NRA alone, or the AA alone. Why, then, do the Laws (and Socrates who gives voice to the Laws as a response to Crito) need these two lines of refutation?³

2. The NRA and the AA appear not to have the same weight. While the theme of retaliation can be detected long before the Laws actually start speaking and using it (giving the impression that the NRA has been something planned in advance),⁴ the theme of agreement appears for the first time, quite suddenly, at 49e5-7. Moreover, the AA seems to be inserted by Socrates as an afterthought. Having received Crito's assent that one should not wrong anyone even in retaliation (49e4), Socrates proceeds (49e5): λέγω δὴ αὖ τὸ μετὰ τοῦτο, μᾶλλον δ' ἐρωτῶ ("Then I shall tell you what follows, or rather I'll ask you a question"). Here we are faced with two problems. First, the words τὸ μετὰ τοῦτο could be translated either as "what comes from this": (sc.

* The Greek text is taken from the OCT of Duke et al. (1995). All English translations, unless otherwise mentioned, are taken from Vol. 1 of Plato's works in the LCL (36), translated by Chris Emlyn-Jones & William Preddy (2017) with some necessary modifications.

- 1 That these are *the* two assumptions which the Laws' speech is based on is clearly shown at 49e9-50a3, especially by the word τοῦτων. Pace Weinrib 1982: 94: "first, one should have regard for what the expert thinks and not what the many think, and secondly, one should not do wrong to any person, even if one is requiting wrong for wrong."
- 2 From 53a9 to the end of the speech the Laws concentrate on the apparent benefit Socrates might or might not achieve from running away, and from 54d3 to the end we have the concluding passage of the whole dialogue; see pp. 71-77 below.
- 3 On this question see also Kraut 1984: 94 n. 4; Irwin 1986: 404. On Kraut's view see further n. 69 below.
- 4 In fact it is a logical extension of doing no harm, the primary argument.

the first assumption), namely *propter hoc*, or “what simply comes after this,” namely *post hoc*. Second, μάλλον δ' ἐρωτῶ: Socrates apparently changes his mind but here we are at a loss about what he had in mind in the first place. Does Socrates change only the form of what he intended to say (from a statement to a question) or the content too, to the AA? Whatever the answer is (on which more later) the insertion of this AA is strange and needs to be explained.⁵

3. Socrates' use of the NRA is puzzling. Having received Crito's assent that harming someone, even in retaliation, is totally forbidden (49e4), all Socrates has to do in presenting the Laws' speech is to use this assent and make the Laws say that even if they have harmed Socrates, Socrates still has no right to harm them in return. The Laws, however, emphasize rather the inequality between themselves and Socrates:

Well then, since you were born, brought up and trained, could you say in the first place that you were not both our offspring and slave: yourself as well as your ancestors? And if this is the case, do you think what is just applies equally to you and us, and whatever we try to do to you, do you think it's just for you to do back to us as well? (50e1-7)

This means that had Socrates and the Laws been equal Socrates would have had the right to retaliate. But this conclusion would run counter to the NRA.

A hint of an answer to at least the third question might be found in an apparently innocent clause at 44b9-c2: ἔτι δὲ καὶ πολλοῖς δόξω, οἳ ἐμὲ καὶ σὲ μὴ σαφῶς ἴσασιν, ὡς οἷός τ' ὄν σε σώζειν εἰ ἤθελον ἀναλίσκειν χρήματα, ἀμελήσαι. (“... in addition, many people *who don't know me and you well*⁶ will think that, as I would be in a position to save you if I were willing to spend money, I have deserted you”) (emphasis mine). This is

5 For a detailed discussion of this issue see Stokes 2005: 116-19.

6 While these words are translated as they should be, they seem to be overlooked in commentaries and analyses. See Brickhouse & Smith 2004: 199: “Not only will he himself be losing an irreplaceable friend, but also most people, who will think that Crito could have saved Socrates ...”.

part of Crito's second speech⁷ where he specifies his two reasons for urging Socrates to run away. His second reason concerns his bad reputation among the Many. These Many are those "who do not know you and me well." Thus, I argue, we are faced with at least two social circles in Crito's life. The first is his close friends (and enemies alike) who can justly be characterized as 'those who know each other well'. The second circle are those "who do not know me and you well." These I shall call the internal and external circles respectively. My distinction between these two groups may be proved by the text, with Socrates' response at 44c6-9: Ἄλλὰ τί ἡμῖν, ὦ μακάριε Κρίτων, οὕτω τῆς τῶν πολλῶν δόξης μέλει; οἱ γὰρ ἐπιεικέστατοι, ὧν μᾶλλον ἄξιον φροντίζειν, ἠγήσονται αὐτὰ οὕτω πεπραῆχθαι ὥσπερ ἂν πραχθῆ. ("But my dear Crito, why is our reputation among the Many (*hoi polloi*) of any concern to us? You see the most sensible people (*hoi epieikestatoi*) who are much more worthy of our attention, will think matters have been carried out in this way just as they have been"). The distinction Socrates makes between *hoi polloi* and *hoi epieikestatoi* relates to Crito's emphasis on "those who do not know me and you well", and in fact completes it by adding what we can paraphrase as 'those who do know you and me well', namely the *epieikestatoi*. Both circles are of interest to Crito and he cares about them both. But the way he treats each group should be carefully distinguished.

Before I start my discussion I should make an important clarification. By analyzing Crito's social circles in order to solve problems in the Laws' speech which *prima facie* seem to be concerned rather with Socrates' problem, I argue that the Laws' speech is actually Socrates' answer to Crito's problem whatever his problem may be (on which more later). The view that the Laws' speech is Socrates' own *credo* seems no longer to be held.⁸ While this is to be applauded I see this as only a part of a larger

7 During the first part of the conversation (up to 46a9) Crito delivers three speeches (43b3-9; 44b6-c5; 44e1-46a9).

8 The list of scholars who no longer see the Laws' speech as reflecting Socrates' stand, but sees rather Crito as its object and towards whom it is directed, is too long. I shall mention here only a few: Hyland 1968; Young 1974; Brown 1992; Miller 1996; White 1996; Weiss 1998; Colaiaco 2001; Moore 2011. It may be worth mentioning Weiss' note (1998: 5): "A minority of interpreters of the *Crito* have resisted the impulse to assume that the Laws are ... spokesmen for Socrates ... But their view is summarily dismissed

picture whereby Crito is the 'hero' of the dialogue whose problem (and that Crito does have a problem – whatever it may be – is clearly stated by him at 44b7-c3) is treated by Socrates.⁹ Although the *Crito* presents Socrates' 'problem' as the vehicle of the conversation, what is really discussed is Crito's 'problem'. While Crito tries to save Socrates from his upcoming execution, it is rather Socrates who tries to save Crito from falling into self-refutation regarding the way in which he deals with Socrates' problem, and hence the way he leads his life in general.¹⁰ An indication of this role reversal can be detected already in the way each problem is presented. Crito compares Socrates' calamity (συμφορά) with his own. While Socrates has only one (43b8-9), Crito has two (44b6-44c3). While Socrates is grappling with his calamity and even succeeds in sleeping, Crito cannot sleep (43b3-b9). Yet the main proof of my claim is in the analysis of what is happening in the conversation.

Crito's first circle

The first circle is Crito's internal group which consists of those whom Crito knows and who know him well. They might be his friends or his enemies since familiarity is a prerequisite for either friendship or hostility. With this group Crito applies a concept of justice based on the conventional and popular view of justice, namely "helping friends and

by most other scholars." I hope that this minority of scholars has increased since 1998.

9 In medical terminology we can speak of Crito the 'patient' whose illness (error) needs to be diagnosed and treated, and this is done by Socrates who may decide to make use of a speech delivered by personalized Laws.

10 See also Weinrib 1982: 101; Weiss 1998: 134-40; and Harte 1999: 229-31.

harming enemies.”¹¹ That this view of justice is present in our conversation has long been recognized in scholarly literature.¹² I may even argue that it serves in our dialogue as a central axis and this will be proved in what follows.¹³ Indeed Crito appears in our conversation as applying both parts of this conventional view of justice,¹⁴ but at this stage I would like to dwell on ‘helping friends’. Crito will do whatever is needed in order to help his friend escape from jail. In Crito’s view this is nothing if not justice and hence Crito is a good man.

In his second speech in the conversation (part of which is cited above) Crito notes as his first motive the loss of a good friend. He also notes his care for his good reputation among the Many and what really motivates

- 11 Scholars seem to characterize Crito’s reasoning in contrast to Socrates’ reasoning as popular rather than rational (mainly Weiss 1998, but also Woozley 1979 and Allen 1980). By ‘rational’ they seem to emphasize that Socrates’ only concern is whether escaping jail would be just or not, while for Crito what matters is his good reputation and the like (e.g. Allen 1980: 71). I suggest that the difference between Crito and Socrates is not that one uses justice as a criterion for making a decision and the other does not, but rather their application of two different criteria of justice. For Crito, in the present circumstances where he is in danger of losing a friend and his good reputation among the Many, justice means “helping friends and harming enemies.”
- 12 Congleton 1974: 432-46; Weinrib 1982: 103; Weiss 1998: 4; Emllyn-Jones 1999: 7. It may be noted that in addition to its appearance in our dialogue this code appears in other dialogues of Plato as well. See *Republic* 332a9-336δ4 and *Meno* 71e4. This popular code, as was clearly shown by D.S. Allen 2000, remained deeply held by the Athenians even after the democratic regime attempted to transfer the application of justice from the hands of the individual to the hands of the *polis* (Dover 1974: 180-84). The fullest account of this code, its origin and derivation is still that of Blundell 1989: 26-49.
- 13 There are a number of references to this popular view that one’s social circle is an arena where friends and enemies fight. At 45c6-9 Crito reproaches Socrates because he wishes for himself what his enemies wish to do to him. All this instead of taking care of himself. See also 49c7: *κακῶς ποιεῖν ἀνθρώπους* which is a clear reminiscence of one of our formulas of this ancient popular code of justice as it appears, for example, in the *Meno* 71e4: *τοὺς μὲν φίλους εὖ ποιεῖν, τοὺς δ’ ἐχθροὺς κακῶς*. But the strongest proof is the central place the retaliation decree (*lex talionis*) holds in our dialogue (on which later).
- 14 It is the dramaturge’s genius to compose a story where one applies both parts of this popular code of justice in one and the same act. Who exactly are Crito’s enemies is not clear, though. In referring to Socrates’ enemies at 45c6-9 (see previous note) Crito probably intends Socrates’ prosecutors or those behind them, but he might be referring, though not consciously (on which later), to the *polis* with its laws.

him is still unclear,¹⁵ but at least in his consciousness Crito does not lie; he even does not seem to be manipulative. Crito feels obliged to help his friend, and this for him is justice. By helping Socrates Crito considers himself a just man and by practicing this kind of justice he considers himself a good man. Yet by what means does Crito help his friend? The answer is by almost any means. Crito is willing to take any risk needed (44e1-45a3). Indeed, as we learn from the conversation, Crito uses money, connections with the authorities, relations with other *poleis*, speeches,¹⁶ and eventually even breaking the law.¹⁷ Crito has his limits, but it is a question where they lie. Will Crito, for example, harm someone else in order to help his friend? Here we come to the second part of Crito's view of justice – 'harming enemies'. As long as the other man is not an enemy¹⁸ Crito will not harm him, even if this could assist him in helping his friend. Crito is a good man who practices justice.¹⁹ Indeed, in helping his friend, no one – no human being – seems to be harmed.²⁰ At

15 On this issue see West 1989.

16 Speech is not another tool alongside the others. As the consent of Socrates in running away is well emphasized in our dialogue (48e4), all the other tools become useless without Socrates' being persuaded to escape. Speech, therefore, is the main tool. Indeed most of the dialogue consists of speeches (three by Crito, one by Socrates and eventually the Laws' speech). On the place of speeches, persuasion, and rhetoric in general in the *Crito* see Moore 2011 and Garver 2012. See also my discussion on pp. 75-77 below.

17 What is interesting is the fact that breaking the law does not seem to be an issue for Crito; see p. 71 below.

18 If an enemy, Crito would probably harm him regardless of his desire to help Socrates. It should be noted, though, that this whole discussion about Crito's attitude towards 'harming enemies' is in a sense hypothetical since there is no reason to think Crito consciously grasps the harm he will inflict or sees the Many or the laws as enemies. The discussion is brought here only for clarifying Crito's concept of justice in its entirety. But see also n. 14 above.

19 Perhaps this is what Crito thinks of when he agrees to Socrates' statement that one should never harm anyone else (49b7). His answer is οὐ δῆτα (49b8) which indicates full agreement and internalization.

20 One could argue that Socrates' escape would harm the guard, either professionally because of getting him into trouble for failing to prevent the escape or morally because of his taking a bribe. I should make two clarifications here. First, I mean that the very act of running away does not harm any human directly by, for example, causing them to be killed or injured during the escape. Second, any professional or

48c7-d3 Socrates counts some of Crito's actions required in order to help him escape from jail, and these include bribing the authorities and being grateful to those who helped him. Harming people does not appear. Indeed, nowhere is it stated that Crito would help Socrates escape by harming anyone else.

Let us sum up our conclusion concerning Crito in the internal circle. As a private man Crito considers himself good. He is good since he is just. He is just by performing justice. He performs justice by applying the popular view of justice: 'helping friends and harming enemies'. Crito will do whatever is needed to help his friend, including breaking the law. The only restriction is that he should not harm others.

Crito's second circle

This is Crito's external circle which consists of those "who do not know me and you well." We may call them Crito's fellow citizens, or as they appear in our dialogue, the Many (first mentioned at 44b10). Unlike the first circle where we met Crito the private man, here, in the external circle we meet Crito the member of a *polis* who lives with other members who do not necessarily know him well. While in his internal circle justice in its narrow and traditional meaning plays the central role, Crito's attitude towards his fellow citizens (the Many) is a bit more complicated. Crito does not know them well and they do not know him well, but they are all still fellow citizens.

What we know about this group from our dialogue is that Crito is afraid of having a bad name among the Many, and would spare no effort to please them. It is beyond the scope of this paper to discuss the exact place of the Many in the *Crito*, but for our purpose it is sufficient to notice that while Crito may be afraid of the Many, there must also be something positive which connects him to them. It is because he cares that he is concerned about their opinion of him. They are also his fellow citizens, living in the same place and being active under the same constitution and laws.

moral fall-out pertaining to the guard, by no means an automatic outcome, would be an incidental side effect not inherent in the escape itself.

I argue that Crito holds two kinds of justice, a strict concept of justice and a more relaxed one. Towards his internal circle he uses the old traditional code of “helping friends and harming enemies.” Towards his external circle, however, Crito uses a less strict concept of justice based on agreement²¹ regarding *dikaia*, which in our context means maintaining a decent level of behavior which is considered right and just in the most civic-social sense of the word.²² The most important element in this agreement seems to be the avoidance of harm. A decent fellow in a Greek *polis* is indeed expected not to harm anyone else even if such an action might benefit him. In this second group there are no personal friends or enemies, but technically allies, all being fellow-citizens. As such, Crito will not go out of his way either to help or to harm them, but will cooperate with them for mutual benefit. Crito the good man of the internal circle is now Crito the decent fellow mainly intent on maintaining his good name with the general public.

Yet, what about retaliation for harm done to us by one of these fellow-citizens “who do not know me and you well”? In a famous section in our dialogue (49c10-e4) Socrates seems to succeed in making Crito agree that one should not do harm to anyone even in retaliation. Yet, does Crito really understand what he has affirmed with all its implications? Could Crito really adopt such an extreme conclusion?²³

I argue that Crito's consent is only formal and wholly within the logic of the discussion with Socrates.²⁴ Crito still thinks that retaliation is justified and wishes to behave accordingly. This can be proved in the dialogue itself by analyzing both the way in which Crito agrees to Socrates'

21 It is a kind of a non-written practical (ἔργω) agreement (ὁμολογία which will be fully discussed later). The tension between ἔργω and λόγω is well attested in our dialogue. Cf. 50b1, 51e4, 52d6.

22 The only two instances of δίκαια without an action verb in our dialogue such as πράττειν (48c8-9, 51a6-7) or δρᾶν (51c7-8) pertain to a kind of agreement between fellow citizens (49e6, 52e5).

23 Vlastos 1991: 179-99 believes that Crito indeed adopts such a view. Vlastos who believes that even Socrates himself (probably the historic Socrates too) accepts this view (ibid. pp. 196-97), calls it “Socrates' non-retaliation decree.” On this issue see my paper Liebersohn 2011.

24 I claim that Socrates understands this as well and conducts the rest of the conversation accordingly.

suggestion that one should not retaliate, and by analyzing the first argument used by the Laws.

The whole passage 49a4-49e4 is dedicated by Socrates to making Crito agree to the statement which appears first at 49b9: Οὐδὲ ἀδικούμενον ἄρα ἀνταδικεῖν (“And we mustn’t retaliate if we are treated unjustly”). Yet, I argue that Crito did not really agree to this statement and this could be proved by looking carefully at how Socrates manipulates the conversation.²⁵ The first thing to note is Crito’s answers to the first two questions he is asked.

SOC. Then we mustn’t act unjustly (*adikein*) in any way. CR. Certainly not. SOC. And we mustn’t retaliate (*antadikein*) if we are treated unjustly as the Many think, since we must in no circumstances act unjustly (*adikein*). CR. It seems we mustn’t.

Crito appears not to think that retaliation (*antadikein*) is acting unjustly (*adikein*). Indeed, this is perhaps the reason why now Socrates inserts into the conversation the verbs *kakourgein* and *antikakourgein* (49c2-c6).²⁶ It is clear that these terms are inserted in order to help Crito swallow the equivocation between *antadikein* and *adikein*²⁷ both of which should be forbidden. Having received Crito’s assent that not only *kakourgein* but even *antikakourgein* is forbidden (49c6), all Socrates has to do now is to identify *antikakourgein* with *antadikein*. Yet Socrates does not do it directly. Instead of identifying *antikakourgein* with *antadikein* he chooses to return to the verbs without the prefix *anti*. He starts again with *adikein*, and now equates it with *kakōs poiein* instead of *kakourgein*. On the basis of the equation between *adikein* and *kakōs poiein*, and Crito’s earlier agreement that *antikakourgein* is forbidden, Socrates deduces that *antadikein* is

25 For a somewhat similar view see Brown 1992: 77: “If one examines Crito’s response ... it becomes reasonably clear that Crito has not really agreed fully with Socrates on the matter of nonretaliation.” Yet what Brown concludes from this view is sharply at odds with my conclusions.

26 Interestingly enough, ἀντικακουργεῖν seems to have been invented by Plato, perhaps, for this dialogue alone. It does not appear in our sources before Plato nor in his own time.

27 The way in which he uses sleight of hand to succeed with this equivocation is beyond the scope of this paper; but see Stokes 2005: 95-105.

also forbidden. Why the circular questioning? And why does Socrates not at least equate *antikakourgein* with *antadikein*?

It is not my aim here to fully analyze these changes. It should suffice to point them out in order to show that Socrates is very careful in his attempt to convince Crito that *antadikein* is the same as *adikein* and both need to be rejected. The impression is that after Crito's answer at 49c1 – οὐ φαίνεται (“It seems we mustn't”) – Socrates avoids confronting Crito again with a direct question concerning *antadikein* such as he does concerning *adikein* (οὐδαμῶς ἄρα δεῖ ἀδικεῖν, “Then we mustn't *adikein* in any way,” 49b7), and the reason is obvious. Crito is sure that someone harmed is entitled and has justification to retaliate. Moreover, having received Crito's assent that *kakōs poiein* is the same as *adikein* (49c7-8), Socrates concludes that *antadikein* is also not allowed: Οὔτε ἄρα ἀνταδικεῖν δεῖ οὔτε κακῶς ποιεῖν οὐδένα ἀνθρώπων, οὐδ' ἂν ὅτιοῦν πάσχη ὑπ' αὐτῶν. καὶ ὅρα, ὦ Κρίτων, ταῦτα καθομολογῶν, ὅπως μὴ παρὰ δόξαν ὁμολογῆς (“Then we shouldn't act unjustly in retaliation (*antadikein*) or do harm (*kakōs poiein*) to any human being at all, no matter how we're being maltreated by them. And if you accept these arguments, Crito, make sure you're not agreeing contrary to your own belief”). Socrates starts with *antadikein* but does not ask Crito immediately if he agrees. Instead he continues with *kakōs poiein*, followed by a long *protreptikos logos* the aim of which is to encourage Crito, so it seems, to swallow the bait. Why does Socrates not wait to hear Crito's answer? Why all the persuasion, rather than following the rules of dialectic? Perhaps Socrates knows Crito might have some difficulty in agreeing to the statement that one is forbidden to retaliate against someone (“any human being”). Indeed, regarding *antadikein* there seem to be three stages. So long as Socrates speaks of *antadikein* in general, Crito can agree, albeit not easily (49c1); The moment *antadikein* refers explicitly to human beings (49c10-11), Socrates does not wait for Crito's assent but immediately enters a long passage of *protreptikos logos* (49c11-d7) to encourage Crito to accept this statement. Towards the end of the passage when Socrates repeats what apparently he said at the beginning, we unsurprisingly do not find people being mentioned (49d7-9). Moreover *antadikein* now appears between *adikein* and *antidrōnta kakōs*. All this, I argue, aims at getting Crito to agree that retaliation is forbidden. Moreover, Socrates now turns to

another *protreptikos logos*, though much shorter than the first (49d9-e2), and ends with εἰ δ' ἐμμένεις τοῖς πρόσθε, τὸ μετὰ τοῦτο ἄκουε (“But if you stand by what you said before, then listen to what follows”) which evidently tries to seduce Crito to agree to everything said already if only in order to hear what comes next. All this could, or even should, cause the reader to suspect that Crito does not really believe, nor has ever really been convinced, that one should not retaliate, and that Socrates suspects this as well.²⁸

The same conclusion may be reached through an analysis of the Laws’ speech which is obviously Socrates’ answer to Crito, or more precisely his treatment of Crito’s double calamity (συμφορά).²⁹ Had Crito really adopted this formal-logical conclusion, the Laws might not have used their inequality argument in their first argument. They would simply have asserted that even if Socrates was treated by them unjustly he would not be allowed to retaliate with injustice. The very fact that the Laws use the criterion of inequality teaches us that Crito would not apply in fact what he admitted formally. This means that in regular circumstance where people are equal Crito would not harm anyone, but being harmed he feels justified in retaliating. As for the laws, they use an argument based on inequality because they cannot use the NRA, precisely because Crito might still believe that being harmed by an equal (his fellow citizens) justifies harming in return.

Returning to Crito’s second circle, we may describe it as consisting of those who are not Crito’s friends but nevertheless are not his enemies either. They are his fellow citizens. They are not close to him as Socrates is, but neither are they alien to him. In Crito’s own words “they do not know me and you well”. Crito’s attitude towards them is that he will not harm them if unprovoked, but being harmed by one of them would entitle him to retaliate.³⁰ Thus Crito in the internal circle is a good man by

28 Thrasymachus in *Republic* I is a notable example of an interlocutor who is clearly forced to agree verbally with a position about which he is far from convinced.

29 See p. 41 on what I called the ‘role reversal’.

30 A distinction should be made between an enemy who belongs to the internal circle, and a fellow citizen who harms Crito. Strictly speaking, an enemy needs the sort of close relation which characterizes members in the internal circle, and such a person remains an enemy regardless of specific actions (see n. 18 above). A fellow citizen belonging to the external circle who harms someone does not thereby become an

keeping to the popular code of justice of “helping friends and harming enemies”, while Crito in the external circle is a decent fellow by retaliating only when harmed.

These two circles of Crito are already presented in the opening two scenes of the dialogue.³¹ Socrates' apparently two innocent questions at 43a1 and 43a9 hint at Crito's two circles. Socrates' first question – Τί τηνικάδε ἀφίξαι, ὦ Κρίτων; ἢ οὐ πρῶ ἔτι ἐστίν; (“Why have you come here at this hour, Crito? It's still quite early isn't it?”) refers to Crito the fellow citizen who entered jail very early, probably against the rules of the jail.³² This is reminiscent of democracy which is the backdrop to our conversation.³³ It is in a democracy that every law or rule is related to one's fellow citizens who are the sovereign of the *polis*. Socrates' second question at 43a9 – Ἄρτι δὲ ἦκεις ἢ πάλαι; (“Have you just got here, or have you been here long?”) – treats Crito as the good private man who ought to take care of his friend but forgets himself. This duality continues in Crito's second speech where he presents his two reasons for getting Socrates out of jail (44b6-c5). His first reason pertains to Crito the good private man, eager to save his friend as befits a good and just man; the second reason pertains to Crito who is concerned with his good reputation among the Many as befits a decent fellow in a democratic *polis*. But what about the laws? What if helping one's friends involves breaking the laws? This brings us to Crito's third circle – the *polis* and its laws.³⁴

enemy, but remains a fellow citizen regardless of these specific harmful actions and even after due retaliation he would still remain a fellow citizen of the person previously wronged.

31 A detailed analysis of these two opening scenes appeared in my paper, Liebersohn 2016.

32 Pace Burnet 1924: 255 and Stokes 2005: 24-25. That Crito's entering is probably against the rules of jail is proved by Socrates' immediate question at 43a5-6: Θαυμάζω ὅπως ἠθέλησέ σοι ὁ τοῦ δεσμωτηρίου φύλαξ ὑπακοῦσαι (“I'm surprised the prison guard was willing to answer the door to you”).

33 For a discussion on the place of democracy in our dialogue see pp. 56-59 below.

34 The relation between the laws and the *polis* within the Laws' speech is very interesting and by no means a matter of diversity. It is the claim that the *polis* harmed Socrates (50c1-3) that serves as an excuse for Socrates to destroy the Laws and the *polis* by running away (50b1-2). Even at this early stage we see a kind of identity between the Laws and the *polis*. But when the speech itself starts (50c5) it is only the Laws who speak (50b5, 51c6-7, 52d9) although the theme of both the *polis* (sometimes referred

Crito's third circle

Up to this point we have identified two groups distinguished by Crito, different from each other but still sharing two important phenomena: both are composed of human beings, and both are consciously related to justice in one way or another. These phenomena seem to be missing in the third circle.

A *polis* consists mainly of its citizens,³⁵ and as such, the two groups already considered are all that comprise it. Logically, the *polis* itself should not be regarded as a third group. Yet in Crito's consciousness the *polis* is a third group which stands in its own right parallel to the other two groups. This already indicates the complicated nature of Crito's relationship with the *polis* and its laws. Indeed, while Crito is well aware of his attitude towards the first two circles, he is not fully aware as to what motivates him with regard to the third.

Although Crito breaks the law he still has a positive attitude towards the *polis* and its laws.³⁶ Crito is only breaking the law now because of his concern for saving his friend, and by extension his reputation among the Many. I shall argue that Crito's attitude towards the *polis* is based on the notion of *to are skein* ("to please")³⁷ in the broad sense of being nice and

to as *patris*) and the Laws being harmed recurs throughout the speech (51a1-3, 51a4-5, 53a4-5). In refuting Socrates' apparent excuse of retaliation, the Laws defend the *polis* but at the same time defend themselves. This calls for a comparison with Crito who tries to help Socrates his good friend but no less tries to save himself from acquiring a bad reputation. The Laws manage to save the *polis* and themselves, but Crito fails both to save his good friend's life and his good reputation.

35 Cf. Thuc. 7.77.7: ἄνδρες γὰρ πόλις, καὶ οὐ τεῖχη οὐδὲ νῆες ἀνδρῶν κεναί ("for it is men that make a *polis*, not walls nor ships devoid of men"). See also Arist. *Pol.* 3.1, 1275b39-42.

36 See West 1989: 77: "For, in general, Crito is a most responsible man, the first to fulfil his civic obligations." Stokes 2005: 25: "Crito's character ... of a normal law-abiding Athenian gentleman".

37 This term dominates the Laws' speech in its remarks on Socrates' attitude towards the *polis* which had given him such benefits. See 51d4, 51d8, 52b2, 52b5, 52c3, 52e4, 53a5.

beneficial.³⁸ It is nice, good and beneficial to live in a *polis*; things are orderly and well managed. On such an elastic basis Crito feels connected to the *polis* but not obliged, though he is not fully conscious of this lack of commitment. And indeed when the *polis* does not behave as he sees fit – when, for example, it is trying to destroy Crito's friend and his own good name among the Many – Crito simply breaks the law. As we shall see later the *polis* and the Laws have broken their unwritten agreement with its citizen.

This is not to say that whenever Crito breaks the law, Crito tells himself what we have just said in his name as if he is aware of his attitude toward the *polis*. Crito is well aware of his law-breaking but nowhere do we find him trying to excuse or explain this act. Crito does not even mention, not even once, that he is breaking the law. He is just trying to get Socrates out of jail, and in doing so he has to overcome various obstacles, one of which is the law. What we find here is very interesting. Logically speaking, if the *polis* is the sum of Crito's internal and external circles of acquaintances and fellow citizens, Crito should behave towards the *polis* at least neutrally, if not beneficially. Yet the only circle which Crito harms³⁹ is the *polis* and this is done by breaking its laws.

An even more interesting question, however, is whether Crito considers such law-breaking to be committing injustice or even breaking an agreement. Does breaking the laws impinge on Crito's view that he is a good man or decent fellow? We may understand that Crito regards committing injustice, harming, or breaking agreements, as having only human beings as objects. As the *polis* and its laws are not yet, before the personification of the Laws, human beings, Crito does not regard law-breaking as an act of injustice or breaking agreements. Injustice can be done only to human beings and the same is true concerning the breaking or keeping of agreements. Evidence for this is easily found in the dialogue.

38 See also Gergel 2000 and what she calls “the ἀρέσκειν argument.” She writes (2000: 298): “ἀρέσκειν is generally used in contexts where it implies pragmatic satisfaction (e.g. Soph. *Ant.* 211, Thuc. 2.68.3, Hdt. 8.19)”.

39 Note the dominant place of the verbs διαφθείρω and ἄλλυμι in connection with the *polis* and its laws. For the verb διαφθείρω, see 50b5, 52c9-d1, 53b7, 53c1-2. For the verb ἄλλυμι see 50b1, 50b7-8, 50d1, 51a4.

First, the term which denotes committing injustice in our dialogue is the verb *adikeō*, and doing justice is *dikaia prattein*. All appearances of these terms – before the Laws’ speech, of course – refer to human beings alone.⁴⁰ Second, at 49e9-50a3, Socrates, having received Crito’s assent that it is never allowed to commit injustice even in retaliation, asks a question which Crito cannot answer simply because he does not understand it (49e9-50a5): Ἐκ τούτων δὴ ἄθρει. ἀπιόντες ἐνθένδε ἡμεῖς μὴ πείσαντες τὴν πόλιν πότερον κακῶς τινὰς ποιοῦμεν, καὶ ταῦτα οὐς ἥκιστα δεῖ, ἢ οὐ; καὶ ἐμμένομεν οἷς ὡμολογήσαμεν δίκαιοις οὐσιν ἢ οὐ; ΚΡ. Οὐκ ἔχω, ὦ Σώκρατες, ἀποκρίνασθαι πρὸς ὃ ἐρωτᾷς· οὐ γὰρ ἐννοῶ. (“Then consider what follows: if we leave this place without first persuading the *polis*, are we harming *certain [people]* and *those* whom we should do least harm to, or not? And do we stand by what we agree to be just, or not? CR. I can’t answer your question, Socrates, because I don’t understand it”) (emphasis mine).

Crito is unable to express assent or dissent, since the question itself is unintelligible to him since to him there is no reason why breaking out of prison should harm people. It is my contention that Crito cannot think of committing injustice⁴¹ in contexts other than pertaining to human beings. The same goes for keeping agreements. Crito is able to agree to a previous question that one should keep one’s agreement with *someone* (49e6-7).⁴²

40 Or does not refer to any object whatsoever. Cf. 48c8-d6, 49c7, 49c10-11. A close examination of all derivatives of δικ- in the *Crito* appears in my paper Liebersohn 2023 (forthcoming).

41 Socrates chooses here at 50a1 κακῶς ποιεῖν rather than ἀδικεῖν since his aim is to make Crito understand that he commits injustice – ἀδικεῖν – to the πόλις. This will happen at 50c1-3. Thus ἀδικεῖν is kept for 50c1-3 and κακῶς ποιεῖν serves here as a mild and gradual transition to ἀδικεῖν. These two terms – ἀδικεῖν and κακῶς ποιεῖν are identified at 49c7-8: Τὸ γὰρ που κακῶς ποιεῖν ἀνθρώπους τοῦ ἀδικεῖν οὐδὲν διαφέρει. ΚΡ. Ἀληθῆ λέγεις. (“So I suppose that harming people (*kakōs poiein*) is no different from behaving unjustly (*to adikein*) toward them. CR. You’re right”). Note the explicit reference to ‘people’ (ἀνθρώπους) here.

42 Other translations into English I have checked (Fowler 1914; Tredenick 1961; Woolley 1979; Jowett 1953), overlooked the τῷ which is crucial to understanding what Socrates does, and especially why.

By getting Socrates out of jail, Crito would indeed break the law but would nevertheless remain in his own mind both a good man and a decent fellow simply because he would neither harm anyone or break any agreement with a human.⁴³ On the contrary; he does justice by helping his friend. As the *polis* is not a human being it has nothing to do with either committing justice or breaking agreements.⁴⁴ In attempting to smuggle Socrates out of jail Crito must overcome various obstacles, one of which is the laws and the *polis*. There is no real difference between bribing the sycophants, preparing a refuge for Socrates and breaking the law. From Crito's point of view there are always only two circles of justice. The first comprises friends and enemies; the second, less intimate acquaintances. Helping friends and harming enemies is the strong form of justice in the first internal circle, while keeping agreements is the weaker form of justice in the second external circle. Neither form of justice is applicable to the non-human-*polis* at this stage, and Crito feels that he may break the law and remain a good man and a decent fellow.

Yet surely Crito cannot escape being a law-breaking citizen? I argue that Crito actually considers himself a law-abiding citizen as well. Crito nowhere condemns the laws, or regards them as irrelevant, but he will do whatever is needed to help his friends, and breaking the law happens to be necessary in this case. Moreover, Socrates would not have made the Laws' speech unless Crito had a positive attitude towards them. Thus, Crito considers himself a law-abiding citizen even when he breaks the law. Here, I think, is one of Plato's great achievements in the *Crito*. Plato,

43 One could hypothetically wonder whether Crito would have any difficulty breaking an agreement with a god, say his oath as juror (had he taken it) or a promise to make a sacrifice if such and such took place. I think he would have some difficulty, but this should be taken as an integral component of the agreement with his fellow citizens, since part of this human agreement includes the gods and keeping good relations with them. I would like to thank an anonymous reader of a previous draft of the paper for raising this thought-provoking issue.

44 This point seems to be overlooked by scholars who have attempted to see Crito understand in advance what Socrates wanted him to understand, namely that he is about to harm the *polis*: "The first notable aspect is that Crito claims not to understand the question about whether *the state* would be harmed by Socrates' escape, and he says that he cannot answer." (Brown 1992: 69; the emphasis is mine.)

I argue, has uncovered the latent mechanism enabling a citizen in a democratic regime⁴⁵ to break the law whenever it suits him and his own personal interests and still remain loyal to the *polis* with its laws (not to mention his being a good man and a decent fellow). This mechanism I call the ‘measure for measure’ argument (henceforth referred to as the MFM argument).⁴⁶ I shall first describe this argument and then prove it from the text.

Unlike his two previous circles, Crito’s third circle involves Crito’s conscious and unconscious behavior. As we have already mentioned, Crito’s relations with the *polis* are consciously based on *to areskein*, but such a relationship is essentially non-binding. When things work well for Crito he is a great patriot, but when things do not go well he becomes a less-enthusiastic citizen and is even willing to break the law. Crito may not be aware of it, but there is a world-view providing him with justification for his actions, and Socrates understands this.

Whenever Crito breaks the laws it is because he unconsciously retaliates with injustice for injustice done to him by the *polis*. He regards the *polis* as outside justice, while retaliation (*antadikein*) has to do with justice; thus, his retaliation against the *polis* is unconscious. As a decent fellow in his external circle, Crito is not allowed to harm anyone, but when harmed he is allowed to retaliate; and since retaliation in his mind is not harming, he does not cease to be a decent fellow. The same, I argue, is the case with the laws whenever Crito’s interests intervene. When Crito breaks the law he treats the *polis* (unconsciously, of course) as his external circle and himself as a decent fellow. As long as breaking the law is due to retaliation, Crito remains a law-abiding citizen.

At 44e1-46a9 Crito gives a long speech advancing every possible argument he can find to convince Socrates to accept his offer to escape: Socrates should think of his children; the shame which will befall his friends; the fact that he – Socrates – has *aretē* (virtue) and *andreia* (courage); the

45 The emphasis on democracy is important. As I shall later show (pp. 56-59) it is only in democracy that such a mechanism can work.

46 If Crito had stated explicitly and consciously that the laws did not interest him at all and that they had no validity in his eyes, he would at least have been coherent and consistent with his behavior. He would also have been less philosophically interesting.

fact that he will be welcomed in every other *polis*, and the like. What is interesting is what does not appear here but should have. Indeed, it should have appeared at the top of the list: Socrates (so Crito should have argued) is simply not guilty. The *polis* did him an injustice by judging his case wrongly, and Socrates would therefore have the right to run away. In other words, Crito uses many arguments, but not the most obvious one, 'the measure for measure' argument. Yet, what makes things more complicated is the fact that the MFM argument does appear in our conversation, at quite a late stage of the conversation, and it is raised by Socrates as a possible reply to the Laws who might complain that Socrates' escape would destroy them and the *polis*: ... ἢ ἐροῦμεν πρὸς αὐτοὺς {sc. νόμους} ὅτι "Ἡδίκηει γὰρ ἡμᾶς ἡ πόλις καὶ οὐκ ὀρθῶς τὴν δίκην ἔκρινεν;" ταῦτα ἢ τί ἐροῦμεν; ΚΡ. Ταῦτα νῆ Δία, ὦ Σώκράτης ("or shall we say in response to them that "yes, the *polis* has behaved unjustly toward us because it has not given the right verdict in this case." Shall we say this, or what? CR. We shall, by Zeus, Socrates") (50c1-4).⁴⁷

The enthusiasm with which Crito embraces this argument when presented by Socrates should be contrasted with the total absence of this argument in Crito's original attempts to persuade Socrates to run away at 44e1-46a9. If Crito is so enthusiastic about this excuse, we should ask ourselves why he did not offer it on his own initiative, and why he is so happy with it now that it is offered by Socrates.⁴⁸ Indeed the fact that Socrates is the one who later raises this argument suggests, in this philosophical drama, that Crito could not have raised it on his own initiative.

It is, therefore, my contention that the MFM argument is in an intermediate position so far as Crito's consciousness is concerned. The MFM argument motivates Crito, but he is not aware of it. In fact, it is Crito's

47 Treddenick 1961 translates: "Shall we say, Yes, I do intend to destroy the laws, because the state wronged me by passing a faulty judgment at my trial? Is this to be our answer, or what?" But in the original Greek Crito's statement "I do intend to destroy the laws, because" does not appear. Socrates is careful not to add the retaliation itself but only the cause for the retaliation.

48 The content of what the characters in Plato's dialogues say is of course important, but also the way they say what they say should be taken into account. Crito not only accepts Socrates' suggestion, but he accepts it enthusiastically.

unconscious justification for his behavior; it activates him but unconsciously;⁴⁹ but what is more important is the next point: the MFM argument is what enables him to break the law while continuing to consider himself a law-abiding citizen. Whenever his interests require breaking the law, Crito has an excuse: ‘the *polis* also did me an injustice’. Had Crito been aware of this argument he would have had to decide whether he was a law-abiding citizen or not. But this argument is used unconsciously. Crito who is ready to save his friend even by breaking the law does not rule out the laws nor does he assert that the laws are none of his business. Had this been the case Socrates would not have made the Laws’ speech. Precisely because the laws have validity in Crito, Socrates uses the Laws’ speech. But all this is only in Crito’s consciousness. In fact, they have no validity.

Thus, we find in the *Crito* a regime which lives in a vicious circle where people like Crito consider themselves law-abiding citizens but in fact take care of their own interests regardless of the laws. This situation becomes possible, I argue, due to the MFM argument, but the infrastructure enabling the ‘use’ of the MFM is democracy.

The word ‘democracy’ has hardly been mentioned so far in this paper. It is missing altogether in the *Crito* as well. Yet I argue that democracy is one of Plato’s targets in composing the *Crito*.⁵⁰ Socrates was active, sentenced and executed in democratic Athens. This fact was known to everyone who read this dialogue in Plato’s times and should not be overlooked by readers today.⁵¹ Indeed, the MFM argument has its legitimacy

49 Strictly speaking what motivates Crito is his personal interest which now happens to be to save his good friend and his good reputation. The MFM argument serves as Crito’s justification to remain a law-abiding citizen. See immediately below.

50 In a way, the *Crito*, in my view, is one of the most profound criticisms against democracy. It is Plato’s attempt to decipher its mechanism which enables it to appear as functioning correctly, despite its baseless structure. Plato was witness to the fall of Athens in the Peloponnesian war. It would not be unreasonable to assume that he regarded democracy as one of the main causes.

51 Some scholars seem to take the *Crito* as dealing in the abstract (in any *polis*, at any time, and with whatever regime) with themes such as the state and the citizen, obeying or disobeying an unjust verdict, the nature of justice and the like. The best example is Adam 1988: v: “because in both {sc. the *Crito* and the *Phaedo*} we are introduced to problems of more universal interest, in the *Crito* to the relation between

only in a democratic regime.⁵² It is only in democracy that laws are being enacted by the Many,⁵³ by the majority of votes and by extensive use of rhetoric.⁵⁴ These three elements – Many, majority and rhetoric – are at the heart of the MFM argument and Crito's ability – as well as every citizen in a democratic regime – to break the law whenever it suits him and still remain a law-abiding citizen in his consciousness.

In a democratic regime, where laws are approved by a majority of votes held by non-experts, the opinion of the minority is never deleted, but only dismissed. In such a case the MFM argument is always ready for use. Any citizen in a democratic regime whose views have not been passed over in any final judgement may consider himself harmed by the *polis*. Moreover, it is not the case that whenever he 'needs' to break the law Crito recruits the MFM argument or goes out to look for a specific case where the *polis* did him injustice. The MFM argument is rather a sweeping justification enabling one to break the law 'here and there'

the individual and the state..." And a bit later: "... but what really stands arraigned before him is the principle that alone renders possible the existence of any kind of State, aristocracy, no less than democracy, the *nomos* ..." (xi). See also Wozzley 1979: 5 and Weinrib 1982: 89. In other cases Athens and even democracy are mentioned but do not affect the analysis of the dialogue. See Kahn 1989: 35-36; Brown 1992: 80-81; Miller 1996: 133 n. 37; Ober 2011: 148. I push this point even further and contend that democracy is the *Crito's* main subject and Crito in the *Crito* is presented as its typical representative. Finally, I should add that democracy not being mentioned in the text does not necessarily indicate that democracy is not at issue. Quite the opposite, in fact. Sometimes in Platonic dialogues it is the deafening silence of an absent term which emphasizes the centrality of the term more than any explicit appearance of the term would have achieved.

52 The MFM is not needed for breaking the law, but for remaining a law-abiding citizen while breaking the law. For breaking the law it is enough that Crito has the power to do it (Weinrib 1982: 106: "For Crito, opportunity is itself justification, and his notion of justice incorporates this standard"). Justice for Crito is doing whatever is in one's power in taking care of one's self interests. Its content in our dialogue happens to be "helping friends and harming enemies."

53 The Many in the *Crito* use three hats: the assembly who legislates the laws, the juries in the *dikastēria*, but also public opinion which expects Crito to smuggle Socrates out of prison. In other words, the Many expect Crito to break the law they themselves have enacted. This point, though relevant to our discussion, cannot be developed more in the framework of an article.

54 On the importance and centrality of rhetoric see also pp. 73-77 below.

without giving up loyalty to the *polis* and its laws. Moreover, ‘here and there’ should not necessarily indicate a small amount of cases. Habitual breaking of the law can still be felt as only occasional law-breaking ‘here and there’.

So far we have discussed the possibility of using the MFM argument. Our next question concerns its legitimacy. The extreme ease with which Crito can use the MFM argument can be better understood when the identity of the legislators in democracy is considered, namely the poor, the carpenters and shoemakers, and so on; but even more important to consider must be the means by which one opinion is accepted in democracy in preference to others, namely speeches and rhetoric in general. Thus when someone else’s opinion is accepted by virtue of a ‘nice’ speech and a ‘talented’ rhetor,⁵⁵ a man could understandably see himself as a victim of an unjust act done to him by the *polis*, and, consequently, according to the *lex talionis*, feel justified in repaying injustice with injustice.⁵⁶

Crito, an average citizen of a democratic regime,⁵⁷ is generally law-biding, but whenever he needs to break the law he has an excuse ἡδίκηει

55 One is reminded of Socrates’ apparently innocent note at 50b6-7: πολλὰ γὰρ ἂν τις ἔχοι, ἄλλως τε καὶ ῥήτωρ, εἰπεῖν ... (“There is much that could be said, especially by a professional advocate”) (Tredennick’s 1961 translation). See Weiss 1988: 84-95 for a discussion of this point. See also Miller 1996: 122.

56 Two good speeches referring to the same facts but evaluating them in diametrically opposite ways is clearly evident in our conversation when Crito’s arguments for escaping are compared with the Laws who use in their speech the very same facts, such as Socrates’ children, but now for an argument against escaping. See Emlyn-Jones & Preddy 2017: 206: “The Laws then enlarge on the practical disadvantages of choosing exile, marshaling arguments that Crito used earlier in his exhortation, but here to support the other side of the case.” See also Miller 1996: 128: “Finally, the Laws launch into a host of arguments that respond, point by point, to various of the concerns that Crito raised in his opening plea to Socrates at 44b-46a.” Allen 1972: 562: “The speech also meets, point by point, the prudential considerations that Crito urged in favor of escape.”

57 See Miller 1996: 122: “In the figure of Crito, Plato puts before his Greek readers a kind of Athenian Everyman.” See also Weinrib 1982: 89: “Crito is not a philosopher but a decent and ordinary person, easily influenced by others and ready to follow their lead. Plato has economically and unobtrusively sketched a person who would both require and accept the arguments of the Laws.” I fully agree with Miller and Weinrib

γὰρ ἡμᾶς ἡ πόλις (“the *polis* has behaved unjustly toward us”). Yet he is not fully aware of this excuse. Had he been aware of it, he would have been forced to decide even in such cases between breaking the laws or abiding by them. Crito, who wants to help his friend and to take care of his good reputation even by breaking the law, does not consciously invalidate the laws. Had this been the case, bringing the Laws’ speech would have been futile and redundant. Indeed, Socrates develops the Laws’ speech exactly because it is valid for Crito. Yet the laws pertain only to his consciousness. In his behavior and *de facto* they have no absolute validity. As the *polis* with its laws are based mainly on *to areskein* the *polis* enjoys a double way. When things go well Crito can be an ardent citizen of democratic Athens and praise the laws and the duty to abide by them. But when it does not supply what it should, it loses its validity. But in breaking the law Crito simply removes another obstacle from helping his friend without taking the risk of finding himself a law-breaking citizen. In fact, Crito retaliates,⁵⁸ but as long as this retaliation is unconscious Crito remains a law-abiding citizen. In his consciousness he just occasionally fixes what needs to be fixed.

Let us sum up our findings concerning Crito’s third circle – the *polis*. Here Crito uses two strategies. By positing justice and agreement as applicable only to human beings, breaking the law still allows Crito to see himself as a good man and a decent fellow. By using the MFM argument he even remains a law-abiding citizen. His attitude towards the laws allows him to have his cake and eat it too. When things go well he can be

with two reservations. First, I would emphasize the regime in which this Everyman lived – Democracy. Second, the word ‘average’ should not be taken *simpliciter*. In another paper (Liebersohn 2015) I argued that Crito is presented in our dialogue as what I have called “a ‘then’ and ‘now’ personality.” In regular times (= ‘then’) he is Socrates’ follower who can adopt philosophical views and values, but when things go wrong (= ‘now’) – he is about to lose a good friend and his good reputation – he resorts to the views of the Many. Socrates’ task is, in a way, to bring Crito back home to his philosophical side, so to speak. The word ‘average’ refers, therefore, to the popular side of Crito.

58 When we turn to the Laws’ speech we shall find them admonishing Socrates and warning him not to retaliate even if he has been unjustly treated. The Laws – who are really speaking to Crito – set a mirror before him. Cf. Weinrib 1982: 104: “In the Laws the character of Crito is writ large.”

an enthusiastic supporter of the *polis*. As a loyal citizen he treats the laws as his intimate friends, as those who belong to his internal circle, and he will protect them against any threat. When things do not go well he regards the laws as if of the external circle, where Crito is allowed to retaliate. Being deprived of his good friend, for example, is taken by Crito – unconsciously, of course, – as people trying to harm him (although it is, in fact, the *polis*), and thus subject to retaliation. In his consciousness Crito regards the laws and the *polis* as something beneficial, and beneficence is their *raison d'être*. Socrates personifies the Laws and thereby obliges Crito to treat them as human beings.⁵⁹

Now we are in a position to sum up our findings concerning all of Crito's circles. Crito consciously considers himself good on all three levels. He is a good man by performing justice, in this case, by helping his friend. He is a good citizen as well; he keeps an [unwritten] agreement with his fellow citizens on the basis of *dikaia*. He is a decent fellow and would be careful not to harm anyone unless someone harmed him. He is also a law-abiding citizen, though he might break the law 'here and there'.

These three circles of Crito can be ordered according to the degree of sacrifice Crito is prepared to perform. In the first circle Crito will give up everything⁶⁰ for his friends as it is expected from him according to the popular code of justice. In the second circle Crito, as a decent and honorable fellow, might give up a few things as is expected by a fellow citizen, but not everything: being harmed by one of his fellow citizens, Crito will not hesitate to harm him in return. In the third circle Crito will give up nothing. Quite the opposite; consciously a law-abiding and loyal citizen, Crito will break the law whenever it may help him. In fact, in this third circle Crito will exploit and enslave the laws to his own interests.⁶¹

59 In a way Socrates does not do anything new. The ancient Greek language of the fifth-fourth century BCE is filled with personal images of the laws and the *polis* (for examples see Blundell 1989: 44). One is also reminded of the Athenian idiom ὁ νόμος διαλέγεται (Demosth. 43.59.3; Aesch. 1.18.3).

60 See especially 44c2-3, 45a1-3.

61 Cf. the slave and master theme at 50e1-51a2. Although treated unjustly, Crito is not allowed to retaliate against his parent and *master*. Crito who in fact behaves towards the *polis* like a δεσπότης (master), finds himself a δοῦλος (slave) of the *polis*.

Although in his consciousness there are three distinct circles, there are in fact only two circles – the first and the second. As the essence of the *polis* is the sum of all the citizens who make it up, and for Crito there are two groups of human beings – friends and enemies on the one hand, and fellow citizens on the other – the *polis* consists of these two groups alone. This is exactly why Socrates will personify the laws.⁶² Moreover, in his behavior Crito does treat the *polis* as a human being, since the MFM argument (“the *polis* has behaved unjustly toward us”) in fact applies concepts of justice to the *polis*.⁶³ Socrates does not do anything which Crito does not assent to or actually does himself. Socrates simply shows Crito what Crito himself does.

Crito, unconsciously of course, juggles his first two circles to remain consciously good. When things go well, Crito treats the laws and the *polis* as his friends, as if in his close and internal circle, allowing Crito to feel that he is a devoted law-abiding citizen, as befits a real democrat. When, however, things do not go well, being about to lose his good friend, for example, and his good reputation among the Many, Crito then has no problem breaking the law, as if the laws are his fellow citizens. In his external circle, as we know already, one is entitled to retaliate and for Crito every case of breaking the law is nothing but retaliation which does not affect his being a law-abiding citizen.

Concerning the correlation between Crito's attitude towards his fellow citizens and towards the *polis* in cases where he needs to break the law (=to retaliate), two points must be emphasized: 1. Returning an injustice for an injustice is not between enemies but between fellow citizens. The retaliation is expected. The same applies to the laws and the *polis*. Crito breaks the law only on specific occasions because the laws seem to him to have done him an injustice. But the frame of mind of Crito as a law-abiding citizen does not change. Breaking the law for the purposes of retaliation does not turn a citizen into an outlaw, just as fellow

62 Many views were offered through the history of scholarship to the question why Socrates does not answer Crito's arguments in his own voice, but rather uses the personified Laws. See for example Brown 1992: 79; Miller 1996: 125, Moore 2011: 1036.

63 In other words, the MFM argument has Crito treat the *polis* unconsciously as a human being and in this he reveals himself to be not a good man or decent fellow. This will be argued in the Laws' speech.

citizens involved in a case of injustice and retaliation do not become enemies 2. There is a fundamental difference between Crito who retaliates against a fellow citizen in the external circle and Crito who retaliates against the *polis*. The injustice of real human beings must be specified exactly for them to become an object of injustice. The *polis* and its laws, however, are *always* the object of retaliation without the need to specify their injustice. Through the MFM argument, which is deeply rooted in democratic citizens and democracy as a regime (at least in Plato's view according to the present analysis), the laws are always blamed for committing injustice to their citizens, allowing all lawbreakers to feel that they are merely retaliating with injustice. Thus, by juggling his two human circles Crito manages to remain a good man on all three levels. To cope with this complexity Socrates adduces the Laws with their speech. The speech, though formally aimed at Socrates, is, in fact, directed at Crito who is supposed to advise Socrates, but should think of himself and his behavior.

The Laws' speech (context)

The Laws' speech treats Crito's problem as it has been described in the previous pages, but in order to understand exactly how this is done, the speech should be seen in its context. Here we speak of two parts. In the first part (49a4-49e4), I argue, Socrates wishes Crito to understand, accept and especially internalize that οὐδὲ ἀδικούμενον ἄρα ἀνταδικεῖν ("and we mustn't retaliate if we are treated unjustly").⁶⁴ Had Crito accepted this statement (as early as at 49c1) all Socrates would have had to do then would be to personalize the laws. As we already noted Crito's problem is twofold. He does not see the *polis* as applicable to concepts of justice and agreement, and he can remain a law-abiding citizen even when he breaks the law. For the first he is aided by his conviction that justice is applicable only for human beings. For the second he is aided by

64 49b9. I chose this formulation, although there are other formulations much more detailed (49c10-11, 49d7-9), because this one focuses directly on Crito's problem, namely the MFM argument.

the MFM argument. Thus, by breaking the law he remains in his consciousness a good man, a decent fellow, and a law-abiding citizen. By accepting the statement “and we mustn’t retaliate if we are treated unjustly” together with the personification of the laws Crito would have come to the conclusion that breaking the law is nothing but committing injustice (*adikein*), and by committing injustice he is not good as he thought. As we have shown earlier,⁶⁵ Crito does not really accept this statement, and Socrates has to find another strategy.

Socrates’ attempt to change this conviction of Crito concerning retaliation fails totally at 49e4 with Crito’s answer ἄλλ’ ἐμμένω τε καὶ συνδοκεῖ μοι ἀλλὰ λέγε. (“Yes, I stand by it and agree with you. Go on”).⁶⁶ It is my contention that here at 49e4 Socrates finally understands that he cannot go the short way. The words “go on” make it clear to him. Crito’s acceptance “Yes, I stand by it and agree with you” is probably only to encourage Socrates to continue.⁶⁷

It is here – at this stage – that Socrates changes his strategy, and this is done on two points, both proceeding from retaliation for Crito being permitted. 1. Socrates will develop what we shall now call the ‘Non-Equal-Argument’ (NEA). 2. Socrates adds what we have called the Agreement Argument (AA).⁶⁸

Had Crito really accepted that he should not harm even in retaliation, we might have had a much shorter speech. Internalizing the notion that retaliation *simpliciter* is not justified removes any need to treat each of Crito’s circles separately. Crito, by accepting that retaliation is possible, forces Socrates to divide the speech into at least two parts, so that the Laws defeat Crito in both circles. Socrates’ first step (and here we are still at a stage of preparing the ground for the speech of the Laws) is to insert the AA at 49e5-7, which answers our first and second questions at the

65 Pp. 45-48 above.

66 Tredennick’s 1961 translation.

67 Had Crito’s assent been real and honest Socrates would not have to create an unequal relation between himself and the *polis* in the Laws’ speech. As Crito agrees that retaliation is forbidden for anyone in any place and at any time Socrates and the Laws could have stayed equal.

68 P. 38 above.

beginning of this paper.⁶⁹ The AA is inserted only when Socrates realizes that Crito still thinks that retaliation is permitted and there is no chance that Crito will change his mind. Accordingly, and concerning our third question above,⁷⁰ we may say that when Socrates seems to change his mind he does not change only the form of what he wanted to say to the form of a question; but he changes the content as well. One might even say that he changes his whole strategy. Let us now analyze Socrates' crucial transition at 49e5-7.

Λέγω δὴ αὖ τὸ μετὰ τοῦτο, μᾶλλον δ' ἐρωτῶ πότερον ἂ ἄν τις ὁμολογήσῃ τῶν δίκαια ὄντων ποιητέον ἢ ἑξαπατητέον;

Then I shall tell you what follows, or rather I'll ask you a question: should one do whatever one agrees with another, if it's just, or should one mislead him?⁷¹

The first words Λέγω δὴ αὖ τὸ μετὰ τοῦτο ("Then I shall tell you what follows") are a repetition of what has been said at 49e3 almost word for word.⁷² This produces the impression of continuation, but what comes immediately after is not a continuation but a change. The words μᾶλλον δ' ἐρωτῶ ("or rather I'll ask you a question") are not only a change of form. It is not even a simple addition of content. It is a change of strategy.

69 See pp. 37-38 above. Kraut 1984: 29, 113-14, 190 provides an alternative explanation for the existence of the AA (n. 3 above). For Kraut breaking a just agreement would be a case of doing injustice. However, keeping one's agreements does not exemplify or provide content for responding to injustice. Furthermore, keeping one's just agreements would be a very small fraction of all acts of justice performed. The context in the speech of the Laws pertains to a prohibition to commit injustice involving parents and children, a type of justice hardly based on a just agreement between the two parties. Kraut essentially telescopes two clearly separate arguments into one. All this without even mentioning that Kraut totally ignores the dramatic context of the AA. I have explained why we should take into account the fact that the AA is added as an afterthought.

70 P. 39 above.

71 On the exact translation of this second point whether it focuses on the things agreed to be just (Allen 1980) or on the agreement itself to be just (Kraut 1984), see a useful and balanced discussion in Miller 1996: 124 n. 7.

72 εἰ δ' ἐμμένεις τοῖς πρόσθε, τὸ μετὰ τοῦτο ἄκουε.

It is at this point that Socrates has to divide the Laws' speech into two different arguments. Moreover, Socrates cannot now simply use Crito's 'agreement' that one should not retaliate since he knows that Crito actually thinks one *can* retaliate. Socrates needs a stronger argument which we shall immediately analyze.

Let us concentrate on the AA. Why does Socrates present his statement in the form of a question? Why not present it as a statement awaiting Crito's affirmation? Here, I argue, the form of a question serves two functions. It enables Socrates to give the impression of a continuation. It also serves to force Crito to answer *poiēteon* ("one should keep agreement") instead of just saying 'yes'. When Crito answers *poiēteon* he remembers *exapatēteon* (49e7) which is clearly criminal. Crito has to know that the agreement he keeps with his fellow citizens is serious. One who breaks it is nothing but a criminal.⁷³

Had Crito really agreed that retaliation is forbidden for anyone in any place and at any time, the AA would have been redundant. As justice concerns every human being (both of Crito's social circles), the Laws personified would require Crito to agree that he is doing something unjust. Yet now Socrates has to refer to each group separately and find two reasons why retaliation should not be used. Let us see how he does it.

Ἐκ τούτων δὴ ἄθρει. ἀπιόντες ἐνθένδε ἡμεῖς μὴ πείσαντες τὴν πόλιν πότερον κακῶς τινὰς ποιοῦμεν καὶ ταῦτα οὐκ ἤκιστα δεῖ, ἢ οὐ; καὶ ἐμμένομεν οἷς ὠμολογήσαμεν δικαίους οὖσιν ἢ οὐ; (49e9-50a3)

Then consider what follows: if we leave this place without first persuading the *polis*, are we harming certain people and those whom we should do least harm to, or not? And do we stand by what we agreed to be just, or not?⁷⁴

73 A reminiscence of this verb appears at 52e2 with the verb ἀπατηθείς. Socrates is reminded by the Laws that he was not led to the agreement with the laws by deception. Crito who is listening should be reminded as well.

74 On this passage concerning the use of the verb κακῶς ποιεῖν instead of ἀδικεῖν, as well as the emphasis on human beings as the object of committing injustice see my analysis on pp. 46-47 and n. 41 below.

According to the analysis I am presenting here the first question refers to Crito's first circle (the internal group) and the second question refers to his second circle (the external group). Both are composed of people. Crito simply cannot understand how he commits injustice or breaks an agreement in helping Socrates escape from jail. Doing justice and keeping agreements pertain only to human beings; and the *polis* – at least at this stage of the conversation – is not a human being.

As expected, Crito's response is an utter lack of understanding since he cannot identify any people being harmed by Socrates' escape. Socrates, we must assume, did not expect a different response. Now we reach a sort of introduction to the Laws' speech itself (50a6-50c3).⁷⁵ The aim of this introduction is the crucial step in this whole conversation. Crito has to expose – first and foremost to himself – his actual behavior, namely that his breaking the law is nothing but retaliating against the *polis* for an injustice it apparently committed to him. The end of this stage is, of course, at 50c4 when Crito enthusiastically accepts Socrates' suggestion – ἡ ἐροῦμεν πρὸς αὐτοὺς ὅτι “Ἡδίκηκε γὰρ ἡμᾶς ἡ πόλις καὶ οὐκ ὀρθῶς τὴν δίκην ἔκρινεν;” ταῦτα ἢ τί ἐροῦμεν; (“yes, the *polis* has behaved unjustly toward us because it has not given the right verdict in this case”) – with the words: Ταῦτα νῆ Δία, ὧ Σώκρατες (“We shall, by Zeus, Socrates”). The way to bring Crito to this stage is very complicated and I shall not present here all of Socrates' manipulations in achieving it.⁷⁶ Suffice it to say that even here all Socrates can hope for is that Crito will accept his offer. He has no hope, so it seems, that Crito would have offered this on his own. This is the maximum. The Laws' speech itself starts at 50c5. Its basis is Crito who now consciously retaliates against the *polis* which committed an injustice against him. This last statement might seem to be just another step in the whole process where Socrates treats Crito's problem,

75 I detect three parts concerning the Laws' speech. 1. Preparation (48a5-50a5). 2. Introduction (50a6-c4). 3. The speech (50c5-end).

76 This has to do with the transition between κοινὸν τῆς πόλεως (50a8), σύμπασα ἡ πόλις (50b2), and πόλις. As the combination between πόλις and the verb ἀδικέω is still hard for Crito, Socrates leads Crito through two stages where the noun πόλις does not appear alone, but always comes with νόμοι; it always appears as attached to a noun such as τὸ κοινόν, or comes with an adjective such as σύμπασα; and the verb it comes with is ἀπόλλυμι. All this is a preparation for Crito to be able to hear the combination ἡδίκηκε ἡμᾶς ἡ πόλις.

but this is the most crucial step. It is here that the MFM is consciously argued for by Crito, and this means that here for the first time Crito consciously attributes to the *polis* the concepts of justice and injustice. This, in turn, means that Crito now consciously treats the *polis* as a human being, since in Crito's world view the concepts of justice and injustice belong only to human beings.⁷⁷ From this point on, we no longer have three circles but only two. If the *polis* is a human being, it is either the internal circle or the external circle. By invalidating the MFM argument in both circles, Crito will find himself an unjust man, an indecent fellow and a law-breaking citizen.

Before we turn to the Law's arguments let us sum up our findings so far. In his attempt to smuggle Socrates out of jail, Crito adopts two strategies according to his two social groups. In helping his friend he uses the concept of justice of his internal social circle, and in breaking the law he adopts the concept of justice of his external social circle. According to the concept of justice used in his internal social circle he helps his friend. According to the concept of justice used in his external social circle he is entitled to retaliate.

The Laws' speech (arguments)

The Laws' speech tackles Crito's behavior on two levels. Crito helps his friend but he has the MFM argument as a further excuse why, by helping his friend, he does not commit the *polis* injustice in breaking its laws. The Laws' first two arguments refute Crito's excuse by showing him it does not work or rather actually works against him. The third argument addresses Crito's conviction that he is helping his friend: in fact, running away will harm Socrates. Accordingly, the Laws' speech is divided into three parts, clearly demarcated by Crito's requested affirmations to what the laws have just said (51c5 and 52d8). Let us start with the first two arguments.

⁷⁷ By the very fact that he breaks the law by using the MFM argument Crito already treats the *polis* as a human being. All Socrates did at 50a6-50c4 was to transform Crito's unconscious behavior into a conscious behavior. In a way by personifying the laws Socrates does not do anything which Crito would not agree with.

Refuting the MFM argument in the internal group:

Section 50c5-51c4 consists of what we have called the ‘Non Equal Argument’ (NEA).⁷⁸ In this section the laws establish an unequal relationship between Socrates and the laws. The Laws actually justify retaliation *per se*. In regular relations where both sides are equal Socrates may justly retaliate,⁷⁹ but here he is not entitled to do so because there is a basic inequality between Socrates and the *polis*.⁸⁰ Taking this argument to refer to Crito (who is listening to this argument and is expected to advise Socrates) I argue that Crito is faced here with his first circle, but the criticism presented by the Laws is twofold. Formally the argument focuses on the axis of retaliation.⁸¹ Crito is not allowed to retaliate in this specific case since the object of retaliation is Crito’s parents.⁸² Parents and offsprings are not equal and retaliation is allowed only between equals. Now when the laws become human beings, Crito should realize that he is not as just as he thought, since in this specific case those who are being retaliated against are superior to him.

78 P. 63 above.

79 This statement is a necessary outcome of analyzing the text. First, we have seen that Crito is not entirely committed to the prohibition to retaliate. Secondly, and as a result of the first, his justification to break the law is grounded exactly by his conviction that he is entitled to retaliate. And last, the Laws’ speech, which is directed at Crito, tries to refute Crito’s action of breaking the law, arguing that one cannot retaliate against one’s superior.

80 This difference between the non-retaliation argument (NRA) developed in an earlier stage of the conversation and the NEA used by the laws was discerned by Farrell 1978: 185-7 and later by Weinrib 1982: 94, but while they see these two arguments as detached from each other, I see the Laws’ NEA as an expansion of the NRA.

81 See especially the use of the prefix *ἀντί* (*ἀντιποιεῖν* at 50e7, 50e9; *ἀντιλέγειν* and *ἀντιτύπτειν* at 51a1-2; and *ἀνταπολλύναι* at 51a6), although these verbs should not be identified with *ἀνταδικεῖν* but should be seen merely as evidence that the Laws’ first argument is directed against Crito and his internal group with the NEA.

82 The Laws mention both a father and a master, and one is reminded of the difference between a father and a master. Both are unequal to their subjects, yet the father aims at the benefit of his sons while the master aims at his own benefit. Perhaps this is what stands behind the Laws’ words about Socrates as their *ἔκγονος καὶ δούλος* (50e3-4). While Crito treats *de facto* the Laws as his slaves, the Laws treat (or should treat) him as a son. In both cases the relation is unequal but the aims are sharply different.

But the laws also criticize Crito on another point, focusing on the popular code of justice as Crito practices it with his internal circle. Crito thinks that by helping Socrates escape he is doing justice according to the criterion of helping a friend.⁸³ Now he has to realize that by helping a friend, he is harming his own parents. This is what stands behind Socrates' words: ἀπιόντες ἐνθένδε ἡμεῖς μὴ πείσαντες τὴν πόλιν πότερον κακῶς τινὰς ποιοῦμεν καὶ ταῦτα οὐς ἥκιστα δεῖ, ἢ οὐ; ("if we leave this place without first persuading the *polis*, are we harming certain people and those whom we should do least harm to, or not?") (49e9-50a2).⁸⁴ While Socrates is one whom friends should help, the laws and the *polis* are those which one should harm the least. Crito is not even helping a friend at the expense of another friend, but is actually harming, not an enemy, but his own parents. Moreover, instead of harming enemies he harms his parents.

Refuting the MFM argument in the external group:

The section 51c6-52d7 deals with what I called 'The Agreement Argument' (AA).⁸⁵ Unlike their first argument which focused on the inequality between Socrates and the *polis*, here Socrates' act of injustice concerns his breaking the agreement with the *polis*. As was the case with the NEA, what stands behind this argument is the Laws' apparent consent (and Crito's as well) that retaliation is acceptable and justified but in this specific case Socrates has no right to retaliate because he would be breaking

83 Cf. καὶ φήσεις ταῦτα ποιῶν δίκαια πράττειν (51a6-7).

84 At 54c2-6 we apparently find whom we should do least harm to: "But if you go, having retaliated (*antidikēsas*) and caused harm (*antikakourgēsas*) in such a disgraceful way, having broken (*parabas*) both your own agreements and covenants with us, and having done wrong (*kaka ergasamenos*) to those here who are the last people you should have done it to (*toutous hous hēkista edei*): yourself, your friends, your native city and us, then we shall be angry with you." The words τούτους οὐς ἥκιστα ἔδει are a copy of what appears at 50a2 (οὐς ἥκιστα δεῖ). Yet, this sentence is part of the concluding paragraph which sums up the whole speech and as such recaps all verbs and objects mentioned in Socrates' move (and does it in a very mixed and manipulative way) which began at 48a5 and ends with the Laws' speech. At 49e9-50a2 – an early stage – the object of οὐς ἥκιστα δεῖ are the laws as parents alone as it will appear in the speech immediately afterwards.

85 On a procedure in Athens which can justify an agreement *de facto* see Kraut 1984: 154-55. See also MacDowell 1978: 69.

an agreement. This argument of the Laws, I contend, refers to Crito's external group. In this group – the body of the citizens in a democratic *polis* – all members are equal. Here there are no parents or any other 'superiors'. Moreover, it is here that one can remain just while retaliating. Here another argument has to be provided. Two points should be emphasized concerning this argument. The facts used by this argument are almost the same as those used by the NEA. Even the terms are identical, such as the verbs *gennaō* (NEA-50d2, AA-51C8-9), and *paideuō* (NEA-50D6-7, AA-51c9). This means that one can relate to the same entity with the same characteristics – such as the Laws being what give birth to, and educate, the citizens – in different ways, either as a private man who owes respect to his parents, or as a citizen who is expected to keep a kind of an unwritten agreement (*homologia*) with his fellow citizens.

The laws have to make the agreement between Crito and the *polis* much stronger than the agreement between Crito and his fellow citizen. This, I argue, is done by turning the agreement into a contract. Note the transition from *homologia* to *sunthēkē*.⁸⁶ While the term *homologia* and derivatives dominate the AA since the beginning at 49e6 and through 50a2-3, 51e7, 52a8, 52c2, at 52d1-3, however, we read: πράττεις τε ἄπερ ἂν δοῦλος ὁ φαυλότατος πράξειεν, ἀποδιδράσκειν ἐπιχειρῶν παρὰ τὰς συνθήκας τε καὶ τὰς ὁμολογίας καθ' ἃς ἡμῖν συνέθου⁸⁷ πολιτεύεσθαι. ("In fact you're doing what the most cowardly slave would do in attempting to abscond contrary to *the contracts and agreements* according to which you *agreed* to conduct your life as a citizen"). Thus, as part of the summary of an argument which made use of *homologia* alone, the term *sunthēkē* is covertly inserted.⁸⁸

Just as the Laws in the NEA turned the *polis* into more than regular friends of Socrates, namely his parents or masters, so too in the case of the AA. The Laws turn the agreement between Socrates and his fellow citizens into a contract between Socrates and the Laws. The Laws are not

86 As far as I know it was Miller 1996: 128 n. 12 who first noticed this transition. He mentions it but does not develop it.

87 Note the closeness between this verb and συνθήκη.

88 This pair – contracts and agreements – appears again at the beginning of the next section at 52d9-e1 when Socrates sums up the argument, and once more in the concluding paragraph of the dialogue at 54c2-4.

simply Socrates' fellow citizen for whom an agreement is enough. The Laws are those with which a contract has been made. What is the difference between an agreement and a contract? I argue that an agreement may be conditioned while a contract is absolute. When Socrates receives from Crito the approval that agreements must be met (49e8), a condition appears – *dikaia onta* (“if it’s just”), whereas when the Laws use the same principle of agreement, this condition is missing.

The first argument of the Laws is directed at Crito the good private man, and the second argument is directed at Crito the good citizen.⁸⁹ If we had only the NEA, namely the first circle, Crito could have argued that concerning justice he is, indeed, not allowed to retaliate, because of the inequality between him and his parents; but in a state of equality (the second circle), he could still retaliate. The AA addresses this second point. If, on the other hand, we had only the AA, Crito might have argued that he might indeed be unable to retaliate among equals (the second circle), but in his specific case he was also helping a friend (the first circle).

The end of the Laws' speech and the conversation

Having discussed the first two arguments which are directed at Crito's excuse for breaking the laws (MFM argument), and given the scope of the argument of this paper, a few words should be said about the third – 53a9-54d2, and the concluding passage of the whole dialogue – 54d3 to the end.

In the third section of their speech the Laws concentrate on the positive side of Crito's behavior – helping his friend. While in the previous sections, justice was discussed but the benefit of Socrates was taken as self-evident, now the Laws show Socrates that even on the basis of sheer

89 Note the benefits the Laws enumerate in the AA, one of which is *μεταδόντες ἀπάντων ὧν οἰοί τ' ἡμεν καλῶν σοὶ καὶ τοῖς ἄλλοις πᾶσιν πολίταις* (51c9-d1). No mention of citizens is to be found in the NEA. Note also the Laws who accuse Socrates *ὅτι οὐ δίκαια ἡμᾶς ἐπιχειρεῖς δρᾶν* (51c7-8). The term *δίκαια* belongs exclusively to Crito's external circle. It is not to be found in the Laws' first argument (50c5-51c4) which tackles Crito in his internal circle.

benefit, the escape is not worth it. Crito would not only harm his friend (and eventually himself as well), but he would also benefit his enemies.⁹⁰ It is here in this section that the laws raise all of Crito's arguments in favor of the escape mentioned in his third speech (44e1-46a9) and turn them on their head. The option of going to other *poleis*, such as Thessaly, after the escape, is considered a reason for running away in Crito's speech (45b7-c5), but now the Laws use it as a reason for not running away (53d1-54a2). While care for Socrates' children is a reason for running away in Crito's speech (45c10-d7), in the Laws' speech this should not be something to worry about (54a2-b2). The message is clear. Speeches and rhetorical manipulations are useless, as the other side can do the same. This theme will recur in Socrates' conclusion of the dialogue (54d3 to the end), but before we reach this last passage, I would like to dwell upon an interesting clause spelled out by the Laws in their conclusion (54b3-d2). Concluding passages are expected to sum up the main ideas and messages of what has been said, and our two concluding sections, that of the Laws and that of Socrates are no exception.

My main argument throughout this paper is twofold. First, I have argued that Socrates' main effort is to make Crito understand that by breaking the law (= by persuading Socrates to run away from jail) he commits injustice (*to adikein*), namely he is wrongly harming human beings. The second point was Socrates' attempt to make Crito realize the danger and uselessness of rhetoric. It is no surprise that exactly these two points are now summarized in our two conclusions – that of the Laws and that of Socrates respectively.

At 54b9-c2 we find the Laws, having finished their arguments, conclude and say: “ἀλλὰ νῦν μὲν ἡδίκημένος ἄπει, ἐὰν ἀπίης, οὐχ ὑφ' ἡμῶν τῶν νόμων ἀλλὰ ὑπ' ἀνθρώπων (“As it is now, you will leave here, if you do leave, having been treated unjustly, not under the auspices of us the Laws, but of men”). Here, for the first time – only after their speech – do the Laws make it clear that they are actually humans. As long as Crito thinks that the Laws and the *polis* are a non-human independent circle alongside his other two human circles he can feel justified in breaking the law. Unconsciously, of course, he does take them as human by considering himself being harmed (*adikēmenos*) by the *polis* and hence has

90 Cf. Crito's words to Socrates at 45c6-9.

the right to retaliate (*antadikein*). But as long as all this is unconscious, he can consciously consider breaking the law as just another obstacle he has to overcome, and stay in his consciousness a good, loyal and law-abiding citizen. The moment the laws expose that behind them there are human beings, this means that there are no longer three different circles – internal, external and the *polis* – but only two circles all of whom are human beings enacting laws and judging citizens according to the laws. Crito is actually retaliating against human beings for being harmed by them and this he is not allowed to do. Either he retaliates against his parents or he breaks an agreement.⁹¹

My second point, claiming that rhetoric is useless and dangerous, dominates Socrates' conclusion to the whole dialogue, and it starts at 54d3:

This, my dear friend Crito, be assured, is what I seem to hear, just as the Corybantes think they hear the flutes, and this sound of these words resonates within me and makes me unable to hear any others. Well, be assured that, as far as my current beliefs go, if you argue against those, you will argue in vain. All the same however, if you think you will accomplish anything more, speak (54d3-8)

This might seem a major stumbling block to any argument that claims that the Laws' speech are entirely for Crito. Here we should remind ourselves of the introduction to the Laws' speech at 50a6-c4. Socrates asks for Crito's advice as to the best answer to the Laws criticizing Socrates for destroying them and the *polis* by breaking the law. Formally Crito is about to advise Socrates who seems to be in great trouble, but, as we have argued, Crito should 'advise' himself as it is he – Crito – who is really in trouble. The Laws actually attack Crito for destroying the *polis* by trying to help Socrates escape from jail, motivated by his wish to save his good friend and his good reputation among the Many. The conclusion of the

91 It is no surprise that immediately after this clause the laws mention explicitly what it means to escape from jail: ἐὰν δὲ ἐξέλθῃς οὕτως αἰσχρῶς ἀνταδικήσας τε καὶ ἀντικακουργήσας, τὰς σαυτοῦ ὁμολογίας τε καὶ συνθήκας τὰς πρὸς ἡμᾶς παραβᾶς (But if you go having retaliated and caused harm in such a disgraceful way, having broken both your own agreements and covenants with us) (54c2-4).

dialogue corresponds with the Introduction. When Socrates says that the Laws' arguments "resonate within him and make him unable to hear any others," Crito should understand it as directed at him. The arguments raised by the Laws have defeated his own arguments for the escape presented in his third speech.

But there is much more in this Conclusion. Reading this last passage of the dialogue – 54d3-e2 – one is at a loss whether Socrates wishes Crito to answer the arguments raised by the Laws or not. If he is really interested in hearing Crito's response to the Laws' speech, why mention the Corybants?⁹² If he does not want to hear Crito's answer, he should not have ended with encouraging Crito to speak. Socrates seems strangely indecisive.⁹³

The answer to this puzzlement, I believe, is to see here a criticism against the method used by Crito. The heart of Crito's problem is rhetoric. It is rhetoric which allows the legitimation (though not necessarily a conscious one) of Crito, as well as any citizen in a democratic regime, to break the law whenever his interest is at risk, while still considering himself a good person, a loyal and even a law-abiding citizen. But rhetoric is dangerous in another aspect. Rhetoric is wrongly considered a legitimate tool which enables the making of good and rational decisions. Moreover, in democracy it is probably the most used instrument since it is regarded as the very opposite of the use of violence, and as such befits an open

92 The mention of the Corybants has raised an argument that Socrates does not agree with what the Laws have just said (Weiss 1998: 135-45; Harte 1999: 118-20). For a refutation of Harte's and Weiss' opinion see Stokes 2005: 189-92 and his conclusion: "There is no decisive evidence that Plato would have expected any set of readers to see in a bare mention of Corybants any signal whatever".

93 Stokes 2005: 187-88 tries to explain what he takes to be "contradictory requirements." Basing his explanation on the dramatic situation, Stokes sees here a compromise Socrates makes between the need for a quick practical decision and "the conveniences of the Platonic confutation or elenchus, including its generally provisional nature" which "must be observed." He later writes (2005: 193): "Plato and his Socrates must provide the discussion in the Crito with both finality and provisionality. The occasion is exceptional." But see Garver's remark 2014: 4: "The Laws have produced an argument that silences all others. This idea of a clinching or conclusive argument seems at odds with Socrates' own idea that he is always persuaded by the strongest argument."

liberal and cultured society.⁹⁴ Both Crito and the Laws use speeches, each for their own interest.

Beyond the refutation of specific arguments appearing in Crito's third speech and counterargued in the Laws' speech, this Conclusion goes a step further and attacks the very use of rhetoric as an instrument for making decisions and for conducting one's own life.⁹⁵ Rhetoric is both useless and dangerous. It is useless since any rhetorical argument can be met by an equal and opposite argument, rendering all rhetorical arguments worthless in the process of reaching a correct decision.⁹⁶ The very last words of the Laws draw attention to the persuasive, non-factual, nature of both sets of arguments (54d1-2): ἀλλὰ μή σε πείση Κρίτων ποιεῖν ἃ λέγει μᾶλλον ἢ ἡμεῖς. ("come now, don't let Crito persuade you to do what he says rather than what we say").

Socrates expresses the need for a criterion of truth immediately after Crito's third speech (46b1-3): ὦ φίλε Κρίτων, ἡ προθυμία σου πολλοῦ ἀξία εἰ μετὰ τινος ὀρθότητος εἴη· εἰ δὲ μή, ὅσῳ μείζων τοσοῦτω χαλεπωτέρα. ("my dear Crito, your eagerness would be worth a great deal if there were a measure of rightness about it. But if not, the greater it is, the harder that makes it"). Rightness would seem to be connected not only with content (Crito's arguments should aim at the truth), but with form and method as well. Socrates demonstrates this by not waiting for Crito to give yet another speech, but immediately beginning a conversation in the form of questions and answers.⁹⁷

94 The contrast between violence and persuasion is well documented in Greek literature.

95 Crito is using rhetoric as another instrument like his money and connections to achieve his goal. See also *Gorg.* 479c1-4: καὶ πᾶν ποιούσιν ὥστε δίκην μὴ διδόναι μηδ' ἀπαλλάττεσθαι τοῦ μεγίστου κακοῦ, καὶ χρήματα παρασκευαζόμενοι καὶ φίλους καὶ ὅπως ἂν ὧσιν ὡς πιθανώτατοι λέγειν ("And hence they do all that they can to avoid punishment and to avoid being released from the greatest of evils; they provide themselves with money and friends, and cultivate to the utmost their powers of persuasion") (emphasis mine). See also n. 16 above.

96 Pace Allen 1972: 560 who considers the Laws' speech as a "philosophical rhetoric aimed at persuasion based on truth ...".

97 The conversational form is also indicated by verbs such as σκοπέω (46b3, 46c7, 47a2, 48b4, 48b10, 48c3 etc.).

The worthlessness of rhetorical speeches is one thing, but Socrates also regards speeches as an application of violence and compulsion.⁹⁸ In fact, the uselessness of rhetoric stems from the essence of rhetoric which Plato thought to be simply ‘exerting violence’, since wherever violence is found, other violence, bigger than the first, could be found as well.

Fifth-fourth century Greek thought tended to the view that *logos* (‘speech’/‘reason’) could never be regarded as a violent compulsion,⁹⁹ especially the rationally established laws set up to counter violent compulsion. Law leads to a free and happy society contrasted with violence.¹⁰⁰ It is this perception, I argue, that Plato is trying to undermine in the *Crito*. Throughout the dialogue, and especially in the Laws’ speech, Socrates wishes Crito to understand that rhetoric-based-speeches are nothing but covert compulsion in order to achieve one’s own selfish interests, under the guise of a concept of justice pertaining to helping friends and harming enemies. For Socrates, verbal persuasion and violent compulsion are one and the same. The Laws in their speech agree that Socrates has been treated unjustly, but claim that he has no right to retaliate because he (like all other citizens) was brought up as a slave of the Laws.¹⁰¹ It is my contention that this explicitly counters Crito’s implicit treatment of them. We have seen how Crito actually takes care of his own interests (saving his friend and his good name) under the guise of justified retaliation.¹⁰² Socrates throws this back in Crito’s face by having the Laws say, in effect: “You, Crito, treat us as slaves; we, in return, treat you as a slave.¹⁰³ You are willing to go so far as to harm us in order to achieve your aims; we are willing to harm you as well to achieve ours. You attempt to compel through verbal persuasion; so do we.”

Turning again to 54d3-8 where Socrates, now speaking *propria persona*, after delivering the Laws’ speech, seems to be indecisive at the very least.

98 Moreover, rhetoric may be the most dangerous form of exerting violence since the persuasion in speech is usually covert.

99 Gorgias’ Encomium for Helen might be regarded as an exception, but the treatise is intended to praise rhetoric and persuasion.

100 See e.g. Xen. *Mem.* 1.2.9-10, 39-46.

101 50e2-7.

102 See our discussion on pp. 53-54 below.

103 Cf. 52c8-d2 where the Laws again compare Socrates to a slave, this time because of his base attempt to escape and thereby flout the law.

As we have seen, on the one hand Socrates does not wait to hear what Crito has to say in response to the Laws' speech but immediately declares his unwillingness to hear any response. But in the same breath he emphasizes that if Crito still thinks he has something new to say he may say it. By now it should be clear that Socrates is appealing to Crito to rather change his method. He is unwilling to hear another 'persuasive' speech like that of 44e1-46a9.¹⁰⁴ But if Crito is willing to enter a dialectic discussion, Socrates will probably be happy to hear what he has to say.

Socrates, then, is not being indecisive: he simply does not want another speech, but he does not want the conversation to come to an end either, as the verb *lege* (speak) indicates. Socrates has in mind the other *tou logou technē* – dialectic – whose end is rightness (*orthotēs*). Socrates, then, chooses to end his conversation with Crito by hinting at the need for dialectic to replace rhetoric as the means to arrive at correct decisions, based on free will rather than compulsion.

Crito, as the typical Athenian citizen, probably misunderstands Socrates' suggestion to speak. Instead of understanding it as a call to change the method from rhetoric into dialectic, he probably takes it as a request for another speech (which Socrates has already stated will be in vain). His answer at 54d9: ἄλλ' ὃ Σώκρατες, οὐκ ἔχω λέγειν (“But Socrates, I cannot speak” or “No, Socrates, I have nothing to say”) indicates that he is still thinking in rhetorical terms. This should come as no surprise. Plato wrote the dialogue not for the benefit of the characters in his dialogue but for the reader.

Conclusion

The Laws place before Crito a mirror image reflecting his own behavior towards the *polis*. Crito uses force against the Laws to achieve his personal goals, and the Laws do the same. Crito uses his connections, his money, his friends, and above all rhetoric. But rhetoric is a two-edged

104 It is worth mentioning a fact, so far as I can tell, overlooked by scholarship literature. Although Crito makes two attempts to persuade Socrates to escape from jail (45a3, 46a8), Socrates never tries to persuade Crito that he ought to stay. Socrates wishes only for Crito to stop trying to persuade him (48e1-3). See also 54d1-2.

sword. Furthermore, a *polis* run by rhetoric is doomed. For Socrates, rhetoric is nothing but another form of the use of power and violence for self interests.

Crito started his rescue attempt as a just man, a decent fellow, and a law-abiding citizen. By the end of the conversation he should be regarding himself as an unjust man, an indecent fellow, and a law-breaking citizen. We do not know if Crito did reach these conclusions. Drawing the final conclusion is the challenge for any citizen in a democratic regime, the target audience for whom, in my view, Plato composed the *Crito*.

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UNIVERSALIZATION AND ITS LIMITS: AN ANTHROPOLOGICAL PERSPECTIVE ON CULTURAL INTERACTION IN THE ROMAN EMPIRE

By Kristian Kanstrup Christensen

Summary: This paper employs an anthropological framework to understand the interaction between imperial culture and local traditions in the Roman world by introducing the model of *universalization and localization*, designed by Redfield and Marriott for the study of Indian village communities. This model is applied to evidence for provincial languages supplemented with an analysis of a corpus of material culture to illuminate how constraints to communication, transportation and education affected cultural interaction. It demonstrates that while Roman imperialism spread shared practices across wide areas, due to the aforementioned conditions provincial populations were often only partially able to access them.

1. Augustine and the Punic Language

“If the people of Mappala went over to your communion voluntarily, let them hear us both; let what we say be written down, and let what is written down by us be translated for them into Punic.”¹

The words are those of Augustine writing in c. AD 402 to Crispinus, the bishop of Calama. The context is the Donatist schism in North Africa at the time. Crispinus, a Donatist, had purchased an estate, which included the hamlet of Mappala, and had proceeded to rebaptize eighty people

1 August. *Ep.* 66, translation from Parsons, 1951.

from there. Augustine, opposed to Donatism, casts doubt on whether the subjects of the rebaptism were aware of its significance and challenges Crispinus to allow the people of the hamlet to be presented with the arguments of both sides of the schism. For the present inquiry the significant part of the quote is what Augustine says last: that for such a presentation to be carried out, the arguments must be translated into Punic.

The Punic language is well-known from inscriptions across North Africa, but these decline in number through the Roman era. Almost no writing in the language survives from Augustine's day. The modern observer might take this disappearance as evidence of a successful Latinization of the province – which is, after all, home to some 30,000 inscriptions in Latin.²

If so, Augustine's observations serve as a blunt correction. In one of his letters, he complains that in his part of the world the ministry of the Gospel is hampered by a general ignorance of the Latin language.³ In a sermon given in Hippo, moreover, he quotes “a well-known Punic proverb, which I will of course quote to you in Latin, because you don't all know Punic.”⁴

These and several more comments confirm the survival of Punic as a spoken language after its disappearance from the epigraphic record.⁵ To understand this survival, we may start with a closer look at the passages quoted so far. As well as being the seat of his bishopric, Hippo was a major maritime city on the coast. In this setting, Augustine refrains from employing the Punic language; evidently Latin is the *lingua franca* of the community. On the other hand, as the first passage shows, when it came to tenant farmers in a hamlet, recourse to Punic was sometimes a necessity. These passages suggest that Punic had lost the most ground in well-connected, cosmopolitan settings, while retaining more of a foothold among the lower classes in less accessible places.

2 Jongeling & Kerr 2005: 5.

3 August. *Ep.* 84.

4 August. *Serm.* 167.4, translation from Hill 1992.

5 Doubts such as those by Frost 1942: 188-90 as to the identity of the language identified by Augustine as Punic are laid to rest by Augustine himself in *Evang. Iohan.* 15.27, where he identifies the language as related to Syriac and Hebrew. This will have been true of Punic, a Northwest Semitic language transplanted to North Africa by Phoenician colonizers but not of languages indigenous to the region.

Through an analysis of the evidence for provincial languages and consumption patterns in the Roman Empire, the present paper will show how this divide between Hippo and Mappala follows a pattern that runs through the evidence of cultural interaction in the Roman Empire. As part of the analysis, it will present a conceptual model for understanding the cultural world of provincial non-elites and offer an alternative perspective on the cultural history of the Roman world.

2. Romanization and Alternatives

For most of the twentieth century cultural interaction within the Roman Empire was viewed through the lens of the Romanization paradigm. In its original form, this paradigm envisioned a one-way dissemination of Roman culture to provincial populations, a view indebted to the ideology of European imperialism.⁶ Applying this paradigm to Augustine's remarks on Punic, the situation in Hippo might be interpreted as an example of successful Romanization and the non-Latin speaking farmers of Mappala as a pre-Roman survival.

However, the traditional view on Romanization began to unravel in the later half of the century. More recent scholarship has shown that the spread of Roman cultural elements was not the work of the imperial centre, but was mainly carried out by, and benefited, local elites who came to identify their own interests with that of the empire.⁷ Seen in this light, adoption of the Latin language in the city of Hippo reflects the political and economic interests of its elite through the centuries.

While Romanization-by-local-elite may adequately describe the cultural changes affecting the elite layers of provincial societies, scholars have sought beyond the Romanization paradigm for frameworks to encompass the cultural effects of Roman rule on the full social spectrum of the provinces.

Concepts such as *hybridization*, *métissage* and *creolization* moved beyond the categories of 'Roman' and 'native', highlighting that both sides

6 See e.g. de Coulanges 1891: 137-39; Jullian 1920: 534-37; Haverfield 1923: 9-14.

7 Slofstra 1983; Millett 1990; Woolf, 1998.

were transformed in the cultural encounter.⁸ Applying this observation to Augustine's passages, we notice that he only considers Latin the predominant *lingua franca* of Hippo, but does not rule out knowledge of Punic among parts of the congregation. Perhaps the cultural identity of that city is better envisaged as a mixture of Punic and Roman, rather than as simply Romanized? Conversely, while the tenant farmers of Mappala may not speak Latin, they are the objects of rival conversion attempts by Crispinus and Augustine. They are not a hermetically sealed preserve of a pre-Roman lifestyle but are clearly impacted by religious developments in the wider world.

Wallace-Hadrill took this approach a step further with the analogy of *bilingualism*, which emphasized that individuals were not restricted to one culture or another, but often participated in several, changing behaviour depending on the context. If speakers of both Latin and Punic lived in 5th century Hippo, they were not speaking a Punic-Latin *creole*, but kept the languages separate in their heads, switching between them as situations demanded. Wallace-Hadrill found this process at work across a wide range of cultural practices.⁹

However, the hierarchical structure of Roman society and the differences in prestige accorded to various cultures by the elite meant that different population groups experienced cultural change very differently. This aspect is lucidly captured by Mattingly's use of the term *discrepant experience*.¹⁰ His approach reminds us that the unequal power relations of imperialism were a decisive determinant of access to imperial cultural practices such as schooling in the cosmopolitan language. The ignorance of that language among the tenant farmers of Mappala was not necessarily a cultural choice on their part. It probably reflected the political and economic disenfranchisement of their community in comparison to that of Hippo. *Discrepant experience*, however, is a descriptive term, not a model for surveying the processes producing discrepancies.

It would be useful, however, to encapsulate both the transformation and co-existence of cultural traditions highlighted by terms such as *cre-*

8 E.g. Webster 2001; Le Roux, 2004.

9 Wallace-Hadrill 2008.

10 Mattingly 2011: 203-45.

olization and *bilingualism* and the inequalities highlighted by *discrepant experience* in a single framework. To that end, scholars have recently sought to apply *globalization theory* to the Roman world.¹¹

Designed to understand societies characterized by increasing material and cultural interaction, *globalization theory* has the advantage of drawing attention to, and explaining, both their increasing integration and increasing differences. Cultural interaction leads to the development of shared practices across vast distances; the preponderance of the Latin language in early fifth-century Hippo would be a case in point.

Yet the result is not a homogeneous society. Rather, the economic growth brought on by increasing material and cultural exchange exacerbates social inequalities, leading to a development of local differences in tandem with that of shared practices.¹² The centripetal force of *globalization* thus produces a centrifugal force, *glocalization*, that heightens the awareness and constructions of regional identities.¹³ Emphasis on this process leads the theory beyond traditional centre-periphery arguments towards a bottom-up approach that shifts focus away from the metropolitan centres.¹⁴

Nevertheless, it has been questioned whether *globalization theory* really bridges the gap between cultural interconnectedness and inequality, with critics arguing that the approach marginalises violence, steep hierarchies and imperialist exploitation.¹⁵ Interpreted as *glocalization*, the absence in Mappala of access to the *lingua franca* of the Mediterranean world becomes a reaction to the globalizing culture of that world, yet it is equally possible that the explanation is relative isolation as consequence of centuries of exploitative hierarchical rule.

Interpretations of the consequences of interconnectedness are taken furthest in the works of scholars such as Ando and Revell. Here the interaction between the imperial centre and local communities is seen as strong enough to foster a discourse of a common 'Roman' identity which,

11 E.g. Witcher 2000; Hingley 2005; Sweetman 2007; Versluys 2014; Pitts & Versluys 2015.

12 Hodos 2017: 4-5.

13 Jennings 2011: 136-37.

14 Häussler 2012: 147 and 171-73.

15 Fernández-Götz, Maschek & Roymans 2020: 1631-37.

while fluid enough to encompass a wide range of local varieties, served to underpin the basic cohesion of the state.¹⁶ From this point of view, ignorance of the Latin language among the tenant farmers does not fundamentally affect their presumed Roman identity.

However, critics point out that notions of the transition to Roman rule as producing a complete shift in identity fail to take into account the “thinly stretched nature of Roman power.”¹⁷ In day-to-day affairs, Rome’s diverse provincial societies largely governed themselves.¹⁸ Is the presence of Punic speakers in Mappala best explained as a local response to the *globalizing* tendency towards Latinization or as evidence of the limit of that tendency?¹⁹

The present paper explores the benefits of using an alternative framework to understand the widespread cultural interconnectedness of the Roman world without losing sight of the consequences of the steep hierarchies and indirect forms of local rule. While the processes of cultural integration during the centuries of Roman rule show similarities to the modern world, the paper will emphasize the significantly weaker intensity of pre-modern cultural integration, the conditions of which impeded the full integration of the broad population into the cultural traditions of the ruling class.²⁰

3. Universalization and Localization

The pre-modern world was an agrarian world first and foremost. Due to the lack of modern fertilizer, mechanization, and the science of plant breeding, the yield of pre-modern agriculture was quite low compared to today. It could only feed the population of a society if the large majority of that society were peasants. In most pre-industrial societies this meant somewhere between 80 and 90% of the population.²¹ This estimate

16 Ando 2000: 1-15, 66-67 and 406-12; Revell, 2009: 2-15.

17 Dench 2018: 157.

18 Bang 2011: 173.

19 Woolf 2021: 27 poses this same question.

20 Woolf 1998: 238-39; Bang 2013: 439-40; Lavan 2016: 155.

21 Mann 1986: 264; Crone 1989: 13-34.

is for an average agrarian state but aligns quite well with figures suggested for the Roman world. For instance, the rural proportion of the population of Roman Britain is commonly given as 80 to 90% even at the height of urbanization.²² For the empire as a whole, Morley estimates about 10% of the population to have been dependent for food on the agricultural labour of the rest.²³

The speed and volume of pre-modern communications must have slowed the process of cultural alignment in this vast rural population compared to the modern world.²⁴ Certainly, the peasantry was not insulated from wider market exchanges as once thought. Gaul, Italy and Spain all provide ample evidence for both production and consumption of ceramics, glass, leather, textiles, building materials and more in the countryside. The average peasant probably consumed less than the average urban resident, yet the much larger number of peasants would still have rendered their demand a major part of overall consumption.

In at least parts of late Republican/early Imperial Italy the peasantry appears to have been particularly mobile, engaging in a form of distributed habitation characterized by numerous small, specialized sites, with the same people presumably participating in several different forms of production in several different places. This picture does not hold true throughout the empire, however, with data suggesting the mode of living in Britain and northern Gaul to have been marked by farmsteads concentrating the productive activities in one site.²⁵

While not hermetically sealed from the wider economy, across the empire the peasant population is likely to have been predominately illiterate. The Roman Empire lacked an organized school system, and outside of the wealthier Hellenistic cities, it is doubtful whether much schooling was available to people beyond the elite.

Comparing these features with European and North African illiteracy rates at the cusp of modernity, Harris has argued for an overall illiteracy rate of above 90% for the Empire as a whole during the Principate.²⁶ His

22 Jones 2004: 187; Mattingly 2006: 453.

23 Morley 2007: 578.

24 Woolf 2021: 25.

25 Bowes & Grey 2020: 618-29 and 636-37.

26 Harris 1989: 3-24.

figures constitute the pessimistic estimate in an ongoing debate, and Egyptian evidence suggests a basic grasp of literacy may well have been more widespread.²⁷ However, even if this material is taken as representative for the rest of the empire, the limited nature of this literacy will still have excluded the majority of the population from significant engagement with the literary tradition of the elite.²⁸ Whereas Harris' figures are contested, the general limitations on literacy he described have mostly been accepted.²⁹ The illiteracy of the broad populace was no hindrance to the ancient economy, and therefore mass education in the manner of modern, industrialized nation states was never a priority. This is true in particular for rural dwellers, whom, as Harris points out, even the ancient sources themselves associate with illiteracy.³⁰

Under such conditions, the present paper argues that for large swathes of the population of the empire, the world was predominately local. Not in the sense that extralocal cultural elements did not reach them, but in the sense that the local context decisively shaped whether these elements were adopted, and if they were, how and for what purpose. In Indian anthropology, a similar view of agrarian society is the basis of the model of *universalization* and *localization* first designed by Robert Redfield, one of the fathers of peasant studies, and his associates Milton Singer and McKim Marriott.³¹

Their model envisions agrarian societies as consisting of two traditions: the literate tradition of the elite and the non-literate tradition of the peasant village. The role of literacy is crucial to this division. On the one hand, literacy allows the codification of cultural materials into a canon that remains stable across time and space. That is, the cultural ma-

27 Claytor 2018.

28 Toner 2017: 168-71.

29 Beard 1991: 37; Bowman 1991: 119; Corbier 1991: 117-18 and 2006: 77-90; Cornell 1991: 7; Hopkins 1991: 134-35 and 158; Horsfall 1991: 59-76; Woolf 2009: 46 n. 1; Bagnall 2011: 39-40 and 52-53; Clackson 2015: 97; Grig 2017: 29 and 312; Eckardt 2017: 9; Tomlin 2018: 201-2; Riggsby 2019: 1-4.

30 Longus *Daphnis and Chloe* 1.8; Plin. *HN* 25.6; Plut. *Arist.* 7.5; Quint. *Inst.* 2.21.16; Harris 1989: 17 n. 54.

31 Marriott 1955; Redfield 1955: 14-21 and 1956: 40-59; Wilcox 2004: 4-5 and 148-51.

terials are *universalized* and form a tradition that may serve as a cosmopolitan idiom into which provincial elites may be integrated.³² On the other hand, lack of widespread literacy among the peasantry ensures that their culture remains local in scope with variations from village to village. In the field of language, these variations take the shape of dialect continua, but it is a premise of the model that similar phenomena should be found in other forms of local culture too.³³

While the traditions of the literate elite and the peasantry are separate, they are not envisioned as hermetically sealed. As each is aware of at least parts of the other, they remain in a state of ongoing low-intensity dialogue where traits are regularly adopted by one from the other through processes termed *universalization* and *localization*. Due to the differences in the basic conditions of life between the elite and the peasantry, however, the exchange never leads to an amalgamation of the two traditions into a single entity. Instead borrowed traits are transformed to suit the new context. *Universalization* and *localization* are not simply processes of adoption, but also of reinterpretation.

To illustrate these processes in practice, we may turn briefly to the first case study to which the model was applied, McKim Marriott's 1955 examination of the Uttar Pradesh village of Kishan Garhi. Despite being located in the heartland of a three-thousand-year Sanskritic tradition, Marriott found the religious life of the village to conform to Redfield's notion of two traditions. He found local traits that did not exist elsewhere in the Hindu world, while at the same time elements common to Hinduism at large were missing.³⁴

Even the Sanskritic practices observed in the village had often been reinterpreted by the villagers. For instance, in Sanskrit myth, the festival of Nine *Durgas* celebrates the names and aspects of the great goddess and the spouses of Shiva. In Kishan Garhi, however, the celebration also included the worship of a female goddess named Naurtha, who is not found

32 The cosmopolitan function of the Hellenistic and Roman cultures is well recognized, see e.g. Bang 2012: 74-75; Lavan, Payne & Weisweiler 2016b: 24.

33 For the lack of uniformity in non-literate vernacular languages, see e.g. Hobsbawm 1992 [1990]: 52. The same aspect is remarked upon for ancient Celtic by Eska 2004: 857.

34 Marriott 1955: 191-201.

in the literate tradition. Marriott, however, determined that her name derived from an old dialect variant of the words *nava rātra*, meaning “nine nights”. During the transmission of the festival from Sanskrit literature to village religious practice, a linguistic misunderstanding had caused the invention of a new female deity.³⁵

Thus, *localization* is the process by which an element of a literate tradition is reinterpreted and transformed by its transmission into non-literate cultural life. As Frankfurter has shown, the concept can also make sense of phenomena found in the Roman world, as in the Fayum region of Egypt where worship of the Greco-Roman Dioscuri seems to have fused with the local tradition of venerating crocodiles.³⁶

Versluys has argued for using *globalization theory* to capture the hierarchies of the Roman world, yet he admits that its analyses of power and violence are focused on the modern nation state.³⁷ *Localization* as understood by Redfield and Marriott differs slightly from *glocalization* in the emphasis on pre-modern barriers to interconnectedness, such as lack of schooling and inefficient communications and transportation. Employing their model ensures analyses do not lose sight of the more extensive impediments to *globalizing* cultural exchanges of the pre-modern world compared to the modern.

As Marriott’s work was based on anthropological field study, he was better placed to capture evidence of *localization* in village practice than evidence of the opposite process, *universalization*, the appearance of elements from local, non-literate environments in the literate tradition. However, he speculated that the Brahmanical festival of Charm Tying, where priests tie charms on people’s arms for cash rewards, may have derived from folk traditions such as the Kishan Garhi festival of *Saluno*, where married women adorn their brothers with young shoots of barley and receive small coins in return. In both cases, a disapproval of gift-giving without reciprocation is cited as the reason for the cash payment.³⁸

For the purpose of the present paper, the veracity of Marriott’s speculation is not decisive. It serves as illustration of a phenomenon whereby

35 Marriott 1955: 200-1.

36 Frankfurter 1998: 99.

37 Versluys 2021: 37-41.

38 Marriott 1955: 198-99.

non-literate cultural elements are adopted into the tradition of the literate segment, likewise being reinterpreted along the way so as to fit with the already existing literate canon. While this phenomenon may or may not account for the similarities between the two festivals observed by Marriott, the Roman world shows an abundance of elements from local cultures being adopted into the empire-wide culture of the elite.

To take just one example, the spread of the cult of Epona from eastern Gaul to significant parts of Europe in the second and third centuries AD accords well with the model. The deities of pre-conquest Gaul appear to have been mostly zoomorphic, and the anthropomorphic depiction of Epona in Roman times is probably a reinterpretation opening the way for an originally equine deity to co-exist with the classical Greco-Roman deities.³⁹

The central point is that while the literate and non-literate layers of society possess different cultural traditions, these traditions continually interact. Indeed, the tradition of the literate segment is originally created from materials from the non-literate sphere. It is, in Marriott's words, "a more articulate and refined restatement or systematization of what is already there."⁴⁰

In Redfield's terminology the two traditions are called *the great* and *the little tradition*. As Chakrabarti points out, however, these terms carry an insinuation of "civilized" versus "primitive," whereas the conceptual underpinnings of the model make clear that literate traditions are 'greater' than non-literate ones only in the sense that literary codification allows them to be transmitted across a much larger territory.⁴¹ This paper will reconfigure the model to emphasize that only this latter sense is intended in the analysis by referring to the literate tradition as the *universalized* and to its non-literate counterpart as the *local*.

Redfield's model enjoyed widespread usage in Indian studies in the latter half of the twentieth century, becoming particularly popular in the field of Buddhist studies.⁴² It has found use in other fields as well, being

39 Webster 2001: 220-22.

40 Marriott 1955: 197.

41 Chakrabarti 2001: 95-96.

42 Wilcox 2004: 156. See e.g. Staal 1963; Mandelbaum 1964; Orans 1965; Bharati 1971 and 1978; Singer 1972; Corwin 1977; Scott 1977a, 1977b and 1985; Eschmann 1978;

applied e.g. to popular traditions in early modern Europe, to Chinese imperial ideology, to a comparison of Bantu and medieval Scandinavian culture and to an investigation of food systems in Jordan through the ages.⁴³ It also served as basis for Gellner's model of the agro-literate polity.⁴⁴

It has, however, been neglected in studies of the Roman world save for its application to religion in Roman Egypt by Frankfurter and to ancient Jewish communities by Schwartz.⁴⁵ However, the rest of this paper will demonstrate how it may fruitfully be applied to the phenomenon of cultural change within the empire as a whole. This will be done by applying it to the evidence for several provincial languages, supplemented by an analysis of an archaeological corpus so as to test the model's effectiveness across different types of source material.

4. The Punic Language

Returning to the case of Punic, let us examine the existing data on the language. Roman-era inscriptions in the language are divided into two corpora based on their script. The earlier corpus is written in the Neo-Punic script, a development of the Phoenician. Its latest dateable example is from 92 AD, but others may derive from the second or even the third century. The later corpora, the Latino-Punic, is written in the Latin script. Its earliest example dates to between 123 and 137 AD while the latest date to the fourth and fifth centuries. The Latino-Punic corpus derives entirely from Tripolitania.⁴⁶

The change in script and the geographic confinement are not the only signs of a decline of the Punic epigraphic tradition. Monumental inscrip-

Chakrabarti 2001. For criticisms of the model within anthropology, see e.g. Dumont & Pocock 1957 and 1959; Dube 1961 and 1962; Miller 1966; Tambiah 1970; O'Flaherty 1987, as well the evaluations of these criticisms in Chakrabarti 2001: 89-92; Wilcox, 2004: 156-57.

43 Burke 1978; Odner 2000; LaBianca 2007: 275-87; Bodley 2011 [1994]: 263-91.

44 Gellner 1983: 8-18.

45 Frankfurter 1998: 97-144; Schwartz 2010: 3.

46 Millar 1968: 130-33; Adams 2003: 230-31; Jongeling & Kerr 2005: 1-9 and 60; Wilson 2012: 269 and 307-9.

tions cease at the end of the first century with only brief formulae surviving from later periods.⁴⁷ In later inscriptions there are examples of several generations of the same family where the older generations have predominantly Punic names and the younger predominantly Latin, and examples of faulty Punic syntax caused by attempts to emulate Latin phrases, titles or expressions verbatim. In contrast, evidence of Punic formulae being imitated in Latin inscriptions is virtually absent.⁴⁸

These developments seem to evidence the last gasps of a dying language. Yet as Augustine's writings from the early fifth century demonstrate, Punic was still spoken in areas where epigraphic activity had long ceased. Rather, the decline of Punic epigraphy may be seen as a downward movement in prestige for the language. Until 146 BC Punic was akin to Latin as the main language of politics, literature and religion of a far-flung, imperial realm. The disappearance first of the indigenous script and monumental inscriptions then of writing altogether probably reflects the increasing domination of the Latin *universalized tradition* in North Africa.

The penetration of Latin script and Latin formulae into written Punic may be seen as examples of *localization*, whereby elements of the new prestige tradition come to be adopted by locals as well. Yet among these segments of society, too, Latin eventually replaced Punic as the language of writing. In Augustine's time we see the final stage of the process visible to us, with Latin as the sole written register of society and Punic surviving as a spoken vernacular. This suggests the full integration of the social segments using writing into the imperial Latin *universalized tradition*, while at the same time supporting the hypotheses of a significant population of illiterates by demonstrating the limits of the *universalized tradition* when it comes to effecting wholesale language change throughout the provincial population.

47 Wilson 2012: 305.

48 Adams 2003: 213-15, 223-24 and 230.

5. The Gaulish and Phrygian Languages

While the Punic language is a case of a formerly imperial and literary language decreasing in status, the Roman world also contained numerous languages with more limited indigenous writing traditions. Examining two of the better preserved ones, Gaulish and Phrygian, further illuminates the nature of the interaction between the *universalized* and *local* spheres.

The Gaulish language is attested in materials stretching back to pre-Roman times. Of the evidence from the first century AD, the materials from the pottery at La Graufesenque are particularly noteworthy for the light they shed on the interaction between local and prestige languages, and how the *universalization and localization* model suggests a different conclusion than those of earlier treatments.⁴⁹

At La Graufesenque there may have been an influx of potters from Tuscany. Whether or not this is the case, the pottery types produced were certainly imported from Italy. The linguistic evidence from the site consists mainly of firing lists documenting the ownership of the various potters over the products made. There are lists written both in Latin and Gaulish as well as in a mixture of the two.⁵⁰

Flobert has argued that this material is evidence of an already moribund Gaulish language. According to his thesis, technical domains such as account-keeping are liable to preserve indigenous words for longer than the spoken language of the surrounding society, suggesting that Gaulish must have been in decline in and around La Graufesenque.⁵¹ Adams likewise sees evidence of ongoing linguistic change, this time in the texts where Gaulish and Latin features are mixed. Here, Gaulish names are more likely to acquire a Latin *-us* ending than Latin ones are to acquire a Gaulish *-os* one, suggesting the Latin language is in the process of overpowering Gaulish.⁵²

49 For the corpus, see Marichal 1988; Lambert 2002.

50 Oswald 1956: 107; Adams 2003: 689, 694 and 717-18 and 2007: 281.

51 Flobert 1992: 112-13.

52 Adams 2003: 708-9. For the texts in question, see Marichal 1988: 142, 154-55, 166, 178, 198 and 226-28.

The *universalization and localization* model may be deployed to challenge these hypotheses. The argument that the material can be used to show a progressive Latinization of a Gaulish community presupposes that the interaction takes place on neutral ground. However, literacy itself belongs to the sphere of the *universalized tradition*. Gaulish had no connection to a larger state formation, and the corpus of pre-Roman writing in the language is quite limited. For the vast majority of Gaulish speakers, it seems most likely their language will have been known to them only as a spoken one, and it is therefore best considered a *local tradition*.⁵³ In such a setting, Latin writing cannot be disruptive of Gaulish writing, since the latter mainly exists as a result of the former. Any literary activity by the potters at La Graufesenque is an emulation of the Latin practice, a *localization* of traits deriving from Latin. A predominance of Latin features need not reflect a weakening of spoken Gaulish since it simply reflects the origin of the tradition of writing in the first place.

Flobert presupposes the existence of a Gaulish tradition of account keeping which may then be progressively Latinized. Yet the whole notion of literate recordkeeping derives from the Latin tradition, and as the pottery produced at the site is done in an Italian style, it should not occasion surprise that the products are often described in Latin terms. As for the retention of the Latin ending *-us*, this may be an adherence to the original cultural package from which the practice of writing is derived. As Latin writing is the baseline for all writing in the area, writers may simply have ended Gaulish names with *-us* because to their minds, this is how names looked when written down.

That a population taught to make pottery in an Italian style should also be taught rudimentary skills of Latin writing for recordkeeping purposes is hardly surprising. Given that the original instruction in writing must have aimed towards Latin literacy, a community where Gaulish was moribund would presumably have produced texts in Latin. It is more notable that upon acquiring basic literacy, the potters also composed a large quantity of texts in their native language. This would rather suggest a vibrant *local tradition* capable of adopting traits from the *universalized* sphere for its own use. Given the necessity of basic literacy for their livelihood, the potters at La Graufesenque were probably the ones most

53 Harris 1989: 182.

exposed to Latin in their community. It therefore seems a reasonable supposition that Gaulish remained a vibrant spoken language in the area.

How long Gaulish carried on being spoken is hard to determine. Evidence for the language is found at other potteries such as Banassac and Lezoux, whose more limited corpora persist into the second century.⁵⁴ Evidence from later centuries is scarcer. Since peasants were neither wholly immobile nor insulated from wider market exchanges, this decrease presumably reflects a step-by-step retreat of Gaulish. The slowness of the process, however, is demonstrated by a corpus of spindle-whorls from eastern France with inscriptions in the language dated to the third and fourth centuries.⁵⁵ Gaulish is also mentioned as a spoken language in the second century by Irenaeus and Aelius Lampridius, in the third by Ulpian and in the fourth by Jerome.⁵⁶ The possibility of its survival in Brittany long enough to exert an influence on Breton is an ongoing linguistic debate.⁵⁷

Whereas the Gaulish evidence showed a provincial and a prestige language interacting directly, the evidence for Phrygian is useful to our understanding of local cultures due to the manner in which it vanishes and reappears. The language is found in two different epigraphic corpora with a gulf of centuries between them. The first corpus, Paleo-Phrygian, dates from the eighth to the fourth century BC while the second, Neo-Phrygian, dates from the first to the third AD. The Neo-Phrygian corpus consists entirely of epitaphs, mainly maledictions on future grave-robbers.⁵⁸

Notably, funerary maledictions in the Greek language are likewise rare in the area during the Hellenistic age yet increase in popularity in

54 Lambert 2002: 149-70.

55 Lambert 2002: 319; Clackson 2015: 133-34.

56 Jer. *Commentariorum in Epistolam ad Galatas* 2.3; Ulp. *Dig.* 32.11; Schmidt 1983: 1009-11. Blom 2009: 24-26 expresses scepticism as to whether Aelius Lampridius refers to the Gaulish language and not a Gallic dialect of Latin but considers it plausible that Ulpian does.

57 Fleuriot 1978: 75-79 and 1982: 57-58; Tanguy 1980: 446-47 and 462; Galliou & Jones 1991: 145-47; Press, 2009: 427.

58 Brixhe 2002: 248 and 2008: 70-74; Clackson 2015: 23.

the Imperial period before decline sets in by the third century AD.⁵⁹ Thus both the appearance and disappearance of Neo-Phrygian run parallel to developments in regional Greek epigraphy. This is exactly what is to be expected of a *local tradition*. In Roman times, the Phrygian language had no recent indigenous epigraphic tradition. But for a relatively short period, epigraphy in general became so widespread that it was *localized* by a Phrygian-speaking population which in other centuries existed without it. The corpus they left behind documents that rather than being fully integrated into the *universalized tradition*, they partly inhabited a cultural world of their own. They were in close enough contact with the wider world to adopt epigraphy, but not close enough to necessitate language change, maybe not too dissimilar to the peasants studied by Bowes and Grey, who were integrated into wider market exchanges but never as major consumers.⁶⁰

The gap of nearly half a millennium between the disappearance of Paleo-Phrygian and the appearance of Neo-Phrygian is particularly telling. It proves that ancient provincial languages were not dependent on written traditions for their survival. The argument of this paper – that the Greco-Roman *universalized tradition* co-existed with a culturally distinct local world – must have been a reality in parts of Phrygia between the fourth century BC and the first AD, even though that local world is invisible to us. The same appears to be the case for an uncertain amount of time after the third century AD, as the language is apparently still spoken in the fifth, where Socrates Scholasticus reports that the bishop Selinas “was Gothic from his father, but Phrygian through his mother, and because of this he taught readily in both languages in church.”⁶¹

The existence of spoken Punic in Augustine’s time and the survival of Phrygian from the Classical to the Imperial epochs demonstrate that the critical sphere for the preservation of provincial languages is unlikely to be found in our material. It rested in everyday speech. Our evidence gives only very limited access to that sphere, but that may also tell us something of the limited reach of literacy. This is borne out by the existence

59 Strubbe 1997: xiv.

60 Bowes & Grey 2020: 628.

61 Socrates *Hist. Eccl.* 5.23, translation from Janse 2002: 350.

of Albanian, Basque, and Brythonic. There is little to no sign of either of these languages in Roman times, yet their later forms preserve evidence of interaction with Roman-era Latin (and, in the case of Albanian, Ancient Greek).⁶² Their ancestor languages were spoken in the Roman provinces, yet never committed to writing. They suggest once more that the vitality of local languages in the spoken sphere need not have been as precarious as the overwhelming supremacy of the *universalized* languages in written materials suggests.⁶³

The examples discussed so far are unlikely to be representative of every local community under imperial rule. The scarcity of later evidence for Gaulish presumably reflects its disappearance from parts of Gaul.⁶⁴ In Spain the early evidence for the Celtiberian, Iberian and Lusitanian languages dried up by the Augustan period.⁶⁵ On the other hand, North Africa preserved not only Punic but also more than a thousand inscriptions in the enigmatic Libyan language, one possibly dating as late as the third century AD.⁶⁶

Local languages are almost entirely unattested in most of the Balkans, but a general paucity of inscriptions, and the low quality of some of the preserved Latin, leave open the possibility that this rather reflects the limits of literacy.⁶⁷ In contrast, the eastern provinces are rich not only in Greek writings, but also in several dialects of Aramaic (Nabataean, Palmyrene, Samaritan, Syriac) and in Egyptian.⁶⁸ The switch in the writing of the latter from Demotic to Coptic mirrors that from Neo-Punic to Latino-Punic, as a previously imperial language loses its indigenous style of writing in favour of drawing on the writing system of the new elite language (in this case Greek).

62 Katičić 1976: 184-88; Evans 1983: 963-74; Tomlin 1987: 18-25; Harris 1989: 183; Gorrochategui 1996: 40-43 and 49-53; Trask 1997: 8-10, 125, 169-72 and 259-61; Eska 2004: 857; Fortson IV 2004: 390-91; Simkin 2012: 82.

63 For the effectiveness of Latin in killing off epigraphic traditions in local languages, see Mullen 2019.

64 For southern Gaul, see Mullen 2013: 276.

65 Untermann 1990: 93 and 125 and 1997: 369-70 and 725; Clackson 2015: 23.

66 MacMullen 1966: 1; Millar 1968: 128-29; Jongeling & Kerr 2005: 5; Rebuffat 2013: 3.

67 Mócsy 1970: 221-28 and 1974: 262-63.

68 Harris 1989: 189-90; Clackson 2015: 151-53 and 167.

Altogether, the fate of local languages under Roman rule is likely to have varied greatly across the provinces, just as Bowes and Grey demonstrate that peasant lifestyles differed widely between both regions and time periods.⁶⁹ However, the ample evidence of long-lasting languages shows that the imperial prestige languages were not uniformly capable of supplanting them. This in turn demonstrates the importance of the local to the cultural worlds of the empire's inhabitants, even after hundreds of years of domination by a universalized elite.

6. Material Culture in Roman Essex

The previous sections have demonstrated how the *universalization and localization* model may be applied to our knowledge of provincial languages in the Roman Empire and enhance our understanding of the limited evidence they have left. However, to evaluate the usefulness the model as a possible outline for a broader cultural history of the Roman Empire, it is necessary to determine whether traces of *local traditions* submerged below the *universalized* one may be found in other forms of evidence as well. In this final part of the paper, the approach previously applied to language will therefore be turned to the field of material culture.

Unlike in the field of languages, differences in material culture cannot be associated with the lack of general schooling, and thus limited degree of literacy, in the pre-modern world. Instead, as the following pages will show, a significant difference in material culture is evident between the urban and the rural worlds, reflecting the connection of the *universalized tradition* not only with literacy but also with urban life. The paper will argue that similarly to the signs of language survival, the difference in material culture reflects a divide between a heavily interconnected urban world, prone to sharing a unified culture across vast distances, and a variety of rural communities which despite interactions with the urban retain their fundamentally local character.

This argument will be demonstrated specifically through an analysis of ceramic material from Roman Essex. This corpus has been selected both for the view it facilitates of cultural divisions in material culture in

69 Bowes & Grey 2020: 637.

a Roman provincial setting, but also because previous interpretations of the corpus have in turn emphasized both inequality and interaction.

The pottery assemblages surveyed date from the first century AD to c. 250 and derive from two urban centres, London and Colchester, as well as smaller towns, villages and villas across the Essex countryside. A clear difference between the cities and their hinterland is evident simply from the forms of pottery detected.

The rural sites are dominated by jars, some quite heavily. For instance, in Strood Hall, they make up around 70% of the assemblage, in Braintree and Stansted from 70% to more than 80%, while in first century Witham and in Rainham they exceed 90%. In contrast, the proportion of jars is significantly smaller in the urban areas, making up about a quarter of the London deposits and slightly more of the Colchester ones. Only two other locations in the region, Boreham and Little Oakley, have jar-proportions of less than 50%. These were both villa sites which like the cities are designated by the archaeologists Perring and Pitts as ‘high status’.⁷⁰

The lower proportion of jars in the high-status deposits reflect a much greater variety of pottery products in use in this environment. Particularly in the cities, vessels forms such as mortaria, flagons, bowls, lids, tazze, unguentaria and honeypot jars are far more prevalent than in the countryside. Evidently, the high-status locations partook in a practice of pottery usage that set them apart from the rural landscape.⁷¹ This contrasts with the findings of the *Roman Peasant Project* in southern Tuscany, where the material culture and diet of the peasantry does not set them markedly apart from nearby urban populations. Yet the contrast simultaneously confirms one of the tenets of that project by demonstrating peasant cultures to have been historically specific entities, rather than an unchanging ‘eternal peasantry’.⁷²

In the case of the high-status pottery in Essex, Perring and Pitts associate it with social practices known from the rest of the empire and often found at sites related to the Roman infrastructure. These “more ‘global’

70 Perring & Pitts 2013: 116-17, 120, 126-28 and 153-59.

71 Perring & Pitts 2013: 146-55.

72 Bowes & Grey 2020: 617 and 627.

forms of social practice” are particularly evident in the significant proportions of dining vessels in London and the two villas.⁷³ While the shared object-scape forming throughout the Roman world is accessible to both urban and rural populations, in the urban sphere the engagement is far more intense.⁷⁴

Even Colchester deviates from the pattern of the other ‘high status’ sites with a smaller proportion of dining vessels and a significant amount of Gallo-Belgic imports. The Gallo-Belgic pottery developed as a direct consequence of Roman imperial decisions, specifically Augustus’ focus on the Germanic frontier. The increasing urbanisation and improved road networks of Gallia Belgica and the establishment of military garrisons on the Rhine which followed from this focus led to the development and flourishing of a standardised form of local pottery.⁷⁵

While the evolution of Gallo-Belgic pottery was intimately related to the progress of Roman imperialism, it is nevertheless a product whose distribution aligns less with sites directly connected with Roman colonisation and more with places in southern and eastern Britain and northern Gaul connected with pre-Roman royal power. This suggests a continuation of a pre-conquest cultural network, albeit one whose pottery is nonetheless transformed by its integration into the Roman state.⁷⁶

Several smaller Essex towns share the Colchester patterns, and these sites are moreover distinguished by a greater proportion of drinking vessels, interpreted by Perring and Pitts as the continuation of social practices connected to the remains of the pre-conquest elite and their dependents, centred on the former royal seat of Colchester.⁷⁷

Nevertheless, the main divergence in the Essex pottery is still between ‘high status’ sites and the rest of the countryside. This is further underlined by the differences in pottery fabrics. In Colchester, and even more so in London, imported and regionally traded finewares are common.

73 Perring & Pitts 2013: 153-55.

74 Versluys 2017: 194-99.

75 Pitts 2019: 85-86.

76 Pitts 2015: 89-91 and 2017: 50-1.

77 Perring & Pitts 2013: 1-5, 144-45 and 153-55.

Fineware fabrics are not unknown at the rural sites, yet mostly their proportions are quite small. E.g. the deposit at Strood Hall contains a variety of them, yet the vast majority (c. 70%) of the deposit consists of jars, and the remainder is split between only two forms – beakers and a small number of bowls.⁷⁸

With little fineware to speak of, the rural deposits consist mainly of coarseware. Again, their usage differs from the high-status sites. The predominant coarseware fabric of pre-Roman times was grog. Grog declined in the first century AD, being replaced by two distinct fabrics: sandy grey ware (GRS) and black-surface ware (BSW). The introduction of GRS was connected to Roman colonial communities, whereas BSW was a continuation of the grog-tempered pottery tradition that drew on Roman styles for inspiration.⁷⁹

The appearance of local pottery that emulates Roman forms, but only up to a point, is not unique to Essex.⁸⁰ Pitts has demonstrated how pottery consumption in north-western Europe was fundamentally transformed by the establishment of the Roman Empire, and the ensuing developments in urbanism and road networks. As described earlier, even phenomena such as the Gallo-Belgic pottery, which aligns particularly with centres of pre-Roman power, were nonetheless products of this transformation, as their development, standardization and geographic spread would be unthinkable without Roman infrastructure.⁸¹

GRS quickly became the sole form of coarseware used in Colchester. In London, grog remained common through the first century AD, but in the second this disappears in favour of GRS and regionally imported coarsewares. Almost no BSW is found in either city, while at high status sites in the countryside such as Little Oakley, GRS is predominant and BSW is found in smaller amounts.⁸²

78 Perring & Pitts 2013: 125-28 and 144-62; Pitts, 2019: 192-93.

79 Going 1987: 4-11; Pitts 2015: 78-79 and 96 n. 33-34.

80 See e.g. van Enckevort 2017: 19 for a similar phenomenon in the Lower Rhine region.

81 Pitts 2019: 14-5 and 207-16.

82 Pitts 2015: 79. At the aforementioned villa site of Boreham, though, the proportions of GRS and BSW are almost equal.

Unlike dining vessels and fineware fabrics, however, GRS is in no way limited to high status sites. It co-exists with BSW throughout Roman Essex, even exceeding the amounts of BSW at some low status rural sites such as Strood Hall. As the *Roman Peasant Project* has demonstrated for southern Tuscany, the Essex data shows that peasants were not insulated from the wider market exchanges. The main divergence in coarseware between high and low status sites is not a lack of GRS at the latter, but the utter absence of BSW from the former. Both fabrics were evidently easily obtainable, yet apparently urban consumers avoided BSW.⁸³

The usage pattern of coarseware fabrics shows the opposite pattern of cultural divergence compared to the earlier examples. Rather than urban populations accessing a culture unavailable to rural communities, they are here seen avoiding one associated with those communities. Similar behaviours are found elsewhere in the corpus, as e.g. the case of the biconical beaker. This vessel type derived from northern Gaul but spread through the increasingly interconnected consumption network brought about by the Roman conquest. Nevertheless, in Essex it is found in only small amounts in Colchester and London, whereas it is far more prevalent at non-urban sites.⁸⁴ Urban populations appear to reject products for their lack of association to Roman urban culture.

How do we make sense of this diverse data on pottery usage? In their 2013 survey of the material, Perring and Pitts demonstrate that the urban centres, rather than serving as markets for the countryside, largely drained the rural surplus through tribute, rent and taxation, providing little in return. On the basis of this asymmetrical relationship, the authors advance an urban-versus-rural paradigm, casting the urban locations as “alien cities” and “cultural islands” in opposition to an “underlying pre-Roman landscape” which “was left surprisingly intact.”⁸⁵

Yet as their data shows, this conclusion is too bleak. Even low status rural sites did have some access to fineware, imported wares and GRS, and the *local tradition* of pottery, while rejected by the urban population, evolved from grog to BSW under the influence of Roman pottery styles.

83 Pitts 2015: 78–79.

84 Pitts 2019: 193.

85 Perring & Pitts 2013: xviii–xix and 248–51.

The asymmetrical relationship is certainly evident, yet a general interpretation of Roman rule must also encompass the interactions that took place as even the poorer sites were not as such insulated from wider market exchanges.

In a 2015 article Pitts did so by drawing on *globalization theory* to explain several facets of the material. The strength of this theory is evident from the explanation it offers for the rejection of BSW in urban communities. *Globalization* often exacerbates pre-existing inequalities, and Pitts argues that the differences between GRS and BSW provided a way for urban populations to distinguish themselves from a rural population still partly reliant on a pottery tradition with antecedents in local Iron Age practices.⁸⁶ This new approach paved the way for Pitts' 2019 work on pottery across north-western Europe, which articulates differences in material culture as the reflection of distinct, though intimately related, objectscales.⁸⁷

Pitts' interpretation of the consumption pattern in Colchester, however, highlights an important difference between *globalization theory* and the *universalization and localization* model. Pitts considers this to be evidence for a “‘globalising’ and ‘globalised’” network of pre-Roman power structures, thus classifying the phenomenon in the same category as the emerging imperial culture.⁸⁸ Yet just as provincial languages lacked a written canon to preserve them unchanged, this pre-Roman network lacked an imperial superstructure to codify and sustain it. Some decades after the conquest the cosmopolitan urban consumption tradition of the wider Roman world indeed displaced it. Though under different circumstances it might hypothetically have evolved into a *universalized tradition*, as far it appears in the material the network is a cultural phenomenon distinct from cosmopolitan prestige traditions such as the Greco-Roman.

In his case study, Marriott included an intermediate category for elements being in the process of *universalization* or *localization*, and so falling between the two main traditions. He described these as *regional traditions*, evident e.g. in the case of non-Sanskritic deities that might possess vernacular literatures, temples and professional devotees but without

86 Pitts 2015: 78-79.

87 Pitts 2019: 151-52.

88 Pitts 2015: 89-91.

claims to cultural universality.⁸⁹ The pre-Roman network is better interpreted as an archaeological parallel to such phenomena so as to distinguish it from cultural traditions that codified elite identities across vast imperial territories. While the pre-Roman network was attached to commercial networks brought about by Roman imperialism and in consequence subjected to increasing standardization, it was not universalized but remained confined to its region of origin.

The *universalization and localization* model has the potential to solve the discrepancy between the sharp urban-versus-rural character of Perring and Pitts' 2013 conclusions and the globalizing impulses emphasized in Pitts' later work. The model presupposes some degree of low-intensity contact between the *local* and the *universalized*. While preserving distinct cultural outlooks, the urban and rural worlds maintained some form of connection, the preponderance of GRS fabrics in both places being the most striking example of a shared access to the same markets.

This connection explains the various phenomena detailed in the previous pages: when the local grog-tempered pottery evolves into BSW by emulating Roman styles, this is a *localization* of a specific trait from the *universalized tradition*. Yet it is not an integration of the local pottery manufacturers into that tradition, since BSW remains a feature only of the local countryside. The small quantities of finewares and imports at the low status sites are a parallel phenomenon. As the preponderance of jars in the countryside demonstrates, even though the two worlds are connected, the cultural alignment between them is simply too limited to speak of a meaningful integration of the rural world into the *globalizing* culture that is reflected in the urban and villa deposits.

7. Conclusion

As the cases above have shown, the *universalization and localization* model allows cultural interaction and cultural hierarchy to be analysed within a single interpretative framework. The analysis demonstrates that impe-

89 Marriott 1955: 208.

rial cultural influence was felt throughout provincial societies. Latin literacy and vocabulary reached speakers of indigenous languages, and Roman pottery styles transformed pre-Roman pottery traditions.

However, the analysis also shows limits of this integration. The *universalized tradition* was not a national culture but a prestige culture uniting the segments at the top of the social hierarchy. The shift from Punic to Latin in North African monumental inscriptions and the long-distance import of finewares to London are just two examples of the progressive integration of provincial elites into this tradition. Yet the survival of spoken Punic in Augustine's day and the more local and more limited pottery consumption in rural Essex show that cultural dialogue between this prestige tradition and the local world did not result in a merging of the two into a single culture. The establishment of the Roman Empire made possible a spread of shared practices – such as the Latin language and the material objects of north-western Europe – but limits on literacy and a stark divide in consumption between urban and rural sites meant that in many places, these shared practices were only partially accessed, and are likely to have co-existed with distinct local traditions.

In the case of provincial languages, the most significant feature is their appearance in writing at all. As the model makes clear, literacy is a feature of the prestige tradition, and so it should not surprise us to find the vast majority of North African epigraphy inscribed in Latin or written Gaulish emulating Latin grammar. The survival of Punic and Phrygian, sometimes for centuries without any writing at all, as well as the existence of Albanian, Basque and Brythonic, demonstrates that provincial languages existed mainly in the oral sphere.

As a supplement to the tenuous nature of our evidence for local language, the survey of pottery deposits from Roman Essex shows cultural division on a large scale between agricultural producers and well-connected urban centres. Rural and urban consumers were able to access some of the same products, yet the wide divergences in the nature and scale of their consumption emphasizes cultural hierarchy to have been as central to the experience of Roman imperialism as cultural interaction.

Applying this conclusion to Augustine's statements from the first part of this paper, we might say that cultural and material interactions caused

the integration which by his day made Latin the dominant language of Hippo. Yet social hierarchy and the conditions of pre-modern society constrained this process to such a degree that it did not effect the same change among the tenant farmers of Mappala.

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MYTHOLOGICAL REFERENCES IN AUSONIUS' EPISTOLARY*

By Chiara Di Serio

Summary: Ausonius' letters constitute a specimen of the way he employs references to Greek mythology. The process by which Ausonius reworks mythological material follows patterns that were already well established in the Latin literary tradition of reworking Greek sources. The recycling of such material is not only proof of his technical prowess, but also demonstrates his ability to perform precise thematic choices. Frequently, the use of mythology is part of the metaliterary and metapoetic discourses tackled by Ausonius while addressing his friends as recipients of letters. The analysis of individual letters reveals how the poet used mythological references for two main purposes. The first is to elevate the tone and content of the discourse, employing a series of artificial comparisons with mythical characters and events. Brief mythological references used to formulate playful numerical periphrases are also worth noting here. The second aim is encomiastic, namely the celebration of his friends, the recipients of his letters, who are transferred from everyday reality to the higher level of the mythical dimension and the superhuman sphere.

Characteristics of Ausonius' letters

For some time now, scholars have noted that formal experimentalism is one of the main traits characterising the multifaceted literary production of Decimus Magnus Ausonius.¹ The collection of his epistolary is also

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1 Green 1991: xv; Wolff 2013: 584.

influenced by this experimental approach, as noted by Charles Aull.² Roger Green's edition of the collection includes 24 letters,³ which he ascribes to a posthumous edition of the works of Ausonius.⁴ The epistolary is mostly written in verse, but letters 5, 9, 14, 17, 19, 20 stand out for their mixture of prose and verses, and only letter 12 is entirely in prose. Furthermore, letter 7 is written in Greek, while letters 6 and 8 present a hybrid form due to the alternation of Greek and Latin. In addition, letter 7 is written in Greek, while letters 6 and 8 present a hybrid form due to the alternation of Greek and Latin. Letter 6, in particular, is an entirely unusual 'experimental' text, featuring not only a mix of Greek and Latin words, but also words composed half with Greek letters and half with Latin letters.⁵

More generally, it is worth noting that Ausonius was able to write in Greek with quite exceptional competence.⁶ In addition to the epistles in which Greek is used, Ausonius composed several epigrams,⁷ some entirely in Greek,⁸ others alternating between Greek and Latin,⁹ and still others as translations of Greek epigrams from the *Anthologia Palatina* into Latin with readaptations.¹⁰ Moreover, Greek words appear in the *Ludus Septem Sapientium*, and the *Technopaegnion* includes a short poem on the letters of the Greek and Latin alphabets.¹¹

2 Aull 2017: 131.

3 The order and the numbering of the letters proposed in Green's 1991 edition is followed here.

4 Regarding the structure of the original edition, i.e. the archetype, from which the two different collections, contained in manuscript V and the family of manuscripts called Z, derive, see the discussion in Green 1991: xlv-xlix. On the complex textual history of Ausonius' works and the posthumous edition, see the clear overview provided in Aull 2017: 131-45.

5 Goldlust 2010: 140.

6 John 2021: 849.

7 See Kay 2001.

8 *Epigr.* 33, 34.

9 *Epigr.* 31, 35, 41, 85, 100.

10 *Epigr.* 12, 15, 22, 23, 24, 38, 43, 50, 52, 54, 56, 57, 59, 60, 62, 63, 76, 78, 85, 90, 91, 104, 105. On Ausonius' quotations, translations, and re-elaborations of Greek epigrammatic models see Munari 1956; Benedetti 1980; Traina 1982; Ternes 1986; Cameron 1993: 90-96; Kay 2001: 13-19; Cazzuffi 2017; Floridi 2013 and 2015; Wolff 2018.

11 *Technop.* 14. On this work, see Di Giovine 1996.

In addition to these singular linguistic choices, the letters also feature sophisticated rhetorical devices, such as in letter 10, where wordplays on the number six are used, and in letter 14, which is entirely built on periphrases alluding to the number thirty.¹² Such riddles were much loved by Ausonius, who also composed the *Griphus ternarii numeri*, a full-length poetic joke on the number three.¹³

In terms of form, the most relevant aspect of Ausonius' epistolary is certainly the use of the prosimetrum.¹⁴ This choice places Ausonius among a wider cohort of authors who wrote letters in prose while also including short poetic compositions.¹⁵ Examples of this stylistic phenomenon could already be found in the private correspondences of Cicero and Pliny the Younger, but it became more widespread over time, and mainly in late antiquity, when it would evolve into a true literary genre.¹⁶ Symmachus, Paulinus of Nola, Sidonius Apollinaris and Ennodius, in particular, wrote prosimetric letters.¹⁷ Ausonius also used prosimetrum in other works, where a prose introduction precedes the verse composition.¹⁸ These include *Epicedion in patrem*, *Liber protrepticus ad nepotem*, *Epitaphia heroum qui bello Troico interfuerunt*, *Cupido cruciatus*, *Griphus*.¹⁹ Also worthy of mention are the *Technopaegnion*, of which we have two prose dedications;²⁰ the *Parentalia* which is introduced by both a prose and a verse preface;²¹ the *Bissula* with a prose dedication and a verse preface;²²

12 *Ep.* 15 can be added to these: in that letter Ausonius complains to Theon that about three months have passed since their last meeting: the time lapse is indicated with various numerical periphrases. Cf. Piras 2014: 138-39.

13 Lowe 2013.

14 On prosimetrum in general, see Dronke 1994; Pabst 1994; Harris & Reichl 1997; Braund 2001; Relihan 2018.

15 On collections of prosimetric letters, see Neger 2018 and 2020.

16 Neger 2018: 43-44.

17 On Sidonius' prosimetric letters, see Neger 2018. On those of Symmachus, see Neger 2020.

18 On the entirety of Ausonius' prefaces to his works, see Sivan 1992. On Ausonius' prose prefaces in particular, cf. Gruber 1981: 215-21; Pabst 1994: 98-102; Pelltari 2014: 62-72.

19 On the preface to the *Griphus* in particular, cf. Lowe 2013: 339-41 and Piras 2014.

20 Pavlovskis 1967: 550-51.

21 Piras 2014: 114.

22 Piras 2014: 114.

the *Cento Nuptialis*, where the dedication and epilogue are both in prose, but which also includes a verse preface.²³

Ausonius' epistolary includes letters addressed to his son Hesperius, his friends Axius Paulus, Petronius Probus, Ursulus, Tetradius, Symmachus,²⁴ Theon, and his disciple Paulinus of Nola, of whom two replies have also reached us.²⁵ As for the selection of contents, Ausonius mostly wrote to his friends to send them greetings or invitations, or to exchange verses, or simply to comment on various kinds of food. Ausonius' private correspondence is also an important testimony to the relationships between intellectuals of the aristocratic class in 4th century Roman Gaul.²⁶

Ausonius' treatment of mythology in his letters

Several scholars have so far dealt with questions concerning the transmission of Ausonius' letters and their historical context. However, one specific aspect, which emerges here and there in the epistolary correspondence, remains to be explored: the use of mythological references. It is noteworthy that Ausonius' treatment of mythology – not only in his letters but throughout his works – often concerns Greek mythical tales, greatly outnumbering any references to the Roman tradition. This process of re-enacting and remaking mythological material constitutes as much a mark of Ausonius' technical skill, as evidence of his profound knowledge of Greek culture.²⁷ As Alison John has shown, the process of learning Greek, as well as the knowledge and re-elaboration of the works of Greek authors, were still very much alive in 4th century Gaul.²⁸ The literary production of Ausonius is an important testimony to the ongoing interest in Greek, which was still taught in rhetoric schools in Gaul,²⁹

23 Pavlovskis 1967: 551-52.

24 It is Ausonius' reply to a letter sent by Symmachus: cf. *Symm. Epist.* 1.31, in Salzman-Roberts 2011. See also Green 1995, App. B 2.

25 *Paul. Nol. Carm.* 10 e 11. On the correspondence between Ausonius and Paulinus, cf. Pastorino 1971: 56-61; Walsh 1975: 20-24; Trout 1999: 55-59.

26 Coşkun 2002: 6-8; Sowers 2016; Scafoglio 2018: 19-20.

27 Goldlust 2010.

28 John 2021.

29 John 2021: 850-57. On the relevance of rhetorical training, see Lendon 2022: 3-13.

where young men from aristocratic families were educated and intellectuals trained.³⁰

In all his works, Ausonius' exhibition of Greek erudition, borrowed from the grammarians of Bordeaux,³¹ reveals a strong adherence to a process of appropriation of Hellenic cultural models, already implemented by Latin culture for centuries. Knowledge of Greek texts, alongside with their reproduction and imitation, remains a decisive aspect of Ausonius' writings.³² Nonetheless, the ways in which Ausonius selects the Greek mythological material to be treated do not indicate a merely rhetorical or stylistic process, but rather a choice that is in fact also founded on precise content and conceptual implications. Ausonius purposefully extracts from the sources and organises what he needs for his rhetorical and argumentative aims of constructing discourse. Therefore, for the scope of this study, the analysis of mythological references in Ausonius' epistolary exchanges constitutes an emblematic *specimen* of his working method, and especially of the application of his knowledge inherited from the previous literary tradition, in which the Greek matrix and its Latin reinterpretation are merged.

Two elements should be highlighted as preliminary remarks on the theme addressed in this article: a) in Ausonius' epistolary correspondence – taken as a whole – allusions to mythical events work towards elevating the tone and content of the discourse, by providing material for comparisons that transfer everyday reality to the higher level of the mythical dimension; b) references to mythical characters and events largely have an encomiastic purpose, i.e. they serve to celebrate Ausonius' friends, symbolically raised to the level of the superhuman sphere.

30 On the environment of the school in Bordeaux, where Ausonius had taught, cf. Karsten 1988. On Ausonius' teaching in the school of Bordeaux, cf. Coşkun 2002: 12-20. On the relations between Greek and Roman culture in general, see Woolf 1994.

31 Pastorino 1971: 16-17; Sivan 1993: 76-79.

32 Lossau 1989; Goldlust 2010.

Mythology in verse letters

Moving on to the analysis of the texts, it is worth noting that in most of the verse letters there are a few concise mythological references. More than once, Ausonius mentions Mnemosyne³³, the Muses³⁴, the Camenae³⁵ and Apollo³⁶ to indicate poetry in general. The mention of these super-human beings, traditionally linked to the exercise of singing, music and poetry, acts here as a pure rhetorical device, which characterise Ausonius' metapoetic discourse. It is no coincidence that, almost constantly, these names appear in the letters that testify to the fruitful exchange of poems between Ausonius and his friends Theon, Axius Paulus and Paulinus, who were also poets.³⁷ In these letters Ausonius often discusses poetic matters with his recipients, and reflections on poetic work are one of his favourite themes.³⁸

In this regard, the letters to Axius Paulus,³⁹ his friend and colleague in the exercise of poetic activity, are significant. For example, in letter 4 Ausonius defines Paulus as "the most famous pupil of the Camenae of Castalia" (*Ep.* 4.3: *Camenarum celeberrime Castaliarum alumne*). In Greek tradition, Castalia Spring was linked to the Delphic oracle of Apollo.⁴⁰ Here, Ausonius follows the path of many Latin authors, such as Tibullus, Propertius, Ovid and Martial, who often point to it as a place of inspiration for poets.⁴¹ Ausonius then invites Paulus to keep his promise to visit him, because "Phoebus wants the truth to be told" (*Ep.* 4.8: *Phoebus iubet verum loqui*), even if he has to put up with the Pierides deviating from this rule. With these words Ausonius offers a quick allusion to the myth of the Pierian sisters – narrated in detail by Ovid⁴² – who challenged the Muses to

33 *Ep.* 13.64.

34 *Ep.* 6.3; 8.9; 8.17; 11.6; 11.38; 13.8; 21.73.

35 *Ep.* 4. 3; 110.7; 10.31; 1.9; 11.24; 13.66; 18.12.

36 *Ep.* 13.8. Cf. *Ep.* 4. 8 where the name Phoebus appears.

37 Green 1972; Sowers 2016. Cf. Scafoglio 2018: 28-30.

38 Sowers 2016: 521-37.

39 On the character of Axius Paulus, see Pastorino 1971: 46-47.

40 Pin. *Pyth.* 1.39; 4.163; Eur. *Ion* 94; *Phoen.* 222; Nonn. *Dion.* 4.309-310; Helioid. *Aeth.* 2.26.4.

41 Tib. 3.1.16; Prop. 3.3.13; Ov. *Am.* 1.15.36; Mart. 9.18.8; 12.2 (3). Cf. Hor. *Carm.* 3.4.61; Sen. *Oed.* 229; Stat. *Theb.* 1.697; 6.338.

42 *Met.* 5. 294-314. Cf. Ant. Lib. 9.

a singing contest, suggesting to Paulus not to follow their deviant behaviour. The letter ends with Ausonius' request to Paulus to bring his verses with him. In letter 6, referred to by Ausonius as "a playful bilingual composition" (*Ep.* 6.2: *sermone adludo bilingui*), Paulus is defined through a linguistic joke as "a partaker of the Greek Muse and the Latin Camena" (*Ep.* 6.1: Ἑλλαδικῆς μέτοχον Μούσης *Latiaeque Camenae*), while Ausonius calls himself "a useless servant of the soft-haired Pierides" (*Ep.* 6.7: Πιερίδων *tenero* πλοκάμων θεράποντες *inertes*). Further on, the author invokes the nine daughters of Mnemosyne (*Ep.* 6.13) to assist him in composing a poem to alleviate Paulus' melancholy (*Ep.* 6.24; 37-38). In letter 8 Ausonius again invites Paulus and asks him if he has resumed his poetic activity, metaphorically designated as the frequency of the locality of Pimpla, which here seems to correspond to a fountain, given the use of the adjective *riguam* connected to *Pipleida* (*Ep.* 8.9).⁴³ Then Ausonius exhorts Paul not to carry his works with him, as the Muses "have a great weight" (*Ep.* 8.23: *grande onus in Musis*). As Aaron Pelttari noted,⁴⁴ in this letter Ausonius' metaphorical play revolves around the number of "papers" (*Ep.* 8.23: *chartis*) to be carried, and thus the mythological references are part of an ironic metapoetic reflection. Soon after, Ausonius lists the many volumes he keeps in his house, among which he includes tragedies and comedies, indicating them with the names Thalia and Therpsichore (*Ep.* 8.28).⁴⁵ They too, while being superhuman creatures in the Greek mythical tradition, are mentioned here only as rhetorical figures of metonymy, embellishing Ausonius' discourse.

43 This passage probably indicates the fountain, as in *Stat. Silv.* 1.4.26; 2.2.37 (Green 1991: 617, fn. 9). The Greek scholiasts explain that the name Πίμπλεια can be connected either with a locality, a mountain, or a spring: *Schol. in Lyc.* 275; *Schol. Ap. Rhod.* 1.23-25; *Hesychius s.v. Πίπλ(ε)ια*. Cf. *Mojsik* 2011: 48-49.

44 Pelttari 2014: 151.

45 Thalia was already associated in Greek tradition with comedy (*Schol. Ar. Ran.* 875), but Therpsichore was usually associated with choruses (*Schol. Hes. Op. prol.*, Gainsford 1823: 26; *Schol. Ar. Ran.* 875), or with citharodic singing (*Schol. Hes. Theog.* 76), or with dances (*Schol. Hom. Batr.* 1, *Ludwich* 1896: 201). Ausonius, by linking the name Τερψιχόρη here to the noun σύμμα indicating the long tragic robe, alludes to the tragic choruses, as *Pastorino* 1971: 713, fn. 11, already supposed.

Metapoetic reflections also surface several times in letter 13, which is addressed by Ausonius to his friend Theon⁴⁶ to ask him for news. The tone of this letter is entirely satirical. Ausonius ironically imagines how his friend might pursue different occupations, such as trading, chasing thieves, hunting, fishing, and finally poetry (*Ep.* 13.17-70). Also in this letter, Ausonius dwells on the theme of poetic work, dedicating a few verses to explaining to Theon the various types of hendecasyllables, as his friend is said to ignore them (*Ep.* 13.82-93). In this context, we find various mythological references that metaphorically indicate Theon's poetic activity: Ausonius mentions the Muses and Apollo (*Ep.* 13.8), Helicon and Hippocrene (*Ep.* 13.9), as well as Mnemosyne's daughters, whose number may vary from three to eight (*Ep.* 13.63-54). Concerning this point, it is worth noting that Ausonius was aware of the different traditions regarding the number of the Muses,⁴⁷ a discussion which was evidently still going on in his time. Indeed, letters 6 and 10 mention the canonical nine Muses.⁴⁸ In general, allusions to the Muses or Camenae are employed several times by Ausonius in other metapoetic contexts resembling the letters, especially in relation to the lives of some of his family members and acquaintances. This is the case, for instance, in the *Protrepticus*, where Ausonius refers to his nephew's literary studies, which he suggests should be alternated with leisure (*Protr.* 1-2: *sunt etiam Musis sua ludicra; mixta Camenis otia sunt*), or in the *Professores*, where he recalls the poetic activity of the grammarian Delphidius (*Prof.* 5.20) and the teaching of Greek by grammarians in Bordeaux (*Prof.* 8.3: *Atticas Musas*). Coming back to letter 13, the description of Theon's literary activity also includes the metaphor based on the mythological allusion to "the black daughters of Cadmus" (*Ep.* 13.74: *Cadmi nigellas filias*), which refer to the letters of the alphabet. Additionally, in *Ep.* 14.52 we read a very similar expression: *Cadmi filioli atricoloribus*. The author thus clearly shows knowledge of the mythical tradition on the invention of the alphabet that already dated back to Herodotus (5.58-59) and Diodorus Siculus (5.74), and was later recounted by the Latin authors Hyginus (*Fab.* 277),⁴⁹

46 On Theon, see Pastorino 1971: 47.

47 See the source data collected by Mojsik 2011: 74-97.

48 *Ep.* 6.14; 10.7. The canon of the nine Muses is attested by Hes. *Theog.* 75-76.

49 *Fab.* 277. See the comments in Gasti 2018.

Pliny (*HN* 7.192-193) and Tacitus (*Ann.* 11.14). According to this tale, which constitutes a foundation myth, Hermes is said to have invented the Greek letters in Egypt, while Cadmus later exported them from Phoenicia to Greece.⁵⁰ Considering the structure of Greek myths, the expression used by Ausonius in this letter does not seem to be merely a rhetorical periphrasis but rather the trace of a particular mythical variant according to which “the black daughters of Cadmus” are superhuman beings that existed in the ‘time of origins’, and then in historical time came to embody the elements of the alphabet. Continuing the analysis of letter 13, mythological references are variously interwoven with other circumstances of Theon’s life as it is ironically described by Ausonius. On the hunting activity of Theon and his brother, Ausonius constructs hyperbolic and paradoxical comparisons. Theon’s brother is compared to the hero Meleager, slayer of the Calydonian boar (*Ep.* 13.39), and to the young Athenian slayer of the Erymanthian monster (*Ep.* 13.40),⁵¹ while Theon himself is compared to Adonis, who died during a hunt (*Ep.* 13.41-43), and to the god Orcus, lord of the underworld and abductor of the daughter of Deo (*Ep.* 13.49-51). Here Ausonius, as a scholar, uses the term *Deoida* deriving from the learned Greek variant Δηώ of the name Δημήτηρ, which appears for the first time in the Homeric *Hymn to Demeter*.⁵² It cannot be excluded that Ausonius was familiar with Greek poetic texts where that term appeared, although he probably followed Ovid’s example.⁵³ Summing up, letter 13 significantly represents one of the ways in which Ausonius uses his erudition when handling mythology: references to mythical characters function as clever rhetorical devices, whose purpose is to show the paradoxical contrast between an ideal world and the mediocrity of everyday life.

In line with what can be noted in letter 13, mythological allusions are inserted by Ausonius in other letters too in such a subtle way that they constitute terms of comparison with contingent situations and private

50 On the mythical tales concerning the invention of writing, see Piccaluga 1991.

51 With regard to this verse Green 1991 and 1990 accepted the conjecture *Cromyoneo*, but it would be better to leave the transmitted lesson *Erymantheo*, as Evelyn White 1921 and Pastorino 1971 did.

52 *Hymn. Hom. Cer.* 47. Cf. LSJ s. v. Δηώ.

53 In *Met.* 6. 114 *Deoida* is found.

events he describes. From this point of view, the epistolary exchanges with his friend and disciple Paulinus are particularly significant.⁵⁴ In epistle 22, Ausonius complains about Paulinus' enduring silence,⁵⁵ and assuming that his friend does not want his messages to be known by people lacking in discretion, suggests that he should also begin to communicate through secret messages. To this purpose, Ausonius again employs the artifice of the ideal comparison by mentioning some mythical examples: Philomela, who embroidered on a cloth the outrage suffered by Tereus (*Ep.* 22.13-15), Cydippe, who is said to have declared her love by writing it on an apple (*Ep.* 22.16-17), and King Midas' servant, who spilled the secret about his master's donkey ears into a hole (*Ep.* 22.18-20). As Ian Fielding has noted, it is significant that these three mythological scenes, sketched with quick and skilful strokes by Ausonius, are described in Ovid's works, which Ausonius probably had on his mind.⁵⁶ The stories of Philomela and of Midas' servant are found in the *Metamorphoses*,⁵⁷ while that of Cydippe is narrated in the *Heroides* (20-21), where, in contrast to Ausonius, we read that it was Acontius who forced Cydippe to marry him, as she read aloud the message on the apple he threw as an unbreakable oath.⁵⁸ Given Ausonius' profound erudition in the field of traditional Greek heritage, he probably knew a variant of this tale, compared to the better-known vulgate. It is remarkable that Ausonius, as in other cases, uses the same mythological allusions in several works: the reference to the violence suffered by Philomela also appears in the *Technopaegnon* (11.3). Considering the subject and purpose of letter 22, it certainly constitutes another significant case of how mythological examples are employed by Ausonius to ennoble Paulinus' actions, elevating them to an idealised level.

54 On the biography of Paulinus and his relationship with Ausonius, see Trout 1999: 55-76; Conybeare 2000: 147-157; Coşkun 2002: 99-111. On the correspondence of Paulinus and Ausonius in particular, see Witke 1971: 3-74; Amherdt 2004; Knight 2005; Ebbeler 2007: 303-15; Chin 2008: 148-55; Hardie 2019: 6-43.

55 On letters 21 and 22 sent by Ausonius to Paulinus, see the extensively annotated edition of Rucker 2012.

56 Fielding 2017: 26-27.

57 On Philomela *Ov. Met.* 6.572-578; on Midas' servant *Met.* 11.180-93.

58 The entire story also appears in Callim. *Aet. fr.* 67-75, Pfeiffer 1949; Ant. Lib. *Met.* 1; Aristaenetus 1.10.

Finally, verse letter 24, the last of the epistolary, presents a fair number of mythological allusions. Ausonius writes to Paulinus lamenting his unwillingness to visit him. The references to mythology are evidently aimed at heightening the tone of the discourse in a serious context, as Ausonius communicates his regret to his friend, letting his feelings shine through. In the beginning of the letter, using the metaphor of the *iugum*, the author claims that the bond between him and Paulinus is now broken.⁵⁹ Continuing with the same metaphor, Ausonius recalls the horses of Mars (*Ep.* 24.15-16), those stolen from Diomedes (*Ep.* 24.16), and those that brought down Phaeton in the Po (*Ep.* 24.17-18), because all of them would have easily supported the yoke that bound them. These are well-known examples mostly inspired by the epic verses of Homer, Virgil, and Ovid,⁶⁰ which Ausonius had to keep in mind. Indeed, as Philip Hardie has shown, the text of letter 24 displays numerous literary echoes.⁶¹ On the whole, literary reminiscences contribute to making this letter a high example of stylistic skill. More specifically, the mythological allusions which refer above all to the epic testify to how Ausonius sought a lofty style appropriate to the celebration of his bond of friendship with Paulinus, which was indispensable for him. Later, well-known mythical examples appear again, where Ausonius reminds Paulinus that their two names were about to be included in the list of “old friends of better times” (*Ep.* 24.41: *antiquis aevi melioris amicis*). As remarked by Gillian Knight, Ausonius evokes a golden age, to which he ascribes a number of exemplary characters who championed immortal friendship.⁶² He mentions the well-known heroes Pylades and Nisus (*Ep.* 24.34), inextricably united with their friends in their adventures, and then adds the Pythagorean Damon (*Ep.* 24.35), famous for having saved his friend Phintias from a death sentence.⁶³ According to the division of Ausonius' letters

59 On the theme of friendship and the metaphor of *iugum* in *Ep.* 24, see Ebbeler 2007: 308-09. See the in-depth analysis of *Ep.* 23-24 in Knight 2012.

60 On the horses of Ares/Mars, see Hom. *Il.* 15.119-20; Verg. *Georg.* 3.91. On the horses of Diomedes cf. Verg. *Ecl.* 17.9; Serv. *Aen.* 1. 752. The detailed myth of Phaeton is told in Ov. *Met.* 2.19-332.

61 Hardie 2019: 27-30 dwelt on the echoes of Virgil's *Eclogues* in letter 24.

62 See the insightful analysis of this passage by Ausonius in Knight 2012: 390-94.

63 The story of the unbreakable bond of friendship between Damon and Phintias is told by Cic. *Off.* 3.10.45; *Tusc.* 5.63; Val. Max. 4.7 ext. 1. See also Diod. Sic. 10.4.3. For an

proposed by Green,⁶⁴ the same ideal models of friendship appear in the epistle 23, where Ausonius accuses Paulinus, metaphorically, of breaking the bonds of Theseus and Pirithous (*Ep.* 23.19), Nisus and Euryalus (*Ep.* 23.20), Pylades and Orestes (*Ep.* 23.21), and the oath of Damon (*Ep.* 23.22). The stories of such characters were well known among Latin poets⁶⁵ and prose writers⁶⁶ – who largely reworked Greek sources⁶⁷ – but here Ausonius employs them specifically to provide terms of comparison with the bond between himself and Paulinus. The comparison thus reveals a two-fold purpose: on the one hand, the famous examples of myth serve to ‘elevate’ their friendship, and on the other hand, they serve to ‘lower’ Paulinus’ behaviour, who wanted to distance himself from Ausonius. Expanding further on the main theme of letter 24, namely the exaltation of his friendship with Paulinus, Ausonius uses another notable mythological reference, that to the goddess Rhamnusia (*Ep.* 24.44; 101), whom he suggests was angered by their proud friendship. The poet then identifies her with Nemesis,⁶⁸ a divinity from Attica (*Ep.* 24.49), who raged against Darius and the Persians for their pride (*Ep.* 24.45–49).⁶⁹ Remarkably, Ausonius also dedicated epigram 22 to Nemesis, making her speak in the first person as a statue-trophy for the Greeks’ victories over the Persians: in this epigram Ausonius paraphrases and translates into Latin the text

analysis of the primary sources and an extensive bibliography on this story, see Santorelli 2012.

64 On the division between letters 23 and 24, see Green 1991: 654–56.

65 On Theseus and Pirithous cf. *Ov. Trist.* 1.5.19; 1.9.31–32; *Met.* 8.405–6; *Stat. Silv.* 4.4.103–4. On Euryalos and Nisus cf. *Verg. Aen.* 9.170–433; *Stat. Theb.* 10.447–48. On Pylades and Orestes cf. *Ov. Trist.* 1.9. 27–28; 5.6.26.

66 *Cic. Lael.* 24.

67 On Theseus and Pirithous, see *Hom. Il.* 1.263–65 and *schol. ad loc.*; *Diod. Sic.* 4.63; *Plut. Thes.* 30. On Pylades and Orestes it is sufficient to recall Aeschylus’ *The Libation Bearers*.

68 Ausonius follows the tradition of Greek sources that identify Πάμνουσία with Νέμεισις; see *Steph. Byz.*, *Phot. Lexicon*, *Hesychius s. v.* Πάμνουσία. From the small village of Πάμνοῦς, where there was a sanctuary and a famous statue of Nemesis, derives the epithet Πάμνουσία (*Paus.* 1.33.2; *Strabo* 9.1.17; *Plin. HN.* 36.17).

69 Ausonius reports in verses 45–49 the defeat handed down to the Persians by the goddess Nemesis herself. See the detailed account in *Paus.* 1.33. Cf. *Pastorino* 1971: 758 fn. 11. Rhamnusia also appears in *Catull.* 64.395; 66.1; 68.77; *Ov. Tr.* 5.8.9; *Stat. Silv.* 3.5.5.

of *Anthologia Palatina* 16.263.⁷⁰ In letter 24, the evocation of Nemesis' jealousy functions as a sort of imprecation to 'banish' any obstacle, even of a superhuman nature, that may stand in the way of the solid friendship that binds Ausonius to Paulinus. Ausonius complains that the goddess enjoys tormenting him and Paulinus "the noble descendants of Romulus" (*Ep.* 24.50: *Romulidas proceres*), and invites her to stay away from men who have worn "the sacred purple of Quirinus" (*Ep.* 24.56-57: *sacra Quirini purpura*). He then contemptuously calls her a "foreign deity" (*Ep.* 24.58: *peregrinae divae*) and an "oriental monster" (*Ep.* 24.59: *Eoi monstri*). It is clear that here Ausonius, by appealing to his and Paulinus' descent from the founder of Rome and their role as consuls, aims to celebrate their origins and give them the heft he thinks they merit. Added to this is the annoyance he shows for a god alien to Roman civilisation and linked to the world of the barbarians. The reference to Roman tradition, therefore, testifies to Ausonius' sense of belonging to his own people and homeland. It is one of the few passages in the entire epistolary where Ausonius evokes the sacred domain of the origins and traditions of Rome.

Finally, in the last part of letter 24, Ausonius again uses mythological examples from the Homeric epic: the two tales on the impossibility of stretching Ulysses' bow (*Ep.* 24.99)⁷¹ and brandishing Achilles' shaft (*Ep.* 24.100)⁷² are hyperbolically evoked to demonstrate the unbreakable nature of the pact of friendship between Ausonius and Paulinus. In this respect, it should be noted that the Homeric model is often recurrent in Ausonius' letters. In letter 3, sent to Axius Paulus, Ausonius mentions two Homeric examples contrasting with his own frugality, that of the table of Penelope's suitors (*Ep.* 3.14)⁷³, and that of the banquets at the palace of Alcinous (*Ep.* 3.15).⁷⁴ At the end of letter 21, written because of Paulinus' lack of response, Ausonius rails against those who may have driven Paulinus to silence, wishing them to be forced to wander in inaccessible and deserted places, in the same way as Bellerophon (*Ep.* 21.69-72). It is notheworthy that in verse 71 Ausonius quotes Cicero's words *hominum*

70 On *Epigr.* 22, see the commentary by Kay 2001: 123-24.

71 Cf. *Hom. Od.* 21.89-92.

72 Cf. *Hom. Il.* 16.140-44.

73 Cf. *Hom. Od.* 20.279-80; 248-56.

74 Cf. *Hom. Od.* 8.70; 429; 470-73.

vestigia vitans (*Tusc.* 3.63), which in turn translate the Homeric expression *πάτον ἀνθρώπων ἀλεείνων* (*Il.* 6.201-2).⁷⁵

Mythology in prosimetric letters

Looking at Ausonius' entire epistolary, the use of mythology appears rather more significant in the prosimetric letters than in the verse letters, as the mythological allusions are better articulated and more wide-ranging.

Only letter 5 presents just a single mythological reference in the prose section. The letter is addressed by Ausonius to his friend Axius Paulus, who sent him some verses and a prose text and asked to read Ausonius' latest verses in return. It constitutes further evidence of the exchange of poems between Ausonius and his friends, and the metapoetic discussions he favoured. In his reply, Ausonius deflects the issue, saying that one who is an experienced poet and speaker should not push the inexperienced to show their work. To clarify this assertion, the author uses a comparison with the behaviour displayed by Venus during the renowned beauty contest with the goddesses Juno and Minerva, that Paris was summoned to judge.⁷⁶ In the tale reported by Ausonius, Venus first presents herself clothed before Jupiter, in ordinary attire, not arousing the fear of her rivals, but then performs naked before the Trojan shepherd – just as she had lain with Mars – defeating the other participants in the competition. It should be noted that the theme of Venus' nakedness is one that is well known to Ausonius, as he re-proposes it in epigram 59, where Pallas challenges Venus to arm herself and fight, invoking Paris, while Venus rebukes her for having once defeated her when she was naked. As some scholars have noted,⁷⁷ the subject of this epigram, i.e. the contest

75 In *Tusc.* 3.63 Cicero translates Hom. *Il.* 6.201-2. Paulinus responded to this allusion by Ausonius in poem 10.156-158: "My mind is not deranged, my way of life does not shun men's company like the rider of Pegasus who you write lived in a Lycian cave" (trans. by Walsh 1975). Another reference to Bellerophon's loneliness is found in *Rut. Nam.* 1.449-52. For a discussion of these passages see Mondin 1995: 264-65. Cf. Filosi 2008: 138.

76 See the detailed account in Kerényi 1958: 246-47.

77 Green 1991: 403; Kay 2001: 190-92.

between Pallas and Venus-in-arms, is similar to that of a series of Greek epigrams in the *Anthologia Planudea*.⁷⁸ It is noteworthy that according to the interpretation of this poem put forward by some scholars,⁷⁹ Ausonius relates an ancient version of the myth, that had already been recounted in the *Cypria*:⁸⁰ Aphrodite would have presented herself to be judged by Paris wearing robes prepared by the Graces and the Hours, who had also dyed them with the colours of spring flowers. The context of Ausonius' story is clarified further by reading Lucian's passage from the *Dialogues of the Gods* devoted to the same episode, where Athena reproaches Aphrodite for appearing before Paris wearing an enchanted girdle and embellished with many colours, whereas she should have been naked from the beginning.⁸¹ The motif developed by Ausonius in letter 5, unlike that of epigram 59, appears more closely connected to the episode of Paris' judgement, and is certainly more articulate and complex. If we compare the account in letter 5 with the versions of the same myth recounted in the *Cypria* and by Lucian, it is clear that Ausonius' knowledge of Greek tradition was indeed extensive, and it cannot be excluded that he was familiar with these sources.

As concerns the other prosimetric letters, it is significant that the mythological references are concentrated in the verse sections. Following the common thread of letters testifying to Ausonius' literary exchanges, we come across letter 9, which contains the dedication, in prose, of two volumes sent by Ausonius to his friend Sextus Petronius Probus⁸² for the education of his son: Julius Titianus' apologies⁸³ and Cornelius Nepos' *Chronica*.⁸⁴ The poet then adds a 105-dimeter iambic

78 Green 1991: 403 noted that the text of *Anth. Plan.* 16.174 is the one most similar to Ausonius' *Epigr.* 59. Kay 2001: 190-91 indicated the epigrams of *Anth. Plan.* 16.171-77 as direct references to the episode of the contest between Pallas and armed Venus. But on the nudity of Venus as seen by Paris and depicted by Praxiteles, consider also the epigrams of *Anth. Plan.* 16.160-70.

79 Bernabé 1996: 46. Cf. Kerényi 1958: 247.

80 Fr. 4, Bernabé 1996.

81 *Dial. D.* 20. In Lucian's account Athena accuses Aphrodite of wanting to use the girdle to bewitch Paris.

82 On the biography of this figure, see Pastorino 1971: 48; Mondin 1995: 152.

83 For information on this work, see Mondin 1995: 164-65.

84 Mondin 1995: 154.

poem, composed as a preface to the apologues. Here Ausonius plays with the figure of the speaking poem, calling his composition *libellus* and inviting it to go and greet Probus (*Ep.* 9b.1; 53; 64). This rhetorical device is built on the personification of the booklet, able to convey an oral discourse. The apostrophe to the *libellus* clearly reveals the imitation of Catullus' proemial poem,⁸⁵ and the adherence to a well-established poetic motif, such as the well-known opening verses from Horace (*Epist.* 1.20.1) and Ovid (*Trist.* 1.1), and numerous other verses in the epigrams by Martial.⁸⁶ Further confirmation that Ausonius' model is the well-known poet from Verona is provided by the quotation of Sirmio in verse 1, which clearly refers to Catullus' poem 31. This kind of allocution to the *libellus* is used by Ausonius in other poetic compositions as well. As several scholars have pointed out, Ausonius quotes the well-known Catullian verse 1.1. in a proemial epigram with the dedication of one of his *libellus* to his friend Depronius Pacatus (*Praef. var.* 4.1).⁸⁷ Similarly in another proemial epigram Ausonius jokes with his *libellus* claiming it would prefer worms to his verses (*Praef. var.* 5.1-3). Overall, the short poem in Ausonius' letter 9 is constructed with a high level of rhetorical skill, as the plays on the etymology of the name Probus (*Ep.* 9b.42-46) and on the meaning of the name Ausonius (*Ep.* 9b.76) also demonstrate. Alongside such rhetorical devices, this short poem is characterised by three prominent and extensive mythological references, whose function is eminently encomiastic:

- a) the association of Probus with Menelaus, Ulysses, and Nestor for his eloquence (*Ep.* 9b.10-15);
- b) the refutation of Hesiod's idea (*Op.* 174-78) that present-day humanity lives in an iron age, in as much as Probus proves the opposite: he is the scion of a golden lineage and the father of a golden offspring (*Ep.* 9b.27-30);

85 Cfr. McGill 2017: 272-75; Hernández Lobato 2017: 281-82. In *Praef. var.* 4 Ausonius used the same figure of the *libellus*, quoting Catull. 1.1. On this subject, see the study by Mattiacci 2019.

86 3.2.1; 6.1.4; 8.24.1; 9.58.5. Cf. Mattiacci 2019: 248-49.

87 Scafoglio 2018: 33-38; Mattiacci 2019: 246-48.

- c) the comparison of the marriage of Probus, who had mixed the blood of the Probi and the Anicii (*Ep.* 9b.31-34), with the birth of Silvius, son of Aeneas, who had mixed the Silvii with the Iulii (*Ep.* 9b.82-89).

Some observations can be drawn when considering these mythographic references that clarify both Ausonius' background and his cultural heritage. The praise of the faculties of the three heroes he mentions could already be found in the *Iliad*, where Menelaus is celebrated for his fluency of speech (*Il.* 3.213-4), Odysseus' eloquence is compared to snowflakes (*Il.* 3.222) – whereas here Ausonius speaks of Odysseus' "hail" (*Ep.* 9b.13: *grandines*) – and finally Nestor's speech is likened to the sweetness of honey (*Il.* 1.247-49).⁸⁸ The Homeric passages where these three heroes speak contain precisely the speeches of Achaean leaders addressing their fellows. These characters play a role of authority⁸⁹, the purpose of their words is to admonish and spur on their comrades to do what appears to be for the good for their community.⁹⁰ Later, on the basis of the Homeric text, a canonical classification of three styles of eloquence, symbolised by these three Homeric characters, is formed in the reworking of Roman culture. In particular, this process is witnessed by a passage from Quintilianus (*Inst.* 12.10.64)⁹¹ and another from Gellius (*NA* 6.14. 1-2).⁹² Therefore, verses of Ausonius' letter 9 provide further evidence of the spread of this canon of the three *genera eloquendi*. In this regard, it should be

88 Pastorino 1971: 719 fn. 8

89 On the authority of Homeric leaders, see Pisano 2019: 46-50; 66-76.

90 As examples, see the speeches of Menelaus in *Hom. Il.* 3.96-110, of Ulysses in *Il.* 2.278-335, of Nestor in *Il.* 2.336-68; 2.432-83; 9.52-78.

91 Here we read that Homer gave "a concise, appropriate language, with pleasantness, and devoid of the superfluous" (*brevis cum iucunditate, et propria et carens supervacuis eloquentia*) to Menelaus, "a manner of speech sweeter than honey" (*dulciorem melle sermo*) to Nestor, while "a supreme eloquence" (*summa facundia*), "a mighty voice" (*magnitudo vocis*) and "an oratorical power" (*vis orationis*) to Ulixes. See also Quint. *Inst.* 2.17. 8. Cf. Mondin 1995: 157.

92 In this passage we read that the styles of eloquence handed down by Homer are three: that of Ulysses "magnificent and copious" (*magnificum et ubertum*), that of Menelaus "fine and sober" (*subtile et cohibitum*), and that of Nestor "mixed and moderate" (*mixtum et moderatum*). Cf. Mondin 1995: 157.

mentioned that Ausonius uses the comparison with the same three Homeric heroes both in the *Gratiarum Actio* (4.19-20) in reference to the eloquence of emperor Gratian, and in the *Commemoratio Professorum Burdigalensium* (21.16-24) to praise the eloquence of the grammarian Urbicus. These passages from Ausonius, including the one in letter 9, clearly show that he mentions Achaean heroes, who represent authority figures, as comparative terms for the high-ranking men of his society: his aim is to praise them by elevating them to the level of well-known figures from Greek mythology, and therefore invested with their own sacredness. In Ausonius' text, a process of symbolic transfer is thus triggered on the level of an ideal competition between the men being praised and the Homeric heroes. All this implies a vision according to which characters of the highest social class can overcome the limitations of the human condition. In the same short poem from letter 9, the second mythological theme used by Ausonius to praise Probus is that of the reference to the golden age, following the division of human life formulated by Hesiod. This theme was quite common among writers wishing to praise emperors or people of high lineage. Recalling Vergil's eclogue 4, which celebrates the new golden age of the Augustan principate (*Ecl.* 4.9), is a must here. Similarly, in the *Consolatio ad Liviam*, the well-known female character is credited with establishing a golden age and giving rise to a lineage of princes (*Epiced. Drusi* 343-44).⁹³ Finally, we may recall how the poet Claudian, a contemporary of Ausonius, also celebrated the empire of Theodosius, extolling the birth of a new golden age (3.51-52). A third mythological reference is also greatly developed by Ausonius in these verses, an allusion that he in fact makes twice: it is the comparison between Probus' marriage and that of Silvius, son of Aeneas. This is a learned reference to the purely Roman tradition, according to which Silvius is the last son of Aeneas and Lavinia, brother and successor of Iulus on the throne of Alba.⁹⁴ Set within the complex tradition on the relationship between Silvius and Ascanius-Iulus, Ausonius' reference emphasises

93 Cf. Mondin 1995: 159. In general on this work, Schlegelmilch 2005.

94 This tradition is found in Verg. *Aen.* 6.760-66 and Gell. *NA* 2.16. The same information is in Dion. Hal. 1.70. However, versions of the relationship between Silvius and Ascanius differ and the issue is controversial. In Serv. *Aen.* 6.760 we read that Silvius was

the kinship between the families descended from them, in order to praise the nobility of the *Iulii* lineage, famously celebrated as the founders of the principate.⁹⁵ As in the previous verses on the Homeric heroes, in this comparison, based on the attribution of prerogatives that are emblematic of a hero from mythical times to a character from historical times, a typical ideological mechanism operates to elevate mortal beings to the superhuman sphere. Several significant examples of this process can be found in the texts of many Roman writers who elevated emperors and their relatives⁹⁶ to the rank of deities. Finally, we may note how skilfully Ausonius' reference to this purely Roman tradition is mixed with the Greek mythological strand. Through such a process, the author reveals himself to be an intellectual of his time: in celebrating a character associated with imperial power,⁹⁷ he uses topical motifs that simultaneously combine the Greek and Roman traditions, showing how the two cultures were perfectly assimilated.

Letter 7 also lies within the scope of the letters dedicated to the exchange of literary writings between Ausonius and his friends.⁹⁸ Here we are faced with a rather elaborate scheme of alternating poetry and prose, as there are three poetic inserts, equally characterised by mythological references. This text constitutes Ausonius' response to a letter from Paulinus, his student, who sent him a composition based on a compendium of Suetonius' *De Regibus*.⁹⁹ Letter 17 is introduced by a refined astronomical periphrasis of 10 hexameters, which shows that it follows models

called Ascanius, while in Liv. 2.3.6 Silvius is said to be the son of Ascanius. Cf. Mora 1995: 154-55.

95 Hardie 1993: 91-92.

96 See the well-known celebrations of Augustus' divinity: Verg. *Ecl.* 1.6; Hor. *Carm.* 1.2.45; Ov. *Fast.* 419-28.

97 Also emblematic in this respect are the Panegyrici Latini: cf. Whitby 1998; Rees 2002. On the motif of the celebration of the divinity of emperors in Claudian, Sidonius Apollinaris and Cassiodorus, see Consolino 2011. On the same theme elaborated by the Panegyrici Latini, Claudian, Sidonius Apollinaris and Corippus, see Tommasi Morreschini 2016. On the celebration of characters linked to the imperial court in Claudian's works, see Schindler 2014.

98 On the subject of this letter in connection with the method used by Ausonius for epitomising, see Sowers 2023.

99 On this lost work by Suetonius, see Sivan 1993: 154; Mondin 1995: 115.

from epic poetry¹⁰⁰ that were already widespread in Homeric poems¹⁰¹ and then further elaborated upon by Latin authors.¹⁰² In this periphrasis, there is mention of the horses of the Sun, which is associated with the name Titan.¹⁰³ Further on, we read a quotation of 9 hexameters from Paulinus' poem, where another interesting reference appears, not strictly mythological, but inherent to the geographical conception of the world known to the Greeks and Romans. Here, we are reminded of the three parts into which the entire Earth was divided, according to Graeco-Roman tradition: Europe, Asia and Libya. This division recurs fairly constantly among the Greek and Roman authors who wrote geographical works, of which Strabo's *Geography* (1.4.7), Dionysius Periegetes' *Description of the Inhabited Land*¹⁰⁴, with its Latin translations by Avienus¹⁰⁵ and Priscianus¹⁰⁶, and Pomponius Mela's *Chorographia* (1.8) are among the most noteworthy examples. Later in Paulinus' verses, as quoted by Ausonius, there appear the names of several barbarian kings – Illibanus, Avelis, Vonones, Caranus, Nechepsos and Sesostris – who were mostly unknown to the earlier tradition. Of these kings,¹⁰⁷ the most information we have regards Sesostris, who is mentioned by several authors as king of Egypt.¹⁰⁸ In particular, it is worth noting how the typical Greek idea that kingship belongs to a different dimension, to the otherness of the barbarians,¹⁰⁹ clearly transpires from the content of these verses: this

100 Mondin 1995: 113.

101 See, for example, the passage in Hom. *Od.* 12.3-4.

102 Passages by other authors comparable with Ausonius' are noted by Mondin 1995: 113.

103 On a comparative level, particularly significant are the verses of Verg. *Aen.* 11.913-14 and Sil. *Pun.* 1.209-10, where horses drawn by Phoebus and Titan respectively are mentioned, two characters that are often identified by Latin authors (see for instance Avianus *Fab.* 4). In *Ep.* 14b.10 Ausonius also refers to Sol as Titan.

104 Dionys. *Per.* 9, Amato 2005.

105 *Orbis terrae* 17-18, Raschieri 2010.

106 *Perihegesis* 15, Bernhardt 1828.

107 The sources are reported by Pastorino 1971: 733 fn. 3. Vonones is the king of the Parthians mentioned in Tac. *Ann.* 2.1; 58; 68. Caranus is the first mythical king of Macedonia cf. Theopomp. *FGrH* 115, F 393; Liv. 45.9; Iust. 7.1.7-12. On the astronomer Nechepsos cf. Firm. *Mat. Mathesis* 3. *proem.* 4; 4. *proem.* 5; 4.22.2; 8.4.14; 8.5.1.

108 Hdt. 2.102-5; Diod. *Sic.* 1.53-58; Strabo 15.1.6; Arr. *Indica* 5.5.

109 Isaac 2004: 60-69; Vlassopoulos 2013: 192-93.

conception is emphasised precisely in the text with regard to the *barbara nomina* of the mentioned kings. Finally, scrolling through the same letter, we find a third poetic insert, containing another reference of a mythographic kind. Ausonius quotes two more verses from Paulinus' composition, where the latter is compared to the reckless Icarus, while the master Ausonius is associated with the prudent Daedalus (*Ep.* 17.41-42). Commenting on the significance of this comparison, Ausonius reinterprets the well-known myth¹¹⁰ of Icarus' ill-fated flight, emphasising that Paulinus used it as a clever artifice for celebratory purposes. The analogy formulated by Paulinus, in Ausonius' opinion, reproduces the father-son and master-disciple schema. However, immediately afterwards, Ausonius himself reverses the terms of the comparison, declaring that in truth it is Paulinus who is prudent while he himself is uncertain and unsteady. Given the way the text is composed, it is clear that Ausonius wishes to raise the tone of the discourse and employ the mythological reference to eulogise Paulinus and his poetic skill. An interesting point to note here is that Ausonius uses a topical motif that is quite common among Latin authors,¹¹¹ such as in the case of Horace's comparison of himself both to Icarus, when he alludes to the superiority of his poetic 'flight' (*Carm.* 2.20.13-16), and to Daedalus for his clumsy and unsuccessful poetic exercise (*Carm.* 4.2.1-4). As already seen in other letters, Ausonius uses mythological references in a metapoetic context: in other words, by quoting Paulinus' two verses on Daedalus and Icarus, he creates a meta-literary game in which both intertextuality and a kind of 'intermythology' recur and are used to indicate the outcomes of different poetic skills.

As for letter 19, it is certainly the most interesting of the prosymetric letters, both in terms of its formal structure and its content, which extensively develops a mythological theme. It once again testifies to the exchange of poems between Ausonius and Paulinus. In the first part Ausonius thanks Paulinus for the food he has given him, inserting two hexameters. He then reassures Paulinus that he will revise the poem he has sent him, and in the meantime sends him a poem of 46 iambic trimeters

110 Apollod. *Bibl.* 2.6.3; *Epit.* 1.12-13; *Ov. Met.* 8.183-235; *Hyg. Fab.* 40.

111 *Ov. Ars am.* 2.21-96; *Plin. Ep.* 7.4. On Pliny the Younger's comparison between his elegies and the flight of Icarus, see Tzounakas 2012.

as a tribute. The short poem is devised by Ausonius using the figure of the personification of iambic verse, who is imagined as flying high and bringing his greetings to Paulinus. Verses 1-13 contain an interesting mythological digression on the origin of the iambic meter (*Ep.* 19b.1-13):¹¹²

*Iambe Parthis et Cydonum spiculis,
iambe pinnis alitum velocior,
Padi ruentis impetu torrentior,
magna sonorae grandinis vi densior,
flammis corusci fulminis vibrator,
iam nunc per auras Persei talaribus
petasoque ditis Arcados vectus vola.
Si vera fama est Hippocrene, quam pedis
pulsu citatam cornipes fudit fremens,
tu, fonte in ipso procreatus Pegasi,
primus novorum metra iunxisti pedum
sanctisque Musis concinentibus novem
caedem in draconis concitasti Delium.*

Iambus more fleet than Parthian or Cydonian dart,
Iambus more fleet than wings of birds,
more impetuous than rushing Padus' current,
more searching than the downpour of rattling hail,
more darting than lightning's dazzling flash,
even now speed through the air borne by Perseus' winged sandals
and with the cap of the Arcadian god.
If 'tis truly told that Hippocrene
gushed forth at the hoof-beat of the impatient courser,
thou, begotten in the very fount of Pegasus,
wast first to link new rhythmic feet
and, while the nine holy Muses sang in harmony,
didst urge the lord of Delos to slaughter of the dragon.

112 This quotation and the following reproduce the Latin text by Green 1999, and the English translation, with some modifications, is by Evelyn White 1921.

Ausonius' text is not simply built on a rhetorical device but refers to the typical features of the 'myths of origins' or foundation myths, as the iambus is invoked as a mythical character capable of flight, carried by Perseus' winged shoes¹¹³ and the *petasus*, the broad-brimmed hat, of the god Mercury.¹¹⁴ In addition, the text also recalls his mythical birth at the Hippocrene spring, generated by the hoof of Pegasus.¹¹⁵ This image as a symbol of poetic inspiration was a traditional motif, as evidenced by its recurrence in the first choliambic verse of the prologue to Persius' *Satires*.¹¹⁶ Subsequently, Ausonius' verses add that in the very same place, having created for the first time the measures of new rhythmic units, while the Muses sang, iambus is said to have incited Delian Apollo to kill the serpent Python. Several versions of this myth have come down to us. Athenaeus¹¹⁷ reports two different versions, one attributed to Clearchus of Soli¹¹⁸, according to which Leto urged Apollo to shoot Python with an arrow, exclaiming "*híe paí*"¹¹⁹, and the other by Heraclides Ponticus¹²⁰ in which it was the god himself who repeated "*ié paían, ié paían, ié paían*" three times. Another variant of the same tale is given by Terentianus Maurus, according to whom the cry was uttered by the priests of Delphi to incite the child god against Python.¹²¹ Considering the tradition referred to by Ausonius, it is distinguished by the place of the mythical event near the Hippocrene spring, whereas the other versions mention Delphi. The mythical motif continues later in the text, when Ausonius asks the iambus to fly "winged and swiftly" (*Ep.* 19b.14: *praepes et volucripes*) to Paulinus' dwelling, bringing him his greetings, and to turn back (*Ep.* 19b.19-22):

nihil moreris iamque, dum loquor, redi,

113 Apollod. *Bibl.* 2.4.2-3; Catull. 55.6; Prop. 2.30.3; Ov. *Met.* 4.665-67; Hyg. *Fab.* 64.

114 Apollod. *Bibl.* 2.4.2-3; Ov. *Met.* 1.671-72.

115 Avienus *Aratea* 495-96; Ov. *Met.* 5.262; cfr. *Fast.* 5.7-8.

116 In Persius' text we read: "I never wet my lips in the horse's spring" (*Nec fonte labra prolui caballino*).

117 Ath. 15.701c-f.

118 Ath. 15.701c (= Clearchus fr. 64, Wehrli 1948)

119 See also the account of Macrobian *Sat.* 1.17.17.

120 Ath. 15. 701e-f (= Heraclides Ponticus fr. 158, Wehrli 1953).

121 *De litteris, de syllabis, de metris* 1584-95.

*imitatus illum stirpis auctorem tuae,
 tripliei furentem qui Chimaeram incendio
 supervolavit tutus igne proximo.*

Tarry not at all, and return now ere I cease to speak,
 after the example of that author of thy source,
 who o'er Chimaera with her triple blast of raging flame
 flew safe from the fire so near.

Again, Ausonius' verses evoke the mythical Pegasus, who managed to fly above the Chimaera, thus helping Bellerophon to defeat it.¹²² Ausonius reconstructs here a mythical genealogy of the iambus, giving it the status of an extra-human being, invested with a fundamental function. Therefore, evaluating the events narrated by Ausonius as a whole, it seems that he uses a mythical chronology divided into various stages, although presented in reverse order: first, the reference to a time, in which Apollo – the son of Leto and Zeus according to tradition – is now an adult god, who defeats the serpent Python by pronouncing the first iambic verse, while being supported by the Muses' song in accomplishing his deed; second, the evocation of a remote primordial epoch, in which Chimaera, one of the monsters inhabiting the world before the order established by the reign of Zeus, was destroyed. In short, in letter 19 Ausonius' allocution to the iambic verses, sent to Paulinus, presents a skilful rhetorical design, which not only focuses on the rapid and incisive details of the description, but also transfers the expressive instrument of poetic inspiration onto the higher level of the mythical dimension. In this way, the contingent side of poetic activity is transfigured and becomes essential.

Among the letters dedicated to Paulinus, the prosimetric letter 20 deserves a final mention. Ausonius asks his friend and disciple the courtesy of helping his former administrator Philo to transport some food to his villa in Lucaniacus to relieve him of shortages.¹²³ The author then states that he is sending Paulinus some iambic verses that actually constitute

122 Hes. *Theog.* 325; Pind. *Ol.* 13.90-91; Apollod. *Bibl.* 2.3.2; *Schol. ad Lycoph.* 17; Hyg. *Fab.* 57.

123 Cf. Mondin 1995: 139.

his “personal brand” (*character*).¹²⁴ At the end of his verses, dedicated to the description of Philo’s activities, Ausonius’ declaration – clearly created for encomiastic purposes and offered as a form of *captatio benevolentiae*¹²⁵ – stands out rather strongly: he wishes to honour Paulinus more than Ceres and put his *numen* before Triptolemus, Epimenides and Bouzyges (*Ep.* 20b. 45-49). The common trait of the characters mentioned concerns their being protagonists in the mythical tales that narrate the introduction of wheat. Regarding Ceres, there is no doubt that her sphere of action is constantly connected, both in myth and ritual, to the cultivation of wheat and to agriculture in general.¹²⁶ As far as Triptolemus, Epimenides and Bouzyges are concerned, these are rather well-known culture heroes in the Greek tradition.¹²⁷ But for the purposes of analysing this text, what is most interesting is that Paulinus is elevated, figuratively, by Ausonius to a rank higher than human, even higher than divinity. Here too, the mythological references – as in the other letters – have the function of raising and embellishing the tone and content of the poetic discourse.

Mythological references in letters with numerical games

The discussion of Ausonius’ use of mythology would not be complete if we did not also examine letters 10 and 14, which are constructed as contrived rhetorical plays on numbers. In these letters, mythological references provide the basis for catalogues formed by numerical periphrases.

124 On the use of this term, see Mondin 1995: 141.

125 On Ausonius’ use of *captatio benevolentiae*, see McGill 2014: 258-59.

126 Among the many studies on Ceres, one of the most significant is by Spaeth 1996.

127 These three characters are often overlapped in mythical variants. On Epimenides and Bouzyges as the first ox-drivers, see Schol. Hom. *Il.* 18. 483; Hesych. s.v. Βουζύγης. On Triptolemus and Bouzyges cf. Plin. *HN* 7.199. The complexity of the mythical accounts of the origin of ploughing is reported by Serv. *G.* 1.19, where it is narrated that Ceres had granted the use of the plough to Triptolemus as a gift. In this connection, we should recall the myth narrated by Ovid about the gift of the first plough to the child Triptolemus by Ceres (*Fast.* 4.550-60). Cf. Pastorino 1970: 761 fn. 15; Green 1991: 645; Mondin 1995: 145-46.

The compilation of catalogues, as well as centones and epitomes, assembled through a skilful and meticulous collection of material taken from past works, constitutes one of the fundamental components of Ausonius' literary production and prowess. As Brian Sowers has shown, however, Ausonius' work in assembling and combining literary sources and quotations is never mechanical nor an end in itself, but always gives rise to unique and functional variations on already known themes.¹²⁸ Letters 10 and 14 are evidence of Ausonius' inclination for a virtuoso rhetorical, linguistic and stylistic play, thanks to which he created a series of literary jokes, of which the best known are the *Griphus ternarii numeri* and the *Technopaegnon*.

In letter 10, Ausonius tells his friend Ursulus¹²⁹ how he endeavoured to make sure he received the emperor's gift of six solids. The text appears as a rhetorical game built on a series of periphrases indicating the number six, many of which are mythological allusions. The first of these circumlocutions mentions "two Geryons" (*Ep.* 10.6: *duo Geryones*), alluding to the fact that Geryon in mythical tales has three heads and three bodies.¹³⁰ Not by chance, the metaphor based on the monstrous figure of Geryon appears in both *Ep.* 14b.6 and in *Griphus* 82, where Ausonius again plays on numerical periphrases. Remarkably, letters 10 and 14 – which according to some scholars were written later than the *Griphus*¹³¹ – constitute a further reworking of the same rhetorical game on numbers. A second mythological periphrasis indicates "the Muses minus three" (*Ep.* 10.7: *demptoque triente Camenae*), which once again confirms Ausonius' interest in the number of Muses,¹³² and a third circumlocution mentions "how many men are entrusted with the destinies of Rome and Alba" (*Ep.* 10.9: *commissa viris Romana Albanaque fata*), an allusion to the fight between the three Horatii and the three Curiatii, whose story is reported in Livy's account (1. 24). In the entire epistolary, this is one of the very few

128 See the correct remarks by Sowers 2023 on the method Ausonius followed in epitomising his sources.

129 Cf. Pastorino 1971: 48.

130 Hes. *Theog.* 287; Apollod. *Bibl.* 2.5.10; Paus. 5.19.1; Hyg. *Fab. praef.* 30; 151.

131 See the chronology established by Pastorino 1971, according to which the *Griphus* dates to 368, *Ep.* 10 (= 18 Pastorino) is dated 375–378, *Ep.* 14 (= 7 Pastorino) is dated after 383. According to Mondin 1995: 121, letter 10 (= 7 Mondin) dates to 377.

132 See above on letter 13.

references to traditional tales on Rome's origins. When considering letter 10, there are very few numerical periphrases built on mythological characters and subjects when compared to others that are displayed as mathematical equivalences. Quick and short mythological details echo ancient traditions that were well known to Ausonius' addressees and audience, but are decontextualised from their original setting and given a new function, becoming formal expedients for the realisation of a refined and elevated style.

Of the two letters constructed with numerical games, letter 14 is the most complex and representative: it constitutes a worthy continuation of the kind of rhetorical exercise already implemented by Ausonius in the *Griphus*. This letter is sent by Ausonius to Theon to comment on his gift of thirty oysters. It offers a fine example of the rhetorical devices that are particularly favoured by the author and most often used in his works. In addition to the prosimetric form, the satirical tone and the periphrastic play on the number thirty make the letter particularly emblematic of Ausonius' style. The most interesting aspect of this letter is the inclusion of a short polymetric composition of 56 verses, where verses 6-17 constitute a series of monostichs containing equivalences of the number thirty linked to the Greek or Roman mythical tradition. Let us look specifically at the structure of these numerical associations as borrowed from mythology.

- 14b.6 The periphrasis "the Geryons multiplied by ten" reproduces the same metaphor already seen in *Ep.* 10.6 and in *Griphus* 82.
- 14b.7 The multiplication by three of the canonical 10-year duration of the famous Trojan conflict evokes the epic tradition.¹³³
- 14b.8 Here we find a sentence that is harder to interpret. Green suggests reading *quotve dies solidi* as referring to the days of the month.¹³⁴ Agostino Pastorino instead maintains the reading offered by the manuscript *V aut ter ut Eolidi* and defends Elia Vinet's interpretation that *Eolis* is Canace, daughter of Aeolus, who is said to have given birth after a ten-

133 Hom. *Il.* 2.299-330; Apollod. *Epit.* 3; Cic. *Div.* 2.30.63-65; Hyg. *Fab.* 108.

134 Green 1991: 633.

month pregnancy.¹³⁵ By contrast, Luca Mondin suggests amending the text with *teru<e quo>t Aeolidi*, giving it this meaning: “three times are the months the sun has for the granddaughter of Aeolus”.¹³⁶

- 14b.9 The nights included in the lunar month indicated by the name of the goddess Cynthia, often identified with the moon, are briefly alluded to. Such identification, besides often being found among 1st century poets,¹³⁷ is indeed often seen in other late antique poets such as Avienus,¹³⁸ Claudian,¹³⁹ Dracontius,¹⁴⁰ Ennodius.¹⁴¹
- 14b.10 Reference is made to the days that *Titan*, i.e. *Sol*, takes to cross each single sign.¹⁴²
- 14b.11 The 30-year duration of the revolution of Saturn, indicated by the epithet *Phaenon*,¹⁴³ is mentioned.
- 14b.12 A recall to the thirty years of the ministry of the Vestal Virgins is added.¹⁴⁴

135 Pastorino 1971: 233. The account of Canace’s pregnancy is in Ov. *Epist.* 11.45–46.

136 Mondin 1995: 212–13, argues that *Aeolidi* refers to Tyro, daughter of Salmoneus and granddaughter of Aeolus, seduced by Poseidon; the scholar connects this idea to the passage in Gell. *NA* 3.16.15, where the duration of pregnancy is discussed and it is assumed that female beings loved by Poseidon could have a longer pregnancy.

137 Luc. 1.218; 2.577; Sil. *Pun.* 4.480.

138 *Aratea* 1445–88.

139 *Carmina* 8.427; *Carmina minora* 27.38.

140 *Romulea* 10.188–92.

141 *Carmina* 2.128. 4.

142 In the text of Aratus *Phaen.* 546–52, we read that he goes through the 12 stages of the zodiac, throughout the year. See also Quint. Smyrn. 2.502–6. Cf. Luc. 1.15; 540. The name *Titan* is often used by Latin authors to identify *Sol* (the Greek name is *Helios*), son of Hyperion, himself belonging to the first generation of *Titanes*. See *Ecl.* 23.4 and *Ep.* 17.2.

143 Several sources speak of Saturn’s revolution: Cic. *Nat. D.* 2. 52; Plin. *HN* 2.32; Censorinus *DN* 13.3; Firm. Mat. *Mathesis* 3.3.2.; Mart. Cap. 8.851. Cf. Green 1991: 633; Mondin 1995: 213.

144 Dion. Hal. 2.67.2; Plut. *Num.* 10; Symmachus *Epist.* 9.108. Wildfang 2006.

- 14b.13 The Vergilian quotation *Dardaniusque nepos* indicating Ascanius, king of Alba for thirty years, appears here.¹⁴⁵
- 14b.14 A numerical periphrasis by subtraction is provided: Priam's sons, who traditionally numbered 50¹⁴⁶ minus two ten.
- 14b.15 The number of the *quindecimviri* guardians of the Sibylline oracles is indicated here.¹⁴⁷ Interestingly, this is a rhetorical game that re-proposes another numerical periphrasis on the same personages already mentioned in *Griphus* 87.
- 14b.16 Mention is made of the piglets that the sow of Alba gave birth to under the holm oaks.¹⁴⁸

These verses of letter 14 display such a diversified range of mythological references, that it vividly conveys Ausonius' impressive erudition in this area. His skilful use of this knowledge constitutes a refined exercise that is meant to elevate the level of his poetic and rhetorical proficiency. Ausonius here uses his usual technique of reproducing and recomposing small fragments of the mythological material at his disposal:¹⁴⁹ it is thanks to this cataloguing procedure that the composition appears unified in its theme and construction. As a demonstration of the technical skill with which Ausonius compiles and formulates this short poetic interlude, it is worth looking at verses 19-23, in which Ausonius, using a sharp satirical tone, emphasises the obtuseness of his addressee Theon, who – in his opinion – might not understand mythical tales at all. Evidently, Ausonius plays here on a 'metamythological' level, so to speak, lingering jokingly and paradoxically in his address to Theon in order to continue his rhetorical game on the number thirty. Immediately after-

145 As already noted by Pastorino 1971, Green 1991 and Mondin 1995, the Vergilian quotation is in *Aen.* 4.163, and the prediction of the duration of Ascanius' reign over Alba is found in *Aen.* 1.167-70.

146 Cf. Verg. *Aen.* 2.503.

147 The members of the *collegio sacris faciundis* were originally two, then became ten and were later increased to fifteen. See Santi 1985 and Gillmeister 2019.

148 The same image is found in *Aen.* 3.390-91.

149 On the method of fragmenting and recomposing in epitomes of late antiquity, see Sacchi & Formisano 2023: 2-14. On the same method used by Ausonius, see Sowers 2023.

wards, in fact, another series of mathematical equivalences is introduced, based on the decomposition of the factors that form the number itself (*Ep.* 14b.24-35).

Conclusions

This analysis of Ausonius' epistolary – though only a limited part of his literary production – shows that the manner in which he reworks the mythological heritage at his disposal is very clear. The re-adaptation of such material is evidence as much of his deep-rooted knowledge of the contents and the ideas of the literary tradition of the past, as of his complete identification with that world: Ausonius clearly shares its ideals, which comprise his keys to interpreting everyday reality. On the one hand Ausonius' re-elaboration of mythological material implies refined rhetorical techniques, and on the other, it is a readjustment to his own themes.

From a formal point of view, allusions to mythical events constitute one of Ausonius' tools in his quest for an elevated style, the function of which is predominantly aesthetic. Within this process, some relevant aspects are worthy of note.

First of all, in many cases mythological references are included in *metapoetic* discussions as they relate to the poetic activity of Ausonius and his friends, as can be seen several times in the letters in verse, where there are allusions to the Muses and their seats, or in the epistles that testify to exchanges of literary works (*Ep.* 4 and 8 to Theon, *Ep.* 5 to Axius Paulus, *Ep.* 9 to Petronius Probus, *Ep.* 17, 19 and 20 to Paulinus). The *metamythological* reflections of letter 14 – where Ausonius pokes fun at Theon's misunderstanding of myths – and the *intermythological* layering of letter 17 – where Ausonius quotes Paulinus' verses containing mythological references – also fall within this remit.

Second, mythological references are often connected to Ausonius' private affairs, such as when he asks for news of Theon (*Ep.* 5) or urges Paulinus to host his factor Philo (*Ep.* 20) or extols his friendship with Paulinus (*Ep.* 24).

Third, Ausonius very frequently employs well-known Homeric, Virgilian and Ovidian epic models to construct abstract comparisons between an ideal world and the reality of everyday life. Such analogies are used by Ausonius in two directions. In one sense, to 'elevate', i.e. to celebrate his friends, as in letter 9 where the three Homeric heroes are compared to Probus, or in letter 20 when he considers Paulinus a sort of cultural hero superior to Triptolemus, Epimenides and Bouzyges, or in letter 24 where the friendship between Ausonius and Paulinus is assimilated to various mythical examples of couples of indissoluble friends. In the other sense, to 'lower', i.e. to offer contrasting and paradoxical examples, as in letter 4 concerning Pierides' misbehaviour, which Axius Paulus is discouraged from imitating, or in letter 13 when ironically Theon's hunting activity is compared to that of Adonis and his performance to the god Orcus.

Again, mythological motifs are more extensively developed in the prosimetric letters where formal experimentation and contrived style are more elaborated. This can already be seen in letter 17 where there are three poetic inserts, consisting of a mythological-astronomical periphrasis, a digression on oriental mythical geography, and a reference to the pair Daedalus-Icarus. But it is particularly evident in letter 19, where Ausonius extensively recounts the myth of the origin of the iambus, who becomes a mythical character of the 'time of origins'.

Lastly, mythological motifs are sometimes combined with complex numerical word games, as in letter 10 on the number six, or in letter 14 on the number thirty. Here there is evidence of technical-rhetorical prowess and literary delight by Ausonius, who collects and rearranges small fragments of the tradition of the past, arriving at unitary poetic structures.

In sum, the task performed by Ausonius when collecting from older sources, assembling, and rearranging the mythological material in his letters, does not appear to be mechanical work at all. On the contrary, it is an ordering process that follows a clearly defined approach: mainly that of looking at everyday reality through the lens of an erudite man, who knows how to use his knowledge intelligently and ironically.

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THE HISTORY OF LUCAN SCHOLIA
AND GERBERT OF AURILLAC'S COPY OF
THE *BELLUM CIVILE*
(MS. ERLANGENSIS 389, = E)

By Alessio Mancini

Summary: The importance of the very rich paratext of Lucan's manuscript Erlangensis 389 has so far been greatly underestimated; a new comprehensive analysis of its exegetical materials, along with our updated knowledge of the vicissitudes of the manuscript itself, provides a better understanding of its role in the history of Lucan scholia and allows for several improvements in the text of the *Commenta Bernensia* and the *Supplementum adnotationum super Lucanum*.

If you go to a university library and search for Lucan's primary bibliography, you will probably find – usually at the very end of the shelf, covered by a good finger of dust – a small set of apparently straightforward critical editions of scholia to the *Bellum Civile*: the *Commenta Bernensia*, edited by the great Hermann Usener in 1869;¹ the *Adnotationes super Lucanum*, whose Teubner edition was published by Johann Endt in 1909;² and Giuseppe Angelo Cavajoni's *Supplementum adnotationum super Lucanum*, edited in three volumes between 1979 and 1990.³ At first glance, it would seem to be a clear and reassuring situation: a first commentary (the *Commenta*), clearly distinguished from a second one (the *Adnotationes*), and a third set of scholia with a close connection to the *Adnotationes* (the so-called *Supplementum adnotationum*).

1 Usener 1869.

2 Endt 1909.

3 Cavajoni 1979-90.

Unfortunately, such a reconstruction is, to put it mildly, a dramatic oversimplification of reality, not to say an imposture. The clear distinction between *Commenta* and *Adnotationes* is, to begin with, an illusion, fostered by the exceptionality of their textual transmission and further fueled by their editors:⁴ the two sets of scholia show, in fact, considerable overlap in content, and what is more, they are, in the first part of the manuscript that preserves both, physically mixed with each other.⁵ In addition to this, the *Commenta* and the *Adnotationes* were transmitted both in the form of a continuous commentary and marginal scholia: Usener and Endt were deeply influenced by the exceptional nature of the first form of transmission, and for this reason the two scholars made largely arbitrary use of those materials that had been transmitted together with the text of Lucan. Their critical editions are therefore, though in different ways, both heavily affected by this bias,⁶ and do not accurately represent what was happening around Lucan's text in Carolingian Europe. As for the *Supplementum adnotationum super Lucanum*, it has – despite its name – absolutely nothing to do with the *Adnotationes*, except that it was transmitted by a group of manuscripts that also contain a greatly simplified version of their text, usually referred to as *Adnotationes retractatae*.⁷

With this very short introduction I wanted to point out two facts, which apply to Lucan's case as well as to those of any other classic with a rich exegetical tradition: first, a critical edition of a corpus of scholia is a dangerous tool, since it tries – and sometimes succeeds, irretrievably – to fix a tradition that is by definition elusive; second, the materials selected by each editor are but a drop in the ocean, that is, a small part of a much larger and more complex story.⁸ In Lucan's case, there are several

4 The best discussion of the history of *Commenta Bernensia* and *Adnotationes super Lucanum*, their relationship, and their critical editions, is still that of Werner 1994 (= Werner 1998: 124-49).

5 In the Ms. *Bernensis* 370, containing both the *Commenta* and a significant portion of the *Adnotationes* without the text of Lucan, the two sets of scholia are intermingled from the beginning of the poem up to Lucan. 1.396: see Werner 1998: 129-30.

6 A detailed demonstration can be found in Werner 1998: 134-43.

7 See Endt 1909: IX par. III; Cavajoni 1979: XI.

8 Some important considerations about this topic, with further evidence of the fluidity of labels such as *Commenta* and *Adnotationes*, can be read in Gotoff 1971: 102-7.

paratexts that are sometimes as ancient and noteworthy as the *Commenta* and the *Adnotationes*, but which have never received the attention they would have deserved; and it is to such an example that the following pages are devoted.

The Erlangensis 389 is a tenth-century manuscript⁹ containing both the text of Lucan's *Bellum Civile* and a very rich paratext, consisting of Suetonius' *Vita Lucani*, the pseudo-epitaph *Corduba me genuit*, prose summaries of each book of the poem¹⁰ and a flourishing apparatus of marginal and interlinear scholia. Interestingly, this manuscript is by no means unknown: Arnold Genthe dedicated a monograph to it in 1894,¹¹ and Johann Endt used it with the siglum *E* in his edition of the *Adnotationes* to establish the text of the prose *argumenta*. Both Genthe and Endt, however, paid little to no attention to what was around Lucan's text,¹² i.e. a full-blown commentary on the *Bellum Civile*.

Before devoting our attention to the content of this marginal commentary, it will be useful to put to use our knowledge of the manuscript's history, which is significantly deeper than that available at Endt's time. Its place of origin is, to be fair, uncertain: maybe Germany according to Birger Munk Olsen,¹³ France or Belgium in Hoffmann's description.¹⁴ Scholars agree, however, in linking the manuscript to another codex, the Erlangensis 380, which preserves, along with other texts, Cicero's *De Oratore*: in particular, there is widespread consensus that one of the hands

9 Detailed descriptions of the manuscript can be read in Irmischer 1852: 85 (where it is referred to with its old signature, i.e. Erlangensis 304); Fischer 1928: 461-62; Hoffmann 1995: 177. A digital reproduction is available at <https://shorturl.at/exj59> (last seen: 26/04/2023).

10 With the exception of books three and four, where the *argumentum* is missing (see respectively ff. 14r and 27r).

11 Genthe 1894.

12 Endt's ambiguity about the role of the Erlangensis 389 as well as of several other manuscripts in establishing his edition of the *Adnotationes super Lucanum* was already being criticized by Wessner 1921: 223: 'dagegen erwähnt E. im "Siglorum conspectus" noch die Codices Bernensis 45 s. X B, Parisinus 9346 s. XI und 7502 s. X Pa, Monacensis 4610 (s. ?) Q und Erlangensis 304 s. X, ohne in der Vorrede den Benutzer der Ausgabe auch nur mit einem Wörtchen über diese Hss. und ihre Stellung zur übrigen Überlieferung aufzuklären, was ein recht bedauerlicher Mangel ist'.

13 Munk Olsen 1985: 33 [B. 31].

14 Hoffmann 1995: 99 and 177.

annotating Cicero's text is the same as one occasionally found in the margins of the Erlangensis 389, for example on f. 86r.¹⁵ In a series of articles¹⁶ Marina Passalacqua has proposed identifying the author of these interventions on the text of the Erlangensis 380 as Gerbert of Aurillac, *scholasticus* of the cathedral school of Rheims from 973 to 980 and again from 984 to 989 and then pope with the name of Sylvester II from 999 to 1003.¹⁷ This proposed identification has found broad, though not unanimous, consensus,¹⁸ and if accepted it would also have, of course, important implications for the analysis of the Erlangensis 389.

Before giving credit to this hypothesis, however, it seems important to summarize the facts of which we are (relatively) certain. The Erlangensis 380 was copied by the monk Ayrardus of Aurillac at the explicit request of Gerbert, most likely while the latter was abbot of Bobbio, as we can reconstruct from the *subscriptio* of the manuscript itself;¹⁹ from Gerbert's epistolary we learn that at that time Ayrardus must have been in Rheims,²⁰ where Gerbert would return in 984.²¹ This means that in the last decades of the tenth century the Erlangensis 380 was in Rheims, and that in this time frame it was annotated by the hand attributed by Passalacqua to Gerbert, which is contemporary with Ayrardus.²²

15 This is the hand referred to as α by Hoffmann, also found in other coeval manuscripts: see again Hoffmann 1995: 177; Munk Olsen 2014: 399.

16 See Passalacqua 1990; Passalacqua 1994; Passalacqua 1996.

17 The bibliography on Gerbert is virtually endless; for an overview of his intellectual activity and his teaching at Rheims see at least Lake 2013 and Stoppacci 2016: 3-54.

18 It is considered reliable for example by Stoppacci 2016: 20-21, whereas Hoffmann 1995: 27 states that such an identification is hardly 'mehr als eine hübsche Vermutung ... , denn die fraglichen Korrekturen verraten nicht so sehr ungewöhnliche, mathematische Kenntnisse als vielmehr ein antiquarisches Interesse an antiken Massen und Münzen, welches man auch einem anonym bleibenden Gehilfen aus Gerberts Umgebung zutrauen könnte.'

19 At f. 150v we read *venerando abbate Gerberto philosophante suus placens Ayrardus scripsit*; see Passalacqua 1990: 324, who dates the copy of the manuscript between 983 and 991.

20 See Munk Olsen 2014: 399 'Ayrardus a dû se trouver à Reims en tout cas en 983 puisque Gerbert indique, dans la lettre, d'autres manuscrits à copier à Orbais et à St-Basle, localités voisines de cette ville'.

21 Lake 2013: 49 and n. 1 with vast bibliography on the chronology of Gerbert's life.

22 Hoffmann 1995: 177 calls it a 'gleichzeitige Korrekturhand'.

It is clear that this reconstruction makes a strong case for the presence of the Erlangensis 389 as well in Rheims over the same period, along with all the manuscripts in which the activity of that same hand has been detected.²³ Two scenarios open up at this point, one more modest and – so to speak – conservative, the other more ambitious and partially speculative. What we can say with reasonable certainty is that the Erlangensis 389 was part of the library of the cathedral school of Rheims at the end of the tenth century; but if we accept Passalacqua’s hypothesis we can go much further, and come to the conclusion that this manuscript is the Lucan on which the great Gerbert based his knowledge of the *Bellum Civile*,²⁴ a text that was part of his syllabus at Rheims.²⁵ If we agree to move onto shaky ground, we can try to go one extra step further: as Fischer pointed out,²⁶ the two Erlangen manuscripts share some physical characteristics, and it cannot be ruled out that they were copied in the

23 See above, n. 15.

24 See the enlightening remarks of Munk Olsen 2014: 400, who also makes a convincing hypothesis about the subsequent history of the manuscript: ‘On obtient ainsi un groupe assez homogène de dix manuscrits classiques, qui ont été copiés à Reims ou qui ont dû s’y trouver à l’époque de Gerbert ; ils ont donc pu faire partie de sa bibliothèque. Quelquesuns de ces manuscrits ont été complétés ou corrigés par des mains de Bamberg au xi^e siècle, notamment Bamberg, SB, Class. 35-II et Erlangen, UB, 389. Les deux manuscrits d’Erlangen proviennent de l’abbaye cistercienne de Heilsbronn, fondée en 1132, mais ont dû se trouver à Bamberg au xi^e siècle. Il est donc probable que ces manuscrits, avec plusieurs autres non classiques, ont passé en bloc à Bamberg, soit par l’intermédiaire d’Otton III, qui avait des relations étroites avec Gerbert et dont les livres ont été hérités par Henri II, soit par celui-ci, qui les aurait obtenus après la mort de Gerbert à Rome en 1003, soit d’une autre manière, par exemple, par l’intermédiaire de Léon de Verceil’. See also Hoffmann 1995: 29.

25 See the famous biographical sketch about Gerbert’s teaching contained in Richer of Rheims’ *Historiae*, 3.47: *poetas igitur adhibuit, quibus assuescendos arbitrabatur. Legit itaque ac docuit Maronem et Statium Terentiumque poetas, Iuvenalem quoque ac Persium Horatiumque satiricos, Lucanum etiam historiographum. Quibus assuefactos, locutionumque modis compositos, ad rhetoricam transduxit*. It would be interesting to search Gerbert’s works for traces of materials derived from the scholia contained in the Erlangensis 389; if successful, such a search could indirectly confirm Gerbert’s use of the manuscript.

26 See Fischer 1928: 462 ‘in dieser Hinsicht scheint also der codex im allgemeinen der Ayrardushandschrift 380 näher zu stehen, die um dieselbe Zeit und in der gleichen Weise ergänzt wurde, auch ein ähnliches großes Quartformat hat’.

same *scriptorium*. It is therefore at least conceivable that the Erlangensis 389, like the Erlangensis 380, was commissioned in the same years by Gerbert himself, a tireless seeker of Latin classics;²⁷ and maybe, if the last part of the manuscript were not lost, at the end of the *Bellum Civile* we would read a *subscriptio* similar to that of Ayrardus.²⁸

The Erlangensis 389 was thus in Rheims at the end of the tenth century, and was perhaps employed for the teaching of Latin grammar (*enarratio poetarum*) in the cathedral school. This is already more than we can say about most Lucan manuscripts: but what can we make of this information? Does it help us to place its paratext in the elusive history of Lucanian exegesis? To begin with, the manuscript Bernensis 370, taken by Usener as the foundational basis for his critical edition of the *Commenta Bernensia*, also comes from Rheims.²⁹ We would therefore expect some kind of overlap between the marginal commentary of the Erlangensis 389 and the continuous commentaries preserved by the Bernensis 370; and to be fair Arnold Genthe had already noted, albeit superficially, the proximity of the former to the *Commenta Bernensia*.³⁰

Such proximity, however, does not seem to result from a direct relationship between the two manuscripts. The second witness used by Usener to establish the text of his *Commenta Bernensia* is another Swiss manuscript, the Bernensis 45,³¹ where the scholia are copied in the margins along with Lucan's text. These scholia, however, are not identical to those handed down from the Bernensis 370, and as I anticipated earlier Usener made completely arbitrary use of them.³² What is important to note here is that a significant portion of the scholia in the Erlangensis

27 On this aspect of Gerbert's personality see e.g. Stoppacci 2016: 12-14.

28 See above, n. 19. The Erlangensis 389 breaks off at f. 143v, which ends with Lucan. 10.375; the final section of the poem was added by a fifteenth-century hand.

29 So e.g. Munk Olsen 1985: 78 [Bc. 3]. For its content see above, n. 5.

30 See Genthe 1894: 18: 'scholia saepe cum scholiis a Webero editis, saepius cum commentis Bernensibus, quae Usenerus publici iuris fecit, consentiunt, plerumque autem nova perhibent'.

31 This manuscript is most likely from Fleury and dates to the ninth century, while its scholia (which break off at Lucan. 3.286) were added around the tenth-eleventh century: see Homburger 1962: 99; Gotoff 1971: 15; Munk Olsen 1985: 28 [B. 9].

32 A thorough criticism of Usener's (mis)use of the Bernensis 45 can be read in Werner 1998: 137-41.

389 is indeed close to the *Commenta Bernensia*, but in the form in which they were handed down by the Bernensis 45.³³ Consider the following two (among several) scholia in the Erlangensis 389 (*E*), the Bernensis 45 (*B*) and the Bernensis 370 (*C*):

Ad Lucan. 1.72 *sic cum compage soluta*:

Erlangensis 389 (<i>E</i> , f. 3r)	Bernensis 45 (<i>B</i> , f. 2r)	Bernensis 370 (<i>C</i> , f. 6r)
Hic sequitur Epicureos, qui interiturum mundum suis opinionibus colligunt.	Hic sequitur Epicureos, qui interiturum mundum ex suis opinionibus colligunt.	Secundum opinionem quorundam philosophorum et maxime Epicureorum, qui interiturum mundum ex suis opinionibus colligunt.

Ad Lucan. 1.686 *dubiam super aequora Syrtim*:

Erlangensis 389 (<i>E</i> , f. 14r)	Bernensis 45 (<i>B</i> , f. 6r)	Bernensis 370 (<i>C</i> , f. 20v)
Catonem significat, qui se ipsum interemit in Africa ducens exercitum per desertum Lybiae.	Catonem significat, qui se ipsum interemit in Africa ducens exercitum per desertum Lybiae.	Catonem significat, qui cum in Africa nil valeret, ibi ipse <se> interemit.

The relationship between *E* and *B* is even closer than this. *B* includes significantly more scholia than *C*, and sometimes such ‘extra’ materials overlap with those of other known Lucan scholia.³⁴ In several cases, what we find in *B* ‘against’ *C* happens to be in *E* as well. Two examples:

33 A preliminary remark about the relationship between the Erlangensis 389 and the Bernensis 45: the two manuscripts show a very similar text of Lucan, and even if they do not seem to depend directly on each other, it has been suggested that they may depend on a common subarchetype. See Genthe 1894: 25-26; Francken 1896-97: vol. I, xiii-xiv; Beck 1900: 7.

34 These exegetical materials, discarded by Usener because they were considered unrelated to what he meant by *Commenta Bernensia*, have been published separately by Cavajoni 1975; see also Werner 1998: 137 and n. 25.

Ad Lucan. 1.593 *lustrō*:

Erlangensis 389 (E, f. 12v)	Bernensis 45 (B, f. 5v) ³⁵	Bernensis 370 (C)
Lustrum est quinquennale tempus, quo peracto lustrabant civitatem, id est cum facibus circumdabant. Hanc autem lustrationem in finem mensis februarii agere solebant, in honore scilicet Februi, id est Plutonis, a quo et februarius dicitur, qui lustrationibus potens esse credebatur. Februo enim Graece, purgo Latine dicitur. Sed nos, ne minoris videamur devotionis, hanc lustrationem in sanctae Mariae festivitatem transferimus, quando ecclesiam cum candelis ambimus.	Lustrum quinquennale tempus quo peracto lustrabant civitatem, id est cum facibus circumdabant. Hanc autem lustrationem in finem mensis Februarii agere solebant, in honore scilicet Februi, id est Plutonis, a quo et Febrarius qui lustratione potens esse credebatur. Februo enim Graece, purgo Latine dicitur. Sed nos, ne minoris videamur devotionis, hanc lustrationem in sanctae Mariae quando ecclesiam cum candelis ambimus.	nothing

Ad Lucan. 1.596 *Gabino*:

Erlangensis 389 (E, f. 12v)	Bernensis 45 (B, f. 5v)	Leidensis Vossianus Q.51 (= Supplementum, V)	Bernensis 370 (C)
Sacerdotes Gabinorum cum quodam die nudi hostiarum coria detraherent, repente hostium nuntiatum est adventus; qui vestibus indui non	Sacerdotes Gabinorum cum quodam die nudi hostiarum coria detraherent, repente hostium nuntiatum est adventus. Tunc illi, indui se non	Sacerdotes Gabinorum, cum quodam die nudi hostiarum coria detraherent, repente hostium adventus nuntiatum est; qui vestibus indui non	nothing

35 The transcription of this scholium given by Cavajoni 1975: 85 is, for incomprehensible reasons, incomplete; this is my own transcription.

valentes, togis succincti hostes petierunt atque in fugam verterunt. Inde ab illis decretum est, ut tali habitu semper sacrificia offerrent. Quo habitu diaconi in ecclesia quadagesimali tempore ministrant.	valentes, <to>gis succincti hostes petierunt atque in fugam verterunt. Inde ab illis decretum est ut tali habitu semper sacrificia offerrent. Quo habitu diaconi in ecclesia quadagesimali tempore utuntur.	valentes, togis succincti hostes petierunt atque in fugam verterunt. Inde ab illis decretum est, ut tali habitu semper sacrificia offerrent. Quo habitu diaconi in ecclesia quadagesimali tempore ministrant.	
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Apparently, then, the presence of the Bernensis 370 in Rheims did not have a direct influence on the materials that merged together in the Erlangensis 389. Yet even the very strong similarity³⁶ between the paratexts of *E* and *B* does not seem to stem from a direct dependence of one on the other, so much as from the use of common sources. For several reasons, the scholia of *E* cannot come from those of *B*: first and foremost, in the latter they break off at Lucan 3.286,³⁷ while in the former they cover almost the entire poem. It could be argued that *E* followed *B* until it was interrupted, and then turned to another source; but if that were the case, it would not explain situations like Lucan 1.623, where *E* lacks something which is found in *B*,³⁸ or Lucan 2.2, where *E* and *C* share a scholium missing in *B*.³⁹ Beyond that, in some cases the text of *E* is superior to

36 Which is, of course, much broader than what I have been able to show here: the two manuscripts also share, for example, hundreds and hundreds of interlinear glosses, often placed in the same position all around and above Lucan's text.

37 See above, n. 31.

38 *Vitalia sunt venae quibus vita continetur, quae cum integrae inveniuntur, salutare sunt (E); vitalia sunt venae quibus vita continetur, quae cum integrae inveniuntur salutare sunt et maiorem partem intestinorum tabe, ist est marcore dissoluto, prout mollem humorem hia...* (*B*); the last part of the *B* scholium, whose complete form and meaning are uncertain, was not taken into consideration by Usener or Cavajoni, and has no match in *E*.

39 That is the long philosophical note that can be read in Usener 1869: 47-48, which is found in almost identical form in *E* and is missing in *B*; this dynamic is more frequent than the one discussed in the previous note.

that of *B* in a way that is almost impossible to explain by conjectural emendations by the scholiast.⁴⁰ Although it is more difficult to rule out the opposite case – i.e., a direct dependence of *B* on *E* – such a situation, in which the two manuscripts share a large portion of scholia but each preserves exclusive materials, does indeed seem to indicate the use of common sources rather than direct filiation.⁴¹ As far as we can tell, *E* had access to a more plentiful and ‘*Commenta*-like’ set of scholia,⁴² or perhaps *B* effected a more incisive selection of what was in their common source.

The close connection between *E* and *B* and the apparent lack of influence of *C* on the paratext of the former manuscript are, therefore, solid conclusions for further studies; the Erlangensis 389, however, has still much to unveil.

Above we saw that one of the scholia that *E* shares with *B* is also found in *V*, the Leidensis Vossianus Q.51, one of the manuscripts employed by Cavajoni for his edition of the so-called *Supplementum adnotationum super Lucanum*. This manuscript dates back to second half of the tenth century, and its origin is conventionally located in western Germany.⁴³ That was not an isolated case: the overlapping of the exegetical materials of *E* and *V* is a constant feature, which deserves closer scrutiny. Cavajoni detected the activity of four scholiasts operating in the margins of the Leidensis Vossianus, to which he refers with the sigla *V*, *V1*, *V2*, and *V3*; in his reconstruction, *V* and *V1* are chronologically very close, whereas *V2* and *V3*

40 This seems to be the case with the scholium to Lucan. 1.593 as is shown in the table, where *E* has a clearer and fuller text than *B* (see *dicitur* and *festivitatem transferimus*, fundamental for the meaning of the scholium itself and missing in *B*).

41 Which means that, as far as their paratext is concerned, the relationship between *E* and *B* would be similar to that concerning the text of Lucan they handed down: see above, n. 33.

42 This would account at the same time for what we observed above, n. 39 (i.e. cases where *C* and *E* preserve scholia which are absent in *B*), and for the independence of *E* from *C*, since the former shows sometimes a better and/or fuller text than the latter; to this point we will return later.

43 Detailed description are found in de Meyier 1975: vol. II, 126-28; Cavajoni 1979: XXXVI-XXXVII; Munk Olsen 1985: 42 [B. 64]. *V* is one of the most important witnesses for the *constitutio textus* of the *Bellum Civile*: see Hosius 1913: V-VI; Housman 1927: VII-VIII; Gotoff 1971: 21.

are later.⁴⁴ It is very interesting to observe that *E* scholia are matched by those of all these four hands; consider the following examples:⁴⁵

Ad Lucan. 5.609 *Aeolii*:

Eoliae VIII sunt insule, quarum rex Eolus fuit, qui deus ventorum dicitur (*E*)

Aeoliae novem sunt insulae quarum rex Aeolus fuit, qui deus ventorum dicitur (*V*)

Ad Lucan. 5.355 *amolitur onus*:

moliri dicimus conari, hinc amoliri subtrahere vel auferre (*E*)

moliri dicimus conari; hinc 'amoliri' subtrahere vel auferre (*V1*)

Ad Lucan. 4.523 *Ursae*:

Duae ursae sunt in polo septentrionali, una maior et altera minor, Erix videlicet et Cinosura, quae numquam occidunt sed in semet revolvuntur (*E*)

Duae ursae sunt in polo septentrionali, una maior et altera minor, Elice videlicet et Cinosura, quae numquam occidunt, sed in semet ipsas revolvuntur (*V2*)

Ad Lucan. 7.104 *signa petunt*:

In desperationem. Nimirum, inquit, si ipsa bella petunt, quia iam fame peribunt (*E*)⁴⁶

In desperationem; non mirum, inquit, si ipsi bella petunt, quod iam fame peribunt (*V3*)

Quite obviously, such a correspondence is by no means a coincidence, and it prompts us to question once again the direction of the relationship between *E* and another known manuscript, in this case *V*. A first hypothesis is that *E*'s notes depend on *V*'s knowledge at a time when the Leiden

44 See Cavajoni 1979: XXXVII; de Meyier 1975: vol. II, 127 considered them 'eiusdem temporis, ut videtur'.

45 All *V* scholia are quoted according to Cavajoni's text.

46 Here *E*'s note is split between the interlineum (*in desperationem*) and the margin (the rest of the note).

manuscript had already been annotated by all its scholiasts; this does not seem to be the case, because sometimes *E*'s text is much better preserved than *V*'s. Consider the scholium to Lucan 5.366 as it is printed by Cavajoni:⁴⁷

Privati dicebantur qui † a dignitatibus suis rebus administrabant (*V3*)

In his apparatus criticus *ad loc.* Cavajoni suggested emending the text to *a<bsque> dignitatibus suas res*; but a much simpler and perfectly readable solution is found in *E*'s scholium, which says:

Privati dicebantur qui dignitatibus alienati suis tantum rebus amministrabant (*E*)

Another clear example is the scholium to Lucan 6.635, which is printed by Cavajoni as such:

Lex est Erebi, ut quem semel receperit numquam postea reddat; sed tunc cessit * * ad vocem illius magae <et> mortuum quem tenebat remisit (*V1*)

Cavajoni therefore was not able to read what was in *V* after *cessit*, and at the same time integrated an *et* after *magae*. He was not far from the truth in the first case⁴⁸ and definitely wrong in the second, because in *E* we read:

Lex est Erebi ut quem semel receperit nunquam postea reddat; sed tunc cessit quia ad vocem illius magae mortuum quem tenebat remisit (*E*)

It seems safe to conclude, then, that the Erlangensis 389 does not owe a substantial part of its paratext to a direct knowledge of the Leidensis

47 See Cavajoni 1979: 314.

48 See Cavajoni 1984: 56 *ad loc.*, who writes in the apparatus criticus: '*inter* 3 cessit *et* ad vocem: *uia tantum legitur*'. Now we know that *uia* in *V* was nothing but the end of the *quia* we read in the Erlangensis 389.

Vossianus Q.51, and that their frequent overlap must have another explanation. An opposite scenario – i.e., that *V* remained physically in contact with *E*'s paratext long enough for all the scholiasts of the former to have access to the latter⁴⁹ – is more seductive, but does not come without problems. First, if *V*'s annotators had access to *E*, it is unclear why they decided to use it only in part, omitting many of its more 'valuable' materials, such as those that match the *Commenta Bernensia*. Moreover, it would seem that this selection process was repeated for each of the four hands of *V*, and each time with slightly different (not to say erratic) criteria, which is even more puzzling. In addition to this, there are cases where scholia from *V* have a better text than those from *E*, although these examples are more nuanced than the ones we have just analyzed above. Consider the case of the notes to Lucan 7.104 transcribed above: except for the alternation between *nimirum* (*E*) and *non mirum* (*V*3), which could well have a merely paleographical cause, the text of the latter, with *ipsi bella petunt* instead of *ipsa bella petunt*, seems way superior, and it is not that easy to imagine a tenth-century scholiast correcting *ipsa* into *ipsi* just for the sake of good Latin. Lastly, if *E* was one of the sources of *V*'s annotators, it certainly was not the only one: in fact, in many cases the Leidensis Vossianus Q.51 presents exegetical materials not found in the Erlangensis 389.⁵⁰

In the present state of our knowledge, therefore, before irrefutable data emerges on this issue,⁵¹ we must again limit ourselves to expressing the undoubted relationship between the paratexts of *E* and *V*, without venturing into the real nature of this relationship: once the dependence of *E* on *V* is ruled out, both the dependence of *V* on *E* and the use of common sources remain conceivable.

The latter hypothesis – i.e., that of a common source for *E* and *V* – is perhaps reinforced by the intricate relationship of the Erlangensis 389 to

49 Maybe in Bamberg, where according to Munk Olsen (quoted above, n. 24) the Erlangensis 389 was transferred after Gerbert's death; but this is nothing more than a sheer conjecture.

50 So e.g. at Lucan. 8.137, where *V* shows a scholium missing in *E*; but this is just one example among many.

51 Such as, for example, textual issues in *V* that directly reflect a material damage in *E*; I haven't found anything like that yet.

the other corpus of scholia edited as a well-defined commentary to Lucan, namely the *Adnotationes super Lucanum*. Next to the *Commenta Bernensia* and the scholia of V, in fact, in many cases the materials transmitted by E coincide with those of the *Adnotationes*; more often, however, E follows the textual configuration of the so-called *Adnotationes retractatae*,⁵² also handed down by V, and not that of our best manuscripts. Here are some significant examples (among hundreds):

Ad Lucan. 6.132 *quod solum valuit virtus*:

Prima virtus est acceptum locum tueri, secunda in ipso loco mori (E)
Prima virtus est acceptum locum tueri, secundum (sic) in ipso loco mori quo stabant (V)

Prima virtus est acceptum locum tueri, secunda eundem locum etiam corpore possidere prostrato, ut ait Salustius milites laudans ‘quem quisque locum vivus pugnando ceperat, eum amissa anima corpore tegebat’. Isti ergo hoc solum fortiter fecerunt, quod in eodem loco ceciderunt, ubi stare debuerant; hoc est, quod fugati non sunt (*Adnotationes super Lucanum*, see Endt 1909: 207)

Ad Lucan. 6.181 *admovere solo*:

Postquam talis cumulus excrevit cadaverum ut altitudine iunctus ad muros eosdem cum solo aequaret (E)

Postquam talis cumulus excrevit cadaverum ut altitudine iunctus ad muros eosdem cum solo aequaret (V)

Hoc est: postquam talis cadaverum cumulus excrevit, ut altitudine iunctus ad muros eosdem cum solo aequaret et sterneret (*Adnotationes super Lucanum*, see Endt 1909: 210)

The relationship of the Erlangensis 389 to the text of the *Adnotationes*, however, is much more complex than these examples reveal and calls into question the very nature of the text published by Endt: what can be considered *Adnotationes* and what cannot? What level of reworking transforms a note into a new text, rather than a different version of the same text? Consider the following example:

52 See above p. 118 and n. 7.

Ad Lucan. 6.258 *si tibi durus Hiber:*

Id est si adversus externos, non contra cives, ista gessisses (*E*)

Id est si adversus externos hostes ita fecisses (*Adnotationes super Lucanum*, see Endt 1909: 213)

The *E* scholium is not to be found in the *Adnotationes retractatae*,⁵³ and even if it is clearly related to the *Adnotationes*, they don't seem to be the same note. Something very similar happens a few lines later:

Ad Lucan. 6.318 *hortatu, patrias sedes atque hoste carentem:*

Cum, inquit, Pompeius Cesarem insequi praepararet, hortati sunt eum milites ut potius Romam peteret (*E*)

Cum enim Pompeius fugientem Caesarem semper insequi praepararet, temptaverunt ei milites sui persuadere, ut Romam potius contenderet (*Adnotationes super Lucanum*, see Endt 1909: 216)

We do not find anything similar in *V*. Once again, the two scholia are clearly and strictly related, but it is almost impossible to say exactly how: it looks like *E* had, among its sources, a text similar to the so-called *Adnotationes retractatae*, very close to – but not identical with, and in general we would be inclined to say more complete than – that of *V*. The mismatch between *E* and *V* regarding their respective relationship with the *Adnotationes* appears to be an important clue in favor of the hypothesis of the use of common sources rather than that of a direct dependence of the latter on the former.

Before attempting an overall interpretation of the data collected so far, we need to further complicate the picture. The manuscripts that make up the so-called *Supplementum adnotationum* often agree in transmitting the same materials, but it also happens that each of them singularly passes on scholia not transmitted by the others; and from time to time, these 'exclusive' scholia are matched in the Erlangensis 389 alone. Two examples:

53 Neither in *V* nor – as far as I can tell – in any other manuscript containing them.

Ad Lucan. 1.38 *hac mercede placent*:

Tale est illud quod in cerei benedictione adulatorie legitur, o felix culpa (E)

Tale est illud quod in cerei benedictione adulatoria legitur 'o felix culpa' (Berolinensis Lat. fol. 35 = *Supplementum D*)⁵⁴

Ad Lucan. 9.718 *et torrida dipsas* (= 9.738 *dipsas calcata momordit*):⁵⁵

Dipsas serpens tante exiguitatis fertur ut cum calcatur non videatur, cuius venenum ante extinguit quam sentiatur, ut facies praeventa morte nec tristitiam inducat morituri (E)

Serpens tantae exiguitatis fertur ut cum calcetur non videatur; huius venenum ante extinguit quam sentiatur, ut facies praeventa morte nec tristitiam inducat morituro. De quo poeta 'signiferum iuvenem Tirreni sanguinis Aulum / torto capite retro dipsas<s> calcata momordit: / vix dolor aut sensus dentis fuit' (Monacensis 14505 = *Supplementum R*)⁵⁶

Up to now we have seen how the commentary that occupies the margins of the Erlangensis 389 overlaps, with varying frequency, with virtually all the corpora of edited scholia to Lucan's *Bellum Civile*: the *Commenta Bernensia*, the *Adnotationes super Lucanum*, the *Supplementum adnotationum super Lucanum*, and other poorly or partially edited sets of notes.⁵⁷ In addition to these already known materials, however, the manuscript also presents hundreds and hundreds of scholia that find no correspondence

54 See Cavajoni 1979: XXXIII-XXXIV.

55 The snake called *dipsas* is mentioned twice by Lucan, at 9.718 and 9.738; therefore in E and R the two scholia, though almost identical, refer to different passages of the *Bellum Civile*. See also the following note.

56 See Cavajoni 1979: XXXIV-XXXV; here R shows a quote from Lucan himself (Lucan. 9.737-38) missing from E, most probably because the scholium in E refers directly to the quoted passage (see the previous note).

57 For the sake of brevity, I decided not to include here episodic examples of overlap between E and the dozens of manuscripts included in Weber 1831 (a jumble of Lucan scholia from very different ages and environments) as well as with the Montepessulanus H113 (= M), whose scholia were edited by Genthe 1868 and (though not systematically) compared to E already by Endt 1906. On the Montepessulanus H113, Hosius' *codex optimus*, see at least Housman 1927: x-xiii; Gotoff 1971: 14.

whatsoever with any others. These are notes of a very diverse length, nature and subject matter: interlinear glosses, lexicographical scholia, mythological or historical digressions, geographical clarifications, quotations from other authors – in short, *E*'s original contribution to the understanding of Lucan's text in the Middle Ages touches on all the aspects that a complex and successful poem such as the *Bellum Civile* calls into question.

These materials are still unpublished, and theoretically speaking they are as valuable and noteworthy as any other set of scholia from the same period. Of course, this is not the place to offer a complete edition of them: I plan to publish separately a selection of notes of particular interest in the future. However, it seems to me to be of absolute interest to give a few particularly significant examples.

Ad Lucan. 3.658 *eiectat saniem permixtus viscera sanguis*:

viscera **ZMG** et ut vid. **E^{pc}** : viscere **PUV** et ut vid. **E^{ac}**; Serv. Georg. 1.139, edd. plerique

Permixtus viscera: gaudebant antiqui nominibus praepositionem detrahere et verbis addere

(*E*, f. 39r)

I am not going to discuss in detail the text of Lucan's verse and the syntactical implications of the choice between *viscera* (*E*'s reading *post correctionem* and in the lemma of its scholium)⁵⁸ and *viscere*, which is considered superior and widely accepted by modern editors;⁵⁹ more interesting here is the marginal annotation of the Erlangensis 389, which by resorting to an expression peculiar to the *Sondersprache* of Latin grammarians⁶⁰ provides an original explanation of *permixtus viscera sanguis* as *mixtus per viscera sanguis*, not found elsewhere.

58 *E*'s scholia do have from time to time a lemma repeating the portion of Lucan's text they are commenting on; while in other cases it seems quite evident that the presence of the lemma reproduces the appearance of the scholiast's source, here it is likely that the repetition of *permixtus viscera* is intended to clarify the annotator's favorite text, even in the face of the ambiguity of the manuscript, which oscillates between *viscere* and *viscera*.

59 See e.g. Housman 1927: 85 *ad loc*.

60 On the meaning and implications of *antiqui* and *antiquitas* in Latin grammarians see e.g. De Nonno 2017.

Ad Lucan. 3.755 *navalia*:

Navalia sunt loca in mari, id est itineraria per quae naves currunt; nam nautae timore cautium quasdam sibi vias eligunt in mare (E, f. 40v)

E's sources certainly included a good glossary, which often provides meanings and etymologies that are already known or whose origin is easy to recognize (Servius, Isidore of Seville etc.); in some cases, however, these lexicographical scholia seem to preserve definitions otherwise unknown. This explanation of *navale* is in my opinion the most fascinating of such 'new' glosses: although the term is found in several edited glossaries, *navale* is commonly interpreted as 'dockyard', 'shipyard',⁶¹ whereas this definition as 'safe maritime route' appears to be unparalleled.

Ad Lucan. 7.855 *omnia maiorum vertamus busta licebit*:

Licebit pro quanquam accipitur hic, ut dicit Priscianus in coniunctione (E, f. 101r)

Another grammatical note, this time devoted to the correct interpretation of the somewhat exotic future *licebit*, employed by Lucan instead of the more common *licet*.⁶² The interpretation of the verbal form as *quamquam* is not surprising, and in fact coincides with the gloss *quamvis* in some of the manuscripts of the *Supplementum*;⁶³ but the reference to Priscian's treatment of conjunctions⁶⁴ is unparalleled, and one might

61 See e.g. Isid. *Etym.* 14.8.38 *navalia sunt loca ubi naves fabricantur*; Theander-Inguanez-Fordyce 1965: vol. v, 90 *navalia: loca in qua naves educuntur*.

62 See Lanzarone 2016: 517 *ad loc.*

63 i.e. a (Guelferbytanus 41, 1 Aug. 2°), D (Berolinensis lat. fol. 35), and R (Monacensis 14505).

64 The scholiast is certainly referring to Prisc. *Gramm.* III, 16.96.14-22 *invenitur tamen etiam verbum pro adversativa coniunctione cum adverbio, ut 'quamvis' pro 'quamquam' et pro 'etsi', quomodo et 'licet' et 'licebit'. Virgilius in XI: dicam equidem, licet arma mihi mortemque minetur, pro 'quamquam minetur'. Lucanus in VII: omnia maiorum vertamus busta licebit, / et stantes tumulos et qui radice vetusta / effudere suas victis conpagibus urnas, / plus cinerum Haemoniae sulcis telluris aratur.*

wonder whether it depends on the grammarian's knowledge in Rheims' cultural environment.⁶⁵

Ad Lucan. 9.626 *squalebant late Phorcynidos arva Medusae*:

Porcus rex tres filias habuit, Stenno, Euriale et Medusae, quae adeo dicebantur fuisse maleficiis plenae ut omnia animalia quae aspexerint in lapides verterent. Re autem vera meretrices fuerunt tantae pulchritudinis ut homines in amentiam verterent. Sed patri mortuo Medusa successit in regnum. Haec autem tantam pulchritudinem habebat et maxime in capillis ut homines se aspicientes in lapides vertere diceretur. Cum qua Neptunus postea concubuit in templo Palladis, sed Pallas, ne eos concubentes videret, egida, id est pelle capre, oculos suos operuit, et capillos in quibus eius maxima pulchritudo constabat, sicut Ovidius in libro *Metamorphoseon* narrat, in angues convertit. Liber autem *Metamorphoseon* dicitur, id est transformationum, eo quod in eo narretur qualiter homines in lapides sive in serpentes versi sunt. (E, f. 128v)

Mythological digressions, relatively common in Lucan's *Bellum Civile*, are certainly among the passages of the poem that arouse the most interest from medieval commentators; this is also the case with the reference to the myth of Medusa in the ninth book, which explains this lengthy scholium. What appears most relevant here is that this note, not otherwise attested,⁶⁶ makes explicit use of Ovid's *Metamorphoses* to explain the myth, and is not so different in structure from that of the only known exegetical support for Ovid's epic poem in the early medieval period, i.e.

65 From a different perspective, Porro 1986 discusses some points of contact (among which Lucan. 7.855 does not appear) between Priscian and the *Supplementum* manuscripts.

66 The note does show several similarities, both in structure and content, with mythological and exegetical texts dealing with the story of Medusa (see Serv. *Aen.* 2.616 and especially 6.289; Fulg. *Myth.* 1.59-62; Mythogr. 1.127-28; 2.135), but it also has unique features, such as the definition of Porcus' daughters as *meretrices* and the digression on the meaning of the title *liber Metamorphoseon*, on which see also below, n. 68.

the *Narrationes fabularum Ovidianarum* attributed to Lactantius Placidus.⁶⁷ One might wonder, then, whether the scholiast of the Erlangensis 389 had access to some kind of commentary on Ovid other than the *Narrationes*,⁶⁸ and whether the mythological notes of the manuscript that find no parallels elsewhere and overlap in content with episodes narrated by Ovid might depend on this hypothetical exegetical source. Whether such a source really existed or not, the use of Ovid to explain Lucan in the tenth century remains of absolute interest in any case.

It is finally time to draw some conclusions. The analysis of one among hundreds of paratexts accompanying Lucan's poem in our medieval manuscripts reveals an uncomfortable truth: we do not really know what happened 'around' the classics. In Lucan's case, as I said at the outset, the existence of a few 'extraordinary' witnesses and the weighty precedent of Usener's edition have *de facto* forever conditioned scholarly judgment on marginal scholarship to the *Bellum Civile*. As I have tried to show, such a situation is, to some extent, an accident of history: if Usener had moved to the University of Erlangen-Nürnberg instead of Bern, where he came into contact with the famous Bernensis 370, he might have published, instead of his *Commenta Bernensia*, a set of *Scholia Erlangensia in Lucanum*, and the entire history of the medieval exegesis to the *Bellum Civile* would have taken a different course. Jokes aside, it is precisely the success of labels such as *Commenta Bernensia*, *Adnotationes super Lucanum* and *Supplementum adnotationum* that makes the paratext of the Erlangensis 389 appear to us as an 'impossible crossroads': if we try to apply these labels to the manuscript, it is impossible to give a coherent and all-encompassing interpretation to the materials it contains.

67 This is Medusa's history in the twentieth (and last) *fabula* from the fourth book of Ovid's *Metamorphoses*: *Medusa Gorgo cum propter pulchritudinem a pluribus peteretur, coniugium Neptuni effugere non potuit, quae quod in templo Minervae cum eo concubuit, propter religionem loci, quam obtriverat, crines eius in serpentes ab eadem dea sunt mutati, ut, quae petita initio a plurimis procis esset, obiecta deformitate obvios in fugam verteret* (I quote the text of the *Narrationes* from Magnus 1914: vol. II, 652).

68 One possible clue lies in the fact that the final sentence of the scholium (*liber autem Metamorphoseon dicitur, id est transformationum, eoquod in eo narretur qualiter homines in lapides sive in serpentes versi sunt*) seems to be completely unrelated to Lucan's verse and is instead quite close to the *titulus* section of medieval *accessus ad auctores*, on which see at least Quain 1945, Spallone 1990 and Wheeler 2015: 1-24.

It is clear instead that each manuscript of Lucan's *Bellum Civile*, especially at this stage of its textual history, represents a unique moment that should be considered as such; and for this reason it seems more fruitful to investigate the vicissitudes of each individual manuscript, trying to connect it to the environments with which it came into contact, rather than misunderstanding – or worse, ignoring – witnesses of great interest such as the Erlangensis 389. This is what I have tried to do in these pages, with some success and – to be fair – much frustration: but if these attempts were multiplied, it is to be hoped that one step at a time a map of Lucan paratexts in medieval Europe would be drawn in front of us, with great advantages for our understanding of the reception of the *Bellum Civile*. On the other hand, in terms of wanting to understand the evolution of Lucan's interpretation in pre- and post-Carolingian Europe, we should perhaps imagine a history not of entire scholiastic corpora but of specific annotations: in the face of the overwhelming data of the tradition as a whole, the impression is that reconstructing the events involving single widespread scholia can often yield happier results.

So far so good. From my point of view, one fundamental question remains: what should we do with a manuscript like the Erlangensis 389? I think the answer to this question is the direct consequence of the conclusions I have just made. A solid *desideratum* is, indeed, a comprehensive and thorough edition of the exegetic materials that find place in the margins and the interlineum of the manuscript, accompanied by a meticulous *apparatus fontium et locorum parallelorum* indicating the overlaps with other known scholiastic traditions as well as with glossaries, grammatical treatises and other erudite works. Such an edition would finally restore the manuscript to its full complexity and historical dimension, and would be an important precedent for other similar efforts. In addition to this, the Erlangensis 389 also clarifies the textual arrangement of a large number of already edited scholia, and in this way it often allows their text to be improved; and this is certainly one of the main contributions

it can make to us.⁶⁹ We have already seen this happening for two corrupted annotations from the *Supplementum adnotationum*;⁷⁰ I want to focus now on some cases where the Erlangensis 389 allows to amend Usener's edition of the *Commenta Bernensia*.

We mentioned earlier a long annotation that the Erlangensis 389 (E) and the Bernensis 370 (C) share, at the very beginning of the second book of the *Bellum Civile*.⁷¹ This is the transcription of the two manuscripts:

Ad Lucan. 2.2:

Erlangensis 389 (f. 14r)	<i>Commenta Bernensia</i> ⁷²
Vetustiores phylosophy mundum et semper fuisse et sine fine aeternum affirmant esse. Plato autem adfirmat causam creandi mundum dei bonitatem esse; alii dicunt confusione quadam mundum esse generatum ac duo regna confirmant, illud superius magni dei plenum quietis et luminis in quo divine atque innumere potestates lucem habitant, ad quam anime post resolutionem corporis perveniunt purgate primum lune aquis, post solis igne. Vnde Virgilius: infectum eluitur scelus aut exuritur igni. Hoc vero regnum quod habitamus inferius malignis plenum esse virtutibus, quae bella quae cedes et has ceteras rerum varietates peragunt. Inter has inferiores virtutes et superiores mundum quem habitamus	SIGNA DEDIT MVNDVS vetustiores philosophi mundum semper et fuisse et esse et futurum esse adfirmant, in quo nec futuri terminus et sine fine aeternitas sit. Plato autem adfirmat causam creandi mundum dei bonitatem esse, ut nostrum munus effecerit quod singulus possidebat. Alii dicunt <e> confusione quadam mundum esse generatum ac duo regna confirmant, illud superius magni dei plenum quietis et luminis in quo divin<a>e atque innumer<a>e potestates lucem habitant, ad quam anim<a>e post resolutionem corporis perveniunt purgatae primum lunae aquis post solis igni, ut ait Virgilius 'infectum eluitur scelus aut exuritur igni', hoc vero regnum quod habitamus inferius malignis poenam esse virtutibus

69 Shirley Werner, criticizing Usener's edition of the *Commenta Bernensia*, had already well understood that the best way to use the Bernensis 45 (B) was to employ it to correct the manifest errors in the Bernensis 370 (C); see above, n. 32, and Werner 1998: 141 'only one of the ways in which Usener used B was unquestionably valid, and that was in the emendation of nonsense words and lacunae, in passages where the text of B is otherwise similar to that of C'.

70 See above p. 128 and nn. 47 and 48.

71 See above p. 125 and n. 39.

72 See Usener 1869: 47-48, whose interventions on the text of CI reproduce; one should remember that B (Bernensis 45, the second witness of the *Commenta* used by Usener) does not preserve this scholium.

<p>quadam contentione vacari, quod antiquissimus poeta adfirmat dicens natura naturam vincit et dii deos.</p>	<p>qu<a>e bella c<a>edes et has ceteras rerum varietates <adferant>, adfirmantes i<n>ter has inferiores virtutes et superiores mundum <in> quo habitamus quadam contentione vagari. Quod antiquissimus poeta adfirmat dicens 'natura naturam vincit et dii deos'.</p>
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The two annotations are clearly the same, even if there are a few textual discrepancies (in particular, *E* seems to show a slightly simplified structure). The point is that, from the perspective of a future editor of the *Commenta Bernensia*, the “new” testimony of *E* allows Usener’s text to be surpassed on several points: so, for example, *confusione quadam* is probably good enough to live with, without the addition of <*e*>; Bernays’ emendation *malignis plenum esse virtutibus* for *C*’s senseless *poenum* finds a solid base against Usener’s own correction *poenam*;⁷³ *C*’s text *mundum quod habitamus* should most probably be restored looking at *E*’s *quem* instead of following Usener’s solution *in quo*;⁷⁴ and, above all, the integration *adferant* after *ceteras rerum varietates* is greatly weakened in the face of *peragunt* of the Erlangensis 389.⁷⁵

Precisely because of the fluidity of these materials, however, and because of the difficulty of determining what can be considered *Commenta Bernensia* and what cannot, it is not easy to decide to what extent we can use *E* to heal the failures or implement the text of *C*. Here are two tricky examples:

73 Bernays conjectured *plenum* (and we can say, now, rightly so) on the basis of the parallel expression *plenum quietis et luminis* (see Usener 1869: 47 *ad loc.*).

74 Consider, a few lines earlier, *regnum quod habitamus* (with transitive *habito*), which is probably the reason of *C*’s error as well: in the manuscript the two *quod* are both at the end of a line, the first two lines above the second, and it is most likely that the former deceived the eye of the scribe by prompting him to change *quem* to *quod*.

75 I say ‘greatly weakened’ and not ‘overcome once and for all’ because, since *E* is missing *adfirmantes* after *peragunt*, we don’t know what the scribe was copying and therefore we cannot rule out that Usener was eventually right: theoretically speaking, it is possible that, while *C* lost *adferant* before *adfirmantes* because of homeoarchon (this is probably what Usener was thinking about by integrating *adferant*), *E* lost both because of a slip of the eye, and *peragunt* is nothing but the scribe’s guess to give back a verb to the sentence.

Ad Lucan. 8.53 *Quid perdis tempora luctus? Cum possis iam flere, times:*
 Timor de incerto est, luctus de certo, ille de futuro, hic de praeterito
 (E, f. 102v)

Timor de incerto est, luctus de certo
 (*Commenta Bernensia*, see Usener 1869: 257)

Ad Lucan. 8.90 *me pronuba ducit Erinys:*
 Infaustis nuptiis iungit Herinem, cum Lucina praesit felicibus
 (E, f. 103r)

Infaustis nubtiis iungit
 (*Commenta Bernensia*, see Usener 1869: 259)

It is clear that the two manuscripts hand down the same scholia, and in both cases the textual overlap is, in their opening section, perfect. But what is the original version of the two annotations? Is it C that preserved the older form, which E contaminated by adding heterogeneous material, or is the fuller version the genuine one, which was shortened by the Bernensis 370? I do not think there is only one answer to this question. While in these two cases the strong syntactic consistency of the longer versions seems to suggest that E represents an older stage in their textual history, at the same time before choosing a new editor of the *Commenta Bernensia* should preliminarily decide which text they are editing. A 'conservative' idea of the textual arrangement of the *Commenta Bernensia*, limited perhaps to the Bernensis 370 alone, as I would personally suggest, would greatly limit the effective use of a witness such as Erlangensis 389; but there is absolutely no question that any future editor of medieval scholia to Lucan will have to give the utmost consideration to what was, perhaps, the manuscript on which Pope Sylvester II based his Rheims lectures on the *Bellum Civile*.

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INVENTING PATRON SAINTS: THE CULT OF ST FULK BETWEEN CIVIC REALITY AND HISTORICAL FICTION

By Luca Ricci

Summary: Seventeenth-century sources attest the cult of English pilgrims in southern Lazio. Focusing on the case of Fulk, I argue that the seventeenth-century tradition is supported neither by the literary accounts nor by topographical analyses. Instead, Fulk's cult, based on Peter Deacon's twelfth-century *Vita Fulconis*, was central in processes of civic formation. Changing religious attitudes in the twelfth/thirteenth century are linked with lay sainthood. An English pilgrim coming back from the Holy Land, through the sanctuary on Mount Gargano, brought great prestige to the urban centre vis-à-vis other urban centres, having visited and, thus, been a witness to some of the greatest places in Christendom.

Introduction

In 1894, the English monk Bede Camm travelled to Italy on a sort of spiritual Grand Tour. While we would imagine that he directed his feet toward the well-known sites of Christianity, such as Rome or the Gargano, we would be mistaken – at least in part. In fact, he decided to visit also those places, steeped in mysticism and devotion, that dotted the Italian countryside. On his travels, he stopped at the small village of Santopadre, which, in the words of Camm himself, 'rejoices in the possession of the relics of a holy English pilgrim who found his way here [i.e., to the village] while returning from a pilgrimage to Rome and the Holy Land, and devoted himself to tending the plague-stricken in the hospital which had been founded on this site by the people of Aquino, in order that their sick might have the benefit of the pure air of the mountains'.¹ The reasons for Camm's visit to this mountain village and for his fascination with the

1 Camm 1923: 119.

English saint provide enough material to write an article on the relationship between English and Roman Catholicism; yet, such is not the aim of this paper. Here, I want to focus on the cult of this English saint, known as Fulk (Folco in Italian), and, more specifically, on the reasons for which an English pilgrim became a patron saint of an Italian village.

In reporting the story, Camm was not relying on popular hearsay or oral tradition. Though he does not explicitly say so, he based his factual knowledge of the cult on historical sources, dated to the mid- to late seventeenth century: Antonio Vitagliano's *Il Ceprano Ravvivato* and the Bollandists' *Acta Sanctorum*.² Any investigation on Fulk's cult must start precisely from these sources and, more specifically, from their historicity, taken by so many historians at face value.³ A close examination, in fact, will reveal that, while some elements are certainly historical, the broader narrative whereby the pilgrim arrived in Santopadre in the seventh century must be rejected. By employing archaeological and topographical evidence, I will show that the village did not come into existence until much later, namely in the thirteenth century. In addition, I will postulate that the seventeenth-century sources drew their inspiration from a much older, no longer extant source, the *Vita Fulconis* written by Peter the Deacon. Though it is practically impossible to fathom what the twelfth-century *Vita* contained, by analysing the thematic choices of Peter the Deacon's extant, contemporary works and comparing these themes with regional literary practices, I will argue that the foreign pilgrim had become a recurring *topos* in Italy, especially in relation to those regions that bore witness to an increased flow of pilgrims toward southern Italy and the Holy Land. Ultimately, I will argue that the cult of St Fulk was adopted as the patron saint of a village that, in the thirteenth century, was undergoing a process of civic formation. Of course, this does not really explain why an English pilgrim was chosen. Though much ink has been spilt on the development of civic religion and lay patron saints

2 Vitagliano 1653; AS (*Maii V*) 1685: 192-93 (22 May); AS (*Maii VII*) 1688: 829-30. See also Fusco 2002.

3 Apart from Camm's own report, all other scholars focusing on the cults of English pilgrims have mostly relied on the seventeenth-century sources: Scafi 1871, Tavani 1868, Bonanni 1922, Bonanni 1923, Colafrancesco 1993, Contucci 1993. For an overview on this reliance, see Recchia 2002: 88.

in the late Middle Ages,⁴ I will put forth the idea that the cult of Fulk developed in light of localised competition among urban centres. A pilgrim saint, in fact, offered multiple benefits to the community: these centres all lay on pilgrimage routes and, by that direct contact with pilgrims, wanted to boast a patron saint that encapsulated worldly and religious values. And who better than an English pilgrim?

**Between literature and archaeology:
assessing the popular tradition.**

Though the seventeenth-century sources agree on identifying Fulk as a pilgrim from England and on his rough pilgrimage route,⁵ it is only Vitagliano's work that provides a precise date for the saint: AD 623, namely twenty-seven years after Augustine's arrival in England.⁶ It is also Vitagliano that informs us that, on his pilgrimage to the Holy Land, Fulk was not alone; rather, he had three companions, Gerard, Ardwyn, and Bernard, who all ended up becoming patron saints of villages and towns near Santopadre.⁷ This must be our historical basis for the ensuing analysis. If the four pilgrims left for the Holy Land in the early seventh century, then we cannot expect them to have reached their villages (where they would have been elected as patron saints posthumously) much later.

4 Poulin 1975: 35; Vauchez 1987; Grégoire 2002: 57; Vauchez 2008.

5 The *Acta Sanctorum (Maii V)*: 193A only report in *Anglia paternis maternisque bonis Domini pauperibus erogatis* (having distributed his riches, inherited from both parents, to the poor in England). Vitagliano (1653: 115) is more precise by pinpointing *Silions* as their birthplace, presumably a town somewhere near Scotland. More recently, animated by the perceived historicity of the saints, various local historians have attempted to discover where *Silions* might have been located: it might be worth to cite Recchia's attempt in placing *Silions* in Wales (Cardiganshire) without taking into account the rate of Christianisation in the early seventh century. After all, how likely would it be to find Christians in Wales at that early stage?

6 Vitagliano 1653: 120.

7 See the full description of the pilgrimage in Vitagliano 1653: 114-35.

The state of southern Lazio is of the utmost importance to understand what the four pilgrims would have found upon their arrival.⁸ What transpires from the sources is a period of grave socio-political crisis and of urban decline wherein pilgrimage was, if not absent, at least heavily reduced. After the Byzantine conquests, the Church, mostly through the Benedictine abbey of Monte Cassino, held control of the area and allowed a flourishing of civic centres.⁹ Yet, such a scenario would not have endured long since, in AD 569, the Lombards moved toward southern Italy and, within the area we are investigating, took hold of the land in and around Aquino, eventually pillaging and destroying Monte Cassino.¹⁰ Even if the Lombards did not destroy urban centres, their incapability to upkeep the administrative structures inherited from the Roman Empire meant that cities inevitably faced a collapse: at the end of the sixth century it is estimated that 50% of southern Italian cities had disappeared.¹¹ The fact that in these areas under Lombard hegemony production and commerce of pottery kept a localised character at best should also point to the fact that the region was unfit to be traversed by pilgrims.¹² If itinerant merchants/traders are unattested archaeologically, why should the flow of pilgrims be intense?

And, in fact, if we take a look at pilgrimage toward the sanctuary of Saint Michael on the Gargano, where the legend says the four English pilgrims spent some time, we should hardly be surprised to find out that the flow of foreign pilgrims began to intensify only much later, namely in the eighth century. Though we know that several Anglo-Saxon eccle-

8 An introductory picture can be gleaned from Nicosia 1995: 73-114.

9 D'Angela 1985; Nicosia 1990: 75-76; Ermini Pani 1998: 233-36. On the economy of the economy of urban settlements, see Zanini 1998.

10 Paul the Deacon, *Gesta Langobardorum* 4.17. In ca. AD 581 some monks took refuge in Rome under the protection of pope Pelagius, further ensuring the spreading of the Benedictine *regula* (Dell'Omo 1987: 494-504).

11 Rotili 2009; Busino 2019: 61.

12 Busino 2019: 62.

siastics went to Rome to acquire sacred books, ornaments, and even relics,¹³ evidence for their travels further south date to the early eighth century and increase in the second half of the century.¹⁴ And even in those cases where we know of foreign pilgrims going down south in the seventh century, we do not see centres that could cater for a large influx of pilgrims: a most notable case is that of the Frankish monks who reached Monte Cassino in the late seventh century and found the place in a state of disrepair.¹⁵

But even if the pilgrim did reach southern Lazio and the village of Santopadre, what would he have found? What is the evidence for the existence of the village in the seventh century? In nineteenth- and twentieth-century popular piety, the village was thought to have changed its name precisely because of the pilgrim's arrival: the name "Santopadre", in fact, presumably derives from "santo padre", namely the Italian for "holy father", the title by which the pilgrim was known in the neighbourhood.¹⁶ While such a story might be immediately branded as a piece of local folklore, we must nevertheless recognise that historians were convinced of a toponymic change: Pasquale Cayro is the first to point it out;¹⁷ subsequently, Rocco Bonanni writes that '[s]ulla vetta del monte Campio, sul versante settentrionale della cima, a pochi metri dal culmine di esso, detto Favone, esisteva in antico il castello chiamato in antico: Forolo, o Fiorolo (...), ora poi Santopadre'.¹⁸ In other words, at some point in time, immediately after the pilgrim's arrival, the place known as Forolo or Fiorolo became known as Santopadre. In order to verify the

13 Benedict Biscop, for instance, travelled to Rome six times, once, in AD 665, with his friends Acca and Wilfrid. Willibrord was in the *Urbs* in AD 690 and AD 695. In some cases, archbishops would have gone to Rome to receive the pallium: the oldest attestation for this dates to AD 667/668 when Bede, archbishop of Canterbury, was bestowed the pallium (Bede *HE* 2.29). See Sumption 1976: 24; Maraval 1985: 233-41; Sinisi 2014: 56-57; Tinti 2014. On the routes taken by pilgrims, see Pelteret 2014.

14 The *Chronica monasterii Casinensis* reports of a deaf and dumb pilgrim that acquired his hearing and sight in AD 787 (*Die Chronikon von Montecassino*, ed. Hoffmann, 48).

15 Paul the Deacon, *Gesta Langobardorum* 6.2. Grégoire 1982: 286-87.

16 Scafì 1871: 66.

17 Cayro 1811: 184-86.

18 Bonanni 1922: 148.

historicity of the saint's story and posthumous cult, then, we could investigate when and, more importantly, if this change took place. After all, the fact that such a change is not recorded in the seventeenth-century sources should cause some caution in believing wholeheartedly in its historicity.

If we look at the presence of Forolo in the historical record, as Cayro did, and compare it with the first instances of the name "Santopadre", then we would have to admit that the popular tradition of the saint's cult cannot be historically reliable. First of all, *Castrum Foroli* is mentioned in documents dated to the eleventh and twelfth century.¹⁹ Apart from the criticisms that Sabrina Pietrobono moves against Cayro's use of these documents,²⁰ we should really ask ourselves why the name of Forolo is kept well into the late twelfth century. If we are to believe the popular tradition, the toponym changed in relation to the saint, and we know for a fact that, in AD 1128, Peter the Deacon wrote a *Vita Fulconis*,²¹ thus indicating that the cult was already practised in the first half of the century (see *infra*). Then, we should not wait until the beginning of the thirteenth century to see the name *Castrum Sanctis Patris* or *Sanctus Pater* appear in the historical record.²² The traditional picture begins, in other words, to be dismantled.²³

A solution to the enigma might be reached by looking at the historical landscape of the late twelfth century. In the documents cited by Cayro, the *Castrum Fioroli* or *Castrum Foroli* is mentioned together with other urban centres that formed an organised group *qui dicitur Comino*: we can find a *Civitas Surana*, a *Castro Surella*, a *Castro Vicalbu*, a *Castro Preziniscu*, a *Castro Atina*, a *Castrum Septem Frati*, a *Castrum Ribo Sclavi*, a *Castro Arpino*, and a *Castrum Sancti Urbani*.²⁴ Pietrobono noticed that one of these urban centre disappeared from the record at the time when *Castrum Foroli* did:

19 *Regestum Petri Diaconi*, n. 619 (AD 1018); Gattola 1734: 252 and Fabiani 1968: 116-17 (AD 1137); Gattola 1734: 252 (AD 1191).

20 Pietrobono 2002: 141-42.

21 Carcione 2002: 21-22.

22 In AD 1215, Frederick II donates some land to Innocent III's brother, among which a *Castrum Sancti Patris*. See Cayro 1808: 156 and Bonanni 1926: 148-49.

23 It should be pointed out here that the tenth-century mention of a territory called *Patriniate*, as Scafi (1971: 246-47) reports, is not based on any solid evidence.

24 *Regestum Petri Diaconi*, n. 619.

namely, *Castrum Sancti Urbani*.²⁵ Erected on the eastern side of the *Mons de Albeto*,²⁶ the *Castrum Sancti Urbani* was no longer included in the *Comitatum Comino* after 1191. It seems that, after that date, the *Castrum Alviti* replaced the *Castrum Sancti Urbani* in a way that is strikingly similar to the transition from *Castrum Foroli* to *Castrum Sancti Patris*. We do know, moreover, that the two centres on the *Mons de Albeto* did not develop on the same geographical location; rather, the *Castrum Alviti* occupied a more elevated position on the *Mons de Albeto*. Such a transition, in the case of the *Castrum Sancti Urbani*, could have taken place in relation to the belligerent efforts undertaken by Roffredo, count of Acerra, sent by Arrigo VI against the settlements of the *Comitatum Comino* for their rebellion and their support of Tancredi; the whole valley was heavily affected by such an event.²⁷ The violence of the military action could have been so strong as to prompt the inhabitants of the *Castrum Sancti Urbani* to move to a higher position which was easier to defend, precisely the *Castrum Alviti*; similarly, it should not surprise us if the *Castrum Foroli* disappeared from the record at the exact same time because its dwellers decided to seek a safer position.²⁸ Pietrobono argued that the *Castrum Sancti Patris* came into being after a process of synoecism whereby smaller centres, such as the *Cstrum Foroli* and other hamlets (the so-called ‘*contrada Valle*’), came together for defensive purposes.²⁹

All in all, what this section tried to do was assess the geo-historical landscape of seventh-century Lazio, reaching the conclusion that it would have been highly improbable that pilgrims traversed the region in such dire socio-economic conditions. At the same time, attention was bestowed on the popular tradition, which crept into the historical discourse, and presents a high degree of unreliability. The village with which the pilgrim/saint was to be associated did not come into existence until the early thirteenth century. We should also remind ourselves that

25 Pietrobono 2002: 144.

26 *Chronica monasterii Casinensis* 4 14; Santoro 1908: 25-26, 37-39.

27 Muratori 1833: 169; Santoro 1908: 38-39.

28 One should also be reminded that, until recently, a location at a few kilometres from the medieval town was called *Vetere*, *castel Vetere*, or *castro Vetere*. This could be a reference to an older inhabited centre. Scafi 1871: 65.

29 Pietrobono 2002: 146.

the hagiography of the saint had existed before the formation of the new urban centre. In this context, it would not be entirely farfetched that the civic formation required the adoption of a patron saint (perhaps to enoble a cult that already existed?). The newly-formed urban community, then, adopted the story of Fulk, a story which had already been devised. And, in fact, before we comment on the implications of such a choice, we should first direct our attention toward Peter the Deacon and his *Vita Fulconis*.

Peter the Deacon and the *Vita Fulconis*: inventing hagiographies in the twelfth century

Anyone interested in the hagiography of St Fulk will not be able to go further back in time than the *Vita egregii confessoris Fulconis* by Peter the Deacon. Though the work is unfortunately lost to us, we can still try and reconstruct with as much accuracy as possible not only what its themes were, but also where the author might have taken his inspiration from. Peter the Deacon took advantage of themes/narratives typical of his time to create a novel hagiography.³⁰ Of course, we might be sceptical in seeing this work as preceding the aforementioned seventeenth-century sources; yet, if we look at the hagiographic development, we realise that the cult has only really been venerated in a small area between the Liris and the Comino Valley.³¹ It is more than plausible, then, that the seventeenth-century sources were relying on accounts – whether written or oral – that dated back to Peter the Deacon’s *Vita*.

The date of composition of the *Vita* has been mentioned before. Yet, for the sake of the argument, it is worth detailing why literary historians think that such a date is reliable. The three versions of Peter the Deacon’s autobiographies have the *Vita egregii confessoris Fulconis* occupy second (chronological) place between two well-known compositions: namely,

30 Spiteris 1979: 109-13. On the cultural influence of Peter the Deacon on Medieval literature, see Meyvaert 1955a; Bloch 1984; Pecere 1994: 27; Dell’Omo 1996a: 63-65.

31 Carcione 2002: 20.

the *Passio beatissimi Marci ac sociorum eius* and the *Vita sancti Placidi discipuli sancti Benedicti*.³² These works were written during his exile in the town of Atina where the young monk, in his early twenties, was sent on account of the *invidia aemulorum suorum* (the envy of his rivals). Ultimately, he was there because he had sided with Abbot Oderisius II, who, in turn, had been deposed by Pope Honorius II.³³ Whatever the reason, Peter the Deacon's sojourn in Atina can be dated between AD 1127 and AD 1131 after which he was allowed to return to Monte Cassino. We might be even more precise; for the *Passio beatissimi Marci* was composed in AD 1128, while the *Vita sancti Placidi* was first put together between AD 1129 and AD 1130.³⁴ As a result, the *Vita Fulconis* must have been written in the intervening years.³⁵

A connection between the hagiographic account and Atina, though not part of the popular hagiographic narrative, seems to have percolated through time. A seventeenth-century excerpt by Vitagliano, in fact, provides evidence for this. In detailing the life of St Fulk, the author admits that his source of inspiration was an older *Vita*, which was also sent to cardinal Francesco Boncompagni, archbishop of Naples.³⁶ A passage from this document reports that *Fulgus, Silionis Anglus, ex sociis quattuor unus, in quondam Rurae Atticae Vallis (...) Atinam petiit, ut inde per Cumini Vallem in latinum iter, Romam iturus se insinaret* (Fulk, an Angle from Silions, the only one out of four companions, went to Atina, in what used to be the vales of Atticus, so that, through the Valley of Comino, he could reach Rome).³⁷ Even if we possess no secure information concerning this *Vita's* date, it is telling that the element of Atina was included in Vitagliano's work. The fact that Peter the Deacon sojourned in Atina where he definitely composed a *Vita Fulconis* coupled with the saint's presence in the same place, as seen in Vitagliano's work, cannot be entirely casual.

32 *Codd. Casin.* 361, 257, 450. In the *Cod. Casin.* 450, the *Vita sancti Placidi discipuli sancti Benedicti* is known as *Passio sanctissimi martyris Placidi discipuli sancti Benedicti*. See Meyvaert 1955b; Dell'Omo 1996b.

33 Carcione 2002: 21-22.

34 Rodgers 1972: 8-9.

35 Carcione 2002: 23.

36 Colafrancesco 1993: 123.

37 Vitagliano 1653: 129-30.

Yet can we ever know what Peter the Deacon included in the *Vita Fulconis*? Briefly put, we cannot — at least not with any certainty. Despite this, we should be able to shed light on the themes and literary choices adopted by the Benedictine librarian during his stay in Atina. At first, what should be transparent is the author’s inventiveness which often included a fair degree of plagiarism.³⁸ This can be appreciated in the *Passio beatissimi Marci* and the *Vita sancti Placidi* alongside his more “historical” compositions. In particular, what can be gleaned is an interest in employing historical narratives to supply legitimacy for the cult of saints. The *Passio beatissimi Marci*, for instance, recounts the story of Marcus, a Galilean man, who found himself in Atina where he eventually met St Peter, who was on his way from Capua to Rome. He was converted by the *principes apostolorum* and soon after ordained bishop.³⁹

It should be no great mystery that Marcus’ story was invented, but why? The scholarly opinion is that of seeing Peter the Deacon’s *Passio beatissimi Marci* as a way to express gratitude toward Atina and its community for welcoming him during his exile.⁴⁰ Since the town had no episcopal see, Peter the Deacon sought to provide that for Atina in two ways: firstly, by highlighting a link with St Peter himself; secondly, by imbuing Marcus’ story with all the elements typical of the hagiographies of martyrs. After the episcopal ordination, Marcus clashed with a group of pagans and the consul, who even bribed him to sacrifice to the gods. He was sent to prison, tortured, and eventually executed.⁴¹ In order to highlight the importance of Atina, references to the town’s mythical foundation and ancient past are mentioned.⁴²

But the stress on Atina is not only present in the *Passio beatissimi Marci*. In the *Passio martyrum atinensium SS. Nicandri et Marciani*, for instance, Peter the Deacon goes as far as to change the established historical tradition. It is true that, by AD 1110, there was a church of St Marcianus *iuxta Atinum*;⁴³ yet, the story of the two saints had very little to do with Atina,

38 Meyvaert 1963.

39 Bloch 1998: 81, 193-95.

40 Bloch 1991: 23-24; Bloch 1998: 131.

41 Bloch 1991: 201-4.

42 Livy 9.28.6; 10.39.5; Verg. *Aen.* 630; Ughelli 1720: 406; Tauleri 1702: 10.

43 Squilla 1971: 175.

since the events surrounding the martyrdom took place in Tomi on the Black Sea.⁴⁴ The cult must have reached Atina, as Herbert Bloch postulates, due to the geographical proximity to Venafro (ca. 50 km) where the two saints were particularly venerated.⁴⁵ Peter the Deacon would have also acquired some familiarity with the hagiography in Monte Cassino itself where the oldest manuscripts of the *vitae sanctorum* were from.⁴⁶ And in following the original story, he cannot but add his own interpretation. This is particularly prominent in the involvement of the bishop of Atina in the burial of the two martyrs and in the erection of a basilica on the tomb of St Marcus wherein the martyrs find their resting place.⁴⁷ At this point, we can already start to understand what the implications of the *Passio beatissimi Marci* might have been in relation to the creation of the bishopric of Atina. By inventing that Marcus had been appointed bishop, Peter the Deacon opened the door to an enigma: namely, the justification of a non-existent bishopric. Though Bloch seems to suggest that the list of the bishops of Atina represents a solution to the problem,⁴⁸ by creating an apostolic succession Peter the Deacon was not simply trying to solve a historical problem. He was also providing further legitimacy to his story. It is interesting, in fact, that the last three bishops of the list coincide in name and episcopal rule with the bishops of Sora.⁴⁹ The last, bishop Leo, in particular, was in charge of the see until AD 1059. Such a date was not chosen by chance: it is set far back in time so that none of Peter's contemporaries in Atina could actually remember the non-existence of the bishopric.

Shifting the attention to the *Vita sancti Placidi*, though not necessarily centred on Atina, it still showed Peter the Deacon's interest in manipulating history in order to legitimise contemporary power. Placidus, a well-known disciple of St Benedict of Nursia, was sent to Sicily where his father, Tertullus, had promised 18 *curtes* (i.e., estates) to Benedict.⁵⁰ The

44 Lanzoni 1927 I: 176.

45 Bloch 1998: 87.

46 *Cod. Cas.* 145: 514-17; *Cod. Cas.* 146: 783-87; *Cod. Vall.* 8.

47 Bloch 1998: 88.

48 Bloch 1998: 123-25.

49 Fedele 1909; Kehr 1935: 197; Bloch 1998: 126.

50 *Chron. Cas.* 1.1.

choice of Sicily is explained by the fact that the martyrdom of Placidus and his companions took place in Messina at the hand of *Mamucha pirata*.⁵¹ Peter the Deacon combined all these elements in his work and took care to manufacture Tertullus' donation:⁵² the names for these *curtes* were taken from the *Itinerarium Antoninianum*, thus showing his knowledge of the ancient world.⁵³ Eventually, we understand what all this fiction amounted to when we realise that, in AD 1137, Emperor Lothair III confirmed these possessions in favour of Monte Cassino.⁵⁴

In our understanding of Peter the Deacon's *Vita Fulconis* what should be of the utmost importance is that the theme of the pilgrim was popular throughout the twelfth and thirteenth century.⁵⁵ The explanation for this has been sought in the increased waves of pilgrimage that after the First Crusade prompted people to visit the Holy Land and other sacred places.⁵⁶ At the same time, one ought to be aware of other pilgrims who were not necessarily linked to the movement of people caused by the Crusades. In this context, it is worth mentioning the example of Gualfardo of Verona, who died in the homonymous town in AD 1127.⁵⁷ As an artisan/merchant from Augsburg, he incarnated all the features of the pilgrim and the ascetic, having led a solitary life in nature and, eventually, having moved into a semi-urban context where people would seek his help.⁵⁸ These elements of pilgrimage and Christian charity can also be perceived in the cases of Allucio di Campigliano (+ 1134) and Teobaldo d'Alba (+ 1150). The former, though not moving substantially from his native Tuscany, nevertheless became a proponent of charitable actions by founding a series of hospitals and churches.⁵⁹ The latter went onto a pilgrimage to Santiago de Compostela, after which he was known for

51 Bloch 1988: 99; Block 1998: 23.

52 Caspar 1909: 47-72.

53 Bloch 1998: 18, 24.

54 Bloch 1986: II, 771-900.

55 Vauchez 2008.

56 Cohen 1980; Gauthier 1983; Cardini 1991; Stopani 1992; Gai 1993; Cardini 1995: 275-89.

57 AS (Apr. III, 837-40).

58 Vauchez 1989: 60.

59 AS (Oct. X, 235-36).

helping the poor.⁶⁰ Still in the twelfth century is the case of Ranieri di Pisa, who, in a rather Franciscan manner, renounced his aristocratic upbringing to lead a monastic life and help the poor.⁶¹ The vicissitudes surrounding these pilgrims and ascetics meant also that a florid hagiographical motif was developing. This is best exemplified in the *Vita Paschasii* where elements of charitable work have been pointed out as commonalities with the life of St Fulk.⁶²

All in all, if we are to believe Filippo Carcione, Atina offered the 'memoria religiosa',⁶³ namely the religious memory which inspired Peter the Deacon's *Vita Fulconis*. In other words, the monk, in writing this hagiographic account, took inspiration from the flow of pilgrim that went through Atina as a corridor between two valleys, the Liris and the Comino Valleys.⁶⁴ While this might be true, there is no specific reason for which we should see Atina occupy a special geographical position for pilgrimage routes. In fact, it would have been possible for a pilgrim to cross from one valley to the next in other locations. Even the notion whereby the cult of St Fulk was first venerated in Atina does not hold. As we have seen, while Peter the Deacon's Atinate production was aimed at increasing local prestige, other works, such as the *Vita sancti Placidi*, had no connections at all with the place. The inventiveness of Peter the Deacon would have been reflected in the *Vita Fulconis* without any need for a local historical basis. Rather than being associated with a specific place, the thematic choices of Peter were part and parcel of literary practices of his time. Pilgrims were becoming increasingly more important within society. Next, we focus on the reasons why they, and Fulk more specifically, might have been adopted as patron saints.

60 Giordano 1929.

61 Caturegli 1968: col. 37-44; Kaftal 1952: col. 874-84.

62 Vuolo 1996; Carcione 2002: 32.

63 Carcione 2002: 19.

64 Bertolini 1993.

Adopting pilgrim saints: lay values

As briefly hinted at in the introduction, the presence of pilgrims and the adoption of pilgrim saints in Late-Medieval Italy points not just to a change of religious preferment, but also to a change of social attitudes. The cult of lay saints emerged at a time when the laity was acquiring a renewed societal importance,⁶⁵ especially in relation to the affirmation of the Italian Comuni. It should be apparent, moreover, that the increasing flow of pilgrimage to the Holy Land after the recapture of Jerusalem played a prominent role in making the lay role of the pilgrim more widespread.⁶⁶ The fact that lay pilgrims, animated by a desire to reach those places where Christ had lived and preached, would undertake perilous journeys made it possible for the figure of the pilgrim to become an *imago Christi*.⁶⁷ It is precisely by virtue of this association with Christ that pilgrims could access sainthood: apart from the vulnerability caused by the dangers of pilgrimage, these holy wanderers would spend the rest of their lives following Christian virtues, teachings, and doctrine. In several cases, as in the example of Fulk, they would even die on the road, thus emphasising even more the link with a life spent for Christ.

This new model of sainthood, with its emphasis on the emerging middle classes, contrasted quite starkly with the older, more traditional framework of episcopal patron saints, attached to the prestige of aristocracy.⁶⁸ In the twelfth century, even if the Church kept proposing new and ancient episcopal cults, these must have been unfit for patronal role; at best, they were appointed as co-patrons, as we see in Milan with Galdino who, nevertheless, did not reach the same level of importance as the ancient patron, Ambrose.⁶⁹ The novel saints that emerge from the laity are associated with the world of the artisans, the *artes*, and charitable institutions. Not only did these saints originate from outside the aristocracy

65 One ought to remind oneself of the edited volume *I Laici nella "societas Christiana" dei secoli XI e XII*. See also Merlo 1989 and, for a contemporary case study, Tilatti 1995.

66 Vauchez 2008: 94.

67 Salvadori 2021: 390.

68 On the role of episcopal patron saints, namely those saints chosen from the body of bishops, see Golinelli 1991; Golinelli 1994: 576-87.

69 Cattaneo 1972.

and the High Church, but they were actively involved in improving the conditions – whether physical or spiritual – of their fellow citizens.⁷⁰ Just as in the popular accounts of Fulk, the hagiographies of these lay saints often highlight the transition from a wealthy to a more modest life. The literary trope to emphasise this is the dissemination of private property: by doing so, in the words of André Vauchez, these lay saints became ‘saints du “Popolo”’, part and parcel of a so-called middle class, which, ultimately, was the class fully aware of the societal and economic issues of the time.⁷¹

In the transition toward a lay sainthood what played a pivotal role in determining the status of saint was the notion of public service. The episcopal model had previously highlighted high status and heredity: the possibility of becoming a bishop, after all, was not a path available to everyone and certainly not to those of a middle and lower economic class. Though undertaking a pilgrimage was not a gratuitous experience, the majority of those who wanted to visit the holy places did not necessarily need to be aristocrats and were precisely from the middle classes. Merchants and artisans, in fact, would have had sufficient means to support themselves during a long voyage. At the same time, we should not forget that sainthood was not only determined by the voyage, but also by charitable assistance. It is interesting, in this landscape, that the aforementioned *vitae* contained this theme in relation to lay pilgrims. The legend of St Fulk, too, includes the passage wherein the saint spends time attending to the needy and the lepers. The fact that such a literary *topos* was preserved in the seventeenth-century version of the *vita* could be a useful indication that it had already been devised in the Late Middle Ages, precisely when such a theme was so popular. Such a way of expressing holiness and Christian values, though predicated upon money, was nevertheless attainable to a much larger social group; it was also a way to denote service to the citizenry and, broadly speaking, to the urban centre.⁷²

70 Vauchez 1989: 66.

71 Vauchez 1989: 66–67.

72 Vauchez 1989: 67.

Aside from the hagiographic sources, the historical record confirms the collective dimension of this 'rivoluzione della carità'.⁷³ The late-twelfth-century case of Raimondo, known as Palmerio, is a case in point. Upon his return from the Holy Land, and aware of the effects of the increased urbanisation rate, he decided to take under his protection and care orphans and prostitutes, attempting to reintroduce them into civic life.⁷⁴ The apex of the phenomenon was reached with the development of leper colonies or *leprosaria* that between the mid-twelfth and the thirteenth century dotted Europe.⁷⁵ Initially thought to be established in relation to a plague epidemics in the aftermath of the First Crusade, *leprosaria* have been more recently re-analysed, leading to a critique of the old model: in 2002, Piers Mitchell dismissed the leper epidemics as a myth, basing his argument not only on Medieval sources, but also on bioarchaeological evidence.⁷⁶ In justifying the spreading of such institutions, Mitchell pointed at a change in social values and attitudes whereby *leprosaria* were instituted as a way to help others and ensure entry into Heaven for the commissioner.⁷⁷ The fact that Fulk, upon his arrival in Santopadre, spends time helping lepers in a local *leprosarium* could be seen precisely vis-à-vis this change in religious attitude: a patron saint who had helped the needy in life would also reflect that on the community.

The role of the pilgrim, especially as a patron saint, would have reflected all these changes. As a novel urban centre, formed in the late twelfth/early thirteenth century, Santopadre had surely undergone a form of civic restructuring, especially if we are to believe that it was the result of a synoecistic process from various neighbouring communities. Despite this, it should go without saying that, as part of a civic formation, the patron saint would have played a pivotal role. The choice of Fulk was

73 Vauchez 1993: 405.

74 Vauchez 1989: 62; Vauchez 1993: 405.

75 Miller & Nesbitt 2014: 119-38. See Bériac 1988: 164-65 for an increase of *leprosaria* in France; Nasalli-Rocca 1938: 265-67.

76 Almost a century before, the dismissal of the epidemics myth had been the main thesis of Kurth (1907). See also Mitchell 2002.

77 Mitchell 2002: 173.

made because it granted a degree of self-representation whereby the pilgrim saint was a layman who encapsulated the civic values of society.

Adopting pilgrim saints: bringing the peripheries at home

The emergence of lay values in relation to the middle classes explains the phenomenon of lay sainthood only in relation to socio-historical changes. Apart from embodying the values of the laity, pilgrim saints proved enticing precisely because of their travelling character. In this section, then, I shall show that pilgrimage or, more specifically, accounts of pilgrimage could be a way for linking the peripheries to the centre.

Though pilgrimage can acquire several meanings, in Late-Medieval Europe the focus was placed on its Christian character: pilgrims directed their steps toward the great centres of Christianity — whether Rome, the Holy Land, or any of the other major sanctuaries scattered throughout Europe (from the Gargano to Compostela). However important, pilgrimage, especially long-distance pilgrimage, could not be undertaken by everyone: there were economic considerations that rendered these extended travels practically difficult if not impossible. Even if pilgrims could have resorted to more local sites, the appeal and importance of the great locations of Christianity would have occupied centre stage in the Medieval mindset.⁷⁸ This is why displaying knowledge of these sites would have been deemed as extremely important. Eye-witnessing these places meant that one could bear witness to the reality of the Bible and, ultimately, Christ's existence on Earth. Though dated to the fifteenth century, the work of Felix Fabri, the *Evagatorium*, attests precisely to this phenomenon.⁷⁹ In his visit to the Holy Land, Fabri described how he actively interacted with the landscape: for instance, he walked into the tomb of Absalom in the valley of Josaphat.⁸⁰ This sort of behaviour allowed him to even check and confute episodes from the Bible, as in the case of the Pool of Siloam, which, according to him, was not the place

78 Geary 2018: 163-76.

79 Beebe 2014; Schröder 2014; Reichert & Rosenstock 2018.

80 Hassler 1843-1849: I 408.

where David had seen Bathsheba.⁸¹ Of course, we will never know how the hagiographic account of Fulk relayed — if at all — the description of his pilgrimages. Despite that, the association between the pilgrim patron saint and the Christian places of pilgrimage, which, in his case, would have been two (both the Holy Land and the Gargano),⁸² would have played an important role in strengthening people's faith. For most people, that simple connection would have sufficed without necessarily requiring a detailed and faithful eye-witnessing account. As Stefan Schröder puts it,⁸³ 'when it comes to the question of believing, when it was necessary to look into the sphere of transcendence, eye-witnessing reached its limits'.

Another reason why a pilgrim like Fulk would have been adopted as a patron saint relates to the need to know the world: in the words of Nicole Chareyron,⁸⁴ 'the twelfth-century pilgrim was more of an intellectual, as open to the knowledge of things spiritual as of secular realities. He complemented the traditional descriptions of sites and sanctuaries with his own spontaneous observations and also contributed to the dissemination of legends'. Someone who not only had travelled to the Holy Land, but who had also come from a far-away land encapsulates this need better than anyone else. The impetus behind pilgrimage brought about by the First Crusade would have ensured that stories about those foreign places would be told throughout Europe. In turn, this prompted pilgrims to embark on voyages not simply as a mere *imitatio Christi*: they would have been enticed by the prospect of adventures and of visiting exotic places.⁸⁵ Going back to Fabri's account, though he wants the readers to be clear about the pious and religious motives behind his travels, he nevertheless cannot but report wondrous stories, like that of young women dancing and provoking lustful thoughts in any man.⁸⁶ Such an episode was inserted into the wider critical approach to Islam,⁸⁷ which must have

81 Hassler 1843-1849: I 417-18.

82 Especially for the Gargano, see Jaritz 2011 on the role of the visual representation of rural space on its impact.

83 Schröder 2020: 276.

84 Chareyron 2005: 3.

85 Nolte 1997; Reichert 2005.

86 Hassler 1843-1849: III 36, 202.

87 Daniel 1960; Tolan 2002; Di Cesare 2012.

been pronounced in light of the Crusades. In other words, pilgrimage accounts – whether explicitly or implicitly – were also about the “Other”, more specifically about bringing the “Other” from the peripheries to the centre (seen as the urban community). This, of course, does not mean that there was a form of acceptance toward foreign and exotic cultures. Rather, what a story like that of Fulk would have done was to show that a community could elect a patron that had experienced the “Other”. By doing so, the patron had also allowed the community to experience the “Other” and, thus, partake in the wider phenomenon of familiarising with the “Other” so present in the Late Middle Ages.

Pilgrims, ultimately, while being mostly lay people, presented other features that made them attractive as patron saints. Their laity could indeed appeal to emerging middle classes, as in the case of the newly-formed Santopadre. At the same time, their “worldly” character, epitomised by their destination and, in the case of the English pilgrim, even the provenance, reflected the need to show off familiarity with Christian places and, more broadly, with exotic, distant locations and cultures.⁸⁸ The next step is that to see how these narratives fit practically within the historical landscape of late-twelfth- and early-thirteenth century Liris and Comino Valleys.

Adopting pilgrim saints: urban competition

The cult of pilgrim saints in the Liris and the Comino Valleys cannot be fully understood without bringing urban competition in the picture. That need to showcase familiarity with the wondrous Christian world, as detailed in the previous section, acquires a much stronger significance once we realise that various urban centres employed pilgrims and pilgrimage to enhance local prestige.

The notion of urban competition is best exemplified by how neighbouring towns in the Liris and the Comino Valleys decided to adopt pilgrim saints within the local pantheon of saints. If we re-examine the popular tradition of the English pilgrims cited at the beginning of this article, we should remember that St Fulk was thought to have travelled together

88 See Russo 2008.

with other three companions,⁸⁹ who, ultimately, became patron saints of other, neighbouring towns: St Ardwyn in modern-day Ceprano, St Bernard in modern-day Roccadarce, and St Gerard in modern-day Gallinaro. Despite the popular tradition, it had already become apparent in the seventeenth century that these companions could not have travelled together. While Vitagliano seems to be the only one to defend this version, the Bollandists had identified a progression whereby Ardwyn dated to the seventh century, and both Bernard and Gerard to the late eleventh century.⁹⁰ At least for the case of Gerard, this contemporaneous date with Fulk is also confirmed by an earlier document, a twelfth-century parish register preserved in the episcopal curia of Sora. This so-called *Libretto Gotico*, reproduced in the *vita* of the Bollandists, specifies that *tertio anno postquam omnis spiritualis potentia, Spiritus Dei afflata ad liberationem Sancti Sepulchri sumpserat arma*, Gerard arrived in Gallinaro, *Arvernensi provincia genitus* (On the third year after the entire spiritual army, moved by the Spirit of God in order to free the Holy Sepulchre, had taken up arms... born in the Auvergne region).⁹¹ What should be apparent at this point is that, at the end of the eleventh century, pilgrims were reaching towns in southern Lazio and could be, after their death, being adopted as local patron. The mention of the provenance, the Auvergne, is in striking contrast with the popular tradition that sees Gerard as coming from England. This, in my opinion, should point to the fact that the exact location meant very little and that what really mattered was the foreign provenance of the saint-to-be. Ultimately, should we not see Peter the Deacon's *Vita Fulconis* in this historical landscape whereby pilgrims were increasingly becoming more common in the Liris and the Comino Valley, eventually being elected as patrons? After all, the Benedictine librarian wrote the *Vita Fulconis* roughly thirty years after the arrival of Gerard. The proximity, moreover, of Gallinaro to Atina, where Peter was living in exile, should point to the fact that he could have been aware of pilgrims acquiring local importance.

In many cases, the adoption of these pilgrim saints was not without struggle. Nowadays, the popular story tells us that Fulk was the patron

89 This theme is also treated in Mazzoleni 1994: 313-29.

90 AS (*Octobris XI*), 653; Recchia 2002: 90.

91 AS (*Augusti II*), 695.

saint of Santopadre from the start. Little do we know that the cult of Fulk had also played a brief role as patronal cult in the diocesan centre of Aquino. Filippo Ferrari, in his study of the saint's life, included elements which were not necessarily part of the popular story: not only did Fulk travel with two companions, respectively Grimoald and Eleutherius, but he also chose Aquino as his final stop to his pilgrimage.⁹² And while, as said above, the church *S. Fulconis* appeared in the *Rationes Decimarum* of 1325, it is also true that the *Martyrologium Romanum* relates *apud Aquinum, Sancti Fulci Confessoris*.⁹³ The adoption of the cult at Santopadre, moreover, did not occur without struggles against the local episcopal authority: in the popular version of the story recorded by the Bollandists, in fact, the local bishop had initially refused to recognise the saint. In this I agree with Carcione when he argues that, though the incredulity of local church authorities is a long-lasting *topos*,⁹⁴ still this element in the cult story of St Fulk belies the pride felt by an important urban centre, such as that of Aquino, in relinquishing claims upon a local saint to the advantage of a smaller peripheral settlement.⁹⁵ It is more than plausible that the cult played a pivotal role in the program of the local bishop Guerino I (ca. 1125-1136), who was interested in boosting the pride of the community in its ancestral saints: Peter the Deacon, then, supported the bishop by writing the *Vita Fulconis* and the *Vita Constantii* (both works are mentioned in his autobiography), precisely to emphasise the role of St Fulk and St Constant, still the local patron saint.⁹⁶ The reasons for which Peter the Deacon should have wanted to carry out such a work are explained by political and family relations.⁹⁷

The rise of lay sainthood, coupled with the interest toward the "Other", as detailed in the previous sections, would have meant that the adoption of foreign pilgrims as patron saints was dictated by a sense of inter-local competition. The fact that the *Vita Fulconis* was written in the period when these pilgrims were traversing the Valleys and dying

92 Ferrari 1613: 304.

93 Inguanez, Mattei Cerasoli, Sella 1942: 35.

94 Golinelli 1996.

95 Carcione 2002: 47.

96 Carcione 2000: 21-28.

97 This is not within the aims of the article. See Carcione 2002: 48-49.

therein, eventually becoming patron saints, should not hint only at a thematic inspiration. Rather, since the hagiography had a practical use, namely that of furnishing an existing cult with prestige, these themes are also a way for settlements to increase local pride. The transition of the cult of St Fulk from Aquino to Santopadre emphasises how these themes still played an important role in settlement status even almost after a century.

Conclusions

Starting with the seventeenth-century sources on the cult of St Fulk, this article has shown that the oral tradition needed to be recontextualised in light of topographical, archaeological, and historical evidence.⁹⁸ The cult of the foreign pilgrim was, ultimately, employed in order to increase the prestige of a settlement that had borne witness to a process of civic formation. First of all, the seventh-century date for the cult has been disproven: southern Lazio at the time was so ravaged by the Lombard invader as to discourage pilgrimage across it. It is only from the eighth century that the influx of pilgrims increased. At the same time, the article paid attention to more local topographical dynamics. The urban centre with which the cult of St Fulk was associated, namely Santopadre, does not appear on the historical record until the early thirteenth century. The adoption of the cult, then, ought to be viewed as taking place together with a phenomenon of civic formation: the transition from *Castrum Foroli* to Santopadre brought about a need to cement communal, civic ties; and what better solution than to do so around a new patron saint?

What has also transpired from the analysis is that the development of the saint's hagiography was earlier than the adoption of the patron saint in Santopadre. In particular, it has been established that a *Vita Fulconis* was written by Peter the Deacon during his exile in Atina between AD 1128 and AD 1131. It was sufficient to examine his works attributed to his

98 See Palmer 2018: 15-40 on the creation of hagiographies in the Early-Medieval context.

stay in Atina to understand that the invention of cults and hagiographies was not entirely unknown to him. As an exile, in fact, he tried to display gratitude to the community that made him feel welcome by manipulating local traditions and ennobling local cults. Though the evidence for a cult of St Fulk in Atina is not extant, the *Vita Fulconis* should be intended as part and parcel of the author's literary practice.

The last part of the article dealt with the crucial question of motive. Briefly put, why was the cult developed and what was the point of its adoption in Santopadre? This question was analysed in close relation with the cultural significance of pilgrim saints. In the aftermath of the First Crusade, with the intensification of pilgrimage toward the Holy Land, Europe bore witness to an increasing presence of pilgrim saints. The main feature of these characters was their lay origin. While consecrated bishops and martyrs had been the favourite choice as local patron saints, from the late eleventh century that choice had fallen on lay individuals that demonstrated the merits and virtues of the rising "middle classes". And this would fit well with the adoption of St Fulk as the patron of the newly formed town of Santopadre. The urban elites would have wanted a saint that reflected their laity away from the aristocratic background of the bishop saints. At the same time, such an explanation offers only a partial answer: after all, there must be a specific significance for the choice of a pilgrim, especially one of foreign extraction. This was explained in light of the pilgrim as an eyewitness of Christian sacred places and wondrous travels. Hence, by choosing Fulk as a patron saint, the community would have benefited from the association by appearing as worldly.

Another aspect that was emphasised in this context was that of local competition. The Liris and the Comino Valley saw several urban centres elect foreign pilgrims as patron saints. The aforementioned notion of worldliness, then, would have become more pronounced whereby some towns could boast the link with distant travellers animated by Christian virtue. In some instances, as in the case of Gallinaro, this link was even physical since the patron saint, St Gerard, was historically attested there at the end of the twelfth century. The next step is that of carrying out

contextual studies on the broader phenomenon in the two valleys, paying attention to the formation of the various hagiographies and their relationship to urban settlements.

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WHO WERE THE FIVE THOUSAND?*

By Miriam Valdés Guía

Summary: This paper focuses on who the “Five Thousand” might have been in the oligarchic revolution of the Four Hundred in 411 BC and in the political regime of the Five Thousand four months later. In both cases, the “Five Thousand” were nominal groups. During the despotic rule of the Four Hundred, it seems that they never existed at all and that the figure corresponded to those “most able to serve the state in person and in purse” ([Arist.] *Ath. Pol.* 29.5; Thuc. 8.65.3). Namely, those paying the *eisphora* who, during the first part of the Peloponnesian War, might have numbered c. 5000. During the Archidamian War, this internal tax was first exacted in 428 BC, as was perhaps also the case of the Sicilian Expedition. In the *politeia* of the Five Thousand, this figure referred to those who “*ta hopla parechomenoi*” (in [Arist.] *Ath. Pol.* 33 and Thuc. 8.97.1), whose composition and number can be surmised, to some extent, from the spurious “Draconian constitution” emanating from the reflection on the *patrios politeia* at the time (which included the revision of the laws of Cleisthenes: [Arist.] *Ath. Pol.* 29.3).

Introduction

The aim of this paper is to address two main questions in relation to the Five Thousand. On the one hand, an attempt is made to understand why this number was chosen in the oligarchic revolution of 411 BC, which began in the spring with the establishment of the rule of the Four Hundred. On the other, there is the issue of who formed part of the government of the Five Thousand from September 411 to the restoration of democracy in 410, especially when viewed in the light of the spurious “Draconian constitution.” The intention is not to deal systematically with all the aspects and interpretations of the oligarchic coup of 411, but simply to offer a few brief insights into this group of the “Five Thousand” from the perspective of their social classification. Judging by the available sources, the group of the Five Thousand seems to have been a nominal group

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never formally constituted as such, neither in the coup of the Four Hundred in the spring of 411 nor in the subsequent “government of the Five Thousand,” established in September of the same year.

Accordingly, it is contended here that this specific number was chosen in Athens during the oligarchic coup because of its emblematic connotations in that it was equivalent to the number of those who habitually paid the *eisphora* in the early stages of the Peloponnesian War (the Archidamian War) and, perhaps, during the Sicilian Expedition. These original Five Thousand (an approximate and variable number, in any case) were, therefore, those who contributed to the *polis* not only with their military service (as hoplites or horsemen) but also with their own money in the *eisphora* levy, as established during the Archidamian War (431-421 BC). In order to support this hypothesis, it is necessary to focus on similar extraordinary levies in times of war, first documented in Athens in 428.

In the second section, it is held that this emblematic number was used to designate the “government of the Five Thousand.” An attempt is also made to inquire, on the basis of a contextualised re-reading of the spurious Draconian constitution, into the social composition of the citizenry at these moments (at least at the beginning of this period) when there was a pressing need for troops and when the fleet of Samos, mostly manned by *thetes*, was away from Athens. There are indications that allow the assumption of a rather broad social base (even open to the *thetes* or, at least, to the well-off among them) in this brief and poorly documented period of the rule of “the Five Thousand.”

1. The “Five Thousand” in the regime of the Four Hundred

According to Thucydides, in the spring of 411¹ the oligarchic rule of the Four Hundred was established at the instigation of Peisandros, who had

1 All dates are BC unless otherwise stated. According to the *Athenaion Politeia*, the effective government of the Four Hundred, after the preliminaries, started on the 22nd of the month of Targelion: [Arist.] *Ath. Pol.* 32.1. Thucydides states that the Four Hundred were elected at an assembly in Colonus: Thuc. 8.67. For the oligarchic coup of

previously pointed out to the assembly the possibility of obtaining financing from the king, provided that the regime was transformed into an oligarchy and that Alcibiades was brought back from exile (Thuc. 8.53.3). On returning from Samos, Peisandros and his companions discovered that their associates (Melobios, Pythodoros and Kleitophon, according to Aristotle)² had already laid the groundwork for the establishment of the oligarchy in the city (Thuc. 8.65.1-2). At that time (spring 411), it was decided to withhold public pay, except for those participating in military campaigns (Thuc. 8.65.3), including the salaries of the archons and *prytaneis* ([Arist.] *Ath. Pol.* 29.5), and, in the words of Thucydides (8.65.3), “[...] and that not more than five thousand should share in the government, and those such as were most able to serve the state in person and *in purse*” (οὔτε μεθεκτέον τῶν πραγμάτων πλέοσιν ἢ πεντακισχιλίοις, καὶ τούτοις οἱ ἄν μάλιστα τοῖς τε χρήμασι καὶ τοῖς σώμασιν ὠφελεῖν οἷοί τε ὄσιν). Aristotle has much the same to say about the Five Thousand ([Arist.] *Ath. Pol.* 29.5): “[...] and that all the rest of the functions of government should be entrusted to those Athenians who in person and *property* were most capable of serving the state, not less than five thousand” (τὴν δ’ ἄλλην πολιτείαν ἐπιτρέψαι πᾶσαν Ἀθηναίων τοῖς

411, see Gomme, Andrewes & Dover 1981: 165-256 (with other sources and a discussion on that date); Kagan 2012 [1987]: 131-86 (with bibliography); David 1996; Heftner 2001: 1-108; Taylor 2002 (who argues that there were many more people in favour of the conspirators and change than Thucydides leads us to believe); Sancho 2004; Hornblower 2008: 938-64; Shear 2011: 19-69 (with chronological tables of the events described by Thucydides and Aristotle, which underscore the contradictions between the two narratives); Tuci 2013 who analyses the manipulation of the will of the people (as well as discussing Taylor’s thesis on p. 87); David 2014 (also criticising Taylor’s thesis on pp. 18 and 22). See also Bearzot 2013; Sancho 2016; Nývlt 2017; Battistin Sebastiani 2018a (who draws parallels between Thucydides and Xenophon and the coups of 411 and 404, respectively); Wolpert 2017: 183-87 (who also highlights the discrepancies between Aristotle’s and Thucydides’ accounts). All these authors include a previous discussion and bibliography.

- 2 [Arist.] *Ath. Pol.* 29.1-3. In addition to Peisandros, Thucydides mentions the leading roles of Antiphon, Phrynichos and Theramenes: Thuc. 8.68 (see also [Arist.] *Ath. Pol.* 32.2). With respect to the seizure of power by the Four Hundred, see also Thuc. 8.69-70 (see the commentary of Gomme, Andrewes & Dover 1981: 178-82, plus that of Hornblower 2008: 953-64); [Arist.] *Ath. Pol.* 32.3. For a comprehensive study of the preliminaries of the coup: Tuci 2013: 13-111.

δυνατωτάτοις καὶ τοῖς σώμασιν καὶ τοῖς χρήμασιν λητουργεῖν, μὴ ἔλαττον ἢ πεντακισχίλιος).³ According to this author, 10 men aged over 40 (the *katalogeis*) were to be chosen from each tribe to draw up the list of the Five Thousand ([Arist.] *Ath. Pol.* 29.5).⁴ One of their number was Polystratos (in *Lys.* 20), who expressed his intention of enrolling 9,000, instead of 5,000 (*Lys.* 20.31), which shows that the drawing up of this list posed difficulties and would not be successfully completed.⁵ In an earlier passage, in relation to the intentions of Peisandros and his companions on Samos, Thucydides (8.63.4) insists on this same idea of a contribution in cash and in kind: “Meanwhile to sustain the war, and to contribute without stint money and all else that might be required from their own private estates, as they would henceforth labour for themselves alone” (καὶ τὰ τοῦ πολέμου ἅμα ἀντέχειν καὶ ἐσφέρειν αὐτοὺς ἐκ τῶν ἰδίων οἴκων προθύμως χρήματα καὶ ἦν

- 3 For all the translations of Thucydides: J. M. Dent. For all the translations of the *Athenaion Politeia*: H. Rackham. Emphases added.
- 4 For 10 *syngrapheis* in *Thuc.* 8.67.1; 30 in [Arist.] *Ath. Pol.* 29.2-3 and 30 (*syngrapheis* for making proposals and legislating); Rhodes 1981: 372-74; Hornblower 2008: 948-49; Bearzot 2013: 80-81, 89-90. See the detailed analysis of Tuci 2013: 27-28, 115-26, 130-38, with a discussion and different theories. See also Sancho 2016: 19-20; Fantasia 2018 (who lends more credibility to Aristotle than to Thucydides in this regard); Wolpert 2017: 184. But there is a contradiction in the *Athenaion Politeia* itself, which in 30.1 mentions 100 *anagrapheis* already chosen by the Five Thousand to draft a pair of constitutions, one for the future and one for the present, the latter being that of the Four Hundred (*Ath. Pol.* 31); Rhodes 1981: 386-87. As regards this contradiction: Sancho 2004: 84. On the contradictions between Thucydides’ and Aristotle’s versions (see the table in Rhodes 1981: 364-65; Shear 2011: 25, 32, tables 1 and 2), lending greater credibility to Thucydides’ account: Sancho 2004: 84 (the Five Thousand never met [see *infra* notes 36 and 37] and the list was never completed); Shear 2011: 19-69; Tuci 2013: 127-138. But see Nývlt 2017.
- 5 Rhodes 1981: 384-85; Sancho 2004: 84. This information from Lysias implies that it is necessary to consider not only the “nominal” character of the Five Thousand but also the existence of possible disputes and differences of opinion on who should form part of the *politeia* in the oligarchic constitution at the time, either a more restricted group (only the wealthiest, namely, the usual *eisphora*-payers) or a broader one of hoplites, such as those who would usually be recruited *ek katalogou* (see notes 69 and 71). These disagreements among oligarchs as to the constitution of the *politeia* are clearly seen later on between Theramenes and Kritias in relation to the number of citizens (*Xen. Hell.* 2.3.15). For the number according to oligarchic propaganda: Brock 1989.

τι ἄλλο δέη, ὡς οὐκέτι ἄλλοις ἢ σφίσιν αὐτοῖς ταλαιπωροῦντας).⁶ Undoubtedly, in the eyes of the members of the oligarchy self-benefit was tantamount to refusing to subsidise democracy (the *demos*) any longer. There is a probable reference to the bankrolling of the *polis* by the wealthy in a passage from Aristophanes in which Cleon (Paphlagon) notes that he has extorted and pressured people (the rich of Athens and Allies?) to fill the treasury of the *polis* and so please the *demos*:

καὶ πῶς ἂν ἐμοῦ μᾶλλον σε φιλῶν ὦ Δῆμε γένοιτο πολίτης;
ὅς πρῶτα μὲν ἡνίκ' ἐβούλευον σοὶ χρήματα πλεῖστ' ἀπέδειξα
ἐν τῷ κοινῷ, τοὺς μὲν στρεβλῶν τοὺς δ' ἄγχων τοὺς δὲ μεταιτῶν,
οὐ φροντίζων τῶν ἰδιωτῶν οὐδενός, εἰ σοὶ χαριοίμην.

Is it possible, Demos, to love you more than I do? And firstly, as long as you have governed with my consent, *have I not filled your treasury*, putting pressure on some, torturing others or begging of them, indifferent to the opinion of *private individuals*, and solely anxious to please you?⁷

All these testimonies emphasising the cash contributions (τοῖς χρήμασιν) of the Five Thousand destined to be chosen give reason to believe that this group had made some such contribution to the *polis*.⁸ The number 5000⁹ is too high to correspond to the liturgical class,¹⁰ but not so to those

6 Also, in Thuc. 48.1. See Raaflaub 2006: 215; Simonton 2017: 45-46.

7 Ar. Eq. 773-76. Tr. E. O'Neill Jr. Emphasis added.

8 The reference to their 'serving in person' (τοῖς σώμασιν), in addition to their riches, may refer to the fact that these 'Five Thousand' would have also been included on the hoplite and/or knight muster rolls. This does not mean that they were *the only ones* who were recruited from the rolls (*pace van Wees* 2006, 2018; see Valdés & Gallego 2010; Valdés 2022a), but that they were the only ones who, besides 'serving in person', also made a cash contribution, as will be seen below, to the city out of their own pocket during the war (through the *eisphorai*).

9 For another theory on this number, derived from an ancient law of 487 on the *klerosis ek prokriton*, see Marcaccini 2013.

10 Approximately 1,200, plus 300, of the wealthiest citizens in the 4th century and between 1,500 and 1,600 at the end of the century: see Gallego 2016: 61, fig. 3. For the group of 1,200, see also Poll. 8.100; Philoch. *FGrHist* 328 F 45 (Harp. s.v. χίλιοι διακόσιοι). Regarding the group of 300: Dem. 42.25; 18.103; Aeschin. 3.222; Isae. 6.60;

who contributed to the war effort with the *eisphora*, the extraordinary wartime tax, first levied (πρῶτον: Thuc. 3.19.1) in Athens in 428, no doubt at the behest of radical democrats such as Cleon.¹¹ During the Archidamian War, this demagogue apparently proposed its introduction to the assembly in 428, when the population had already fallen considerably due to plague.¹² The *eisphora* would have been exacted from individuals with

Hyp. fr. 160; Dem. 18.171; 42.5; 50.9; schol. Dem. 2.192. See Davies 1981: 15–24, 26–28. For further information on the liturgical class, see Davies (1971: xx–xxiv), who established the threshold at 3 talents (also Hansen 1991: 113). For other scholars, however, the minimum requirement would have been between 1 and 2 talents: Gabrielsen 1994: 45–47, 52–53; Rhodes 1982; Kron 2011: 129–31. The minimum net worth for belonging to the liturgical class in the 5th century possibly differed from that in the 4th century (due to price rises). This liturgical class represented c. 5 per cent of an estimated population of 30,000 (Hansen 1991: 91–93; Gallego 2016) in the 4th century (Hansen 1985; 1988a; 1988b; 1991. 92–93; 2006; Kron 2011: 130). It is possible that in the Pentecontaetia the percentage would have been similar, but, given the population growth during that period (c. 60,000: Hansen 1985; 1988a: 14–28; Akrigg 2019: 143), the number of wealthy citizens was higher than in the 4th century. In any case, at the time (411) the population of Athens must have been around 30,000 citizens, according to Hansen’s calculations (1988a: 27, with table; c. 25,000 citizens according to Akrigg 2019: 142), a figure very similar to that estimated for the 4th century, before Antipater: see Gallego 2016: 61, fig. 3 (sectors 1, 2 and 3 amount to about 3,000). For the population during the Archidamian War, after the outbreak of the plague, see note 13.

11 The possibility of an earlier *eisphora* outside Athens among the cleruchs of Histiaia (*IG I² 42*, 21–24) and in the “decree of Callias” (*IG I³ 52 B*; *GHI 144B*: c. 433), which Mattingly (1968: 452) and others establishes in 422 (see note 31). For other interpretations of the term ‘πρῶτον’: Blamire 2001: 110 with n. 75. See Fawcett 2016: 155–57 (with further bibliography). On the levying of the *eisphora* at the time: Thomsen 1964: 14–15; Meritt 1982; Kallet–Marx 1989. Christ 2007: 54 believes that before 378 all *eisphora*-payers contributed the same amount of money and, therefore, not according to their wealth (*timema*), but if the text of Pollux 8.130 – see note 43 – is referring to the levying of the *eisphorai* before 378, as seems likely, the contribution was apparently made differently according to the rank of wealth. After 378, those liable to the *eisphora* paid a percentage (usually 1% but not excluding higher or lower rates) of their net worth: Ste. Croix 1953: 34–36, 47–53; Brun 1983: 61–62; Poddighe 2010: 108; Migeotte 2014: 521. Valdés 2014; 2018.

12 The responsibility of Cleon as a member of Council: Ar. *Eq.* 773–75; 923–26. Mattingly 1968: 452. See previous note.

assets exceeding an established threshold, a burden that might well have fallen at the time on some 5,000 individuals.’

Based on Hansen’s estimates of the population during the war, following the outbreak of plague, there would have been about 45,000 inhabitants, before falling (after the second outbreak) to about 39,500 in 426,¹³ which means that the wealthiest 5,000 citizens would have accounted for around 10 or, at best, 15 per cent of the total. All of which implies that this group was larger than the first two census classes – which would not have represented more than 5 per cent of the citizenry.¹⁴ In fact, it was a somewhat broader group than the liturgical census class that seems to have been liable to the *eisphora* in the 4th century.¹⁵ During the Archidamian War that number (5,000) would have been smaller than the hoplite

13 Establishing the population of Athens at c. 45,815 in 428, a figure that dropped to around 40,000 after the second outbreak of plague (426): Hansen 1988a: 27. For considerations on the population of Athens in the 5th century, without discarding Hansen’s numbers for the period: Akrigg 2019: esp. 143 and 160-68.

14 See note 10.

15 The number of *eisphora*-payers is a mystery, as is whether or not there were any variations in this number at any time (e.g. since 378); nor is it known with certainty the threshold above which citizens were liable to the tax. Thomsen (1964: 163) postulates a very high number of *eisphora*-payers, about 22,000 in 428. According to Ste. Croix (1953: 32), however, there was a large number of citizens who were exempt from payment of the tax, while assuming that the minimum net worth for being liable to taxation would have been, at least as of 378, 2,500 drachmae. See also Jones 1957: 23-38, esp. 29; Brun 1983: 19-21 who posits 2,500 drachmae in 428, around 2,000 drachmae after 378, and between 6,000 and 9,000 taxpayers. A minimum of 2,500 drachmae would have resulted in a total of 6,000 taxpayers (60 for every 100 symmories) in 378. However, Hansen 1991: 112-14 identifies the trierarchic symmories with the *eisphora* symmories (following Ruschenbush 1978; Mossé 1979; MacDowell 1986), assuming the same number of taxpayers (1,200) in both cases. These taxpayers would have therefore corresponded to the liturgical class. In this line, see also Poddighe 2002: 129. But making the case for two different systems of the symmories, one for the *eisphora* (100, according to Cleidemus *FGrHist* 323 F 8) and other for the triarchies (20): Jones 1957: 28; Rhodes 1982; Gabrielsen 1994: 183-94. It is likely that between 428 and 378 the *eisphora*-payers accounted for no more than between 10 and 15 per cent of the population (a percentage that may have increased since 378: Valdés 2018). They were the *plousioi* and *georgoi* in Aristophanes: *Ar. Eccl.* 197-98. In the Oxyrhynchus papyri: οἱ μὲν ἐπικτεῖς καὶ τὰς οὐσίας ἔχοντες in *Hellenica Oxyrhynchia*: P.Oxy. 842, A 6.2 (A Col. I, lin. 19 Grenfell & Hunt 1908: 145).

class as a whole, which was usually identified with the *zeugitai* during the 5th century, a theory that has since been debunked by van Wees on the basis of Aristotelian measurements, although counter-arguments continue to fuel the debate.¹⁶ If the Five Thousand had all belonged to the *zeugitai* census class or higher, before the end of the 5th century, as van Wees seems to suggest (the “leisure class hoplites,” in his view),¹⁷ then it is likely that the sources (either Thucydides or Aristotle) would have pointed this out (i.e. that the Five Thousand were composed of the first three census classes), for during the Archidamian War the census classes still seem to have played an active role in military life.¹⁸ Nothing is known about which estates were subject to the *eisphora* as of 428, but if the suggestion that the Five Thousand correlated to the number of citizens paying this tax during the Archidamian War is accepted, they must have been among the wealthiest *zeugitai*¹⁹ (plus the first two classes), not

16 In the traditional view (Hansen 1991: 30; Ste. Croix 2004: 48-49), in the 5th century the *zeugitai* census class would have correspond to that of the hoplites, to wit, those with assets with a value equivalent to more than approximately 4 hectares. H. van Wees questions the generally accepted views on the *zeugitai* and a landholding requirement as high as 8.7 hectares, subsequently increased to a minimum of 13.8 hectares, by applying the measures stipulated in the *Athenaion Politeia* ([Arist.] *Ath. Pol.* 7.3-4): van Wees 2001; 2006; 2018: 27 (13.8 hectares or 7,590 drachmae, including fallow). But see a different opinion: Rhodes 2006: 253; Valdés & Gallego 2010; Mavrogordatos 2011: 12-15; Valdés 2022a. Concerning the census classes, see also Rosivach 2002.

17 Around 10-15% of the population: see van Wees in previous note.

18 In the emergency of 428, metics and citizens of all census classes, except for the first two, were drafted into the navy: Thuc. 3.16.1. *Thetes* as *epibatai* in Sicily (415): Thuc. 6.43.1. See Valdés 2022a and 2022b.

19 See note 15. For the socio-economic status of those fighting as hoplites in classical times, including those owning between 4 and 5 hectares (or more) or their equivalent in movable assets: Valdés 2022a: 62. With respect to the large number of middling farmers (with landholdings of between 40 and 60 *plethra* – 3.6 and 5.4 ha) in classical times: Andreyev 1974: 14-16; Burford 1993: 67-72; Isager & Skydsgaard 1992: 78-79; Jameson 1994: 59; van Wees 2001: 51, with n. 41; Halstead 2014: 61; Gallego 2016.

exceeding 10-15% of the population²⁰ corresponding to a group somewhat larger than the small liturgical class.²¹

It cannot be ruled out that the number of those liable to the *eisphora* was established at 5,000 (perhaps in 428) for a time, albeit with the possibility of revising this figure,²² nor that ad hoc lists were drawn up each time the tax was levied (establishing a threshold) using the lists of the demes (as in the case of conscription) during the Archidamian War.²³ Be that as it may, this figure, which might have been higher or lower depending on the vicissitudes of war or the death rate, would vary only slightly during this period (Archidamian War), being more or less stable between 428 and 422.²⁴

The sources for this period point to the possibility that there might have been more than one *eisphora* (to be approved by the assembly) before the Peace of Nicias. Firstly, the one introduced in 428/7 “for the first time” (πρῶτον), as Thucydides notes (Thuc. 3.19.1), which is the only one

20 See note 13.

21 As regards the liturgical class, see note 10. A few years ago, together with J. Gallego (Valdés & Gallego 2010), I briefly pointed out that the number of the Five Thousand derived from those paying the *eisphora*. This theory is also taken up by Simonton 2017: 46. For the number of hoplites (*zeugitai*) in the 5th century: Valdés 2022a. For a table of land wealth distribution of the citizen population at the end of the 4th century: Gallego 2016 (with further bibliography).

22 Namely, the group of the 300 was established for a time, susceptible to being revised, in the 4th century, evidenced by the fact that Demosthenes was *hegemon* for 10 years (Dem. 21.157). In a fragment of Hyperides (Hyp. fr. 154 Blass, in Suda, s.v. Ἀνασυντάξας and Harp. s.v. Διάγραμμα), the *diagraphheus* (for this figure: Mossé 1979: 40) is attributed a re-evaluation of the *timemata* recorded in the symmories, which could be carried out every three or four years: Wallace 1989: 489-90. Something similar might have happened with the designation of these Five Thousand liable to the *eisphora*.

23 In the 4th century there was a magistrate, the *epigraphheus*, in charge of the *eisphora*, who established (based on the information provided by the demes) the amount due: Isoc. 17.41. Harp. s.v. Ἐπιγραφέας (who are also mentioned in a lost speech of Lysias ‘Περὶ τῆς εἰσφορᾶς’). Hyp. fr. 152 Blass; Suda, s.v. Διάγραμμα, s.v. Ἐπιγραφεῖς; Lexica Segueriana s.v., Διάγραμμα, Διαγραφεὺς τί ἐστὶ. See Thomsen 1964: 187. For the role of the demarch in determining the value of landholdings, together with the *epigraphis* or *diagraphis*: Poddighe 2010: 108. For the *eisphora*, see note 11.

24 As to the population figures during the Archidamian War, see Hansen 1988a: 27; Akrigg 2019: 143.

directly documented. As a member of the Council, Cleon undoubtedly played a prominent role in this levy, as a passage from Aristophanes' *The Knights* (424) confirms.²⁵ This comedy refers to the burden on the rich (*plousioi*) posed by the *eisphora* in those years, possibly pointing to other exactions. Furthermore, Aristophanes alludes to the existence of a "list of the rich" (*Eq.* 923-26). In the play, Cleon (Paphlagon) states the following:

δώσεις ἔμοι καλήν δίκην
 ἰπούμενος ταῖς ἐσφοραῖς.
 ἐγὼ γὰρ ἐς τοὺς πλουσίους
 σπεύσω σ' ὅπως ἂν ἐγγραφής.

I will punish your self-importance; I will crush you with imposts; I will have you inscribed on the list of the rich.

The poet Eupolis also mentions the *eisphora* (423),²⁶ whereas in *The Wasps* (422), Aristophanes compares (*Vesp.* 31-45) Cleon to a "whale swallowing everything" (φάλαινα πανδοκεύτρια), which for Xanthias signified that Cleon wished to cut up (δυστάναί) the Athenian people and despoil them of their fat. In Mattingly's view, this refers to the *eisphora* levied on the wealthy classes, for later in the play the dicasts claim that they are the only ones spared from Cleon's depredations (*Vesp.* 596).²⁷

Xenophon also seems to be referring to the *eisphora* in those years when observing, in the words of Charmides, "I was for ever being ordered by the government to undergo some expenditure or other" (καὶ γὰρ δὴ καὶ προσετάρτετο μὲν αἰεὶ τί μοι δαπανᾶν ὑπὸ τῆς πόλεως).²⁸ This idea of being required by the *polis* to make cash contributions is emphasised in another passage from the same work:

25 See notes 7 and 12 and text *supra*.

26 Eupolis fr. 300 K-A: ἔπειθ' ὁ κουρεύς τὰς μαχαιρίδας λαβὼν ὑπὸ τῆς ὑπίνης κατακερεῖ τὴν εἰσφορὰν (the barber will take his *machairides* and [holding them] beneath his beard will crop short his contribution): Tr. S. Douglas Olson. Mattingly 1968: 452.

27 For φάλαινα πανδοκεύτρια, see Sommerstein 1983: 154-55: "omnivorous" or literally "a taker-in of all," generally referred to women innkeepers who had "the reputation of being evil-tempered and foul-tongued." See Mattingly 1968: 452.

28 Xen. *Symp.* 4.30. Mattingly 1968: 453.

τά τε ἄλλα ζηλῶ σε τοῦ πλούτου καὶ ὅτι οὔτε ἡ πόλις σοι ἐπιτάττουσα ὡς δούλῳ χρῆται οὔτε οἱ ἄνθρωποι, ἂν μὴ δανείσης, ὀργίζονται.

Among the numerous reasons I find for congratulating you on your wealth, one is that the government does not lay its commands on you and treat you as a slave, another is that people do not feel resentful at your not making them a loan.²⁹

In the run-up to the revolution of 411, it was precisely the Athenian oligarchs at Samos, Peisandros' companions, who boasted, as already seen above, that they would stop making these contributions for the benefit of the people en masse (the *demos*) and start making them for that of the oligarchs themselves (Thuc. 8.63.4). Although it is impossible to say how many taxes were levied during this period of the Archidamian War, there might have been more than one, which would not have been incompatible with the simultaneous increase in financial pressure on the Allies.³⁰ In the decree of Callias, traditionally dated 434 – although Mattingly and others date it later to 422 – it is stated that a vote of immunity (*adeia*) was required for a citizen to propose a levy of *eisphora*.³¹ Internal taxation (*eisphora*) would be suspended with the Peace of Nicias and would not be resumed until the Sicilian Expedition.³² Although the decree of this expedition does not clarify whether or not an *eisphora* was levied, in all likelihood it was, at least in 413. By the time of the Sicilian Expedition (415), the population of Athens would have recovered considerably³³ and, therefore, before its disastrous defeat in 413, the number of taxpayers would have been similar to that during the Archidamian War. In view of the passage from *Lysistrata* (411), which states that the fund “of the

29 Xen. *Symp.* 4.45. Tr. O. J. Todd.

30 Thuc. 3.19.1. Kallet-Marx 1993: 136-37; Blamire 2001: 110-11. See *GHI* 152 (*IG* I³ 68) and 153 (*IG* I³ 71).

31 *IG* I³ 52 B lin. 17 and 19 (*GHI* 144B: see commentary on p. 257). Dated to 422: Mattingly 1968: 453; Kallet-Marx 1993: 134-36; Blamire 2001: 103-5. For a discussion on the date, see Flament 2018.

32 Thomsen 1964: 174-75; Brun 1983: 25; Blamire 2001; Mattingly 1968: 453-54. Decree: *IG* I³ 93 *GHI* 171, fragment c.

33 Hansen 1988a: 27 (around 40,000 citizens).

grandfathers” had been spent, but no extraordinary contribution (*eisphora*) had been made, it is unlikely – *pace* Brun – that there was a levy of *eisphora* in 412.³⁴ In any case, the tax would be suspended during the oligarchic coup and would not be resumed until after the restoration of democracy (410), at which point it seems that two were levied in the final years of the conflict, specifically, during the Decelean War.³⁵

Thus, the controversial Five Thousand of the oligarchic revolution would have been no more than the usual number of individuals paying the *eisphora* from the beginning of the war (during the Archidamian War and perhaps in the case of the Sicilian Expedition), maybe introduced for a fixed period, which could be revised and vary and, therefore, was approximate. From this perspective, the need to “draw up” a list of the Five Thousand makes sense, as does assuming that it was not a group per se whose members could meet immediately, but one that had to be constituted ad hoc by “drawing up a list.” Moreover, it is likely, as several authors have argued, that the group’s members did not actually meet at all during the four months that the rule of the Four Hundred lasted, as Thucydides points out: “Indeed this was why the Four Hundred neither wished the Five Thousand to exist, nor to have it known that they did not exist” (οἱ τετρακόσιοι διὰ τοῦτο οὐκ ἤθελον τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δήλους εἶναι) (Thuc. 8.92.11).³⁶ Aristotle does, how-

34 Brun 1983: 25. But see Ar. *Lys.* 651-55: ‘For I (women’s chorus) make contributions to the state—I give birth to men. You miserable old farts, you contribute nothing! That pile of cash which we collected from the Persian Wars you squandered. You don’t pay any taxes (*eisphorai*)’ (τοῦράνου γάρ μοι μέτεστι: καὶ γὰρ ἄνδρας ἐσφέρω, τοῖς δὲ δυστήνοισι γέρουσιν οὐ μέτεσθ’ ὑμῖν, ἐπεὶ τὸν ἔρανον τὸν λεγόμενον παππῶν ἐκ τῶν Μηδικῶν εἶτ’ ἀναλώσαντες οὐκ ἀντεσφέρετε τὰς ἐσφοράς) (tr. I. Johnston). By this time, the reserve of 1000 talents deposited on the Acropolis at the beginning of the war had been spent: Thuc. 8.15.

35 Two or three *eisphorai*: Thomsen 1964: 175-77. Two *eisphorai*: Blamire 2001: 118 (*Lys.* 21.3).

36 See *infra* in text with note 85. Thucydides claims that the election of the Five Thousand ‘was a mere catchword (εὐπρεπές) for the multitude, as the authors of the revolution were really to govern’ (Thuc. 66.1); in 67.3 it is said that the Four Hundred could summon the Five Thousand whenever they wanted to, but not that they actually did so: ‘The way thus cleared, it was now plainly declared, that all tenure of office and receipt of pay under the existing institutions were at an end, and that five men

ever, consider such an encounter in several passages, although he contradicts himself because he also denies that they met.³⁷ So, perhaps, Thucydides should be given the benefit of the doubt in this respect.

On the other hand, it is also understandable that the *katalogeis* were given the job of drawing up the list (following a similar procedure as in the case of that of the *eisphora*),³⁸ together with other officials tasked with devising the best constitution, in accordance with the *patrios politeia*.³⁹ But, given the population decline as a result of the debacle in Sicily, the number of those who were liable to pay the *eisphora* (which

must be elected as presidents, who should in their turn elect one hundred, and each of the hundred three apiece; and that this body thus made up to four hundred should enter the council chamber with full powers and govern as they judged best, and should convene the five thousand whenever they pleased.' Thuc. 8.89.2-3: '[They] urged that the Five Thousand must be shown to exist not merely in name but in reality, and the constitution placed upon a fairer basis. But this was merely their political cry'. See also: Thuc. 8.92.11 and Thuc. 8.93.2.

37 [Aristotle] (*Ath. Pol.* 30.1; 31.2 and 32.1) apparently assumes that they met. In 32.3, however, he argues that the Five Thousand were only nominally elected, thus corroborating Thucydides' version. See Andrewes in Gomme, Andrewes & Dover 1981: 168-69, 254-56; Rhodes 1981: 364, 377-87; Munn 2000: 146 ('publication of this list, on the other hand, was repeatedly deferred, and never actually achieved'). Sancho 2004: 84; Raaflaub 2006: 215; Hornblower 2008: 949-53; Tuci 2013: 129-30, 161; Bearzot 2013. Nevertheless, Nývlt 2017 (with a previous discussion and bibliography) points out that the Five Thousand were in fact chosen after the establishment of the Four Hundred, but without any practical consequences. See note 39.

38 On the role of the *epigraphes* or *diagrapheus* in drawing up the list of contributors in the 4th century, see note 23.

39 See note 4. Much doubt has been cast on the historicity of these texts (the constitutions for the future – [*Ath. Pol.*] 30 – and for the present – [*Ath. Pol.*] 31 – alike), suspecting that they formed part of propaganda pamphlets elaborated in the milieu of the conspirators, without official approval: see Gomme, Andrewes & Dover 1981: 242-46; Sordi 1981: 3-12 (Thucydides' account is more credible, according to this author); Rhodes 1981: 386-89 (with a previous discussion); Munn 2000: 136-38; Osborne 2010: 276-77; Shear 2011, 20-21, 33-35 (tables 3 and 4), 41, 47-49; Bearzot 2013: 69-70; Tuci 2014: 174-79. Regarding the *patrios politeia*, see: Fuks 1953: 1-32; Cecchin 1969: 3-4, 26-51; Heftner 2001: 130-41; Shear 2011: 41-53. As to the interpretation of the account of the Four Hundred in the *Athenaion Politeia* as a 'significant source for documenting in detail the main strategy of revolutionary propaganda: the promotion of oligarchy as a different form of democracy': David 2014.

was never levied during the rule of the oligarchs) might have dropped.⁴⁰ It did not, however, prevent the use of this “traditional” and emblematic number (the “Five Thousand”), especially considering that it probably was not only a “nominal” figure, but also “real” (i.e. those who had made a financial contribution to the war in the recent past) and representative of a group of “rich” people (the *plousioi*). Nevertheless, it was impossible to know immediately and accurately the number and names of those who had a certain amount of wealth, without first drawing up a list. The Five Thousand were those who, as Aristotle and Thucydides observe, simultaneously made two contributions to the *polis*: in purse (the *eisphora*) and in person in war (in their status as hoplites or horsemen).⁴¹ It was precisely this reality of those liable to the *eisphora* together with the financial straits of the period, that could have led to a hypothetical modification of the monetary requirements of the third census class, the *zeugitai*, at the end of the 5th century, adjusting it to this new reality of “*eisphora*-payers” on the occasion of the revision of Solon’s laws (from 410 to 399, probably adjusted around 403). Henceforth, the *eisphora*-payers (a slightly larger group than the smaller liturgical class) would coincide with the *zeugitai* who had been redefined as those producing 200 measures (according to Aristotle).⁴² Moreover, as several authors accept,

40 See n. 10. Against this backdrop, the number of people able to contribute to the *eisphora* would have been closer to 3,000 than to 5,000, which in fact coincides with the number of eligible citizens in the oligarchy of the Thirty Tyrants. In fact, 3,000 is 10% of 30,000 and 12% of the likely 25,000 citizens at the end of the war.

41 Those of a lower socio-economic status who fought as hoplites but did not pay the *eisphora* would not have counted in the oligarchic revolution of the Four Hundred. See note 8.

42 *Zeugitai*: [Arist.] *Ath. Pol.* 7.4. Also in Pollux 8.130 (see following note). Another tradition refers to 500, 300 and 150 (instead of 200) measures (Lysias, fr. 207 Sauppe = Harp. s. v. Πεντακοσιομέδιμνον; Posidippus, fr. 38 Kassel-Austin = Harp. s.v. Θῆτες καὶ θητικόν; [Dem.] 43.54. Solon’s law on *epikleroi*: Diod. Sic. 12.18.3), possibly as a consequence of having adjusted the census classes to tax needs at some point after the Peloponnesian War, but before the *eisphora* was restructured in 378: see note 43. For the Aristotelian census classes with a discussion and bibliography, see note 16. For the hypothesis of this adjustment of the census classes at the end of the 5th century with the revision of the ‘laws of Solon’: Valdés & Gallego 2010. For this revision of the laws between 410 and 399, see: Rhodes 1991; Todd 1995; Volonaki 2001; Shear 2011: chapters 3 and 8; Carawan 2013: 233-50.

the census classes might have been used from then on (403?) until the reform of 378 for levying the *eisphora* (possibly a progressive tax, depending on the census class), as a passage from Pollux seems to indicate.⁴³

During the rule of the Four Hundred, the figure of the Five Thousand was nominal not only because it was an approximate, rather than an exact, one (although it might have been accurately established by drawing up a list, as in fact was the never achieved aim),⁴⁴ but also because the alleged “Five Thousand” were never convened during that period. This figure, which originated at the beginning of the Peloponnesian War in connection with the *eisphora*, would have become a symbolic number, corresponding to those rich people eligible for citizenship in the oligarchic ideology.

The time has now come to ponder on how this concept evolved during the regime of the Five Thousand, a time when, in my opinion, it would still have been a “nominal” figure, but one that encompassed a broader collective in a less oligarchic government than that of the Four Hundred.

43 Poll. 8.129-130: Τιμήματα δ' ἦν τέτταρα, πεντακοσιομεδίμων ἰππέων ζευγῖτων θητῶν. οἱ μὲν ἐκ τοῦ πεντακόσια μέτρα ξηρὰ καὶ ὑγρὰ ποιεῖν κληθέντες ἀνήλισκον δ' εἰς τὸ δημόσιον τάλαντον· οἱ δὲ τὴν ἰπάδα τελοῦντες ἐκ μὲν τοῦ δύνασθαι τρέφειν ἵππους κεκληῖσθαι δοκοῦσιν, ἐποιοῦν δὲ μέτρα τριακόσια, ἀνήλισκον δὲ ἡμίταλαντον. οἱ δὲ τὸ ζευγῖσιον τελοῦντες ἀπὸ διακοσίων μέτρων κατελέγοντο, ἀνήλισκον δὲ μνᾶς δέκα· οἱ δὲ τὸ θητικὸν οὐδεμίαν ἀρχὴν ἤρχον, οὐδὲ ἀνήλισκον οὐδέν “There were four census classes: *pentakosiomedimnoi*, *hippeis*, *zeugitai* and *thetes*. Those so named for their production of five hundred dry and liquid measures contributed one talent to the public fund. Those who belonged to the *hippas* appear to have been named for their ability to raise horses; they produced three hundred measures and contributed half a talent. Those who belonged to the *zeugision* were registered starting from two hundred measures, and contributed ten minas. Those of the *thetikon* did not hold any office and did not contribute anything” (my own translation). Pollux possibly used the same source as Aristotle (an early-4th-century Athidographer): Thomsen 1964: 150. For the use of census classes for *eisphora* before 378: Thomsen 1964: 104-18; Poddighe 2002: 123-25; Valdés & Gallego 2010: 271-72; Valdés 2018; Cataudella 2021. For the reform of 378: Philoch. *FGrHist* F 41; Polyb. 2.62.6-7. Ste. Croix 1953: 56; Brun 1983: 28-33; Christ 2007: 63-67. Census classes are no longer used: Brun 1983: 28-30; Thomsen 1964: 194-249; Cataudella 2021: chapter 3.

44 See notes 36, 37 and 40.

2. The “Five Thousand” in the government of the Five Thousand

According to Aristotle, the transition to the purported rule of the Five Thousand got underway about four months after the establishment of the Four Hundred in the wake of the rebellion of Euboea ([Arist.] *Ath. Pol.* 33.1-2):

κατέλυσαν τοὺς τετρακοσίους, καὶ τὰ πράγματα παρέδωκαν τοῖς πεντακισχιλίοις τοῖς ἐκτῶν ὄπλων, ψηφισάμενοι μηδεμίαν ἀρχὴν εἶναι μισθοφόρον. αἰτιώτατοι δ' ἐγένοντο τῆς καταλύσεως Ἀριστοκράτης καὶ Θηραμένης, οὐ συναρεσκόμενοι τοῖς ὑπὸ τῶν τετρακοσίων γιγνομένοις. ἅπαντα γὰρ δι' αὐτῶν ἔπραττον, οὐδὲν ἐπαναφέροντες τοῖς πεντακισχιλίοις. δοκοῦσι δὲ καλῶς πολιτευθῆναι κατὰ τούτους τοὺς καιροὺς, πολέμου τε καθεστῶτος καὶ ἐκ τῶν ὄπλων τῆς πολιτείας οὔσης.

They dissolved the Four Hundred and handed over affairs to the Five Thousand that were on the armed roll, having passed by vote a resolution that no office should receive pay. The persons chiefly responsible for the dissolution were Aristocrates and Theramenes, who disapproved of the proceedings of the Four Hundred; for they did everything on their own responsibility and referred nothing to the Five Thousand. But Athens seems to have been well governed during this critical period, although a war was going on and *the government was confined to the armed roll*.⁴⁵

Thucydides (8.97.1),⁴⁶ on the other hand, indicates that an assembly met at the Pnyx (the first since the establishment of the rule of the Four Hundred) which dismissed the Four Hundred. The historian notes that the assembly “deposed the Four Hundred and voted to hand over the government to the Five Thousand, *of which body all who furnished a suit of armour were to be members*” (καὶ τοὺς τετρακοσίους καταπαύσαντες τοῖς

45 Own emphasis. See Rhodes 1981: 410-12. For a detailed account of the events: Kagan 2012 [1987]: esp. 201; Munn 2000: 146-49.

46 See Gomme, Andrewes & Dover 1981: 323-25; Hornblower 2008: 1032.

πεντακισχιλίους ἐψηφίσαντο τὰ πράγματα παραδοῦναι (εἶναι δὲ αὐτῶν ὅποσοι καὶ ὄπλα παρέχονται).

In this case, the common denominator in both Aristotle and Thucydides⁴⁷ is that the Five Thousand did not serve the state in purse or in person, as seen in the previous section, but were citizens of hoplite status or those who possessed “a suit of armour.” This assertion is now examined in light of the spurious Draconian constitution and the war context at the time, after first offering a brief overview of the main theories about the government of the Five Thousand.

There are several controversies surrounding the nature of this regime of the Five Thousand. While some scholars, such as Ste. Croix, contended that it was a return to democracy with restrictions,⁴⁸ others, including Rhodes, held that it was a government of the “moderate oligarchs,” in which the *thetes* did not participate.⁴⁹ Harris, for his part, recognised in the alleged constitution “for the future,” appearing in the *Athenaion Politeia* (*Ath. Pol.* 30), an image of the regime of the Five Thousand that is now being established, a theory that had been previously postulated by Ferguson and Vlastos and refuted by Hignett.⁵⁰ An additional problem is

47 Own emphasis. Perhaps also in Diodorus (*Diod. Sic.* 13.38.1), if one accepts amending ἐκ τῶν πολιτῶν by ἐκ τῶν ὀπλιτῶν as proposed by Krueger (see Kagan 2012 [1987]: 203, with n. 46).

48 Ste. Croix 1956. See also Sealey 1967: 11–32; Sealey 1975; Gallucci 1986 and 1999; this author even denies the existence of the hoplite constitutional project, positing that democracy was established immediately after the rule of the Four Hundred. However, this hypothesis overlooks the important accounts of Thucydides and Aristotle cited above (notes 45 and 46). See Sancho 2004; Marcaccini 2013: 406 and n. 4, 420–24 (with further bibliography); David 2014: 16.

49 Rhodes 1972. Criticism of Ste. Croix also in Gomme, Andrewes & Dover 1981: 323–28. See also Kagan 2012 [1987]: 203–205; Munn 2000: 148–49. For this discussion, see Hornblower 2008: 1034–36 (with further bibliography).

50 Ferguson 1926; Vlastos 1952. In this vein, more recently: Harris 1990. But see criticism in Hignett 1952: 375–78; Ste. Croix 1956: 14–20; David 1996; 2014. Osborne (2003: 259) believes that it is implausible ‘that either constitution is what it is claimed to be’, even if ‘they must surely have come in some way out of the events of 411’; this author emphasises that the constitution outlined in Chapter 30 was ‘the result of serious thought and indeed serious research’, which shows that ‘there were Athenians in 411 who were looking for a viable alternative to the existing democratic constitution’ (2003: 260–61). As regards these constitutions, see note 39.

that the sources hardly mention, except tangentially and in passing, the restoration of democracy in 410.⁵¹ Rhodes debunked Ste. Croix's theory that the *thetes* participated in the regime of the Five Thousand and were only deprived of the right to hold office, with the argument that a democracy in which the *thetes* could not hold office had been precisely the state of affairs in the democratic regime prior to the oligarchic coup. However, it is worth noting the possibility that in the 5th century a "blind eye" was already being turned to the office-holding of *thetes* as councillors, as Hansen pointed out.⁵² Another shortcoming of Rhodes' theory is the invitation of the government of the Five Thousand to Alcibiades and the fleet of Samos to participate,⁵³ bearing in mind that the rowers in the fleet were mainly *thetes* (among others non-citizens including slaves and *metoikoi*).

It is suggested here that the key to understanding the regime of the Five Thousand, again a nominal but unreal figure,⁵⁴ lies in the expression "ὄπλα παρέχονται." It also warrants noting that this state of affairs did not last long, even less than the usual timespan up until the date of the democratic "restoration" in June or July of 410.⁵⁵ With the participation of lower-ranking citizens (*thetes*), the regime would soon shift in practice towards a democracy, at least in terms of its social base, which is confirmed by Aristotle: 'So the people *speedily* took the government out of these men's hands' (τούτους μὲν οὖν ἀφείλετο τὴν πολιτείαν ὁ δῆμος διὰ τάχους) ([Arist.] *Ath. Pol.* 34.1); and Thucydides: "The *initial period* [of this regime] was one of the periods when the affairs of Athens were conducted best, at least in my time."⁵⁶ This shift, which possibly predated

51 In Chapter 34.1 of the *Athenaion Politeia* there is a very brief allusion to the end of this regime. In this respect, see Kagan 2012 [1987]: 202; Rhodes 1981: 414-15; Munn 2000: 150. See *infra* in text.

52 Hansen 1991: 249.

53 Thuc. 8.97.3. Galluci 1999; Sancho 2004: 86. For the role of the fleet of Samos in the overthrow of the oligarchy: Sordi 2000: 104; Bearzot 2013: 192; Teegarden 2014: 34; Battistin Sebastiani 2018: 507; 2022; Gallego 2022.

54 Andrewes (Gomme, Andrewes & Dover 1981: 329) suggests a total of 10,000 citizens. See Kagan 2012 [1987]: 203. The number was probably higher: see *infra* note 71.

55 See Rhodes 1981: 414-15; Kagan 2012 [1987]: 253-54.

56 Own emphasis. Thuc. 8.97.2: καὶ οὐχ ἥκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γε ἐμοῦ Ἀθηναῖοι φαίνονται εὖ πολιτεύσαντες. The meaning of this phrase has been hotly

Cyzicus (in the spring of 410),⁵⁷ was consolidated following the victory of the fleet in which Theramenes played an active role, although democracy was not officially re-established (with the reintroduction of the

disputed. Andrewes in Gomme, Andrewes & Dover 1981: 330 provides a valuable discussion and translates it (following B. Jowett) as follows: “the initial period (of this regime) was one of the periods when the affairs of Athens were conducted best, at least in my time”; see Raaflaub 2006: 189. See, however, Kagan 2012 [1987]: 205, with n. 55: “For the first time, at least in my own time, the Athenians seem to have been well governed.” For a discussion, see Hornblower 2008: 1033. The best parallel is Xen. *Hell.* 2.3.15: τῷ μὲν οὖν πρώτῳ χρόνῳ ὁ Κριτίας τῷ Θηραμένει ὁμογνώμων τε καὶ φίλος ἦν. Another parallel in Thuc. 7.87.1: τοὺς δ’ ἐν ταῖς λιθοτομίαις οἱ Συρακόσιοι χαλεπῶς τοὺς πρώτους χρόνους μετεχείρισαν. In the *Athenaion Politeia*, the sentence “so the people *speedily* took the government out of these men’s hands” (*Ath. Pol.* 34.1) may support Andrewes’ translation, as it would also point to the brevity of the (moderate) oligarchic *politeia* of the Five Thousand. As for the qualification ἐπί γε ἐμοῦ (in my time), as Goodhart (1893: 155) remarked, “it is perhaps intended to make an exception of Solon’s constitution,” which is fully in keeping with reflections on the *patrios politeia* at the time (for this see note 88).

57 For this battle: Xen. *Hell.* 1.1.11–23; Diod. Sic. 13.49–51; Kagan 2012 [1987]: 247; Buck 1998: 36–39. Thucydides (8.97.3) alludes to the recall of Alcibiades and other exiles (also in Diod. Sic. 13.38.2; 13.42.2 emphasising the role of Theramenes), with messages being sent to Alcibiades and the army at Samos urging them “to engage in public affairs” (ἀνθάπτεσθαι τῶν πραγμάτων): see Hornblower 2008: 1036. Neither is it known when the exiles were recalled nor whether the fleet of Samos (which did not return to Athens but sailed to the Hellespontus) agreed to form part of the “government of the Five Thousand” from the very start. Collaboration and contacts had more than likely already begun well before the Battle of Cyzicus, as Thrasybulus sent news of the victory at Cynossema in the autumn to Athens (Thuc. 8.106.6; Diod. Sic. 13.40.6) and, after Abydos, Thrasyllus “set sail for Athens to report these events and to ask for troops and ships” (Xen. *Hell.* 1.1.8; tr. C.L. Brownson). It is even possible, as Galluci (1999) assumes, that the invitation to enter “into public affairs” was made in the first moments of the government of the Five Thousand. Yet this does not mean that it was immediately acted upon, for it also meant denying some of the citizens manning the fleet (many of whom were *thetes* without hoplitic armament) citizenship. In any case, it seems that the enfranchisement of all the Athenians serving in the fleet (see note 53), which possibly occurred very early on, even in the wake of the Battle of Cynossema (a few weeks after the establishment of the “government of the Five Thousand”), might have marked the opening of the regime to an even broader social base (all the *thetes* and not only those with the hoplite panoply: see *infra* in text). In other words, the “initial period” might have been very short-lived

misthos, the Council of 500 elected by lot, etc.) until June-July 410, something which, as several authors have pointed out, went almost unnoticed in the sources.⁵⁸

It is proposed here that during the initial period of the government of the Five Thousand, that figure was also merely a nominal or conventional one established by the newly installed regime, which was not a democracy like the one before the oligarchic coup of the Four Hundred. Nor would the rule of the Five Thousand have been akin to that described as “for the future” in Aristotle, a constitution that might have been borrowed from a contemporary pamphlet on oligarchic theory.⁵⁹ As already mentioned, the key to interpreting this government is to be found in the expression “ὅπλα παρέχονται” pertaining to the hoplite qualification which was identical to the citizenship requirement of the “Draconian constitution.” It is therefore worth performing a deeper enquiry into the first part of this spurious constitution, insofar as it was also probably drafted in this period:

ἡ μὲν οὖν πρώτη πολιτεία ταύτην εἶχε τὴν ὑπογραφὴν. μετὰ δὲ ταῦτα χρόνου τινὸς οὐ πολλοῦ διελθόντος, ἐπ’ Ἀρισταίχμου ἄρχοντος, Δράκων τοὺς θεσμοὺς ἔθηκεν: ἡ δὲ τάξις αὐτοῦ τόνδε τὸν τρόπον εἶχε. ἀπεδέδοτο μὲν ἡ πολιτεία τοῖς ὅπλα παρεχομένοις: ἡροῦντο δὲ τοὺς μὲν ἑννέα ἄρχοντας καὶ τοὺς ταμίας οὐσίαν κεκτημένους οὐκ ἐλάττω δέκα μνῶν ἐλευθέρων, τὰς δ’ ἄλλας ἀρχὰς τὰς ἐλάττους ἐκ τῶν ὅπλα παρεχομένων, στρατηγούς δὲ καὶ ἰπάρχους οὐσίαν ἀποφαίνοντας οὐκ ἔλαττον ἢ ἑκατὸν μνῶν ἐλευθέρων, καὶ παῖδας ἐκ γαμετῆς γυναικὸς γνησίους ὑπὲρ δέκα ἔτη γεγονότας.

and “so the people speedily took the government out of these men’s hands,” as Aristotle remarks (see previous note).

58 Sealey 1975: 290; Rhodes 1981. 414-15; Munn 2000: 150. An allusion in *And. Mys.* 96-98 to the decree of restoration of democracy of 410 (the decree of Demophantos) which insists on a council of 500 chosen ‘by lot’ (*And.* 1.96). Kagan 2012 [1987]: 254, 256-57. This decree has been traditionally dated to 410: Shear 2007: 149. However, Canevaro & Harris (2012: 124-25) refer to this decree as if it had been passed following the Thirty Tyrants. For the authenticity of the decree of Demophantos (410) in *Andocides*, see, however, Sommerstein 2014.

59 See note 39.

And after this when a certain moderate length of time had passed, in the archonship of Aristaechnus, Draco enacted his ordinances; and this system was on the following lines. Citizenship had already been bestowed on those who provided themselves with arms; and these elected as the Nine Archons and the Treasurers, who were owners of an unencumbered estate worth not less than 10 minae, and the other minor offices from those who provided themselves with arms, and as Generals and Masters of the Horse persons proving their possession of unencumbered estate worth not less than 100 minae and sons legitimately born in wedlock over ten years of age.⁶⁰

This passage seems to be related to the oligarchic revolution of 411, as several authors have claimed, despite van Wees' attempts to place it in the context of Demetrius of Phalerum.⁶¹ In addition to the coincidence of the expression “ὄπλα παρεχομένοις” with the purported government of the Five Thousand (in Aristotle and Thucydides),⁶² the low socio-economic status of archons and treasurers in the Draconian constitution, as opposed to that of *strategoï* and *hipparchs*, is striking. According to Rhodes, this might have reflected late-5th-century priorities⁶³ in a critical situation resulting from the pressures of war (the loss of Euboea). On

60 [Arist.] *Ath. Pol.* 4.1-2. Tr. H. Rackham.

61 Written in the context of the oligarchic revolution of 411: Rhodes 1981: 113-18; Munn 2000: 103. See also Osborne 2003: 259 (it ‘must surely have come in some way out of the events of 411’); Shear 2011: 45-47, esp. p. 45 with n. 93 and further bibliography. Van Wees (2011) breathes new life into the theory that the Draconian constitution dates from the time of Demetrius of Phalerum. Still valid objections in Fritz 1954: 76-86, with n. 16; Verlinsky 2017: esp. 144-46 (this author also disassociates the Draconian constitution from the ‘moderate’ oligarchic circles 411: Verlinsky 2021); Canavaro & Esu 2018: 121. Anyway, it cannot be ruled out that Demetrius of Phalerum used this pre-existing Draconian constitution as a model which, as contended here, resembles that of the Five Thousand, since, moreover, as van Wees points out, the amount of 10 minae in Demetrius' *politeia* seems to be a maximum, not a minimum, threshold (van Wees 2011: 97). This idea is developed by Faraguna (2018) who sees in Demetrius' government certain democratizing tendencies.

62 See *supra* in text.

63 Rhodes 1981: 113: ‘This invites suspicion first on account of the means of assessing a man’s wealth [...] and secondly because it sets a higher qualification for generals and

the other hand, if the amounts corresponded to this moment at the end of the 5th century, an unencumbered estate worth 10 minae is remarkable not only because it is a low figure for those elected as treasurers and archons, but also because *below this qualification there were still people who possessed the hoplite panoply* and who would therefore have been eligible, hypothetically, for the *politeia* (citizenship) of the Five Thousand.

The revolution of 411 prompted, significantly, a review of the laws of Cleisthenes,⁶⁴ which possibly included, as I have posited in a recent work, a minimum net worth in drachmae for belonging to one or other of the census classes. The “10 minae” of the “Constitution of Draco,” drawn up in a context in which the laws of Cleisthenes were being revised, may perhaps have been the lower threshold for the *zeugitai* census class in the late 6th century, a not very high economic position but enough to afford the hoplitic armament, as could be deduced from the cleruchs of Salamis.⁶⁵ This would have corresponded to a landed estate of at least 3.6 hectares or 40 plethra. However, in Antipater’s time at the end of the 4th

hipparchs than for archons and treasurers, and this, at any rate in the relative standing of archons and generals, reflects the political realities of the late fifth century [...].’

64 [Arist.] *Ath. Pol.* 29.3: ‘[...] Cleitophon moved an amendment to the resolution of Pythodorus, that the commissioners elected should also investigate the ancestral laws laid down by Cleisthenes when he was establishing democracy [...]. Cleitophon associated with Theramenes: Hornblower 2008: 1035. For research on the laws of Draco and Solon just after the fall of the Four Hundred, with the election of a committee of *nomothetai*: Munn 2000, 148-50. See note 88 on the *patrios politeia*. See also Shear 2011: 31-36, 42, 50-51. For the laws of Cleisthenes: Camassa 2011. As to theoretical reflection on the time of the oligarchic revolution, see note 50.

65 The economic status of the Salaminian cleruchs at the end of the sixth century is unknown, but it would not have been very high if the weapons they required could be purchased at a minimum of 30 drachmas according to *IG I³ 1* (lines 9-11), although they could cost between 75 and 100 (Connor 1988: 10; van Wees 2004: 48, 52-53, 55). The Salaminian cleruchs were obliged to fight (line 3: στρατ[εύεσθ]αι) and, thus, allegedly, to be enrolled on the hoplite *katalogos*. These cleruchs may have originally been *thetes* – as was usually the case in the fifth century cleruchs: Figueira 2008: 440-41; Pébarthe 2009 – who had risen to the status of *zeugitai* and who, therefore, would have had the obligation, presumably established by a *nomos* on recruitment by tribes (*IG I³ 60*, line 10-11), to purchase weapons and to fight. The amount fixed in the Sala-

century, probably due to rising prices, 3.6 hectares would have been valued at about 20 minae and, accordingly, 1.8 hectares at about 10.⁶⁶

It is not known whether the economic qualification for membership of the *zeugitai* census class changed in the 5th century, but the economic prosperity deriving from the empire and the rise in prices during the Pentecontaetia might have led to some adjustment.⁶⁷ In any case, in 411 Athens was immersed in an unprecedented economic and financial crisis which led to a fall in prices.⁶⁸ Against this backdrop, the review of the laws of Cleisthenes probably included modifying the lower threshold for belonging to the *zeugitai* census class, establishing this at 10 minae. In other words, it involved lowering the financial requirement – if it had ever been increased – for belonging to that class, not only because of the economic depression, but also because of the imperative need for troops (hitherto, membership of this class might have been the criterion for being included on the hoplite muster rolls).⁶⁹ So, in view of the economic depression, on the one hand, and the demographic crisis, on the other, the minimum financial requirement for belonging to the *zeugitai* census class was presumably set at 10 minae, as would probably have been the case with Cleisthenes' military reforms at the end of the 6th century (it being likely that at some point during the Pentecontaetia this limit would have been increased due to economic growth). Moreover, this was in line with the review and restoration of his laws and the prevailing desire to return to the *patrios politeia*. However, the allusion to citizens with a net worth of below 10 minae (the financial requirement to be elected to the offices of archon and treasurer) in the Draconian constitution,

mis decree for arms was an affordable minimum for them and certainly an investment that, although expensive, was worthwhile and long-lasting. See Valdés 2022a, 60–66.

66 Gallego 2016: 52–56 (with bibliography). For a landed estate of 3.6 as a minimum for hoplite (*zeugite*) status: see note 19. It is likely that prices rose from the fifth to the fourth century: Gallo 1987; Loomis 1998: 240–50.

67 '[...] There was a broad 50% rise in public wages in the 20 years of so before the outbreak of the Peloponnesian War': Loomis 1998: 240.

68 With a period of deflation in about 412–403, according to Loomis 1998: 240–41, 244–45.

69 For a discussion on the requirements for being included on the hoplite muster rolls: see note 16. For the hoplite *katalogoi*: Christ 2001; Bakewell 2007: 90–93.

gives rise to two additional hypotheses for the initial period of this regime of the Five Thousand, in the hypothetical case that the draconian Constitution was really a reflection of the Five Thousand government which revised the laws of Cleisthenes (which included the “monetarisat-ion” of the census classes):

1. Given the military needs at the time, this regime of the Five Thousand would have included all those who could demonstrate that they possessed weapons and armour. Undoubtedly, some of those belonging to the *thetes* census class might have possessed the hoplite panoply (perhaps incomplete in many cases), especially those in the upper ranks.⁷⁰ Belonging to the *zeugitai* census class (readjusted, furthermore, to the Cleisthenic criterion of 10 minae) would only have been a prerequisite for archons and treasurers.⁷¹
2. It was precisely when the census classes ceased to be used for recruitment. Henceforth, all those who declared that they possessed weapons and armour were doubtless recruited as hoplites from the muster rolls.⁷² There is also the possibility that this group of hoplites was “enlarged” not only by higher-ranking *thetes* (i.e. owners of between 2.7 and 3.6 ha or their equivalent in movable assets),

70 For *thetes* as *epibatai* in Sicily (415) and therefore in possession of hoplitic weapons: Thuc. 6.43.1. See Valdés 2022b.

71 Between 30 and 40 per cent of a population of about 30,000 (30,500 in 411 in Hansen 1988a: 27) might have been hoplites (i.e. *zeugitai*, plus the first two census classes: see notes 16 and 19), thus accounting for between 9,000 and 12,000 citizens. The usual number of hoplites included on the muster rolls must have been as high as 9,000 at the time, of which the majority were *zeugitai* in the traditional view (see note 16 and Gallego 2016: 48-49). The rest (60-70%) were *thetes*, i.e., hypothetically, between 18,000 and 21,000 citizens. An important number of these *thetes* would have served in the fleet of Samos (82 ships, according to Thucydides – Thuc. 8.79.2 – plus around 35 additional ships – Thuc. 8.30: Gallego 2022), but not all the rowers were citizens, insofar as there was already a significant number of foreigners and slaves among their number; see Valdes 2022b.

72 For this system, see Pritchard 2019: 43-45 who believes that it functioned in this way throughout the 5th century, without considering the role of the census classes in recruitment. Along these lines: Rosivach, 2002; Gabrielsen 2002. In relation to a change in the recruitment system between the 5th and 4th centuries: Christ 2001: 398, 409-16 (with a transition period between the end of the 5th century and 386-66).

many of whom would have been regular *epibatai* and therefore would have had hoplite weapons,⁷³ but also by all those *thetes* who might have been armed by private citizens. The arming of *thetes* as hoplites might have occurred on the initiative of wealthy individuals, as acts of euergetism, such as Antiphon (perhaps on the occasion of the Sicilian Expedition, with all that this entails in terms of renewed dependence/clientelism),⁷⁴ Philon (in Lysias) and other citizens in relation to the events of 404.⁷⁵ But even at that time there were also perhaps *thetes* who might have been armed by the state.⁷⁶

Between 410 and 399, after the restoration of democracy, Solon's laws were revised. This revision probably included the law by virtue of which the census classes were redefined economically, in this case adapting the *zeugitai* census class to the *eisphora*-payers (a measure that might have been taken by Euclides in 403, when the war was over but there was still a pressing need for cash). This occurred at a time when recruitment seemed to no longer depend on the census classes but on self-declaration of possession of weapons. It seems that recruitment may have been linked to the census classes at least until the Sicilian Expedition and especially in the early part of the armed conflict, namely, the Archidamian War.⁷⁷

It is possible that the social base of this initial regime of the Five Thousand, which granted citizenship only to those who possessed arms, soon

73 For the number of *thetes* in the 4th century, see Gallego 2016: 61, fig. 3. For *thetes epibatai* see note 70.

74 A fragment of Antiphon cited in the same entry of Harpocration contains the phrase 'τούς τε θῆτας ἅπαντας ὀπλίτας ποιῆσαι', possibly in the context of the Sicilian Expedition. Munn (2000: 100-1) stresses that the most likely context for this short sentence from Antiphon's *Against Philinos* are the events of 415, together with passing references in a biography of Antiphon to 'arming men of military age and ... manning sixty triremes' ([Plut.] *X orat.* 832f). Clientelism: Plácido 2008.

75 In Lysias' *Against Philon*: Lys. 31.15.

76 [Arist.] *Ath. Pol.* 42.2-4. Christ 2001: 405; Hansen 1985: 49.

77 For the revision of the laws, see note 42. Regarding the hypothesis on the adaptation of the *zeugitai* census class to the *eisphora*-payers, plus the role of the census classes in recruitment, see Valdés & Gallego 2010: 263-64, 271-77; Valdés 2022a.

(before the full democratic restoration) became broader, especially since it included not only the usual hoplite *zeugitai* (those owning estates of approx. 3.6 ha or more or their equivalent in movable assets and/or cash),⁷⁸ but also *thetes* with hoplite arms who, however, were hypothetically excluded from holding magistracies such as the offices of archon and treasurer. From the moment that the entry “into public affairs” (τῶν πραγμάτων) of the exiles, including the army on Samos (Thuc. 8.97.3), was accepted, their social base was automatically susceptible to being enlarged. This might have happened shortly after the overthrow of the Four Hundred, although certain “oligarchic” features, such as the absence of pay and a council perhaps elected, rather than drawn by lot, may have been maintained until the full restoration of the old democracy in June–July 410.⁷⁹

This shift towards a broader social base (with the integration of the citizens of the fleet of Samos), corroborating to some extent the idea of Ste. Croix and Sancho,⁸⁰ but with nuances inasmuch as a more restricted citizenship existed in the first phase of this regime,⁸¹ would explain the lack of attention given to the alleged “democratic restoration,” insofar as before June 410 (when wages would be reintroduced and the less democratic aspects of the regime would be abolished) the customary citizens of all socio-economic statuses had already been integrated into it. The issue of excluding the lower-ranking “landless,” however, would continue to lurk in the background (e.g. in Phormisios’ proposal after the war),⁸² thus pointing to a middle way between a more restricted oligarchy and a radical democracy at this time. The fact that the Five Thousand (i.e. those forming part of the body of citizens) of the eponymous regime included not only the *zeugitai* (with landholdings of 3.6 hectares or more), whose qualifications now seem to have been readjusted according

78 See notes 16 and 19.

79 See notes 53 and 57. For the restoration of democracy: see note 51.

80 See note 48. See also Sancho 2016: 26 who emphasises the weight of personal motivations (rather than ideological reasons) in the actions of leaders, while refusing to recognise a ‘moderate’ tendency among those leaders.

81 See Munn 2000: 150: ‘[...] the initial phase of the government of the Five Thousand was not quite democracy as usual’.

82 Dion. Hal. *Lys.* 32–33.

to Cleisthenic economic parameters and the new reality of depression/deflation,⁸³ but also anyone who could prove that they possessed weapons, suggests that the regime had a broad social base. This citizenry would have included many individuals (*thetes* and even most of the hoplites of low or medium rank, plus some of their higher-ranking peers) whose real intention was to restore democracy, even if they did not dare to say so in the reigning atmosphere of suspicion⁸⁴ resulting from the oligarchic coup of the Four Hundred. With regard to the atmosphere of mistrust, Thucydides has the following to say:

ἦν δὲ πρὸς τὸν ὄχλον ἡ παράκλησις ὡς χρή, ὅστις τοὺς πεντακισχιλίους βούλεται ἄρχειν ἀντὶ τῶν τετρακοσίων, ἰέναι ἐπὶ τὸ ἔργον. ἐπεκρύπτοντο γὰρ ὅμως ἔτι τῶν πεντακισχιλίων τῷ ὀνόματι, μὴ ἀντικρυς δῆμον ὅστις βούλεται ἄρχειν ὀνομάζειν, φοβούμενοι μὴ τῷ ὄντι ὥσι καὶ πρὸς τινα εἰπὼν τίς τι ἀγνοίᾳ σφαλῆ. καὶ οἱ τετρακόσιοι διὰ τοῦτο οὐκ ἤθελον τοὺς πεντακισχιλίους οὔτε εἶναι οὔτε μὴ ὄντας δήλους εἶναι, τὸ μὲν καταστῆσαι μετόχους τοσοῦτους ἀντικρυς ἀνδῆμον ἡγούμενοι, τὸ δ' αὖ ἄφανές φόβον ἐς ἀλλήλους παρέξειν.

Now their cry to the multitude was that all should join in the work who wished the Five Thousand to govern instead of the Four Hundred. For instead of saying in so many words 'all who wished the commons to govern' they still disguised themselves under the name of the Five Thousand; being afraid that these might really exist, and that they might be speaking to one of their number and get into trouble through ignorance. Indeed this was why the Four Hundred neither wished the Five Thousand to exist, nor to have it known that they did not exist; being of opinion that to give themselves so many partners in empire would be downright democracy, while the mystery in question would make the people afraid of one another.⁸⁵

83 See note 68.

84 Gallego 2020: 312-14. See also Sancho 2016: 21.

85 Thuc. 8.92.11. Ste. Croix 1981: 606, n. 30 attaches great importance to this passage. See Kagan 2012 [1987]: 196; Hornblower 2008: 1033; Marcaccini 2013: 420-21; Sancho 2016: 27-28.

To sum up this second section, it can be claimed that the government of the Five Thousand was a nominal or “conventional” designation which would have included many more people, as has already been seen in the ambiguity of the previous period when Polystratos had attempted to enrol 9,000 citizens in the “Five Thousand.” As of September 411, the “Five Thousand” would include not only the former *zeugitai* (possessing at least 3.6 ha or their equivalent in movable assets), whose financial requirement (10 minae) was readjusted to that established under Cleisthenes for the *zeugitai*, but also the higher-ranking *thetes*, namely, those possessing the hoplite panoply at a time when there was an urgent need for troops.

In short, whoever could prove to be in possession of arms (given the prevailing needs) could form part of this regime. Those who possessed weapons but were not *zeugitai* might have been high-ranking *thetes* (i.e. with landholdings of between 2.7 and 3.6 ha or their equivalent in movable assets)⁸⁶ who usually served as *epibatai* in the fleet, to whom should be added other *thetes* who had been armed by private individuals or even by the state at the time of the Sicilian Expedition.⁸⁷ This implies that the regime was “almost” a democracy in terms of its social base, but not completely so, since those *thetes* with little land and “the landless” would be left out. Even so, it is conceivable that the regime’s social base was gradually becoming broader, following a first brief period, recorded by Thucydides and possibly Aristotle, the duration of which is still a mystery. There might have been many reasons behind this shift towards a “quasi-democracy” (at least in terms of the social base), one of which was undoubtedly the democratising stance of a good part of the lower and middle ranks of the hoplite *demos* (i.e. modest hoplites, without excluding other more wealthy ones) and of those *thetes* possessing the hoplite panoply (or part of it), as can be conjectured from the aforementioned passage from Thucydides (Thuc. 8.92.11). However, this does not preclude the possibility that there were elements and individuals (perhaps a minority, but significant in terms of leadership, such as the followers of Theramenes) in the government of the Five Thousand who effectively

86 See Gallego 2016: fig. 3.

87 See note 75.

wanted a more moderate regime, a broad oligarchy or a restricted democracy of hoplites, or at least a regime that excluded “the landless or those without property.”⁸⁸

In this initial regime of the Five Thousand, probably only those who reached the threshold of 10 minae (in the Draconian constitution)⁸⁹ could be elected as archons and treasurers, to wit, those who, to my mind, were still *zeugitai* until the reform of the census qualification with the revision of Solon’s laws in c. 403, which readjusted the census classes⁹⁰ yet again with an eye to levying the *eisphora* at a time when recruitment (since 411) no longer depended on them. Indeed, the changes brought about by the oligarchic coup and in particular by the government of the Five Thousand modified the form of conscription which remained in place for the last part of the war: the drawing up of lists based on the declarations of citizens as to whether or not they possessed arms. In the latter part of the war, people of good social standing served as *epibatai*⁹¹ because they were already being routinely recruited for the fleet from the muster rolls, just as those who had weapons were compulsorily recruited as hoplites, whether or not they were *zeugitai*. Moreover, the socio-economic requirements of the *zeugitai* census class may have been raised with the revision of Solon’s laws at the end of the century (c. 403), its members now being identified with the highest-ranking hoplites, viz. with the “*eisphora*-payers.”

88 For theoretical reflections on the *patrios politeia* of the oligarchs in 411, see note 39. Regarding the ‘moderate party’ in the revolution: Hignett 1952: 272-80; Fuks 1953: 1-32; Ste. Croix 1956: 10; Cecchin 1969: 3-4; Gomme, Andrewes & Dover 1981: 163; Kagan 2000 [1987]: 117-20; 132-35, 148; Hornblower 2008: 945-46, 954. *Contra*: David 2014; Sancho 2004; 2016.

89 Elaborated as a ‘moderately oligarchic’ constitution at the time (see note 61), in the image of the constitution of the Five Thousand in its first phase but taking up the Cleisthenic *nomoi* on the monetary qualification of census classes. See *supra* in text.

90 And so, henceforth, *zeugitai* those whose production was equivalent to 200 to 300 *medimnoi* (see note 42) or the equivalent in movables assets.

91 Herzogenrath-Amelung 2017; Valdés 2022b.

General conclusion

The “Five Thousand” behind the Four Hundred was a nominal figure that probably was not firmly established at the time. It corresponded to those Athenian citizens of a higher socio-economic standing who paid the *eisphora* during the Archidamian War, a group including the first two census classes and the higher-ranking *zeugitai*. As of September 411, the regime of the Five Thousand included, as Aristotle and Thucydides rightly hold, those possessing the hoplite panoply (or part of it) in the *politeia*. This larger number of people encompassed not only the *zeugitai* census class as a whole, but also higher-ranking *thetes* possessing hoplite weapons and armour and those of their number who had been armed (so as to participate in the Sicilian Expedition) by private citizens or by the state.⁹² This regime probably entailed, as can be inferred from the Draconian constitution, the readjustment of the traditional census classes to new economic criteria, given the depression and the fall in prices at the time, probably returning to the standards of Cleisthenes’ reform. In any case, the criterion for participating in the *politeia* of the Five Thousand was probably lower than the 10 minae (i.e. hypothetically the minimum requirement for belonging to the *zeugitai* census class, as stipulated in the laws of Cleisthenes) required to be elected as archon or treasurer, that for holding the office of *strategos* or *hipparch* being much higher, corresponding, possibly, to the liturgical class.

From this time onwards, the census classes ceased to be used for recruitment, for in view of the pressing needs of the war, the muster rolls were open to anyone who could prove that he possessed weapons, while military service was prized as it was the only kind that was still paid. This regime of a *politeia* of those who possessed arms seems to have been short-lived, at least in terms of the social base and (democratic) intentionality of most of the *demos* participating in it (but not in the intentionality of others and, above all, of their leaders, all “moderate” oligarchs). By accepting the integration of the *thetes* serving in the fleet (including the “landless” among them), the social base of the regime would soon become broader, for which reason the democratic restoration was al-

92 See notes 74 and 75 and Munn 2000:150.

most ignored in the sources. On the other hand, the democratic restoration entailed, given the importance attached to the *patrios politeia*, the systematic revision of laws and, consequently, at the end of the 5th century (c. 403), the redefinition of the census classes so as to adapt them, at this time of setbacks and reversals during the war and financial straits, to the *eisphora*,⁹³ as can be deduced from the passage from Pollux.⁹⁴ The redefined census classes would be valid in the *eisphora* levy system until 378, when the tax was readjusted and the census classes were almost emptied of meaning and validity. But that is another story.

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93 The figure of 3,000 in the oligarchic coup of 404 ([Arist.] *Ath. Pol.* 36) would probably reflect, under the new conditions arising at the end of the war and owing to demographic decline, the approximate number of citizens who were able to pay the *eisphora* in the latter part of the Decelean War: see note 40.

94 Poll. 8.130. See supra note 43.

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THOMAS BECKET, CLAIRVAUX, AND RINGSTED: SAINTLY DIVERSITY AND EU- ROPEAN INFLUENCES IN A TWELFTH- CENTURY FRAGMENTARY LEGENDARY FROM DENMARK

By Synnøve Midtbø Myking

Summary: This article examines a collection of saints' lives from c. 1200, preserved as fragments in the Danish National Archives and the Royal Library.¹ Half of the fragments transmit material related to Thomas Becket: Benedict of Peterborough's miracles, John of Salisbury's vita, and an anonymous account of King Henry II's penance in Canterbury. The presence of the two latter works in Denmark, as well as that of some of the other legends represented amongst the fragments, are identified and discussed here for the first time. Based on the contents and provenance of the fragments, a link to Ringsted abbey is suggested.

Introduction

It is a well-known fact that only a small number of the books that once existed in medieval Denmark have survived intact.² As was the case in other Nordic countries, manuscripts were dismembered on a large scale in the sixteenth and seventeenth centuries, their parchment reused for

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- 2 For an overview of known monastic books from medieval Denmark, see Langkilde 2005.

other purposes – for instance as binding material. The fragment collections of the Danish National Archives and the Royal Library in Copenhagen hold respectively c. 7000 and c. 3000 fragments from medieval books used to bind accounts from administrative units in the early modern Danish state.³ These fragments have received varying amounts of attention over the years, with some scholars questioning their value as source material due to uncertainties of provenance.⁴ Others, however, have argued for the fragments' potential to shed light on medieval Danish book culture through case studies of reconstructed books and/or linking the fragment material to known manuscripts.⁵ The identification of fragments stemming from the same book is an important step towards gaining a clearer picture not only of the original manuscript, but of the context in which it was copied and used. The reconstructed manuscript thus has the potential to illuminate the wider cultural situation at the time of its production, even when most of the contents have been lost.

This article examines such a case, namely a large-scale legendary transcribed towards the end of the twelfth century and preserved in 29 identified fragments in the National Archives and the Royal Library in Copenhagen. The legendary contains material for saints known to have been celebrated in Denmark, such as St Nicholas, as well as some whose cults are less common in a Danish context, notably St Ecgwine, St Romaricus, and St Trophimus. Half the fragments transmit material for Archbishop Thomas Becket of Canterbury, who was slain in his own cathedral in 1170; most of these fragments consist of Benedict of Peterborough's collection *Miracula Sancti Thomae*. The presence of this work in the Danish fragment material, including in the manuscript in question, has been noted in the earlier literature; however, it has not previously been observed in the scholarship that the fragments of this legendary also contain John of Salisbury's vita of the saint, as well as an anonymous account of the rebellion against King Henry II (formerly published as part of the miracle collection of William of Canterbury). This latter text is known from only two other twelfth-century manuscripts, one from Winchester

3 Heikkilä & Ommundsen 2017: 9.

4 Notably Tortzen 1999. On the lack of systematic studies to address this question, see Gelting 2017.

5 See for instance Rossel 2020; Ommundsen 2020; Troelsgård 2007; Myking 2018.

and one from Clairvaux, and its presence in the Danish manuscript thus testifies to the links with the European elites that had been established by the end of the twelfth century. Considering this new information about the contents of the legendary, as well as material aspects of its surviving fragments, I propose that the manuscript was compiled in Denmark and that its place of production may have been Ringsted, a wealthy institution with close ties to the royal line of Knud Lavard. This theory is supported by the secondary provenance of the fragments, which were all used as binding material on accounts from Sjælland.

Background: Thomas Becket and the cult of saints in Denmark

The slaying of Thomas Becket, Archbishop of Canterbury, in his own cathedral on 29 December 1170 sent shockwaves through Europe. The murder occurred when a group of knights serving King Henry II – though acting on their own initiative – tried to arrest the archbishop, following the latter's conflict with Henry over the rights and independence of the English Church. In the aftermath, stories of miracles taking place in Canterbury quickly started to spread, documented in the miracle collections of Benedict of Peterborough and William of Canterbury, and a cult dedicated to Thomas Becket rapidly emerged, leading to his canonisation in 1173. Within a few years, the veneration of Saint Thomas was leaving traces across Europe, in the form of liturgical commemorations, paintings, carvings, and sculpture.⁶ Denmark was no exception, as evidenced by the wall paintings of St Michael's church at Sønder Nærå, Fyn, which depict the murder in Canterbury. These paintings can be dated due to their strong similarities to representations of the same scene found in other images from the late twelfth and early thirteenth centuries.⁷ A similar date (c. 1200) has been attributed to the baptismal font of Lyngsjö in Skåne, unusual in that it portrays King Henry II as directly responsible

6 On the rapid spread of Thomas's cult, see Duggan 2016; and Slocum 2002: 98-126.

7 Haastrup 2003: 135.

for the murder.⁸ The wall paintings of Sønder Nærå, on the other hand, remain neutral about the king's role.⁹ Their resemblance to other visual depictions elsewhere in Europe suggests not only that an iconographic convention had already been established, but also that this convention had been imported to Denmark, to the point of influencing the decoration of smaller parish churches.

The Danish royal family are highly likely to have played a part in bringing the cult in Denmark, or at least in having promoted its popularity. In his collection of Thomas Becket's miracles, William of Canterbury include three that are related to Denmark. The first of these describe a ship in Slesvig that due to its size could not be launched until Saint Thomas was promised a hundred pounds of wax for every journey made by the ship.¹⁰ According to William, King Valdemar I owned a stake in this ship, which suggests the transmission of the miracle happened through someone connected to the royal family, or possibly a member of the guilds dedicated to St Knud.¹¹ The second miracle tells of an envoy named Clemens, who was sent by Queen Sophia, Valdemar's wife, to her father in Russia, but who was captured by Wends.¹² Valdemar and Sophia's son, King Knud VI, was then put in charge of a fleet and, alongside the archbishop, he captured the castle where Clemens was held prisoner, liberated the envoy, and conquered the Wends.¹³ The miracle account attributes this victory to the intervention of Thomas Becket, to whom Clemens had prayed for help, and whom he had seen the night before the Danish conquest, accompanied by the archbishop. Therefore, in William's words, Saint Thomas "was highly regarded" (*magnus haberetur*) in Denmark. The third miracle describes how a canon of Lund named Sven

8 Antonsson 2015: 395. It has been suggested that this font may have been commissioned by Queen Gertrud (d. 1197), wife of King Knud VI and daughter of Duke Henry "the Lion" of Saxony (Lind 2021: 39-40).

9 Haastrup 2003: 139.

10 Robertson 1875: vol. I, 317-18.

11 Lind 2021: 39.

12 Robertson 1875: vol. I, 543-44.

13 The archbishop is not named in the text, but he can be identified as Absalon due to Saxo's account of the events, which are presented as taking place after Eskil's retirement (Lind 2021: 35-36).

was ill to the point of being paralysed, until he vowed to go on a pilgrimage to Canterbury.¹⁴ This miracle is not dated, but may have been transmitted to Canterbury alongside the Clemens miracle.¹⁵ It seems clear, then, that not only did Thomas Becket quickly come to be venerated in Denmark, but Danes, probably including people with close links to the royal family, also brought their own miracle stories with them to Canterbury, where they were documented by William.

The introduction of this new cult to Denmark, while swift, followed a pattern that had been in place for a long time, that of Danish veneration of English saints. Due to the close connections between England and Denmark, which began during the Anglo-Saxon period and were particularly strong in the first half of the eleventh century, yet did not cease after the Norman Conquest of 1066, saints such as Alban and Botolph were venerated widely.¹⁶ Such veneration left traces in the emerging Danish book culture, where saints were included in calendars, martyrologies, missals, and legendaries. The latter genre consists of collections of saints' legends, that is, stories of saints' lives and/or their miracles intended to be read aloud on the saint's feast day. While there are no complete surviving legendaries from Denmark, fragments from manuscripts belonging to this genre have been identified in various collections over the years, thus complementing our knowledge of medieval Danish cults of saints.

In 2007, for instance, Christian Troelsgård identified Bede's life of St Cuthbert, transmitted in four fragments from a legendary penned c. 1200, as belonging to a continental rather than an English tradition.¹⁷ Based on textual traits as well as the provenance of the fragments, Troelsgård suggested the possibility that the legendary stemmed from the monastery of All Saints (*Monasterium Omnium Sanctorum*) near Lund.¹⁸ Some years later, I identified a group of fragments spread across the Norwegian and Danish National Archives, as well as the University Library of Lund, as probably being part of a copy of the Flemish legend collection *Legendarium Flandrense*, a collection important in a Danish context as it

14 Robertson 1875: vol. I, 544-45.

15 Lind 2021: 32.

16 Jørgensen 1909: 17-21; Gelting 2007: 100-1.

17 Troelsgård 2007: 7-8. The fragments in question are KB 527-529 and DRA 8302.

18 Troelsgård 2007: 10.

transmits Ailnoth of Canterbury's *Gesta Swenomagni regis et filiorum eius*, "the oldest history of Denmark".¹⁹ The fragments may have stemmed from the Cistercian house of Herrevad, which owned the one known Danish manuscript to have transmitted this text – the Codex Huitfeldianus, which was lost in 1728, and which I proposed may in fact have been one of the volumes forming part of the Danish *Legendarium Flandrense*, the fragments stemming from other volumes of the same copy.²⁰ In 2020, Åslaug Ommundsen published her discovery of Leo of Ostia's works on Saint Clement in a fragmentary legendary that, like the two previous examples, was penned c. 1200, and the fragments of which, like the Danish *Legendarium Flandrense*, were dispersed in the Norwegian and Danish National Archives.²¹ These fragments constitute the second and third known witnesses to Leo's *De origine beati Clementis* and *De translatione beati Clementis*.²² These texts were thus not widely disseminated, and if the legendary was copied in Denmark, they may be indicative of direct links to Rome and Italy, where Leo served as cardinal bishop of Ostia Antica from 1101 until his death c. 1115.²³

19 Myking 2018. One of the fragments stemming from this legendary, containing the name of Saint Aldegunde of Maubeuge, had earlier been discussed by Steffen Harpsøe (2014), who correctly saw it as an indication of Flemish-Danish connections, although the lack of the manuscript context led him to date the tiny fragment to the late eleventh century rather to ca. 1200.

20 Myking 2018: 135–36. The suggestion of Herrevad is not only based on the Codex Huitfeldianus, but also on the provenance of the fragments: while those in Oslo probably were reused a second time, the parchment brought to Norway by a Danish administrator, the tiny fragment discussed by Harpsøe (see note 19), and some fragments of Geoffrey of Auxerre's *Declamationes* (KB 1082–1085) written by the same scribe all have a post-medieval provenance from Skåne. In 2022, I discovered six more fragments from this legendary (DRA 3364–65, 3369–3372) in the Danish National Archive. (According to notes from the now-defunct fragment working group, the fragment DRA 3362 belonged to the same codex, but this fragment is currently missing.) The provenance of the newly identified fragments is also from Skåne, thus strengthening the Herrevad theory.

21 Ommundsen 2020.

22 Ommundsen 2020: 228.

23 Ommundsen (2020: 241) does not propose an origin for the legendary, but states that "the scribe may well be of Scandinavian origin".

As these examples illustrate, the legends found in the Danish fragment material testify to mixed influences, where both English and continental saints are commemorated, sometimes by rare texts that indicate connections with important European institutions. While it is usually impossible to state a Danish origin with certainty – save for the rare cases where Danish saints are included – the fragments in general, and the legendary collections in particular, still make for a rich source that should not be overlooked when it comes to the study of saints' cults in high medieval Denmark, as well as of the networks and connections that transmitted and nurtured these cults, influencing intellectual and cultural life. This will, I hope, be demonstrated in the following.

Vitae sanctorum 15: contents and characteristics

In the autumn of 2020, my interest was caught by some fragments in the Danish National Archive (DRA 576-78) due to the characteristic hand of the scribe (see the palaeographical discussion below). The Royal Library had recently made their collection of Latin fragments available online, and browsing through these images, I recognised the same hand in two groups of fragments already identified by researchers as stemming from the same manuscript: KB 67-71 and KB 517-23.²⁴ These were clearly written by the same scribe as the one who had penned DRA 576-78, images of which were available to me thanks to Michael Gullick and Åslaug Omundsen, and which I also had the opportunity to examine in person not long after. Over the following months, I was able to identify several other fragments written by this scribe, all of which most probably stemmed from the same manuscript. These fragments are divided between the Royal Library and the Danish National Archives. The vast majority of them were used to bind accounts after the Reformation, although the secondary use or provenance of others are unknown. Apart from DRA

24 Images available here: www5.kb.dk/manus/vmanus/2011/dec/ha/object97493/da/ and www5.kb.dk/manus/vmanus/2011/dec/ha/object98367/da/ (accessed 2 February 2023).

576-78, they remain in situ (that is, bound to their accounts). The complete list of hitherto identified fragments, listed by their numbers, is as follows:

Location	Provenance	Contents/saints commemorated
KB 67	?	Trophimus
KB 68	?	Trophimus
KB 69	?	Trophimus
KB 70	?	Trophimus
KB 71	?	Trophimus
KB 517	Ringsted LR 1622	Nicholas
KB 518	Ringsted LR 1622	Nicholas
KB 519	Vordingborg, Jordebog 1621-22	Nicholas
KB 520	Vordingborg, Jordebog 1621-22	Anastasia, Eugenia
KB 521	Vordingborg, Extrakt 1621-22	John the Apostle; Stephen Protomartyr; Marinus
KB 522	Vordingborg, Extrakt 1622-23	<i>John of Salisbury – Vita St. Thomae</i>
KB 523	Ringsted LR 1622	Romaricus
KB 2829	Ringsted Kloster Regnskab 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 576	?	Unknown – Account of the Rebellion against King Henry II of England / Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 577	?	Unknown – Account of the Rebellion against King Henry II of England / Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 578	1622	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 3994	Antvorskov 1621-22	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 3995	Antvorskov 1621-22	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4001	Antvorskov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>

DRA 4002	Antvorskov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae?</i> ²⁵
DRA 4003	Antvorskov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4004	Antvorskov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4004a	Antvorskov len, Fortegnelse på rodhuggen skov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4004b	Antvorskov len, Fortegnelse på rodhuggen skov 1623-24	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4055	Antvorskov Ugekost 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 4060	Antvorskov 1622-23	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 5096	Ringsted 1623-24	Benedict of Peterborough – <i>Miracula St. Thomae</i>
DRA 5460	Vordingborg 1622-23	Anastasia, Eugenia
DRA 8197 ²⁶	Køge 1621-22	Ecgwine

Table 1: Fragments from *Vitae Sanctorum 15* identified in the Royal Library (KB) and the Danish National Archive (DRA)

The fragments in the National Archives had all been listed as “VI:SA” (*Vitae sanctorum*) in Esben Albrechtsen’s catalogue of 1976. The detached fragments DRA 576-577 had been given the signature *Vitae Sanctorum 15* in the register created by Jørgen Raasted.²⁷ I have kept this signature in this article, using it to refer to the fragmentary manuscript as a whole.

25 The fragment DRA 4002 is too tiny for the text to be identified with certainty, but most likely it stems from the same leaf as DRA 4001, which is used to bind the same account.

26 Identified by Rossel (2020: 208).

27 This register (*Catalogus fragmentorum e codicibus et chartis Medii Aevi, quae in archivis, bibliothecis, musaeis Danicis asservantur*) is available physically at Copenhagen University and the Danish National Archives; at the latter institution it can be searched for under “Codex-registrant” or “Rulle-Marie”. On the register and its system, see Raasted 1960.

As it turned out, the group was also discussed in a Ph.D. thesis from 2020 by Sven Rossel, who had identified most of the fragments in the list above (with the exception of DRA 4004a, 4004b, 4055, 4060), as well as the fragment used to bind town accounts for Køge for the year 1621-22 (DRA 8197). As the group was not the focus of his study, his discussion, while insightful, is brief, and his identification of the textual contents contain some inaccuracies that are corrected here.²⁸

As indicated in Table 1, the preserved fragments from *Vitae Sanctorum* 15 contain material for the following saints, here listed according to the date of their feast and with references to the *Bibliotheca Hagiographica Latina* where applicable:

- Nicholas (6 December, BHL 6127 and (a version of) 6167)
- Romaricus (8 December, BHL 7323)
- Anastasia (25 December, BHL 401)
- Eugenia (25 December, BHL 2666)
- Stephen (26 December)²⁹
- Marinus (26 December, BHL 5538)
- John the Apostle (27 December, BHL 4320)
- Thomas Becket (29 December)
- Trophimus (29 December)
- Ecgwine (30 December, BHL 2436)

Some of these saints – namely Nicholas, Anastasia, Eugenia, Stephen, and John the Apostle – are from the Bible or from Late Antiquity, and cele-

28 Rossel (2020: 209) lists the fragments as containing the legend of Anastasius (rather than Anastasia) and Martin (rather than Marinus). The text described by Rossel as a sermon for Saint Eustace is in fact part of the legend for Romaricus, which includes references to Eustace. John the Apostle and Stephen are not listed by Rossel amongst the saints included in the manuscript, nor are John of Salisbury's *vita* of Thomas Becket or the anonymous account of the rebellion against Henry II mentioned.

29 The texts related to Stephen is from the Acts of the Apostles (7:36-59) – which deals with St Stephen before the Sanhedrin (a legal court) – and Fulgentius of Ruspe's sermon, edition available here: www.documentacatholicaomnia.eu/02m/0467-0532_Fulgentius_Ruspensis_Episcopus_Sermones_MLT.pdf (accessed 31 January 2023).

brated throughout Christianity, including in Denmark. They are therefore hard *a priori* to associate with any given region. To an extent, this is also true for Thomas Becket of Canterbury, whose case is discussed specifically below. The Marinus whose legend precedes that of John the Apostle is not the famous Saint Marinus of Monte Titano (feast 3 September), but a “puer” (young boy) who, according to the legend, is put to death by the Roman emperor. As a punishment, the emperor falls ill, but is healed by praying to the Christian God; however, upon twice turning back to his heathen god, Serapis, he dies a gruesome death. This text (BHL 5538) is found in several other twelfth-century manuscripts, including a legendary collection from Clairvaux (see below).³⁰

Saint Trophimus (d. 3rd century) was a bishop of Arles in France. The text transmitted in the *Vitae Sanctorum* 15 was identified by Sven Rossel as the “Berlin” version of the B tradition of the *Sermo Trophimi* which is presently only known in a late-medieval Northern German manuscript, kept in Berlin.³¹ In a Danish context, Trophimus is a rarity, as is Romaricus (d. 653). A Frankish nobleman, Romaricus founded the abbey of Remiremont in Eastern France.³² As for the Englishman Ecgwine (d. 717), bishop of Worcester and the founder of Evesham abbey, his inclusion is less surprising in the light of Evesham’s connection with Denmark, as pointed out by Rossel, who first identified the fragment.³³ Around the year 1100, twelve monks were sent from Evesham to Odense, an initiative taken by King Eric Evergood (‘Ejegend’) and bishop Hubald of Odense, with

30 A list of manuscripts containing Marinus’s legend is found here: http://bhlms.fltr.ucl.ac.be/Nquerysaintsectiondate.cfm?code_bhl=5538 (accessed 1 Februar 2023). In addition to these, this text also appears in the so-called Cotton-Corpus legendary (Cambridge, Corpus Christi College, Ms 9, f. 213v-217v), an English legend collection from the eleventh century.

31 Rossel 2020: 208. The B tradition of this sermon itself is found in two other manuscripts, one written in Arles in the 11th century (Paris, Bibliothèque nationale de France, latin 5295, f. 2r-5r) and a 12th-century manuscript from Forcalquier (Rome, Biblioteca apostolica vaticana, reg. lat. 125, f. 103r-104r). On the B sermon and its three versions, see Krüger 2002: 49-51 and 350-52.

32 Romaricus’s legend (BHL 7323) has been edited by A. Guinot (1859: 377-88).

33 Rossel 2020: 209. Dominic’s life of Ecgwine was incorporated into Thomas of Marlborough’s history of Evesham, which was most recently edited by Jane Sayers and Leslie Watkiss (2003). The text in the fragment corresponds to Book 2 of and its Prologue, chapters 65 and 69 in the edition (Sayers and Watkiss 2003: 76, 80).

the agreement of King William Rufus of England.³⁴ An agreement dated to ca. 1095-1100 and confirmed by King Eric defines the role of the Benedictine house in Odense as a daughter of Evesham.³⁵ The agreement included provisions for the visit of Evesham monks to Odense (and vice versa). That such visits did take place is indicated by a letter from Bishop Riculf of Odense, dated to ca. 1135-1139, that references a visit from an unknown Evesham monk.³⁶ Ecgwine is also included in the litany of the Odense Breviary from 1497, suggesting the lingering presence of his cult throughout the Middle Ages.³⁷ The text in the fragment is from the life of saint Ecgwine composed by prior Dominic of Evesham, who died in or before 1145.³⁸ A copy of this work could therefore conceivably have been brought to Odense by the visiting Evesham representative in the 1130s and presented as a gift.

As the surviving fragments indicate, *Vitae Sanctorum* 15 must have been an imposing manuscript in its original state. No leaf has survived entirely uncropped, but judging from the large fragment DRA 4055, the original leaves would have measured at least 500 mm in height and 350 mm in width, with 44 lines to the page. The text is laid out in two columns, each of which measures ca. 100 mm in width. There are horizontal pricking marks in both margins; the leaves are ruled in plummet. The main text is written in brown ink by a single scribe, whereas a different hand has added rubrics in bright red. There are initials in blue, brown, and green decorated with red flourishes, as well as red initials decorated with flourishes in purple. Occasionally there are smaller initials in red or blue. A couple of larger initials have been preserved: a green H with red flourishes introducing Fulgentius's sermon on St Stephen (KB 521, Figure 1), and a P introducing the Prologue to Benedict of Peterborough's miracle collection (DRA 576-77). This P is also in red, with blue flourishes, and

34 Sayers and Watkiss 2003: 570-71. Hubald, who is first recorded as bishop of Odense around 1095 and who was probably an English Benedictine, set out to found a monastic chapter in Odense based on the English model (King 1962-1965: 193-94; Münster-Swendsen 2013: 160-61).

35 DD I:2, no. 24.

36 DD I:2, no. 67. The visit probably took place in the context of Riculf's renewal of the agreement between Evesham and Odense (DD I:2, no. 66).

37 Jørgensen 1909: 19.

38 Sayers & Watkiss 2003: xxxii.

a distinctive “knot-like” motif in green and blue filling the lobe (Figure 2). The colour scheme and style of the initials are reminiscent of those found in the contemporary legendary containing the legends of Saint Clement, which could point to a shared environment.³⁹

The main scribe’s hand is easily recognisable. It shows an English influence in the upright aspect of the script, in the “trailing-headed” *as* and the “s-like” ductus of the *gs*.⁴⁰ There is a stiffness to the hand that suggests the scribe may have been local, or at any rate not an expert, although certainly accomplished enough to carry out a copying project on this scale.⁴¹ The rubricator’s hand, on the other hand, seems more professional, and the script possibly more French-influenced.⁴² An interesting feature of the main scribe’s hand is the way hairlines on the *ts* trail into the left margin, a feature that can also be found in another contemporary legendary, namely the Danish copy of the *Legendarium Flandrense*, which was possibly written at the Scanian abbey of Herrevad.⁴³ Regarding the main scribe’s orthography, a distinctive feature is the consistent use of *f* instead of *ph* (e.g. *Trofimus* instead of *Trophimus*). This could perhaps suggest a deliberate simplification of Latin spelling.⁴⁴ This aspect, as well as the rather stiff and “homegrown” character of the parchment, may point to the legendary having been produced in Denmark. Parchment from areas where book production had been established for centuries, such as England and France, tends to be finer and more supple. In Denmark, on the other hand, book production was still a relatively recent

39 Ommundsen 2020, see also above. I thank Åslaug Ommundsen for first drawing my attention to this legendary and its initials.

40 On these characteristics and their prevalence in English manuscripts, see Ommundsen 2007: 97, 99.

41 An example of a similar script can be found in fragment 2072, in the Royal Library, available online here: <http://www5.kb.dk/manus/vmanus/2011/dec/ha/object101380/da/> (accessed 12 January 2023). This fragment was originally used to bind an account from Raabeløv for the year 1579, then reused for an account from Helsingborg for 1645.

42 I thank Teresa Webber and Marc Smith for sharing their opinions on the scribes during a poster session at the 22nd Colloquium of the Comité international de paléographie latine in Prague, September 2022.

43 Myking 2018, see also above. For an analysis of the scribe’s hand, see Ommundsen 2017: 203–11.

44 I thank Steffen Hope for making this point in a personal communication.

phenomenon at the time of the legendary's production, and it is therefore unlikely that domestic parchment would have been of the same quality as that found in the aforementioned areas. A similar argument can be applied to the scribe: there is an awkwardness to his hand that is



Figure 1: Copenhagen, Royal Danish Library, fragment 521: the opening of Fulgentius's sermon on St Stephen.

rarely found in similar manuscripts produced in contemporary English and continental scriptoria, where the number of trained scribes would have been much greater and only the most skilled would have been selected for a task of these dimensions. A date in the last quarter of the twelfth century (1175-1200) seems sound, given the consistent use of the ampersand, the alternating between straight and round *ds*, and the use of simple *e* rather than *e caudata* to replace the diphthong *ae*. The latter fact, alongside the few instances of round *r* after *o*, suggests a date closer to 1200 than to 1175.⁴⁵

45 Rossel (2020: 208) suggests a dating between 1180 and 1220, which is also plausible.

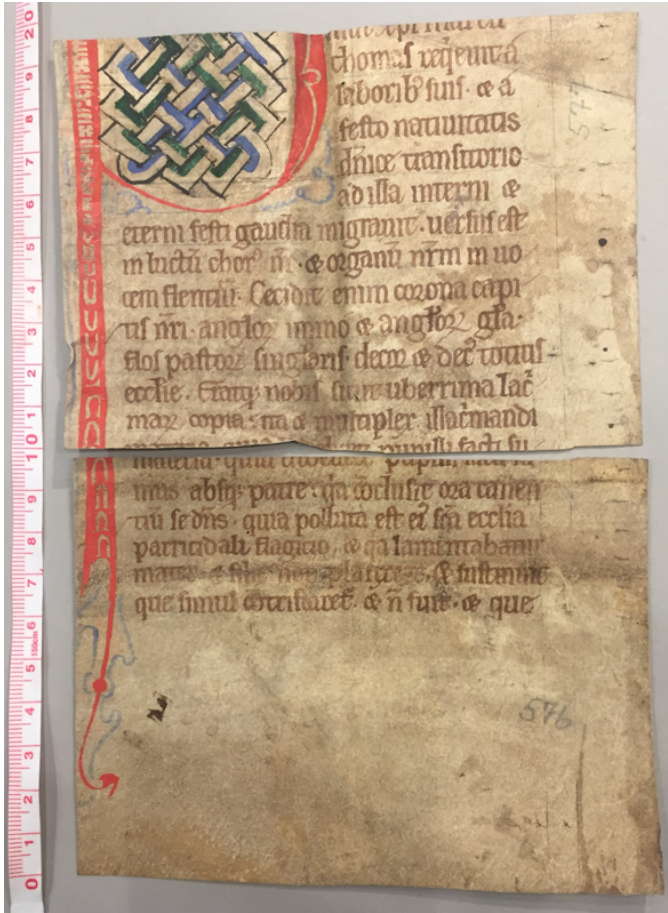


Figure 2: Copenhagen, National Archives, DRA 576-577: The prologue of Benedict of Peterborough's miracle collection. Photo: Synnøve Midtbø Myking

The Thomas Becket texts in Vitae Sanctorum 15

Thomas Becket represents a special case in that the material related to him makes up half of the fragments of Vitae Sanctorum 15. No less than three texts are represented: Benedict of Peterborough's *Miracula Sancti*

Thomae, John of Salisbury's *Vita Sancti Thomae*, and an anonymous account that, while not dealing with the saint specifically but rather about the rebellion against King Henry II, has hitherto been ascribed to William of Canterbury (see below). The former of these, Benedict's miracle collection, was compiled 1171-1173, when Benedict was still a monk of Christ Church, Canterbury.⁴⁶ The work is known for its rapid and widespread dissemination.⁴⁷ For the benefit of scholars working on this collection and its tradition, I have outlined the textual contents of the fragments containing Benedict's miracles in Table 2 below, with reference to the chapter divisions and pages in J.C. Robertson's edition from 1875.

Overview of Benedict of Peterborough's <i>Miracula Sancti Thomae</i> in <i>Vitae Sanctorum</i> 15			
<i>Fragment</i>	<i>Provenance</i>	<i>Chapters according to J.C. Robertson's edition (1875: II)</i>	<i>Page in Robertson</i>
DRA 576	?	Prologue	21
DRA 577	?	Prologue	21
DRA 578	1622	Prologue; Liber I, Chapter I-III	26-31
DRA 3994	Antvorskov 1621-22	Liber II, Chapter LXV and LXIX	109-110, 113
DRA 3995	Antvorskov 1621-22	Liber II, LXV (recto), LXVII, LXIX, LXX (verso)	110, 112-114
DRA 4001	Antvorskov 1622-23	Liber II, Chapter LXVI-LXVII	111-112
DRA 4002	Antvorskov 1622-23	Liber II, Chapter LXVI? ⁴⁸	
DRA 4003	Antvorskov 1622-23	Liber II, Chapter LXVI/LXVIII	111, 113
DRA 4004	Antvorskov 1622-23	Liber II, Chapter LXVI/LXVIII (same leaf as 4003)	111, 113

46 Koopmans 2011: 139-40, 151-53. A traditional view has been that Book IV of Benedict's miracles was added later (Vincent 2012: 359-62). For a full discussion of the compilation of Benedict and William's miracle collections, see Koopmans 2011: 139-58.

47 Koopmans 2011: 128-30; Duggan 1997: 56-7; Vincent 2012: 357-59.

48 See note 25.

DRA 4004a	Antvorskov len, Fortegnelse på rodhuggen skov 1622-23	Liber II, Chapter LXV/LXXI (same leaf as 4004b)	110, 114
DRA 4004b	Antvorskov len, Fortegnelse på rodhuggen skov 1623-24	Liber II, Chapter LXV [rubric implies no. 63]/LXXI	110, 114
DRA 4055	Antvorskov Ugekost 1622-23	Liber II, Chapter XLIII-XLVI [xlv in manuscript]	91-93
DRA 4060	Antvorskov 1622-23	Liber II, XLVI [xlv] – L [XLVIII]	93-96
DRA 5096	Ringsted 1623-24	Liber III, Chapter XXI/XXII-XXVI	132-133
KB 2829	Ringsted Kloster Regnskab 1622-23	Liber III, Chapter XXVII-XXXV	137-142

Table 2: The fragments of *Vitae Sanctorum* containing Benedict of Peterborough's *Miracula Sancti Thomae*

The other texts related to Thomas Becket are found in three fragments, two of which (DRA 576-577) are conjoint and from the recto side of the leaf on which the Prologue to Benedict's miracles is found on the verso side.

Other "Thomas Becket texts"			
Fragment	Provenance	Contents	Reference to Robertson's edition (1875: I-II)
KB 522	Vordingborg, Ex-trakt 1622-1623	John of Salisbury – <i>Vita sancti Thomae</i> (BHL 8180)	Vol. II, p. 305-309
DRA 576-577	?	Anonymous account of the rebellion against Henry II (ascribed to William of Canterbury in the edition)	Vol. I, Chapter 6.93, p. 488-489

Table 3: Other "Thomas Becket material" found in *Vitae Sanctorum 15*

While it is unknown whether the original legendary preserved all these texts in their complete state, rather than as excerpts, the fact that we find snippets from all of the first part of Benedict's miracles (the Prologue to Book III) suggests that this collection, or at least the whole of Book I-III, may have been included in its entirety, rather than as a limited

excerpt. If so, the collection must have made up most of the volume's contents, perhaps even constituting a volume of its own. However, the format and the style are so close to the rest of the fragments that if Benedict's Miracles, or the Thomas Becket texts as a whole, were bound in a separate volume, this volume was no doubt produced alongside the rest of the legendary.

Scholars have been aware for a long time that the collections in Copenhagen included fragments containing parts of Benedict of Peterborough's *Miracula Sancti Thomae*. Alongside a fragment from the same work, but from a different manuscript (identifiable as KB 2828), Ellen Jørgensen referred to "a folio leaf containing 'Miracula St. Thomæ auctore Benedicto'" in the Royal Library, used to bind an account from Ringsted 1622-23.⁴⁹ This fragment is surely identical to KB 2829 (see Table 1 above). In 2015, John Toy signalled the existence of fragments from a copy of Benedict of Peterborough's miracles currently kept in the Danish National Archives, transmitting the Prologue and text from the first three books.⁵⁰ Most recently, the work was identified in the fragmentary *Vitae Sanctorum* 15 by Sven Rossel.⁵¹ The presence of the vita written by John of Salisbury (KB 522), however, seems to have gone unnoticed by earlier scholars, and the same is true for the anonymous text preceding the opening of Benedict's miracles (DRA 576-577), with one exception. In the unpublished notes of the now-defunct working group for fragment studies

49 Jørgensen 1908: 79.

50 Toy states that there are twenty-eight fragments from Benedict's work in the archives, but lists only some of those identified in this article, and in a way that does not entirely correspond to the archive's shelf marks, namely in the following manner: DRA 576-578, 3994/95abc, 4001/2abc, 4003/4abcd, 4060abc and 5096abc (Toy 2015: 277, note 5). His inclusion of the fragment DRA 4005, which stems from a different manuscript, as well as his stated number of 28, which corresponds more closely to the number of fragments from the legendary as a whole (rather than from Benedict's work), could be due to a reliance on second-hand information.

51 Rossel 2020: 208.

at the Danish National Archives, the text is registered, but not identified.⁵²

The *Vita et Passio sancti Thomae* by John of Salisbury seems, like Benedict's miracle collection, to have spread quickly across the continent.⁵³ The vita was an expanded version of a letter, originally written by John in early 1171, that contains the earliest known discussion of Thomas Becket as martyr, including a comparison of his sufferings to those of Christ.⁵⁴ John had known the archbishop for many years, having served as his secretary; they had both gone into exile in France due to the conflict with King Henry II over the rights of the English church.⁵⁵ The text transmitted in the fragment KB 522 describes the fateful period of Becket's life when he was still Henry's chancellor and the King wanted to promote him to the archiepiscopal see of Canterbury. Despite his misgivings, Thomas accepted the office, whereupon he changed his manner of life, taking his dedication to the Church more seriously than the King had anticipated. The Danish legendary may have contained the full vita while still intact (and probably did), but the snippet surviving in the fragment thus presents a poignant counterpoint to the other newly identified Thomas Becket text in *Vitae Sanctorum* 15, the anonymous account of the rebellion against King Henry II, which culminates in the King doing penance at the saint's grave.

I originally identified this anonymous text as that published as Chapter 6.93 in J.C. Robertson's edition of William of Canterbury's collection of Thomas Becket's miracles.⁵⁶ This chapter is part of a group (6.91-6.98) that are transmitted in the manuscript Winchester College MS 4 as part of William's work. However, these chapters, which form a historical account of the rebellion against King Henry II and the ensuing conflict, are unlikely to have been authored by William, but may have been copied

52 The note accompanying fragments 576-577, identifying the contents as the prologue of Benedict's miracle collection, adds: "continent etiam textum (de Thoma?) nondum recognitum". See Rigsarkivet, Arbejdsgruppen for Fragmentforskning, Codex-registrant (1975-1981), box 14.

53 Duggan 1984: 427-28.

54 Duggan 1984: 427.

55 On this conflict and the relationship between John and Thomas, see Duggan 1984.

56 Robertson 1875: vol. I, 487-89.

into his collection either by himself or someone else.⁵⁷ Apart from the Winchester manuscript, on which Robertson's edition of William's collection is based, the chapters 6.91-6.98 are included in a manuscript in Montpellier (Bibliothèque interuniversitaire, Section Médecine, H 2), where they, as in the Danish legendary, precede Benedict of Peterborough's collection of Thomas Becket's miracles.⁵⁸ The Montpellier manuscript also contains John of Salisbury's *vita*. Both Winchester MS 4 and Montpellier H2 are contemporary to the Danish *Vitae Sanctorum* 15.⁵⁹ Montpellier H2 once belonged to the Cistercian abbey of Clairvaux, where it formed an appendix to the multi-volume "Grand Legendary".⁶⁰ Most of the surviving volumes from this legendary are kept in Montpellier, under the neighbouring shelf mark to Montpellier H2.⁶¹

The text published as Chapters 6.91-6.98 of William's miracle collection is an account of the rebellion against Henry II by his own family in the years 1173-1174. This rebellion was instigated by the King's oldest son, Henry the Young King, who was backed by his brothers Richard and

57 Koopmans 2011: 155, 280 (n. 108). I thank Rachel Koopmans for making me aware of this in a personal communication, and for drawing my attention to the text's presence in the Montpellier manuscript. For the view that the miracles 6.91-6.98 were in fact written by William, matching in content the latter's prefatory letter to King Henry found in the Winchester and Montpellier manuscripts, see Vincent 2012: 379.

58 Additionally, a late medieval manuscript in Germany (Paderborn, Erzbischöfliche Akademische Bibliothek Theodoriana Ba 2), includes the chapters 6.91, 6.93-95, and 6.97, but nothing (else) from William's miracle collection (Koopmans 2011: 280, n. 108).

59 Vincent (2012: 372) dates the Winchester manuscript, which I have not seen, to s. xii/xiii. I would suggest a similar date for the Montpellier manuscript, which Vincent (2012: 372) dates to s. xiii and Duggan (1997: 61) to s. xii.

60 Dolbeau 1978: 167-68; Duggan 1997: 61-62 n. 65, 63.

61 Montpellier, Bibliothèque interuniversitaire, Section Médecine, H 1, vol. 1-5. These volumes cover the months from 10 February to March and from July to December; a volume now in Troyes (Médiathèque municipale, Ms. 1) covers April - June, whereas the tome covering January to 6 February has been lost (Dolbeau 1978: 167).

Geoffrey as well as by his mother, Queen Eleanor of Aquitaine.⁶² The rebels formed a wide alliance that included, amongst others, King Louis VII of France and William the Lion, King of Scots. The assassination of Thomas Becket formed part of the rebellion's context. In order to gain support, Henry consciously drew on his father's role in the murder and its aftermath, as is shown by a letter to Pope Alexander III, where the Young King portrays himself as a defender of the church and of the martyred archbishop's memory, as opposed to Henry II, who had not even punished the killers.⁶³ However, in July 1174 Henry II returned from France, where he had defeated his opponents, and went straight to Canterbury where he sought the saint's forgiveness by praying, weeping, and being beaten at the grave – and was rewarded, the following day, with William the Lion's capture.⁶⁴ The text in the fragments DRA 576–577 recto stems from Chapter 6.93, which tells of this visit to Canterbury and Henry's penance. As transmitted in the fragments, it reads as follows:

ieiuniis et elemosinis a regno suo. Nam dorobernie a mane diei usque in diem alterum. Non cibum non potum sumpsit non ad necessaria nature uel semel exiuit gratum habens peregrinationis sustinere molestias et cum cogeret a fratribus omnino non acquieuit sed assidens tumbe martiris solum nudum premens et nichil sibi substerni sinens diem et noctem sine dormitationem etiam transegit et populo spectaculum fuit. Neque enim quemquam uolentem ad tumbam accederet repelli passus est. Mane uero celebratis missarum Sollemnibus et uisitatis omnium sanctorum patronorum ecclesie lipsaniis signum peregrinationis absportans sicut erat illotis pedibus stando ocreas induit precipiens ut se cantuarienses sequerentur et res suas mobiles aquam mediwaihe transferrent. Quia irruptionem hostium immuniti

with fasting and alms [Henry diverted God's anger] from his kingdom. For in Canterbury, he did not consume any food or drink from early

62 On the rebellion, see Weiler 2009 as well as Matthew Strickland's study of Henry the Young King, which also examines Young Henry's role in the aftermath of Thomas Becket's murder (Strickland 2016: 107–18).

63 Weiler 2009: 21–22.

64 Bartlett 2000: 56.

morning to the next day, nor did he once attend to nature's needs, but welcomed the trials of pilgrimage. Even when he was encouraged to by the monks, he would not rest at all, but sat by the martyr's grave clutching the bare soil, not allowing anything to be spread underneath him. He passed a day and night without sleep and was a spectacle to the people; for neither would he allow for anyone desiring to access the grave to be driven away. But in the morning, having celebrated the solemnities of Mass and visited the relics of all the church's patron saints, carrying the sign of pilgrimage, he donned leg coverings as he stood, feet dirty; and he bid the people of Canterbury to follow him and transfer their movable goods across the waters of the Medway. For [they could not sustain] a raid from the enemy unfortified.

Montpellier H2 has the same readings as the Danish legendary, except that it has *jejunio* and *fluvium* where the fragments have *jeiuniis* and *aq-uam*. Robertson's edition, based on the Winchester manuscript, has the same different readings as the Montpellier manuscript (*jejunio*, *fluvium*), as well as *volentium ad tumbam accedere* where the fragment has *volentem ad tumbam accederet*. Overall, however, the three witnesses are very close.

In the fragment, the anonymous text precedes the Prologue of Benedict's Miracles, which open on the verso side. A similar placement is found in the Montpellier manuscript, where the chapters 6.91-95 are integrated under the rubric "quando et quomodo rex sancto martyri satisfacit et pristinam libertatem ecclesie restituit" ("when and how the king satisfied the sainted martyr and restored to the church its former liberty", f. 5), without further chapter headings. The text transmitted in the fragments (6.93) is found on f. 5v (a-b). Both the readings and the placement of the anonymous text in the Montpellier manuscript (prior to Benedict's Miracles), as well as the inclusion of John of Salisbury's *vita* in both this manuscript (f. 1-5) and the Danish *Vita Sanctorum* 15, indicate that the Danish witness is closer to the Clairvaux/Montpellier manuscript than to the Winchester witness. The Montpellier manuscript and the Danish witness may thus stem from the same exemplar, or the exemplar of the Danish fragment was copied from the Montpellier manuscript – which must have happened at Clairvaux.

The Clairvaux connection

An evident link between Clairvaux and Denmark during the second half of the twelfth century is found in the person of Archbishop Eskil of Lund (d. 1181). He had been friends with Bernard (d. 1153), Clairvaux's charismatic abbot, and chose to retire to the abbey as a monk in 1177. Eskil was also on friendly terms with many other leading European churchmen of the time, and thus must have received the news of Thomas Becket's assassination not long after it happened. The news may have struck particularly close to home, given that Eskil had had his own differences with the king of Denmark, Valdemar I; like the English archbishop, he spent years in exile in Northern France in the 1160s. However, by the 1170s Eskil had returned, the situation had stabilised, and Valdemar was now seen by Thomas Becket's followers as a model to emulate.⁶⁵ At least this seems to have been the case for John of Salisbury, who had, like Becket, been exiled in France due to the conflict with King Henry II over the rights of the English. In a letter written during his exile, in 1167 or 1168, he referred to Archbishop Eskil's return to Denmark as an example he hoped would be followed by the English king.⁶⁶ John's familiarity with these events testify to Eskil's integration in the network of European intellectuals of which Thomas Becket was also a member. Following Eskil's return, Valdemar himself was counted in the Cantuarian archbishop's circle, as evidenced by a letter dated to 1167-1170 sent from Herbert of Bosham to the Danish king, wherein Valdemar is asked for advice regarding Thomas's conflict with King Henry II.⁶⁷ The link between Thomas Becket and the Danish royal family is, moreover, strengthened by the miracles included by William of Canterbury, two of which involve the saint's intercession to their benefit (see above).⁶⁸ The fact that accounts

65 Lind 2021: 36-37. For the view that relations between Eskil and Valdemar remained tense, which eventually resulted in Eskil's forced retirement, see Münster-Swendsen 2019.

66 DD I:2 no. 180, see also below.

67 DD I:2, no. 181; Lind 2021: 37.

68 A list of relics added on f. 1r of the famous Copenhagen Psalter (KB, Thott 143 folio) includes a relic "from saint Thomas the Archbishop". The name of the relics' owner has been erased, but Christopher de Hamel (2016: 303-305) reads it as "uualder-

of these miracles found their way into William's collection indicate that members of the royal circles, or their associates, went to Canterbury on pilgrimage by the 1180s, if not before.⁶⁹

Given this affiliation, the Danish elite of the time would have a special interest in texts related to Thomas Becket, both the miracles and John of Salisbury's *vita*, because of the slain archbishop's connection to Denmark via Archbishop Eskil and the Valdemar dynasty.⁷⁰ Eskil himself may have provided the opportunity for these texts to reach Denmark. *Vitae Sanctorum* 15 was copied between c. 1175 and 1200, whilst Eskil retreated to Clairvaux in 1177, having abdicated his office in favour of Absalon. According to Saxo, envoys from Valdemar and from the cathedral chapter in Lund visited Clairvaux on their way to Rome, where they obtained a letter from Eskil in support of Absalon's appointment.⁷¹ It is feasible that either these envoys, or someone accompanying Eskil on his journey, could have acquired one or more manuscripts in this context – and perhaps the very idea to produce a legendary on the scale evidenced by the fragments.

marus... apud Ringsta[dium]" ("Waldemar at Ringsted"). Future examinations involving multi-spectral images may confirm or disprove this reading. It should be noted that Thomas Becket is absent from the psalter's calendar, which probably indicates the manuscript was made before his canonisation; however, his name has not been added at a later stage.

69 The mission to liberate Clemens may be identical to Knud VI's expedition to Walgust/Wolgast. If so, this would have taken place in 1184, according to the *Sjælland Chronicle* and other annals (Kroman 1980: 110).

70 At present, we do not know whether William of Canterbury's miracle collection reached Denmark. Given the fact that it contains three miracles explicitly related to Denmark (see above), one would assume that Danes would have been interested in this collection, had they known about it – but William's miracles enjoyed a much narrower circulation than those of Benedict (Koopmans 2011: 129). Still, it would not be surprising if future investigations into the Danish fragment collection revealed the presence of a hitherto unknown copy of William's miracles. Haki Antonsson (2015: 404-7) has suggested that Saxo was inspired by the Thomas/Henry conflict in his portrayal of the confrontation between King Sven Estridsen and Bishop Wilhelm of Roskilde, an episode that was resolved by Sven performing a display of humiliation, as Henry had done in Canterbury. If this is correct, then Saxo, writing in the years around 1200, would have had access to one or more accounts of Henry's penance – such as the one contained in the fragmentary *Vitae Sanctorum* 15.

71 Friis-Jensen & Fisher 2015: vol. 2, 1434-35.

A multi-volume manuscript showing interesting similarities with the Danish *Vitae Sanctorum* 15 is the third volume of the Grand Legendary from Clairvaux.⁷² Romaricus's legend, which is (to my knowledge) otherwise unattested in Scandinavia, is found here, and the same volume includes the legends of saints Anastasia, Eugenia, and Marinus "puer", as well as Pseudo-Mellitus's account of John the Apostle. While arguably these saints are commonly enough celebrated for their legends to have reached Denmark by multiple pathways, their presence alongside Romaricus in both the Clairvaux manuscript and the Danish legendary suggests, again, that the latter may have shared its exemplar with the former. The Clairvaux manuscript containing the Thomas Becket material, Montpellier H2, was also part of the Grand Legendary, and it is possible that the Danish *Vitae Sanctorum* was constructed in a similar way, with several volumes, including one dedicated to Saint Thomas and his miracles.⁷³

Interestingly, however, the Clairvaux legendary does not include the sermon on Trophimus (or any text related to him). Nor does it contain the same text in honour of Nicholas: while the Clairvaux manuscript transmits the life written by John the Deacon (BHL 6104), the Danish fragments contain two different texts, namely two miracles related to the abduction of a boy (BHL 6127 and 6167; the latter with some deviation from the printed version), the first of which was transmitted in a contemporary legendary collection that in medieval times belonged to the abbey of Saint-Hubert in the Ardennes.⁷⁴ Assuming that this text was in circulation in the area, it could have been brought to Denmark under the

72 Montpellier, Bibliothèque interuniversitaire, Section Médecine, H 1, vol. 3. The text corresponding to the piece of Romaricus's legend transmitted in fragment KB 523 is found on f. 48r-v. For a catalogue notice with lists to references, see www.calames.abes.fr/pub/#details?id=D01040001 (accessed 1 February 2023).

73 Montpellier H2 also includes texts related to the saints James, Alpinus, Elafius, Leudomirus, Felix, and Servatius.

74 Namur, Musée Provincial des Arts anciens du Namurois, Fonds de la Ville 15 (online catalogue: www.cicweb.be/fr/manuscrit.php?id=115&idi=51, accessed 31 January 2023). For a list of contents in this manuscript, see *Analecta Bollandiana* 1882: vol. 1, 494-503. I thank the Société archéologique de Namur for allowing me to consult this manuscript in person in April 2023, as well as for providing me with high-quality images.

same circumstances as the text(s) from Clairvaux – by members of Eskil’s retinue returning to Denmark or by the envoys, passing through the Low Countries on their journey back home. The fact that the contents of the Clairvaux legendary and *Vita sanctorum* 15 do not entirely overlap suggests that the link, if it exists, is not one of blind copying but perhaps rather one of inspiration. Still, while the miracle collection by Benedict of Peterborough was widespread enough to have found its way to Denmark via multiple pathways – including directly from Canterbury, which was visited by Danes, as illustrated by William’s “Danish miracles” – the rarity of the anonymous text about King Henry II and the rebellion constitutes an argument in favour of Clairvaux as a possible source, as does the similarity of its placement within the manuscript in both the Clairvaux manuscript and *Vita sanctorum* 15.

Certainly, Eskil was not the only link between Clairvaux and Denmark during the second half of the twelfth century. The abbey of Esrum had been founded in 1151 (on Eskil’s initiative) with monks from Clairvaux, giving rise to a new line of Danish Cistercian monasteries alongside the line descended from Herrevad in Skåne, founded (probably also by Eskil) in 1144 by monks from Cîteaux. There is little doubt that texts, including saints’ legends, were brought to Denmark by the Cistercians, for instance in the context of abbots travelling to the general chapter.⁷⁵ In the case of *Vitae sanctorum* 15, however, there is nothing in particular to link this manuscript to the Cistercians, apart from the similarities between its contents and those of the Clairvaux legendary: Cistercian manuscripts of the period tend towards a rather uniform look, using black ink, monochrome initials, and the punctuation sign *punctus flexus*, all of which traits are absent in our legendary.⁷⁶ This does not in itself preclude a Cistercian origin, as there are surviving manuscripts that do not confirm to the uniformity (or do so inconsistently), but neither can it be assumed

75 On this question, see Myking 2018, where it is argued that the Cistercians of Herrevad may have owned a copy of the *Legendarium Flandrense*, which circulated mainly amongst Cistercian houses in Flanders, including the abbey of Ter Doest, which had documented relations with Scandinavians.

76 For examples of this style, see Biblioteca Apostolica Vaticana, Vat. Lat. 543, 636 I–II, and 1149, all of which belonged to the Danish abbey of Esrum.

that texts transmitted from Clairvaux would only be copied by Cistercian scribes, rather than being disseminated in other milieus.

A “grand legendary” from Ringsted?

In short, *Vitae sanctorum* 15 was a large-scale manuscript probably produced in late twelfth-century Denmark and including texts that had only recently been composed, such as Benedict of Peterborough’s miracle collection, and/or seem to have had a narrow circulation, such as the anonymous account of Young Henry’s rebellion and the sermon on Trophimus. Where would be the most likely place of production for such a manuscript? Considering the material resources necessary, both in terms of parchment, expertise, time, and above all access to textual exemplars, the legendary is likely to have been copied at a wealthy institution with a substantial library as well as manpower – such as a monastery.

While the difficulty of tracing the medieval provenance of fragments based on the provenance of their postmedieval use is recognised, we should not overlook the fact that a monastic library would be an evident source of parchment for early modern administrators in need of binding material. Considering the postmedieval provenance of the fragments, which were all used as binding material for accounts from various fiefs in Sjælland, two monastic houses are represented: Ringsted and Antvorskov. Five of the identified fragments were used to bind accounts from Ringsted from the years 1622 to 1623-24, whereas ten fragments were used as binding on Antvorskov accounts from 1621-22, 1622-23, and 1623-24. Additionally, five fragments were used to bind accounts from Vordingborg (1621-22 and 1622-23), and one for the town account of Køge (1621-22). The provenance of the remaining fragments is not known, although one of them (DRA 578) has the note “1622” added. The identified fragments were thus used to bind accounts within a relatively short period of time, from 1622 to 1624. The legends preserved concern saints whose feast days are in December, which points to the fragments stemming from the same volume or part of a volume.

As Michael H. Gelting has argued, the accounts from fiefs based in old monastic estates are more likely to have been bound with parchment

stemming from the monastic collections.⁷⁷ Gelting illustrates this with a fragment used to bind an account from Ringsted for the years 1585-86 (DRA 4985), to which someone has added a prayer to Samson of Dol. Samson was not commonly venerated in Denmark (or in Europe), but the priory of Halsted in Lolland, which belonged to Ringsted, owned a relic of this saint. Although little is known of Ringsted's book collection, it must have been quite substantial given the abbey's wealth and importance. It therefore seems more likely that parchment would be sourced from this fief and used for accounts from the nearby area, rather than the other way around.

What about Antvorskov, which was also a wealthy house? We cannot dismiss the possibility that the legendary was owned by this institution, but it is unlikely that it was produced there. Antvorskov was founded by Valdemar I some time before 1182, at about the same time as the manuscript was copied. It seems hardly possible that Antvorskov would have a functioning scriptorium at this point, if indeed it ever established one.⁷⁸ While we cannot automatically deduce medieval provenance from postmedieval provenance, and origin even less, I would suggest that the fragmentary legendary was not only owned by Ringsted abbey, where it was dismembered and distributed after the Reformation, but that it may also have been produced there, and that such an origin is supported by the manuscript's contents.

This theory hinges on whether there was a functioning scriptorium in place at Ringsted by the last quarter of the twelfth century. Danish book production probably began about a century earlier, in the late eleventh century. From the first half of the twelfth century, several manuscripts connected to the archiepiscopal see of Lund have been preserved, some of which are believed to be of Danish origin.⁷⁹ All of these manuscripts have a Scanian provenance, but it is likely that book production

77 Gelting 2017.

78 Cristina Dondi's inventory of liturgical books with a provenance from the Order of Saint John does not contain any twelfth-century manuscripts, and no collections of saints' legends (Dondi 2003: 225-56).

79 This group includes the *Necrologium Lundense*, *Lectionarium Lundense I* and *II*, *Liber Daticus Vetustior*, and others. As shown by Sven Rossel (2020), at least the *Lectionarium Lundense II* was copied locally, by a very prolific scribe.

must have been established in other parts of medieval Denmark at approximately the same time, that is before 1150. Such production necessitated stable working conditions, access to material resources (parchment, ink, and writing supplies as well as textual exemplars to copy from), and, not least, skilled labour. At this point, these prerequisites could most easily be met in the context of a (wealthy) monastic community.

Ringsted was one such community, and although no direct evidence of book production survives from this abbey, this institution is likely to have had an active scriptorium at least from the second half of the twelfth century onwards. The church founded at Ringsted by Bishop Sven in ca. 1080 gained prominence when Duke Knud Lavard was buried there in 1131. The monastery connected to the church was founded by King Erik Emune in 1135, and its close association to royal power continued for the next decades, as Svend Grathe and Valdemar I had Knud Lavard's body exhumed and enshrined in 1146. This initiative was opposed by Archbishop Eskil of Lund, as well as by two members of the community itself. These were removed, and a certain John from Odense was made abbot before 1148.⁸⁰ After Valdemar had gained sole reign over Denmark in 1157, he invested considerable resources into making Ringsted a prestigious institution, worthy of governing his saintly father's remains, including by having a new monastic church erected. His efforts were rewarded in 1170, when the shrine of Knud Lavard's recently canonised body could be placed on the high altar, and Valdemar's own son Knud was crowned in the new church.

The promotion of Knud Lavard's cult included literary efforts. Already in the 1130s, an English Benedictine called Robert of Ely wrote a *vita* of the saint, most likely while present at Ringsted.⁸¹ Only a few excerpts of this text survive, copied in early manuscripts.⁸² The oldest manuscript containing the liturgy for the Mass and Office of Knud Lavard is likely to

80 A charter by Svend Grathe dated to 1148 (DD I:2, no. 101) refers to this event as having taken place. According to the preserved *vita* of Knud Lavard, John was made abbot the same year Erik Lam abdicated, that is in 1146 (Chesnutt 2003: 119, 157).

81 Chesnutt 2003: 5.

82 On these manuscripts and the edition of the excerpts from Robert's work, see Gertz 1908-1912: 183-86, 234-41.

have been copied at Ringsted in the thirteenth century, although its medieval provenance cannot be confirmed.⁸³ While the *vita* transmitted in the manuscript was probably written outside of the monastery itself, it has been argued that the Office was compiled at Ringsted, whose monks developed Knud's liturgy for monastic use.⁸⁴ This liturgy has been shown to reflect English influence, both in that chants were adapted from the offices of English saints and in that the antiphon *Tecum principium*, which occurs at Epiphany (6 January) in English uses, is used for the celebration of Vespers I for Knud on this date.⁸⁵ The exact date of the liturgy's development is uncertain, but this English influence fits with both the scribe of *Vitae sanctorum* 15, who seems to have been trained by an English teacher, and with the inclusion of the life of St Ecgwine in the legendary. John could have brought this text with him from Odense when he was made abbot of Ringsted in the 1140s.⁸⁶ However, the English influence on the legendary is not uniform, as shown by both the inclusion of the French saints Trophimus and Romaricus, the presence of the Nicholas legend from the Ardennes, and the similarity in contents between *Vitae Sanctorum* 15 and the Grand Legendary from Clairvaux discussed above.

Conclusion

Vitae Sanctorum 15 is an interesting manuscript for several reasons. It testifies not only to which saints' legends were read and copied in Danish institutions, but also to the characteristics and style of manuscripts produced in Denmark, its likely place of origin, towards the end of the

83 Kiel, University Central Library S. H. 8 A. On this manuscript and the liturgy for Knud Lavard, see Chesnutt 2003; and Bergsagel 2010.

84 Chesnutt 2003: 56-57, 62-63, 66-67.

85 Bergsagel 2010: xxxvi-xxxviii. Especially the placement of the *Tecum principium* antiphon makes for "a clear indication that the liturgical observance of St. Knud Lavard contained in the Kiel MS had its origin in an environment in which English practice was observed" (Bergsagel 2010: xxxviii).

86 It also is worth noting that Evesham's connection with Odense was re-confirmed by King Valdemar I in 1174 (DD I:3, no. 48). I thank the anonymous reviewer for drawing my attention to this point.

twelfth century. Furthermore, it is another indication of the links between Denmark and important European institutions such as Clairvaux during this time. Not least, it may provide a new testimonial to the literary and scribal culture of Ringsted, from which we otherwise we have very little evidence, although it must be stressed that this localisation is no more than a theory.

To sum up: I would postulate that *Vitae Sanctorum* 15 was compiled from several exemplars, one or more of which stemmed from Clairvaux and included the “Thomas Becket texts” (John of Salisbury’s vita, the anonymous account of the rebellion against Henry II, and the miracles of Benedict of Peterborough), the legends of Romaricus, Anastasia, Eugenia, and Marinus “puer”, as well as the acts of John the apostle by Pseudo-Mellitus. The exemplars of the sermon in honour of Trophimus and the legend of St Nicholas may also have been acquired on the journey to or from Clairvaux. Ecgwine’s legend, on the other hand, was brought to Denmark via the abbey of Evesham and its connections with the Benedictines in Odense. From all these exemplars, the scribe, who may have been a member of the community at Ringsted, compiled what was probably a multi-volume manuscript testifying to the links with Clairvaux and the Cistercians as well as the English abbey of Evesham. The scribal workshop where the legendary was compiled thus functioned as a melting pot, putting together a collection to be read aloud, confirming to the community their connections with the most influential institutions and religious orders of their time.

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TWO MISUNDERSTOOD VISUAL PUNS IN PUBLIC PROTESTS AGAINST NERO IN A.D. 68 (SUET. *NERO* 45.2)

By David Woods

Summary: Suetonius records a short list of four different examples of public protest against Nero at Rome during early A.D. 68 (*Nero* 45.2). One allegedly involved the adornment of a statue of Nero with an inscription and a lock of hair (*cirrus*), the other the adornment of his statue with an inscription and a leathern canteen (*ascopa*). It is argued here that the true significance of these two protests has been lost because the key terms used to describe the objects placed on the statues were altered during the transmission of the accounts of these events resulting in the obscuring of the puns that had been central to their understanding.

Introduction

Suetonius opens the section of his biography of the emperor Nero devoted to that emperor's deposition and death (*Nero* 40-50) with a thematic sub-section describing the omens that had allegedly foretold his deposition and death (*Nero* 40.2-3). He then begins his narrative with an account of Nero's reaction to the revolt of Julius Vindex, the governor of Gallia Lugdunensis (*Nero* 40.3-41). He next describes Nero's reaction to the news that Servius Sulpicius Galba, the governor of Hispania Tarraconensis, had also revolted against him (*Nero* 42-44). He concludes this account with a description of the new exactions imposed by Nero upon the inhabitants of Rome as he strove to collect funds to pay for a military expedition against Gaul (*Nero* 44.2). These exactions provoked resentment against him which was increased both by his apparent profiteering at a time of grain shortage and by the arrival of a ship from Alexandria which was full of sand for the court wrestlers rather than grain (*Nero*

45.1).¹ In a thematic digression, Suetonius next describes how this popular resentment against Nero manifested itself (*Nero* 45.2):

Quare omnium in se odio incitato nihil contumeliarum defuit quin subiret. Statuae eius a vertice cirrus appositus est cum inscriptione Graeca, nunc demum agona esse et traderet tandem. Alterius collo ascopa deligata simulque titulus, ‘ego quod potui, sed tu culleum meruisti’. Ascriptum et columnis, etiam Gallos eum cantando excitasse. Iam noctibus iurgia cum servis plerique simulantes crebro ‘vindicem’ poscebant.²

Thus the hatred of all was aroused against him and there was no insult of which he was not the object. A lock of hair was placed on the head of his statue, with a Greek inscription: ‘Now finally there is a contest and you must give in at last.’ A leathern canteen was tied to the neck of another and, at the same time, a tablet saying ‘I did what I could but you deserve the sack.’ People wrote on columns that he had even roused the Gauls with his singing. And at night quite a few pretended to fight with their slaves and called repeatedly for a Defender.³

- 1 The cause of this grain shortage is disputed. In favour of its being caused by the rebellion of Clodius Macer in Africa, see Bradley 1972. In favour of it being caused by Nero’s stockpiling of grain to feed his anticipated new recruits, see Morgan 2000.
- 2 Ed. Kaster 2016: 321–22. The manuscript evidence supports the reading *ascopa*, but this term remains otherwise unknown in a classical author. It is known only from the Vulgate text of Judith 10.5. See *ThLL* II, col. 772. It appears to be a transliteration into Latin, and slight abbreviation, of the Greek term ἀσκοπτίνη, found in the Septuagint text of Judith 5.10, meaning ‘leathern canteen’, although many older editions of the *De Vita Caesarum* had preferred to read it as a transliteration, and abbreviation, of ἀσκοπήρα, meaning ‘scrip, wallet’, following a conjecture of Politianus (1522) and amended it accordingly. Howard 1896: 208–10 argues in favour of correcting *ascopa deligata* to ἀσκός *praeligatus* instead. Chawner 1895 supports the reading *ascopera* if this is understood as ‘a receptacle for liquids like the simple ἀσκός’. Elder and Mullen 2019: 243, n. 64, seek to explain *ascopa* as a ‘code-switch’ between Greek and Latin. This does not work because it is not a direct transliteration of any Greek word into Latin. Furthermore, it does not explain why the only other text from antiquity to preserve this exact form is the Vulgate.
- 3 Trans. Edwards 2000: 221–22, slightly amended.

Suetonius lists four examples of anonymous popular protest against Nero.⁴ In the case of the first, third, and fourth examples within this short catalogue of acts of protest, he is the sole surviving source. In the case of the second example, however, that involving the tying of a leathern canteen (*ascopa*) to a statue of Nero together with an tablet declaring that he had earned the sack, Dio (61.16.1) records that a leather sack (*μολγός*) was tied to a statue of Nero at Rome shortly after his return there following his murder of his mother Agrippina in A.D. 59.⁵ The tying of a sack to a statue in this way seems to allude to the traditional Roman punishment for parricide whereby a criminal was sewn into a sack together with certain animals before being thrown into water to drown.⁶ As a result of the similarity of these events, it has sometimes been assumed that Suetonius and Dio describe the same event, that is, that Suetonius, or his source, has misdated the incident described by Dio rather than that a somewhat similar incident occurred again in A.D. 68.⁷ However, this is unlikely for two reasons. The first is that Dio does not record the placing of any tablet or inscription upon the statue in addition to the sack itself in A.D. 59. The reason for this, of course, was that there was no need for any additional explanation when the symbolism of the sack spoke volumes by itself. The second is that a key point of the protest in A.D. 68 was that the item placed on the statue was *not* a sack. The accompanying tablet makes this clear when it declares that Nero deserved a sack (*culleus*), emphasizing the fact that, whatever resemblance there was between the item placed on the statue (*ascopa*) and a sack (*culleus*), it

4 Such protests were not peculiar to the reign of Nero but were a regular feature of the political culture of the era. See Zadorojnyi 2011. Suetonius devotes considerable attention to such incidents in his *De Vita Caesarum*. Sometimes, he specifically notes that a statue was inscribed in protest (*Julius* 80.3; *Aug.* 70.2), but he also quotes the verses that were circulated in mockery of the relevant emperor without noting where exactly they first appeared (*Tiberius* 59; *Domitian* 14.2). On his treatment of this topic, see Slater 2014.

5 While Dio's original text does not survive, so that one is forced to rely on the epitome by the 11th-century monk John Xiphilinus for this event, he is clear that it should be dated to Nero's return to Rome following his murder of his mother and there is no reason to doubt this. That is certainly the most plausible date for such a protest.

6 On this punishment, see Kranjc 2021.

7 See e.g. Howard 1896: 208-9; Bradley 1978a: 267; Elder & Mullen 2019: 243, n. 64.

was not actually a sack (*culleus*). Indeed, if the object placed on the statue had been clearly identifiable as a sack, by whatever term, there would have been no need to add the tablet with the inscription to explain the joke. Its meaning would have been clear by itself, as it had been in the protest described by Dio for A.D. 59. Hence the focus of the protest in A.D. 68 was not Nero's killing of his mother, or any form of symbolic parricide either, even if this was also alluded to.⁸ This allusion to Nero's parricide is strictly secondary to the main joke. In summary, Dio and Suetonius do not describe the same protest from A.D. 59 that Suetonius has mistakenly displaced to A.D. 68 instead, but two different protests of only superficial similarity.

The purpose of this note is to re-examine the significance both of the placement of a lock of hair (*cirrus*) upon the statue of Nero as described in the first example of public protest above and of the alleged placement of a leathern canteen (*ascopa*) on another statue of him as described in the second example of public protest.⁹ The first example is similar to the second example in that both describe the use of a prop in addition to the protestor's main verbal statement. I will argue that the significance of both props has been severely misunderstood by modern commentators, not least because the original terms used to describe these items have been lost during the transmission of the text.

Explaining the Lock of Hair (*Cirrus*)

Most modern commentators treat the lock of hair set on the head of the statue of Nero in the first example as a symbol of some aspect of Nero's own lifestyle. Hence Edwards claims that it 'was presumably a reference to Nero's practice of wearing his hair long', while Rolfe asserts that it was 'doubtless an allusion to the long hair which he wore during his Greek trip'.¹⁰ On much the same basis, it seems, Kierdorf identifies it as a refer-

8 Keegan 2019: 285 suggests that the *ascopa*, translated as 'sack', could symbolize Nero's 'metaphorical destruction of the Roman fatherland'.

9 Keegan 2019: 284 is unique in his claim that the *cirrus* was drawn onto the statue.

10 Rolfe 1914: 169; Edwards 2000: 340.

ence to the long hair that he wore as a lyre-player, while Bradley identifies the lock of hair as a symbol of his philhellenism more generally.¹¹ Pike even goes so far to suggest that it symbolises his effeminacy, the assumption being that it was a reference to Nero's long hair once more and that the Romans regarded such long hair as effeminate.¹² One objection to all of these interpretations is that Suetonius does not say anything about the length of the lock of hair placed on the statue. Furthermore, they do not take sufficient account of where this lock was placed, at the *vertex* of the statue, suggesting that it was placed on top of the head. To understand the significance of this, one must realize what it means to say that Nero wore his hair long. When Suetonius describes how he wore his hair long during his trip to Greece, he emphasizes how it hung down at the back of his head in what seems to be a reference to shoulder-length hair.¹³ So if the protestor had wished to allude to this hairstyle, he should probably have placed the lock of hair at the neck or shoulders of the statue, not on top of the head.¹⁴ This is all the more true if this was an older statue of Nero that did not yet depict him with shoulder-length hair: the extra lock of hair should have been applied where the carved hair of the statue ended as a sort of hair-extension.¹⁵ On the other hand, if this was a more recent statue of Nero, after he had adopted shoulder-length hair, then the 'hair-extension' should not have been necessary.

The temptation to detect a Greek aspect to whatever it is that the lock of hair symbolizes is increased by the fact not only that Nero was only relatively recently returned from a prolonged tour of Greece, but that Suetonius says that the inscription placed on the statue at the same time as the lock of hair was in Greek, a claim reinforced by his use of the noun *agona*, a transliteration into Latin of a Greek term rather than a proper

11 Bradley 1978a: 267; Kierdorf 1992: 225.

12 Pike 1908: 310.

13 Suet. *Nero* 51. In support of shoulder-length hair, see Bradley 1978a: 285.

14 Any sticky substance would have sufficed to stick the hair to the statue: birdlime, fish glue, honey, animal grease.

15 There were four main consecutive portraits of Nero from A.D. 50 to A.D. 64. He began wearing his hair longer in the neck in A.D. 59. See Bergmann 2013: 332-39.

translation of it.¹⁶ Since the Greek noun ἀγών was associated with athletic contests in particular, although it could in fact be used of any situation involving some sort of contest, from a legal dispute to a military battle, it is natural to explore whether the lock of hair was set upon the statue in continuation of some larger sporting metaphor.¹⁷ In fact, competitors in Greek athletic contests were accustomed to tie their long hair in a tuft at the top or back of their heads.¹⁸ Furthermore, Nero was very interested in Greek athletics.¹⁹ Consequently, it has been suggested that the placing of the lock of hair on Nero's statue may have been intended to depict him as a Greek athlete in continuation and reinforcement of the athletic metaphor.²⁰ This is not impossible, but it is not necessary either. Apart from anything else, this interpretation assumes a length and volume of hair that is unsupported by Suetonius' simple reference to a lock of hair. Furthermore, one is left wondering how the protestor could have made this lock of hair stand up sufficiently to resemble a proper tuft.

It is necessary to rethink the symbolism of the placement of the lock of hair on the statue of Nero, and one may begin this process by emphasising that one needs to pay due attention to the meaning of the act of protest as a whole, the placement of both inscription and lock of hair upon the statue. One strong possibility, based on the alleged timing of this this act of protest and the fact that Suetonius has already devoted considerable space to discussing Nero's alleged preparation to lead a military expedition to Gaul, is that it was intended to refer to Nero's prospective defeat by the rebel forces in Gaul. The only doubt, perhaps, is whether Vindex was still alive when this protest occurred or whether it occurred after his defeat by the army of Verginius Rufus and subsequent suicide. Nevertheless, the Gallic provinces remained loyal to the man to whom Vindex had himself pledged his support as the new emperor, Galba. It would be odd, therefore, if this act of protest was intended to

16 Nero departed for Greece in early August A.D. 66 and returned to Rome in December of the same year. For further discussion, see Bradley 1978b. As to why the protestor apparently wrote in Greek rather than in Latin, that may have been in implicit criticism of Nero's excessive Hellenism. See Elder and Mullen 2019: 243-45.

17 *LSJ*:18-19.

18 In general, see Thuillier 1998.

19 In general, see Leigh 2017.

20 See Rich 1849: 166.

reference Nero's expected defeat in Gaul but did not include some more pointed and explicit reference to the rebellion there, something to place the intended point of reference beyond any doubt whatsoever.

The apparent bland vacuity of this protest contrasts noticeably with the contents of both the third and fourth examples of public protest that do contain specific references to their intended topics, the threat posed to Nero by the rebellion in Gaul. In the case of the third example, as all commentators agree, there is a play upon the term *gallus* which can mean either rooster or an inhabitant of Gaul, so the claim that Nero has roused the roosters with his singing seems at one level to be a criticism of his singing, a claim that he sounds like a rooster, but refers at another level to the fact that his behaviour has roused the Gauls to rebellion, that is, that he has provoked the rebellion by Vindex, the governor of Gallia Lugdunensis, even if he was now dead.²¹ Similarly, all commentators also agree that the fourth example contains a play upon the term *vindex* which literally means 'defender', but could also be used as a real name, as it was in the case of the rebel Vindex.²² Hence while the protestors seemed at one level to be calling for someone to defend them against their troublesome slaves, at another level they were calling upon Vindex to defend them against Nero.

As one considers the problem posed by the placement of the lock of hair on the statue, it is natural to inquire whether it is related in some way to this last problem, the apparent absence of any specific reference either to the rebellion in Gaul or to any other specific issue. However, it is important next to realize that Vindex started this rebellion in an area that had been known as Gallia Comata 'long-haired Gaul' before its conquest by Julius Caesar and its subsequent division into the provinces of Gallia Aquitania, Gallia Lugdunensis, and Gallia Belgica.²³ The relevance of this is that the adjective *comatus* 'long-haired' is formed from the noun *coma* meaning 'hair', whether a full head of hair or a lock of hair.²⁴ Hence the placement of *coma* 'hair' on Nero's statue may have been intended in

21 See e.g. Rolfe 1914: 169; Warmington 1977: 81; Kierdorf 1992: 225; Edwards 2000: 340.

22 See e.g. Rolfe 1914: 170; Warmington 1977: 82; Kierdorf 1992: 225; Edwards 2000: 340.

23 For *Gallia Comata*, see e.g. Plin. *HN* 4.105; Suet. *Jul.* 22.1; Tac. *Ann.* 11.23.

24 *OLD*² 392-93; *ThLL* III col. 1746-52.

allusion to Gallia Comata, the seat of the rebellion started by Vindex, rather than to Nero's hairstyle.²⁵ However, this interpretation raises the question of why Suetonius does not refer to this hair by means of the term *coma* rather than the term *cirrus*, since his use of *cirrus* rather than *coma* obscures the apparent allusion to Gallia Comata and the rebellion started by Vindex.

The answer to this probably lies in the transmission of this tradition. On the one hand, one could argue that the ultimate source for this incident had failed to understand the significance of the hair and so failed to use the term *coma* as he or she passed it further along the chain of transmission. Yet it seems rather unlikely that anyone who had viewed or heard about this incident at the time could have failed to understand the importance of the term *coma* in this context. On the other hand, the term *coma* may have been lost as the text was transmitted by a subsequent author who had not lived through the relevant time and may not have spotted the pun as he sought to rephrase his source. Of course, if this text had been translated from Latin to Greek and then back again during the course of its transmission, the possibility of the loss of the precise term *coma* would have been considerably increased.

One may now return to the inscription. If one understands the lock of hair placed upon the head of the statue as a symbolic reference to Gallia Comata, then the term *agona* must refer to the state of civil war between the central government under Nero and the rebellious Gallic (and possibly Spanish also) provinces. As for the term *tradere*, this should refer not to Nero's surrender of himself following defeat in some athletic contest, but to his surrender either of himself or of his imperial authority (*imperium*), if not both, following his defeat in this civil war.²⁶ The inscription is certainly ambiguous, employing a sporting metaphor to describe a civil war situation. It does so partly to make the point that Nero had devoted his life to trivial pursuits such as athletics and will be defeated in

25 It is important to note that this pun would have worked well in Greek also if the reader of the Greek inscription was supposed to continue thinking in Greek as he identified the object placed on the statue. This is because the Latin *coma* is simply a transliteration of the Greek κόμη.

26 Ambiguity is created by the failure to provide an object for *tradere*, leaving it to be assumed. One presumes that this was true of the original Greek also.

a civil war for which he is totally unprepared and quite unsuited. However, the political context and added hair in reference to Gallia Comata serve to clarify that the main focus of this joke is the civil war rather than Nero's sporting prowess. Most importantly, the general public would have been primed to read the statue in this manner by Nero's own behaviour in confusing military and sporting references when he had re-entered Rome in late A.D. 67 following his many sporting and artistic victories in Greece as if he were celebrating some form of military triumph.²⁷ In referencing Nero's expected defeat in the civil war as a sporting defeat, the author of this protest was also reversing Nero's recent celebration of his sporting victories as military victories.

Explaining the Leathern Canteen (*Ascopa*)

One may now turn to a re-examination of the significance of the *ascopa* within the second example of public protest. As noted above already, this protest has sometimes been treated as a misplaced description of an event that Dio dates to shortly after the murder of Agrippina in A.D. 59, but this is most unlikely. There is no need to doubt that it dates to early A.D. 68, so its meaning can only be properly understood in the context of that time. So, what was the main target of this joke, if not Nero's murder of his mother? What was the significance of the *ascopa*? To answer this, one needs to explain every aspect of this puzzle in full. Since the placing of an inscribed tablet on the statue seems to have been considered necessary to explain the significance of the object placed on the statue, one may start with it. Perhaps the most obvious question here concerns the identity of the *ego* of the inscription and what it means to say that he did what he could. Kaster follows Edwards in assuming that the anonymous protestor is talking in his own voice here, and that when he declares that he has done what he could, he is talking about his adornment of the statue with the *ascopa*, a 'small leathern container' rather than the *culleus* 'sack' which Nero had properly merited.²⁸ While this is possible, it means

27 Suet. *Nero* 25.1-2; Dio 63.20-21. For analysis of this imitation triumph, see Champlin 2003: 229-34.

28 Edwards 2000: 221; Kaster 2016b: 219.

that the protest is not particularly witty, displaying none of the wordplay that one has come to expect from such examples of public protest, the very wordplay which probably best explains why these few examples of public protest in particular were remembered from among what must have been a far larger number of acts of protest. Furthermore, it seems rather dated in its criticism of Nero's reign or character, perhaps too much so, in that it seems to focus on Nero's murder of his mother in A.D. 59 rather than on some more recent and more topical event. For this reason, it seems to me a potentially more fruitful approach to assume that the anonymous protestor is not speaking in his own voice here, but in the voice of someone else. For there to have been any chance that the public would recognize the identity of this alleged speaker, he must have been a senior political figure who had had some real influence on public affairs for a while at least. Furthermore, the implication of the inscription seems to be that this person had always been loyal to Nero ('I have done what I could'), but that, in the end, even he had had to admit that Nero deserved to be executed.

If the protestor had simply meant to imply that Nero deserved to be executed, without any references to him as a parricide which was old news by A.D. 68, then he or she has gone about this in a rather unusual way by implying that he deserved to be drowned in a sack rather than executed in some more common manner such as being beaten to death with clubs, stabbed with a sword, thrown to wild beasts, hanged, or even burned to death in some way. The suspicion arises that the sack was chosen as the implied method of death to create a suitable contrast to the object with which the statue was adorned, the *ascopa*, rather than vice versa. In turn, this suggests that the *ascopa* possessed some symbolic importance that was probably key to the understanding the true focus of this protest. Given the traditional Roman love of puns, including visual puns, especially on personal names, one obvious suggestion is that the *ascopa* may have symbolised the identity of the person to whom the protestor wished to attribute the accompanying inscription.²⁹ However, it is

29 On the Roman love of puns upon real names, see McCartney 1919; Corbeill 1996: 85-97. Roman coinage of the late Republican period reveals many visual puns upon the names of the moneyers in particular. See e.g. Crawford 1974, no. 238/2-3 (depicting a jackdaw [*graculus*], punning upon the moneyer's cognomen Gragulus); no. 342/1-2

difficult to understand how a leathern canteen could have symbolized anyone significant during the late reign of Nero.

Since the reading of the term *ascopa* is controversial, it may help at this point to consider this problem more broadly. Rather than asking whether the term *ascopa* puns upon the name of any significant political figure under Nero, it may prove more fruitful to ask whether the name of any such figure resembled the term for any form of object that might plausibly have been compared to a container such as the sack (*culleus*) mentioned in the inscription. As one reviews the possibilities, it is hard not to notice that the *cognomen* of the leading Roman general during the reign of Nero, Gnaeus Domitius Corbulo, bears a striking resemblance to the Latin term *corbis* 'basket' or *corbula* 'little basket'.³⁰ Corbulo had a long history of loyal service to Nero on the Parthian frontier and was the most highly reputed general of his day.³¹ Nevertheless, Nero summoned Corbulo to him with the intention of executing him while he was in Greece in late A.D. 66, and Corbulo committed suicide shortly after his arrival when he realized what Nero's intention was.³² Hence his death was still a relatively recent event by the spring of A.D. 68 when no-one had yet emerged to overshadow his achievements. Given his recent death, he would have been a strong candidate to whom to attribute such words as the protestor wrote. Furthermore, by his long record of loyal service to the emperor, he had indeed done as much as he could on his behalf, not least because he was now dead and no longer alive to contribute again at a time when Nero needed him more than ever in the face of a looming civil war. Finally, a play between the name Corbulo and the term *corbis*, or *corbula*, would have been genuinely witty, and the claim, in effect, that Nero had deserved a sack rather than a basket would have implied that he had not deserved so able and loyal a general as Corbulo, which was probably the common belief at the time.

(depicting a mask of Pan, punning upon the moneyer's name Pansa), no. 474/1-6 (depicting an adze [*acisculus*], punning upon the moneyer's name Acisculus; no. 526/1-4 (depicting a calf [*vitulus*], punning upon the moneyer's name Vitulus).

30 Juvenal may pun on the similarity between Corbulo and *corbula* when he declares (*Sat.* 3.251): *Corbulo vix ferret tot vasa ingentia*. See Courtney 1980: 188.

31 On his life and career, see Syme 1970.

32 Dio 63.17.

The obvious suitability of Corbulo to serve as the main reference point of some joke contrasting one form of container to another form of container forces one to reconsider Suetonius' apparent use of the term *ascopa*. How reliable is the transmitted text here? Two points need to be borne in mind. The first point is that all of the surviving manuscripts of the *De Vita Caesarum* descend from a single archetype that 'emerged in north-central France, late in the eighth century or very early in the ninth' where the text of this manuscript was 'of undistinguished quality at best, marred by many gross defects'.³³ The second point is that the term *ascopa* only occurs in two surviving literary texts, once each in Suetonius' *De Vita Caesarum* and in the Vulgate translation of the book of Judith (10.5).³⁴ These points raise the possibility that the reading *ascopa* at Nero 45.2 simply represents the best effort of an early medieval monastic scribe, familiar with the language of the Vulgate, at resolving a problematic reading in the text before him.³⁵ So, is this what happened?

To test this possibility, one must next investigate whether there is any Latin term meaning 'basket' with sufficient resemblance to the term *ascopa* that some corrupt form of it might plausibly have been corrected to read *ascopa* instead. While there is some resemblance between the term *corbis* 'basket', or *corbula* 'little basket', and the term *ascopa*, there is a slightly stronger resemblance between the term *cophinus* and the term *ascopa*, where *cophinus* is a transliteration into Latin of the common Greek noun κόφινος 'basket'.³⁶ There was also a diminutive form of κόφινος, κοφίνιον 'little basket', although no surviving Latin text seems to preserve a transliteration of this.³⁷ However, if the reading *deligata* in the same line is correct, and this was not also changed at the same time as the text was mis-corrected to read *ascopa*, one should probably prefer a feminine noun in the manner of *corbula*. Furthermore, this is the best term as far the pun itself is concerned. For these reasons, I tentatively suggest the correction of *ascopa* to read *corbula* instead.

33 Kaster 2016b: 3.

34 *ThLL* II, col. 772.

35 Howard 1896: 208 seems to argue similarly.

36 On *cophinus*, see *ThLL* IV, col. 897.

37 *LSJ* 988.

It is my argument, therefore, that a protestor had placed a *corbula* ‘little basket’ on the statue of Nero in punning reference to the name of the general Corbulo, and that Suetonius had originally written that *alterius collo corbula deligata simulque titulus* ‘a little basket was tied to the neck of another [statue] and, at the same time, a tablet’ rather than *alterius collo ascopa deligata simulque titulus* ‘a leathern canteen was tied to the neck of another [statue] and, at the same time, a tablet’. However, the term *corbula* seems to have been corrupted during the transmission of the text so that an early monastic scribe, realising from the ending of *deligata* that a feminine noun was required and from the substance of the text that this noun had to describe a container of some sort vaguely comparable to a *culleus*, corrected the text to read *ascopa*, a noun familiar to him from the reading of the Vulgate, without realising that this term would have been unknown to Suetonius and other authors of the same period.

Conclusion

I have argued that the text of Suetonius as it has come down to us cannot be trusted in its descriptions of two of the four examples of public protest that appear to have been carried out against Nero at Rome in early A.D. 68. In each case, it is arguable that the text uses terms that obscure the puns that were central to the full understanding of these acts of protest at the time of their performance. In the first case, it makes more sense to describe what a protestor placed on a statue of Nero as *coma* ‘hair’ rather than *cirrus* ‘lock of hair’, because that clarifies that the joke refers to what is happening in *Gallia Comata* ‘Long-haired Gaul’. In the second case, it makes more sense to describe what a protestor placed on a statue of Nero as a *corbula* ‘little basket’ rather than an *ascopa* ‘leathern canteen’, because that clarifies that the joke refers to Nero’s shameful treatment of his loyal general Corbulo. It seems unlikely that Suetonius would have failed to perceive these puns had they been present in his immediate source. In the first case, therefore, the fault presumably lies with the author of his immediate source or someone before him. In the second case, however, the nature of the error suggests that the fault lies with the mistaken correction of the text by an early monastic scribe.

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TWO CONJECTURES IN THE ‘FABELLA SULPICIAE’ (EP. BOB. 37.65–66)

By Maxwell Hardy

Summary: Two conjectures are offered on the text of the *Fabella* (or *Conquestio*) *Sulpiciae* (Ep. Bob. 37). It is argued that at v. 65 *aequos* ‘equal, fair, reasonable’ is an anagrammatic corruption of *quaseso* ‘please’, and that at v. 66 *nostro* ‘our’ is a corruption of *nullo* ‘no’.

Interest in the text of the so-called *Fabella Sulpiciae*, a long diatribe against Domitian’s expulsion of philosophers from Rome, has recently been reignited.¹ In this brief article two conjectural emendations are offered at the poem’s close. The text cited below is James Butrica’s reconstruction of the lost archetype (Giovanni Galbiati’s 1493 transcript of an eighth-century MS copied at Bobbio), punctuated in line with modern conventions.²

The Muse makes her reply to Sulpicia’s speech:

65 haec ego. tum paucis dea me dignarier infit:
 ‘pone metus aequos, cultrix mea: summa tyranno
 haec instant odia et nostro periturus honore est.
 nam laureta Numae fontisque habitamus eosdem
 et comite Egeria ridemus inania coepta.
 uiue, uale. manet hunc pulchrum tua fama dolorem:
70 Musarum spondet chorus et Romanus Apollo.’

* I am grateful to the anonymous reviewer for their helpful comments.

- 1 See Hockings 2021. The date and authorship of this poem are much disputed: it could be an original poem by the Sulpicia known to us from Martial’s epigrams (10.35, 38), or a fourth-century forgery written in her name at a time when her poems were exciting new interest (cf. e.g. Auson. *Cent. nupt.* p. 153 Green).
- 2 Butrica 2006: 88–99. **B** = Vat. lat. 2836 (*non ante* 1493); **V** = the *editio princeps* of Ep. Bob. 37 (1498); **P** = Ugoletus’ Ausonius (1499); **A** = Avantius’ fourth edition of Ausonius (1507).

64 haec **VP**: nec **B** | dignarier] dignatur et *Pithoeus* || 65 *aequos*] *caecos*
Hertz: *saeuos* *Baehrens*: *aegros* *Peiper*, *Eskuche suo Marte*: sequor en
Withof | pone metum, *cultrix mea*: saeuo summa tyranno *Boot* || 66
 haec] ecce *Heinsius*: hinc *Hertz* | odia] *gladii Butrica*: dira *Hockings* | hon-
 ore] honori *Burman* || 69 tua] sua *Pithoeus* | dolorem] laborem *Hockings*

So I spoke. The goddess then began to honour me with a brief response: ‘Lay aside your reasonable (?) fears, my devotee. The most decided enmity closes in upon the tyrant, and he will perish with our honour. For we inhabit the laurel-groves and fonts of Numa, and with Egeria by our side we mock his vain enterprises. Live long, keep well: your fame awaits this honourable grief. The choir of the Muses and the Roman Apollo promise it.’

The generality of critics agree that *pone metus aequos* ‘lay aside your reasonable fears’ cannot be what the author of this poem wrote: encouraging someone to lay aside their fears, only to qualify those fears as ‘just’ or ‘reasonable’,³ is not a very effective way to go about setting a nervous person at ease.⁴ Baehrens, Hertz, Peiper and Eskuche accordingly exchange *aequos* for a more negative epithet – *saeuos*, *caecos*, and *aegros* respectively – and at least two modern editors print one of these suggestions.⁵ However, as *Withof* and *Boot* long ago remarked, the expression *pone metus* (or *metum*) is not usually construed with an epithet qualifying

3 Giordano Rampioni 1982: 59 and Lana 1949: 69 offer ‘i tuoi giusti timori’.

4 *Withof* 1799: 136: ‘wie kann man von der Furcht das Beiwort *aequos* gebrauchen, und doch sagen, dass man sie ablegen solle?’ Baehrens 1873: 36: ‘*metus aequos*, id est, ueros nemo potest iuberi deponere, potest timores quamlibet magnos, dummodo uanos.’ The parallels for *metus aequos* adduced by Munari 1995: 95, viz. *Carm. Priap.* 55.4 *iustos ... metus*, *Sen. Contr.* 1.1.11 *iustus metus* and *Ulp. Dig.* 4.2.7.1 *iustus ... metus*, neither confirm the Latinity of *aequos* (as opposed to *iustos*) nor describe *Sulpicia*’s fears as ‘justified’ while also advising her to ignore them.

5 Baehrens 1873: 36; 40 (cf. Baehrens 1883: 96); Hertz 1874: 574; Peiper 1886: 416; *Eskuche* 1890: 388–89. *Butrica* 2006: 101 prints *caecos*, *Fuchs* 1968: 46 *aegros*. The transmitted lection is retained by Lana 1949: 68, Munari 1955: 95, *Speyer* 1963: 47, and Giordano Rampioni 1982: 58.

metus (or *metum*).⁶ In fact, if a search of the *Musisque Deoque* website can be relied upon,⁷ it is not ever so construed, save once in a passage of Ovid’s *Metamorphoses*, where the epithet refers to qualities not congenial to fear itself: *pulchros, regina, piosque | pone metus*, ‘lay aside, queen, your becoming and pious fears’ (11.389-90). There Ovid’s *pulchros* and *pios* contribute something additional to the sense of *metus*. In Sulpicia, by contrast, it is very far from obvious what meaning is added by *aegros* ‘sick’, *saeuos* ‘cruel’, or *caecos* ‘blind’, that is not already present in *metus* to some degree. As the sense ‘lay aside your fears, my worshipper’ is complete in itself and wants no expansion, I suspect that the corrupted word was a parenthetical one, and this I conjecture to be *quaeso* ‘please’.⁸ The gods of the classical pantheon do not normally condescend to such courtesies as ‘please’ or ‘thank you’; but, says Butrica, in this poem ‘Sulpicia is “renewing [her] intimate counsel” with one who knows and recognizes her’ (cf. 3-4 *nam tibi secessi, tecum penetrare retractans | consilium*); and the words of the muse are expressive of this relation in other ways.⁹ In v. 69, for instance, Calliope signs off with the friendly valediction *uiue, uale*, ‘live long, keep well’ (also at Hor. *Epist.* 1.6.67). And if, in the same line, Hockings’s *laborem* be accepted for *dolorem* and Pithoeus’ *sua* for *tua*, then the sentence *manet hunc pulchrum sua fama laborem* can be understood as a friendly compliment on the fame-winning excellence of Sulpicia’s verse.¹⁰ If *quaeso* be right, I imagine it will have come to *aequos* by the same anagrammatic process that at Ov. *Her.* 9.20 converted *turpis* into *stupri* and at *Trist.* 1.1.83 changed *argolica* into *agricola*.¹¹

6 Withof 1799: 136; Boot 1868: 17 (whose rearrangement *pone metum, cultrix mea: saeuo summa tyranno*, does not appeal for metrical elegance). For *pone metus* without an epithet, cf. Ov. *Am.* 3.6.61-62, *Met.* 1.736, 15.658, *Pont.* 3.3.83, *Stat. Theb.* 3.713, 9.895, *Silv.* 2.1.183, and Hil. *Pict. Macc.* 86. For *pone metum* without an epithet, cf. [Tib.] 3.10.15, Ov. *Her.* 16.68, 20.1, *Ars am.* 1.556, *Rem.* 544, *Met.* 3.634, 5.226, *Fast.* 2.759, *Tr.* 5.2.3, *Stat. Theb.* 11.727, and Maxim. *Eleg.* 3.60.

7 Mastandrea et al. 2007.

8 For *pone* combined with a word equivalent to ‘please’, cf. Ov. *Met.* 14.762 *pone, precor, fastus*; *Stat. Silv.* 2.6.103 *pone, precor, questus*; and Sil. *Pun.* 9.350 *pone, precor, lacrimas*.

9 Butrica 2006: 115.

10 Hockings 2021: 885.

11 For the latter corruption see Owen 1889: 6 n. 83; and for a very long list of similar anagrammatic errors, see Housman 1903: lviii-lix; Willis 1972: 81-87.

The second problem that I wish to discuss arises from v. 66. The statement *et nostro periturus honore est* is of dubious meaning. Baehrens took it in the sense ‘honore, quem semper nobis Romani habuerunt habentque, eueniet ut in iram indignationemque accensi tyrannum tollant’.¹² That is, he took *nostro ... honore* as causative: ‘by the honour which the Romans have for us [sc. Calliope], he [sc. Domitian] will be made to perish.’ This is a rather odd notion, for why should the Romans’ respect for Calliope impel them to depose an emperor? Surely they had more pressing reasons to remove him?¹³ Other critics have sought to extract from *nostro ... honore* the meaning ‘to’ or ‘in our honour’, a sense that might have been more easily conveyed by *honori*, which Burman accordingly conjectured.¹⁴ But this reading, though accepted by Butrica, is open to a similar objection as the last: how could the assassination of an emperor ever bring ‘honour’ to a *Muse*? It is doubtful too whether vv. 67–68 follow from this statement with the clear logic implied by *nam*. This particle has explanatory force, but in no way is the prophecy ‘and he shall perish in honour of us’ explained by the statement ‘for we inhabit the groves and founts of Numa, and with Egeria we mock his vain enterprises’.

The passing of an emperor was usually attended with public displays of respect: a state funeral, dirges, eulogistic orations and so forth.¹⁵ It is notorious that Domitian on his decease received no honours of this kind: *cadauer eius*, Suetonius says, *populari sandapila per uispillones exportatum Phyllis nutrix in suburbano suo Latina uia funerauit* ‘his body was carried out on a pauper’s bier by those who bury the common folk, his nurse Phyllis cremating it at her suburban estate on the Via Latina’ (*Dom.* 17.3).¹⁶ That is to say, Domitian did not die ‘with’ or ‘in’ or ‘to’ or ‘by’ the Muses’ honour; he died emphatically ‘without’ it. If Sulpicia’s *honore* was intended to signify the respect that ought to be accorded to a recently expired emperor, then sound sense in adequate style can be restored if only the text

12 Baehrens 1883: 36.

13 Collins 2009: 79: ‘In Suetonius’ account, Domitian’s *saevitia*, his confiscations of property, his *cupiditas*, and his extreme arrogance made him hated and feared, until “at length he was killed in a conspiracy of his friends, intimate freedman, and his wife”. See Suet. *Dom.* 14.1.

14 Burman 1731: 439.

15 See e.g. Suet. *Aug.* 100.1–4, *Tib.* 75.3, *Claud.* 45.1, *Tit.* 11.1.

16 See also Suet. *Dom.* 23.1.

be made to say something like 'and he shall die *without* honour'.¹⁷ A simple way of doing this would be to read *nullo* 'no' in lieu of *nostro* 'our'.¹⁸ *Nam* then accomplishes the point it was written to make: not only is Domitian deprived of the Muse's honour in failing to receive, say, an epicedion or eulogy, but she even 'mocks' him and his *inania coepta* with the satire which she has inspired Sulpicia to write.

Occasions when *nullus* is collocated with *honor* are too numerous to cite here, but note, in connection with funerals, Lucil. 691 Marx *nullo honore ... nullo funere* and Suet. *Dom. 2.3 defunctumque nullo praeter consecrationis honore dignatus*. For the corruption *nullo* → *nostro* (common in later MSS, owing to the shared abbreviation *n^o*), see Prop. 1.16.21, where the opposite mistake, *nullo* for *nostro*, is made by the scribe of cod. Leidensis Voss. Lat. 81 (s. xv) (probably, however, in perseveration of *nulla* at the beginning of the line).¹⁹ The likeness of *o* to *u* in the cursive pre-Carolingian minuscule script of Galbiati's exemplar might have abetted the error.²⁰

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17 For *honor* in the sense of 'funeral rites', see Mehmel, *TLL* 6.3.2925.23-61.

18 Else, conceivably, *cariturus* for *periturus*: 'and he shall want our honour.' The anonymous reviewer, however, finds *nullo* to be more emphatic, and indeed we have had *caritura* (Peiper's excellent emendation of *captiua*) already in v. 52. To read *cariturus* would also deprive the end of this poem to a reference to Domitian's death, the violence of which is well conveyed by *periturus*.

19 See the apparatus of Richmond 1928: 124.

20 See Butrica 2006: 89 (citing Ferrari 1973: 21 n. 2; 13).

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A SOCIOLOGY OF TEXTILE PRODUCTION IN HOMER

By Lowell Edmunds

Summary: The textiles produced by the Homeric household are a necessity in an economy in which trade and markets are almost unknown. The estate of which the household is a part must be self-sufficient. Weaving produces clothing and also a surplus that is stored for use in exchange. A sub-set of servants is organized for this purpose. The Homeric epics provide sufficient evidence for a sociological description of how they are organized. The freedom of Helen or of Andromache to choose the figures that she weaves has to be understood in the context of this larger necessity.

One of the main responsibilities of the women in the Homeric household is textile production, a sociology of which describes how they are organized for this purpose. The herds of the estate to which the household belongs produce the required wool.¹ The estate, whether in Troy, Sparta, or Ithaca or on Phaeacia, aims as a whole at self-sufficiency and does not aim to make money. The Homeric economy, with two exceptions to be noted, does not include markets and trade, even if eighth- and seventh-century audiences of Homer had experience of them.² The pre-market economy, Karl Polanyi said, is “embedded in social relations.”³ Because

- 1 The word “household” is used here as a synonym for “house” or to refer to the house, its personnel and its possessions, whereas elsewhere in scholarship on Homer “household” sometimes refers inclusively to the house and the rest of the estate, its land and animals (as in Thalmann 2011d).
- 2 Tandy 2011: 227. The sociology undertaken in the present article is not discussed as the reflection of a particular historical period. For the question of the relation of the Homeric epics to the societies of eighth- and seventh-century audiences see Raaf-laub 2011: 810.
- 3 Polanyi 1957: 272. (The first ed. of Polanyi’s book was published in 1944.) Polanyi’s theory was based on anthropological and historical research but he did not cite the relevant work probably best known to classical scholars, Mauss 1923-1924. For the intellectual-historical context of the reception of Polanyi’s book, by Moses Finley

high-status women in Homer weave and spin and supervise the preparation of the wool by servants, a sociological description of textile production is possible that is not possible for women's other responsibilities, such as the storage and preparation of food. These, like much else, lie in the background of the heroic narrative.⁴

In Homer, the high-status woman has two responsibilities, articulated in Hector's admonition to Andromache:

ἀλλ' εἰς οἶκον ἰοῦσα τὰ σ' αὐτῆς ἔργα κόμιζε
 ἰστόν τ' ἠλακάτην τε, καὶ ἀμφιπόλοισι κέλευε
 ἔργον ἐποίχεσθαι (*Il.* 6.490-93)

But go into the house and take care of your own work,
 the loom and the spindle, and bid your servants
 to go about their work.

The high-status woman's work is spinning and weaving and supervision of her servants. For the most part, servants neither spin nor weave. As for spinning, Alcinous' fifty slave women, some of whom spin (*Od.* 7.106), and some of the servants of Penelope (*Od.* 18.315), are exceptional. As for weaving, the Sidonian women brought by Paris to Troy as captives are skilled weavers (*Il.* 6.289-92) and presumably continue to weave in Troy. Some of Antinous' fifty slave women also weave (*Od.* 7.105).⁵ When in the same context the narrator speaks of the Phaeacian men as superior sailors and the women as weavers skilled above all others, thanks to Athena (*Od.* 7.108-11), he can be assumed to be referring to Phaeacian society as

among others, see Wagner-Hasel 2011: 318-20 and 329-31 on the debate on the market orientation of the ancient economy. Finley 1985: 26 refers in passing to Polanyi among others who argued the "inapplicability of a market-centered analysis" in the study of ancient Greece.

4 Lateiner 2011c: 914: "... [E]pic poetry concerns cosmic, heroic, and historic events, not economic constants and the repetitious tedium of everyday life and its essential practices (eating, farming and herding ...)."

5 The word used of their weaving (ὑφάω) is a Homeric hapax.

a whole.⁶ This division between male and female spheres corresponds to the one that Hector has in mind in the admonition to Andromache just quoted. Hector continues: πόλεμος δ' ἄνδρεςσι μελήσει / πᾶσι (“war will be the care of men, all men,” *Il.* 6.493-94)

The word that Hector uses for servants (ἀμφίπολοι, “those busied about” something) is one of the two common words for slaves in Homer.⁷ The other is δμωαί (fem. plural) and δμώς (masc.), related either to δάμνημι “to conquer” or δόμος “house.” Another, much less common word is οἰκεύς (“of the household”; in plur. of women).⁸ Many slaves bear a close personal relation to their master or mistress. For this reason, the words for slave are usually here translated “servant,” as a way of referring to role as distinguished from status.⁹

When someone arrives unexpectedly in the presence of a high-status woman or a goddess, he finds her spinning or weaving.¹⁰ When Hermes

6 Rood 2008 studies shipbuilding similes as the largest set of thirteen technological similes in the *Iliad*. Her criterion for this list is the requirement of the skills of a specialized craftsman. She includes the skills of spinning and weaving although she considers them an exception to her rule because “most women from slaves to noblewomen practiced these domestic crafts.” Rood wrongly assumes that the wide diffusion of these skills means that as such they were not really skills, requiring the same training as the others and leading to the same rankings of abilities in each of them. Nosch 2015, proceeding from the gendered interpretation of the loom and the ship by Bertolín 2008, discusses the morphological and technological relationship between the two and their shared terminologies. She suggests that the development of the ship may have been based on knowledge that came from weaving on the warp-weighted loom.

7 There is also the verb ἀμφιπολεύειν (*Od.* 5x, of which 4x with masc. subj.)

8 *Il.* 2x; *Od.* 5x. For other, less common words see the inclusive lists in Ndoye 2010: 310-15. There are a few words formed on δουλ- “slave”: δούλη (*Il.* 3.409; *Od.* 4.12); δουλός (Od. 22.423); δούλειος (*Od.* 24.252). There is also the formula δούλιον ἡμᾶρ (*Il.* 6.463; *Od.* 14.340; 17.323).

9 Thalmann 2011a: 808: “The terms used for slaves tend to emphasize relationships rather than status.” For a bibliography on slaves in Homer see *Lfgre* s.v. οἰκεύς L. For an extensive discussion of Homeric terminology for slaves see Ndoye 2010: 198-226 (3.1 “Le système lexical”).

10 The typology of Arend 1933 in his chapter on arrival scenes is keyed to the one who arrives and he does not analyze his third element (the one who arrives “findet den Gesuchten sitzend oder stehend oder mit etwas beschäftigt ...”, 28), although he does compare Helen’s weaving at *Il.* 3.125-28 with Andromache’s at 22.440-41 (53).

arrives at Ogygiē, he finds Calypso weaving (*Od.* 5.61-62). Nausicaa directs Odysseus to the palace of her father Alcinous, where he will find her mother Arētē spinning (*Od.* 6.303-307). When Odysseus' men arrive at the house of Circe they hear her inside singing as she works at her loom (*Od.* 10.221-23). Iris / Laodicē finds Helen weaving (*Il.* 3.125-28). The narrator points out that a messenger had *not* come to Andromache, as she worked at her loom, to tell her of the death of Hector (*Il.* 22.438-41). By contrast, there is no sign of spinning in the description of Penelope at the doorway to the hall (*Od.* 1.328-31), when she addresses Phemius, or when she enters the hall for the interview earlier proposed by the beggar (*Od.* 19.53-59).¹¹ The former example might be explained by the fact that Penelope has no intention of staying where she is.

At the opening of Book 4 of the *Odyssey*, the narrator, to satisfy the exigencies of his narrative, makes a compromise. *Men* do not find Helen weaving or spinning but she is ostensibly prepared to engage in spinning when *she* finds the men in the megaron of Menelaus' palace. Thus, in a situation in which a loom could not appropriately be set up, Helen enters with a golden spindle, described as lying on top of a basket (4.120-37).¹² A loom would be found in an inner room, as when Iris / Laodicē finds Helen weaving (*Il.* 3.142).¹³ When Penelope appears at the door of the hall in which the suitors are listening to the song of Phemius, Telemachus

11 Canevaro 2018: 68-70 discusses the entrances of Helen and of Penelope separately from the type-scene of which they are instances and finds it "striking that both women are introduced through objects." One would rather say that it is striking that Penelope is not introduced through wool-working objects.

12 Pace Neri 2016, who translates ἡλακάτι, the object lying on top of Helen's basket of spun wool, "distaff." One cannot spin with a distaff. The spindle draws fiber from the distaff.

13 Cf. Krieter-Spiro 2009: 61 = Krieter-Spiro 2015: 63-64 on this line. Ferrari 2002: 42: it is striking that "Helen's epiphany has many remarkable points of comparison" with a series of vase paintings in which women are working wool in a forecourt or in another part of the house in which they are found by male visitors. Ferrari also makes the point that "in the imaginary world depicted on the vases, signs of wool-working are predominantly attached to pretty girls," who are unwed, and observes that Helen is one of the few exceptions (57).

tells her to go to her chamber and attend to her own tasks, weaving and spinning (*Od.* 1.356-59; cf. 21.350-53).¹⁴

The supervision of her servants enjoined upon Andromache by Hector would have included assigning them the tasks that prepare the raw wool for spinning and weaving.¹⁵ These tasks constitute an “operational sequence” or “chaîne opératoire” or “taskscape.”¹⁶ The head of the household as the supervisor of the servants in this sequence is the Eleatic visitor’s model of the statesman in Plato’s *Politicus*. The visitor says that genuine statesmanship will never try to combine good with bad characters in constructing the life of a community. Children judged to be good will be put in the hands of competent educators, who, however, will be directed by the statesman

καθάπερ ὕφαντικὴ τοῖς τε ξαίνουσι καὶ τοῖς τᾶλλα προπαρασκευάζουσιν ὅσα πρὸς τὴν πλέξιν αὐτῆς συμπαρακολουθοῦσα προστάττει καὶ ἐπιστατεῖ, τοιαῦτα ἐκάστοις ἐνδεικνῦσα τὰ ἔργα ἀποτελεῖν οἷα ἂν ἐπιτήδεια ἡγῆται πρὸς τὴν αὐτῆς εἶναι συμπλοκὴν. (*Pol.* 308d6-308e2)

just as the art of weaving has charge of and superintends the carders and those who prepare beforehand all that goes along with its weaving, directing each of them to complete such tasks as it considers serviceable to its own combining of threads.

Short lists of these tasks appear also in Aristophanes’ *Lysistrata* (567-86) and in the *Politicus* (281e7-283a8); neither is all-inclusive. In Xenophon’s *Oeconomicus*, Ischomachus explains that his wife, not yet fifteen years old when they were married, came to his house knowing nothing except how to weave and that she had also observed how the tasks of wool working

14 Telemachus’ speech is not an “imitation” of Hector’s. For a bibliography on Telemachus’ speech see Wagner-Hansel 2020: 161 n. 59. S. West 1988: 120 on lines 356-59 tends to agree with Aristarchus’ athetesis of these lines. But they are formulaic. Cf. Stoevesandt 2008: 154 = Stoevesandt 2016: 172-73. With *Od.* 1.358-59 (μῦθος) and *Od.* 21.352-53 (τόξον) cf. *Od.* 11.352-53 (πομπή) (Alcinous).

15 On the mistress and her servants: Wagner-Hasel 2019: 75-77.

16 Harlizius-Klück 2016: §3.

(ἔργα ταλάσια) are allotted to servants (*Oec.* 7.5-6). The fleece from the sheep was beaten with sticks to remove burrs, washed, carded or combed, and sometimes dyed. The manufacture of purple dye had its own chain of preparatory tasks.¹⁷ Servants were also responsible for fitting out the loom and for finishing the cloth after it was removed from the loom. These final steps are called “fulling.”¹⁸

Eurynome gives a glimpse of the unideal life of some women who are engaged in one of the tasks of preparing the wool. In response to Odysseus’ question concerning the unfaithful women, she first says:

πεντήκοντά τοί εἰσιν ἐνὶ μεγάροισι γυναῖκες
 δμωαί, τὰς μὲν τ’ ἔργα διδάξαμεν ἐργάζεσθαι,
 εἴριά τε ξαίνειν καὶ δουλοσύνην ἀνέχεσθαι (*Od.* 22.421-23)

You have fifty women in your halls,
 servants, whom we have taught to do their work,
 to card wool and to endure their slavery.

The verb ξαίνειν occurs only here in Homer. Lysistrata uses this verb twice (once in a compound) at the beginning of her extended metaphor of wool working for political reform (*Ar. Lys.* 578-79). She clearly intends carding. In this process foreign matter is removed. Lysistrata adds the detail of plucking off the heads (i.e., the ends) of the wool. The wool is carded into a basket. Combing the wool, so that its fibers will lie parallel, which is omitted in Lysistrata’s metaphor, is a separate procedure.¹⁹

Apart from ξαίνειν the ancillary tasks are for the most part left unspecified in Homer. The only other verb is πέκειν “to comb” (*Od.* 18.316,

17 Purple dye was a perquisite of elite weavers. Its production was time-consuming and labor-intensive and had its own *chaîne opératoire*. See Marín-Aguilera, Iacono and Gleba 2018: 129-37 and Fig. 1. For Andromache’s purple web: *Il.* 22.441. For a historical survey of dyes and dyeing in antiquity: Forbes 1956: 98-141.

18 *OED* s.v. “full” v.2, 1: “To subject (cloth, esp. woollen <sic> cloth) to various mechanical processes in order to clean and thicken or felt it.” On Greek and, earlier, Mycenaean treatment of woven fabric with oil, which imparted a sheen, see Stoevesandt 2008: 102 = Stoevesandt 2016: 114 on *Il.* 6.295 (also on ancient Near Eastern parallels).

19 See Barber 1991: loc. cit. on the difference between carding and combing. *Lfgre* s.v. ξαίνειν confuses these two steps.

in the imperative form *πείκετε*). The only agent nouns are *εἰροκόμος* “wool-worker” (of Helen’s old servant, *Il.* 3.387; cf. below) and *χερνήτις* “hand-worker” (in a simile at *Il.* 12.434 of a woman engaged in wool-working of some kind). Somewhat paradoxically these lowly tasks bear laudatory epithets when they are referred to collectively. Odysseus, incognito, tells his father that he once entertained Odysseus and gave him gifts, including four women *ἀμύμονα ἔργα ἰδυίας* “having knowledge of” or “skilled in” “excellent works” (*Od.* 24.278).²⁰ The works of slave women are also called “splendid” (*ἀγλαὰ δῶρα*), as by Eumaeus of the Phoenician woman who abducted him when he was a child (*Od.* 15.418’).²¹ Hector finds Helen assigning her servants their “very glorious” tasks (*περικλυτὰ ἔργα*, *Il.* 6.324). This epithet, not used elsewhere of these or of any other tasks, may have been prompted by its use as a standard epithet of Hephaestus (*Il.* 6x; *Od.* 5x).²² The formula *ἀγλαὰ ἔργα* is used also of the weaving of Circe (*Od.* 10.233). At the time of the reconciliation of Achilles and Agamemnon, when Briseïs is finally returned to Achilles, she is distinguished from the seven women whom Agamemnon gives to him in addition to other gifts. Of the Achaeans who bring the gifts the narrator says:

ἐκ δ’ ἄγον αἶψα γυναῖκας ἀμύμονα ἔργα ἰδυίας
ἔπτ’, ἀτὰρ ὀγδοάτην Βρισηΐδα καλλιπάρηον. (*Il.* 19.245-46)

quickly they led seven women skilled in excellent works
and the eighth was fair-cheeked Briseïs.

20 This epithet is used also of the women offered to Achilles by Agamemnon, *Il.* 9.128, cf. 270, 19.245; of the woman set as a prize by Achilles in the chariot race, *Il.* 23.263. The word *ἔργα* sans epithet is used of the woman set as the second prize in the wrestling contest. The absence of an epithet does not mean that the woman was not valuable. They estimated that she was worth four oxen (*Il.* 23.705).

21 The line is formulaic and is twice used of Athena to describe the mortal woman whose form she has taken (*Od.* 13.288-89 = 16.157-58).

22 Athena taught the daughters of Pandareüs to perform “glorious tasks”: *ἔργα δ’ Ἀθηναίη δέδαε κλυτὰ ἔργάζεσθαι*, *Od.* 20.72.

The “works” (ἔργα) are likely to include the tasks of wool working.²³ But neither Briseis nor any other woman in the Achaean camp is referred to as a weaver or wool-worker. Agamemnon says that he will take Chryseis back to Argos, where he imagines her as weaving and sharing his bed (ἴστων ἐποιχομένην καὶ ἔμὸν λέχος ἀντιώσσαν, *Il.* 1.31).

The servants closest to the head of the household, like the named servants who carry Helen’s chair, rug and silver basket when she enters the megaron (*Od.* 4.123-26), are probably exempt from the preparation of the wool. Two named servants accompany Helen when she goes to the wall of Troy to witness the single combat of Paris and Menelaus (*Il.* 3.143-44). Helen’s favorite, however, is an old carder of wool, whom she brought from Sparta (*Il.* 3.386-88). Aphrodite, disguised as this old woman, summons Helen from the tower near Scaean Gates. When Helen returns with her to the house of Paris, the two servants, who have returned with her, go about their tasks without a word from their mistress (*Il.* 3.422). When, however, Hector finds Helen seated among her servants upon his entrance into the chamber of Paris (*Il.* 6.323-24), she is assigning their tasks. In reported speeches of Helen in the *Odyssey*, she gives orders to servants (*Od.* 4.233, 296).

The servants in the *Odyssey* with whom Penelope has close relationships, like Helen’s with the old wool worker, are Eurynome, the housekeeper (ταμίη *Od.* 17.495, 19.96), and Actoris, given to her by her father when she left home to marry Odysseus (*Od.* 23.227-29). They have the highest status amongst the servants. Penelope bids Eurynome to summon Autonoe and Hippodameia to come with her because she will not go alone amongst the suitors (*Od.* 18.142-45).

The sociology of the production of textiles that has been described here has its *raison d’être* in the self-sufficient economy of the estate. The raw wool has come, like foodstuffs and fuel, from the estate of which the household is the center.²⁴ The only alternatives to the estate’s self-sufficiency would be a market or trade. The *Iliad* has only two examples of the latter. The Achaeans trade bronze, iron, hides, cattle and slaves for wine brought from Lemnos (7.472-75), while the Atreids receive their wine as

23 *Lfgre* s.v. ἔργον B 3b.

24 Olive oil is not mentioned in Homer as a food but has other uses. See Lateiner 2011d.

a gift (7.470-71).²⁵ In his description of the lump of iron that he sets as a prize in the funeral games for Patroclus, Achilles says that it will last for five years, in which time his shepherd or ploughman will not have to go to the city for more (*Il.* 23.831-35). A city as a center of trade for this commodity is assumed only here in the narrative.²⁶ (The existence of a market is not a necessary inference.) The absence of further evidence for trade is consistent with a broader range of exclusions.²⁷

In Karl Polanyi's conception, the three activities that characterize a pre-market economy are reciprocity, redistribution, and householding.²⁸ In the Homeric institution of guest-friendship, reciprocity takes the form of the exchange of goods and services between friends.²⁹ This kind of friendship may be inherited, as by Glaucus and Diomedes (*Il.* 6.212-231). Another form of reciprocity is the exchange of oaths and yet another is sacrifice and prayer.³⁰ The redistribution of booty by Agamemnon, or, rather, the crisis in redistribution when he takes Briseis back from Achilles, is at the center of the *Iliad*. The suitors' prolonged consumption of the stores and cattle of Odysseus is another breakdown of reciprocity, well-articulated in Telemachus' rebuke (*Od.* 1.374-80).³¹

25 On peculiarities of diction in this passage and conclusions concerning its authenticity see Wesselmann 2020: 202 on 466-75. She does not take a side in the debate.

26 See Richardson 1993: 264 on 832-35.

27 Cf. Seaford 2011: 284: "The exclusion of trade between Greeks belongs to a whole series of absences or marginalities – e.g., of communal festivals, state organization, agriculture and the deities of agriculture – that express a heroic ideology, the glorification of a way of life based on the dominance of a class who acquire goods by inheritance, gift-exchange, and plunder ..."

28 Polanyi 1957: 47-55.

29 Thalmann 2011c.

30 Oaths: Lateiner 2011a. Sacrifice and prayer: Parker 1998: 104: "Almost the whole of Greek cultic practice is ... founded ... on the belief that reciprocity is a possibility." Lateiner 2011b: 689: "Homeric prayer is predicated on special forms of reciprocity, the *do ut des* relationship between men and gods ..." Cook 2016 argues that the plots of both Homeric epics are structured by reciprocity. On the question of reciprocity in Achilles' conduct toward Priam in *Il.* 24 see Postlethwaite 1998 and Zanker 1998, a reply to Postlethwaite.

31 Seaford 2011: 282 uses these two examples. See Tandy 2011: 227 for other examples of redistribution in Homer. Gill 2011: 200, however, speaks of Agamemnon's decision

Householding, Polanyi says, “consists in production for one’s own use.” Perceiving a rapid decline of the “world-wide market economy” at the time at which he was writing, he refers to Aristotle’s “prophetic” distinction in Book 1 of the *Politics* between householding (οἰκονομική) and chrematistics (χρηματιστική).³² The wealth sought by the former is natural, whereas the goal of the latter is money-making through trade (*Pol.* 1257b19-22).³³ Further, householding has a limit; money-making has no limit (1258a14-18). Aristotle allows, however, in Polanyi’s words an “accessory production for the market.” One would rather say that, as for surplus and profit from agriculture, Aristotle is both opposed (programmatic statement at 1256b40-1257a5) and accommodative (1158b9-31). The contradiction remains unresolved.

The Homeric household aims to produce or acquire a surplus. The best woven textile is saved and stored to be used for guest-gifts, such as Helen’s parting gift to Telemachus (*Od.* 15.101-108, 125-28), or for a dedication to a goddess, such as the *peplos* presented by Hecuba to the priestess Theano for Athena (*Il.* 6.283-303). Both the gift and the dedication expect reciprocity. As for trade, in his speech to the Trojan’s feckless allies in Book 17, Hector says that, by giving them gifts and food, he wears out his own people (225-26). In the absence of markets, the Trojans presumably have relied on trade, about which the Homeric epics are silent, with the exception of wine imported by the Achaeans from Lemnos, for which they trade bronze, iron, hides, cattle and slaves (*Il.* 7.467-74). Where the food to which Hector refers has come from is unclear. As for Hector’s wearing out his own people, Achilles has referred to the depletion of the

as a “crisis in the ethics of reciprocity.” Both concepts, redistribution and reciprocity, are apt and the choice will depend upon the passage in Homer that one has in mind. At *Il.* 9.316b-17, for example, Achilles construes Agamemnon’s offense against him as a failure of χάρις, i.e., of reciprocity.

32 Polanyi 1957: 53. In fact, there was an economic boom following the Second World War. In the present generation, two crises of global capitalism are seen: class polarization and ecological unsustainability (Sklair 2015).

33 ἔστι γὰρ ἑτέρα ἢ χρηματιστικὴ καὶ ὁ πλοῦτος ὁ κατὰ φύσιν, καὶ αὕτη μὲν οἰκονομική, ἢ δὲ καπηλικὴ ποιητικὴ χρημάτων οὐ πάντως, ἀλλὰ διὰ χρημάτων μεταβολῆς (*Ar. Pol.* 1257b19-22). “Money-making is different from wealth according to nature, which is household management. The other is retail trade, which is productive of money, not in all ways but through the exchange of goods.”

Trojans' formerly great wealth (9.401-403; cf. 24.543-46 to Priam on the extent of the territory that he once ruled). As for the Achaeans, they raided many cities in the Troad but these raids could hardly have supplied the army with food for ten years. They must then, Thucydides thought, have turned to farming as well as to raiding (πρὸς γεωργίαν τῆς Χερσονήσου τραπόμενοι καὶ ληστείαν τῆς τροφῆς ἀπορία, 1.11.1).³⁴

A passage in Book 1 of the *Politics* to which Polanyi had no reason to refer is useful in completing the sociology of the household in a certain aspect, namely, the relation of husband to wife. Aristotle's account of the origin of the polis begins with the union of the two sexes for the purpose of procreation. For Aristotle there is also a union, which is natural and coeval with the union of male and female, of the ruled and the ruler, i.e., of the slave and the master (*Pol.* 1252a26-31). The natural result of Aristotle's two unions is the household (οἰκία, οἶκος, 1252b9-15). The association of several households "for needs not limited to those of a single day" is the village (κώμη), which is most natural (μάλιστα ... κατὰ φύσιν) when it is the offshoot of the household (1252b15-18). From the association of several villages comes ultimately the polis, which reaches complete self-sufficiency. In short, the household is the foundation of the polis.³⁵ Aristotle goes on to speak of the husband's "rule" (ἀρχή) over his wife. This rule is part of a larger structure of ruling and ruled, which begins in the soul and amounts to a general law (1260a1-9).³⁶ In general, "the relation of male to female is by nature that of superior to inferior and of ruler to ruled" (ἔτι δὲ τὸ ἄρρεν πρὸς τὸ θῆλυ φύσει τὸ μὲν κρείττον τὸ δὲ χεῖρον, καὶ τὸ μὲν ἄρχον τὸ δ' ἀρχόμενον, *Pol.* 1254b13-14).³⁷ The husband rules his wife, his slaves and his children, although by a different kind of rule in each case, which corresponds to differences in their capacity for deliberation (τὸ βουλευτικόν, 1260a9-14). The status of the

34 Tandy 2011: 227 speaks of the "economics of the raid."

35 Cf. the title of Nagle 2006.

36 Barker 1946: 35 n. 1: "Aristotle here appears to argue in a circle – first from the relations of persons to the relations of the elements in the soul, and then back from the relation of the elements in the soul to the relations of persons. But the centre of the circle is the general principle of rule and subordination ..." See further Pellegrin 2015: 31-33.

37 Cf. τὸ ... ἄρρεν φύσει τοῦ θήλεος ἡγεμονικώτερον ("the male is by nature fitter to command than the female, 1259b1-2).

wife in Aristotle's thought, especially with respect to her husband's "political" rule over her (1259b1) and her capacity for deliberation, is an unsettled question.³⁸ In the Homeric household, however, the husband, or in the case of Telemachus the son, is superior to the woman who is the head of the household. Telemachus tells his mother that he is the one who has authority in the house (τοῦ γὰρ κράτος ἔστ' ἐνὶ οἴκῳ, *Od.* 1.359 = 21.353).³⁹ In the corresponding passage in the *Iliad*, Hector implicitly has the right to send Andromache back into their house (6.490-93, cited above), whatever the degree of kindness that accompanies his words.⁴⁰ Hector also has authority over his mother. Following the instructions given him by Helenus, he instructs her to gather the older women and go to the temple of Athena and place her best *peplos* on the knees of the goddess (6.77-101).⁴¹

The basis of the son's authority over his mother, as in the example of Telemachus, is his prospective ownership of the estate. Before the return of Odysseus and his assertion of his identity, the relation of Telemachus to Odysseus' estate is unsettled. Penelope tells Odysseus (still known to her only as her guest) of her sorrowful life and her indecision concerning marriage with one of the suitors (19.508-53). In the course of this speech she describes her dilemma in quasi-legal terms. She might remain with her son and "keep everything as it is—my property" (κτῆσιν ἐμήν), i.e., her slaves and her house.⁴² As for Telemachus, when he was young, she

38 Aristotle qualifies this capacity in the wife as "unauthoritative" (ἄκυρον, 1260a13). On the meaning of the word in this context and on the larger question of the status of wife, see the opposing discussions of Deslauriers 2015 and Riesbeck 2015.

39 The word οἶκος occurs twice in Telemachus' speech. The first time (1.356 = 21.350) it refers to Penelope's room as distinguished from the rest of the house (*LfgRE* s.v. οἶκος 2: 568.8-9). The second time (1.359 = 21.353) it refers to the house as a whole (*LfgRE* s.v. οἶκος 2: 573.54-55).

40 Stoevesandt 2008: 154-55 on *Il.* 6.490-93 = Stoevesandt 2016: 172-73 on *Il.* 6.490-93: Hector's words are not "a mere expression of his authority as a male." Graziosi and Haubold 2010: 222 on 490-93: "This and the two other Odyssean passages [1.356-59; 21.350-53] conclude extensive scenes at the end of which the male speaker feels he needs to assert his authority and role."

41 See Stoevesandt 2008: 37-38 on 86-101 = Stoevesandt 2016: 41 on 86-101.

42 ἤ ἐ μὲνω παρὰ παιδὶ καὶ ἔμπεδα πάντα φυλάσσω, / κτῆσιν ἐμήν, δμῳάς τε καὶ ὑπερεφές μέγα δῶμα, 19.525-26).

could not marry one of the suitors and leave the house of her husband (πόσιος κατὰ δῶμα λιποῦσαν, 19.531). Now he would like to see her leave.

νῦν δ' ὅτε δὴ μέγας ἐστὶ καὶ ἥβης μέτρον ἰκάνει,
καὶ δὴ μ' ἀρᾶται πάλιν ἐλθέμεν ἐκ μεγάροιο,
κτήσιος ἀσχαλόων, τήν οἱ κατέδουσιν Ἀχαιοί. (*Od.* 19.532-34)

Now, when he has grown up and is reaching the bounds of youth,
now indeed he prays that I go back from the house,
vexed because of his property, which the Achaeans are devouring.

Penelope uses the same word both of the household as her property and of her son's property, implicitly referring to his land and livestock (κτῆσις, cf. 4.687). The house is hers in the sense that she is its mistress. In fact it is Odysseus' and would become Telemachus' if his mother married one of the suitors, as he well knows.⁴³

The scene in which Helen chooses a *peplos* woven by her as a gift for the departing Telemachus is another example of male ownership.⁴⁴ Helen, her step-son Megapenthes, and Menelaus go to his storeroom, where this *peplos* and Menelaus' other treasures are kept.⁴⁵

ἄλλ' ὅτε δὴ ῥ' ἴκαν', ὅθι οἱ κειμήλια κεῖτο,
Ἄτρεΐδης μὲν ἔπειτα δέπας λάβεν ἀμφικύπελλον,
υἷὸν δὲ κρητῆρα φέρειν Μεγαπένθε' ἄνωγεν
ἀργύρεον· Ἐλένη δὲ παρίστατο φωριαμοῖσιν,

43 Steiner 2010: 25: "Should she marry, she must quit the home where she resides more as caretaker than owner..." For Penelope's expectation of the support of Odysseus, should he return, cf. 18.254-55 = 19.127-28.

44 For examples of bridegrooms' gifts to their brides: West 1963: 167. Cadmus gave Harmonia a peplos (Apollod. 3.4.2). On the gift in Homer: Tandy 2011: 228; Thalmann 2011b: 172; Seaford 2011: 281-82. Wagner-Hasel 2000: 105 = 2020: 113 calls gifts such as Menelaus' and Helen's to Telemachus "symbolic mementoes." They are referred to not by the word *xeinion* but by *dōron*. Menelaus promises Telemachus *dōra* (*Od.* 15.113). This distinction between *xeinion* and *dōron*, she shows, is maintained throughout the *Odyssey*.

45 A typical storeroom scene: see de Jong 2001: App. F ("The 'Storeroom' Type-Scene") and 368 on 99-110 for an analysis of this scene as such.

ἔνθ' ἔσαν οἱ πέπλοι παμποίκιοι, οὓς κάμεν αὐτή. (*Od.* 15.101-5)

But when they reached the place where his treasures were stored,
the son of Atreus then took a two-handled cup
and bade his son Megapenthes to bear a silver mixing-bowl.
Helen stood beside the chests
in which she kept very beautiful *peploi*, which she herself had made.

The storeroom and all its contents can be assumed to be the property of Menelaus (*Od.* 15.113; cf. his earlier words to Telemachus: 4.613-14).⁴⁶

In the sociology that has been described, weaving is not a choice but in the first place an economic necessity. Weaving becomes a form of individual self-expression in one of two ways, either in the fineness of the weave or in the figures or patterns that the weaver chooses to weave. In principle, both could be achieved simultaneously but neither of the Homeric epics happens to refer to both of these kinds of self-expression in the same cloth. The fineness of Penelope's weaving is described by Odysseus when he returns to Ithaca. He pretends to be Aethon, the brother of Idomeneus, and to have entertained Odysseus on the island of Crete. Penelope tests him by asking three questions, one of which is what sort of clothes he was wearing (*Od.* 19.218). Aethon says that Odysseus was wearing a "double purple fleecy cloak" (χλαῖναν πορφυρέην οὔλην ἔχε δῖος Ὀδυσσεύς, / διπλῆν, *Od.* 19.225-26), the fineness of which he describes in detail (*Od.* 19.232-35). These were the clothes that Penelope gave Odysseus upon his departure (*Od.* 19.255).

Interpretation of weaving as expressive of the character of the weaver has typically proceeded from the figures or patterns that they weave. The figures that Helen is weaving when Iris, as Helen's sister-in-law, Laodice, summons her to the wall of Troy, are described as the "struggles of horse-taming Trojans and bronze-clad Achaeans" (*Il.* 3.126). The pat-

46 Cf. "the treasures of the master" (*Od.* 14.326; 21.9); "all the treasures in my house" (*Od.* 15.113); "the treasures stored in the halls of the master" (*Od.* 19.295). Priam's choice of gifts for Achilles is a telling example. In the storeroom (here called *thamos*, *Il.* 24.191), in the presence of Hecabe, who opposes his going to Achilles, he opens chests and takes twelve of each of five kinds of woven cloth (*Il.* 24.228-31).

terns that Andromache weaves are called *θρόνα* (*Il.* 22.441, perhaps “decorations”; cf. *Lfgre* s.v.). Besides figures and patterns the weaver has, at least notionally, a few other choices, which are for the most part left unmentioned: the color of the wool (only purple is mentioned); the width of the loom; the weave structure; and the fineness of the fiber. She could also make some decisions concerning the “fulling” or finishing of the cloth after it was removed from the loom. At this stage the cloth might be treated with oil.⁴⁷ But the characterological interpretation of Homeric weaving, including Penelope’s ruse, lies beyond the purview of the sociology that has been undertaken here.⁴⁸

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47 On Greek and, earlier, Mycenaean treatment of woven fabric with oil, which imparted a sheen, see Stoevesandt 2008: 102-3 on *Il.* 6.295 = Stoevesandt 2016: 114 on *Il.* 6.295 (also on ancient Near Eastern parallels).

48 On Helen: Krieter-Spiro 2009: 55-56 on *Il.* 3.126 = Krieter-Spiro 2015: 58-59 on *Il.* 126. On Andromache: Richardson 1993: 154 on *Il.* 22.440-41 (with comparison with Helen); de Jong 2012: 175 on *Il.* 22.440-41 (also with comparison with Helen). On Penelope’s ruse: Levaniouk 2011: Ch. 15 (“Back to the Loom”).

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THE YOUNG, THE OLD AND THE BLESSED: CORPORATE BODIES AND ELITE REPRODUCTION IN ROMAN ASIA MINOR*

By *Benedikt Eckhardt*

Summary: The article traces the impact of Roman rule on the organisational history of Asia Minor through a comparative study of three well-attested institutions: associations of young men (*neoi*) tied to the gymnasium, councils of elders (*gerousiai*) that could claim authority and decision-making capacity in their respective cities, and groups of initiates (*mystai*) who acted on behalf of their cities in public settings. While their Hellenistic origins would suggest a clear-cut distinction between civic institutions such as the *neoi* and private associations such as the *mystai*, their operations and status in the Roman period appear remarkably similar, and are difficult to classify within a traditional private/state binary. It is argued here that two features of Roman rule, the reliance on civic elites and the use of legal privileges for certain kinds of associations, created the conditions for wide-ranging institutional change, driven by a combination of Roman administrative input and local agency.

1. Introduction

Private associations seem to have been a fairly common phenomenon in Hellenistic Asia Minor, although the evidence is nowhere near as extensive as in Greece. Of the extant inscriptions, some show specific traits that can be connected to the different patterns of monarchic rule: in Pergamon and surroundings, associations were often involved in the ruler cult and other demonstrations of loyalty towards the Attalid dynasty; in areas controlled by the Ptolemies, mercenaries could form associations of βασιλισταί; an association of μύσται near Sardeis could direct enquiries first to the Seleucid, then to the Attalid high priest of the satrapy.¹

* I would like to thank the anonymous reviewer for insightful comments that improved the article.

But there are also cases that could just as well have come from the Greek mainland or a Cycladic island: family associations founded for the purpose of commemoration; cult groups with or without theophoric names assembling citizens and foreigners; and in one case even an association of ὄργεῶνες, the only one attested outside the direct sphere of Athenian influence.² Asia Minor can therefore be regarded as an integral part of the Hellenistic associational sphere. Given the wealth of epigraphic evidence from the Roman period, the region is thus well-suited to guide enquiries of a more general nature: how did Roman rule influence private corporate organization in the Eastern Mediterranean world?

It is tempting to content oneself with an easy answer. When looking for direct policy measures, no significant influence can be detected. Associations existed both before and after the Roman takeover, and a review of the evidence for legal measures against them has revealed only a small number of rather exceptional cases.³ However, it cannot be denied that Roman law, while not necessarily leading to prohibitive measures on a large scale, offered incentives and suggestions as to what acceptable organizations worthy of Roman support might look like. The Digest preserves several attempts by legal scholars to develop a concept of ‘useful’ *collegia*, which according to Gaius were to be treated in legal matters like a *res publica* after their official recognition by the state.⁴ That these were

- 1 Pergamon and surroundings: *OGIS* 326 (Ἀτταλισταί of Teos); *SEG* 52 1197 (Müller & Wörrle 2002 with extensive commentary on the Attalid context). Βασιλισταί: Wörrle 2015 with Wörrle 2021 (Limyra). Μύσται: *SEG* 46 1519 with Eckhardt & Lepke 2018: 44.
- 2 Family association: *LSAM* 72 (Halikarnassos; see Carbon & Pirenne-Delforge 2013 with a re-edition by Carbon, 99–114); perhaps *SEG* 57 1188 (Koloe, Ἡρωῖσταί; see Jones 2008). Other cult groups: e.g. *SEG* 55 1463bis (Limyra, Σαραπιασταί); *I. Apam. Bith.* 35 (male and female members of a θίασος); *SEG* 60 1332 and 1333 (Yaylaköy, Ἀσκληπιασταί; likely soldiers as argued by Müller 2010); *I. Smyrna* 765 (Ἀνουβιασταί). Ὀργεῶνες: Pottier & Hauvette-Besnault 1880: 164 no. 21 (see Boulay 2013 for re-editions and discussion of this and other texts from Teos).
- 3 Cf. Arnaoutoglou 2002.
- 4 *Dig.* 3.4.1.1 (Gaius 3 ad ed. prov.): *Quibus autem permissum est corpus habere collegii societatis sive cuiusque alterius eorum nomine, proprium est ad exemplum rei publicae habere res communes, arcam commune et actorem sive syndicum, per quem tamquam in re publica, quod communiter agi fierique oporteat, agatur fiat.* Cf. *Dig.* 50.6.6.12 (Callistratus 1 de

not mere scholastic debates is suggested by a plethora of Western evidence and a few nuggets from the East: Flaccus' ban on associations in Alexandria, Pliny's failed attempt to create an association of *fabri* under Roman law in Nikomedeia, the measures taken against an association of bakers in Ephesus, an inscription from Miletus preserving Hadrian's positive response to the city's request to gain official recognition of the local association of ship owners, and the "privileges and immunities" granted by Septimius Severus to professional associations connected with temples in Ephesus and Miletus.⁵ While Roman involvement in the field of political institutions – such as associations – was less extensive in the East than in the West (and certainly less often recorded in inscriptions), there can be no doubt that in principle, the regulations on corporate organization were known and applied in Asia Minor.

Neither in the Western provinces nor in the East did this mean that every group classified by modern observers as an 'association' underwent a ratification procedure; in fact, only few of them did, and direct measures were rarely taken by Roman officials. But at the very least, there was an ideology of control that could, but did not have to influence administrative policy.⁶ At the same time, this ideology remains somewhat elusive, as several of the categories operating in the legal texts are not at all clear. The whole concept of *utilitas publica* lacks a clear definition,⁷ and Marcianus adds to the confusion with his much discussed remarks on exceptions for *tenuiores* and assemblies *religionis causa*.⁸ I have

cogn.): *Quibusdam collegiis vel corporibus, quibus ius coeundi lege permissum est, immunitas tribuitur: scilicet eis collegiis vel corporibus, in quibus artificii sui causa unusquisque adsumitur, ut fabrorum corpus est et si qua eandem rationem originis habent, id est idcirco instituta sunt, ut necessariam operam publicis utilitatibus exhiberent.*

- 5 Phil. Flacc. 4; Plin. Ep. 10.33-34; *I. Ephesos* 215 (bakers; cf. Perry 2015); Ehrhardt & Günther 2013 (ship owners; SEG 63 974); *I. Ephesos* 295 with the new copy from Miletus published by Akat Özenir & Ricl 2023: 112-15 no. 9. Western evidence: for an (incomplete) list of associations stressing their official permission, see Tran 2006: 352; for the (rare) occasions where an association is referred to as *res publica*, see Tran 2012: 68-69.
- 6 On the importance of this ideology as a historical fact in its own right, see recently Bendlin 2016; Perry 2016. For a full-scale reconstruction, see Eckhardt 2021.
- 7 Cf. the recent attempt by Stagl 2017.
- 8 Dig. 47.22.1pr-1; cf. discussion in Eckhardt 2018.

argued elsewhere, based on a concept taken from Neo-Institutional Economics, that such legal vagueness can lead to institutional isomorphism, i.e. to organizations copying each other and ultimately copying the state.⁹ So while there was no masterplan, and local reactions to the structural framework provided by Rome could not be predicted in detail, that framework did have a significant potential for integrating associations into a common imperial order. This in turn could mean that new forms of association were chosen at the expense of others.

Clifford Ando has described that order in very broad terms. According to him, the creation of ‘imperial identities’ was accompanied and shaped by the spread of organizations with largely identical forms and structures. Ando notes that “not simply the membership, but the values and norms of public and private organisations overlapped and these latter were, at the level of institutional arrangements, largely homologous”.¹⁰ And I would like to quote another of his very pertinent remarks:

The organisations in themselves served to bisect and reconstitute populations along multiple axes. But they also came gradually to mimic the institutional arrangements of provincial and city government, and in so doing they will have further naturalised and legitimated the basic postulates of a Roman social order.¹¹

In other words, ‘imperial identities’ were created through a constant reduplication of state patterns on a regional and local level, from provincial κοινά to ever smaller units, to civic βουλαί and even down to the many specialized professional *collegia*. Ando does not speak of ‘Romanization’, but his structural model is nothing less than an attempt to theorize precisely what other scholars have subsumed under this label. And although the term has been the object of critical reevaluation many

9 Eckhardt 2016, using DiMaggio & Powell 1983.

10 Ando 2010: 20.

11 Ando 2010: 43.

times, it is still an obvious and legitimate choice for describing the influence Roman rule had on developments in various social fields.¹²

The danger with models focused on the broad structures of empire lies in the possible marginalization of local agency.¹³ For a full picture to emerge, an important role must be accorded to local attempts to inscribe oneself into the Roman imperial order. For Asia Minor, this has been done admirably by Onno van Nijf in his study of professional *collegia*, formed by people primarily concerned with their own status, searching and finding a place for themselves in an increasingly manifest hierarchy of *ordines*.¹⁴ Adding a further differentiation, people in the cities had different interests (and formed different associations) from those in the rural areas and villages, who nevertheless can be shown to react to the trend they perceived to be happening in the cities, in a process that we might call ‘second order Romanization’.¹⁵

Professional associations and village corporations were formed by local middle classes or rural farmers according to their own interests. But it is a reasonable assumption that incentives provided by Rome were directed primarily at the civic elites. Getting these people on board would have been the most important goal of any strategy of Romanization – not least because other strata of society when forming their associations would look out for models of successful integration into the Roman order. The development of Greek cities in the late Hellenistic and Roman periods has often been described in terms like ‘Honoratiorenregime’ or ‘aristocratisation’.¹⁶ But the creation of an increasingly hereditary elite in the cities depended on elite reproduction both in a physical and in a sociological sense: institutions were needed that could prepare young members of the elite for their future role in the public sphere, serving as training grounds for the implementation of habitual dispositions. Organizations could serve several purposes in this respect – as nodal points in

12 Cf. Alföldy 2005; against the skeptical views by Sartre 2007 (who denies a significant Roman influence on the culture of Asia Minor) and Versluys 2014 (who prefers to do away with the Roman/non-Roman dichotomy altogether).

13 Cautioned against by Ando 2010: 45.

14 Van Nijf 1997.

15 Cf. Eckhardt 2016; on associations in the villages of Asia Minor see now also Thonemann 2022: 219–20; Parker 2023: 9–14.

16 E.g. Quaß 1993; Hamon 2007; Fröhlich & Hamon 2013: 1–3; Scholz 2015.

local and regional networks, but also as a public manifestation of the dignity and the superiority of its members in both political and religious matters. The aim of this article is to show that Roman rule in Asia Minor fostered the emergence of organizations that fulfilled these needs. All of them had some Hellenistic roots, but their transformation under Roman influence was so thorough that it seems legitimate to regard them as a product of Romanization.¹⁷

All groups discussed here possessed some degree of autonomy, but they were also entangled with civic administration. They fulfilled some, but not necessarily all the criteria that can be argued to define ‘private associations’.¹⁸ The changing trajectories in this regard, i.e. developments from a civic to a more private character and vice versa, are an important factor for any evaluation of the impact of Rome, and will therefore be studied in some detail. However, another question, to be discussed in the conclusion, necessarily has to concern the validity of the civic/private-divide itself.

2. The Young

The first group to be discussed here are young men under thirty, the νέοι. For the Hellenistic period, it seems firmly established that they formed an age-class following the ἐφηβεία.¹⁹ Much like ἔφηβοι and παίδες, νέοι or νεώτεροι are seen in public roles, obligated to take part in

17 Whether one regards this process as ‘cultural’ or ‘institutional’ Romanization is a question of secondary importance. Associations have an important role to play in both the cultural and the institutional history of ancient Mediterranean cities. It can also be granted, taking into account the criticism by Heller 2009 and 2013, that many elements of the ‘aristocratization’ narrative have their roots in the Hellenistic period, and that local contexts may often be the more immediate background to change than the somewhat diffuse notion of a ‘Roman social order’. I nevertheless think that regardless of a priori assumptions, the development of associations in this period and region follows an observable pattern influenced by a Roman model, and occasionally described in legal terms derived from that model. Associations thus provide an argument in its own right that largely favors the traditional narrative.

18 As explained by Gabrielsen & Thomsen 2015.

19 Cf. Dreyer 2004; Kennell 2013; van Bremen 2013.

processions, or using their military training to fight for their cities – in short, they appear as “an integral component of many (if not all) Hellenistic cities”.²⁰ At the same time, they were autonomous to an unusual degree: they often had their own magistrates and their own finances, honored their benefactors and negotiated their relationship with the city. The *véoi* of Kolophon exerted pressure on the city council to honor a gymnasiarch,²¹ and in Methymna, the local *véoi* famously supplied the city with 2,300 staters when it suffered from the war of Aristonikos.²² Many traits of the *véoi*’s organization have their closest analogies in the world of private associations, and yet it seems clear that all this took place “dans le cadre d’une obligation publique, civique”.²³ To be sure, we should not assume timeless uniformity. The gymnasiarchal law of Beroia clearly shows how the status of local *véoi* could change, in this case from an independently organized club to direct state control.²⁴ And yet even seemingly independent behavior could be bounded by the integration of young men into the civic institutional framework: the *véoi* of Hellenistic Teos were able to elect their own *προστάται* and to rent out a sanctuary they had in their possession, but civic magistrates had to act as witnesses to the transaction, and of course the Teans still expected their “young men and boys” to compete in civic festivals.²⁵

It is a fair guess that the *véoi* generally represented the higher strata of society, but there are no grounds for seeing them as a closed elite club. The ideal of preparing the young men for participation in the community of citizens, combined with a focus on military training, seems to preclude a strongly maintained social exclusivity. This does not of course mean

20 Van Bremen 2013: 31.

21 *SEG* 55 1251; cf. Gauthier 2005; van Bremen 2013: 49-50 for the interpretation followed here.

22 *IG* XII Suppl. 116; cf. Migeotte 2013: 117.

23 Fröhlich 2013: 60. Cf. Dreyer 2004: 232-36.

24 Gauthier/Hatzopoulos 1993 (*I. Beroia* 1); cf. Schuler 2004: 174-77.

25 For the *προστάται* and the sanctuary, see the long inscription published by Adak & Stauner 2018, with notes by Jones 2019 (notably 109 n. 1 on the identity of the *προστάται*: if they are indeed identical with the *ἀποδεδειγμένοι ἄνδρες* of l.1-2, perhaps their designation as *ἄνδρες* marks them as older than the *véoi* and thus chosen from outside the corporation). The “young men and boys” (*véoi* καὶ παῖδες) competing at the Leukathea: Adak & Thonemann 2022: 15 l. B 77.

that these groups could not serve the purpose of elite representation and reproduction. From the second century BCE onwards, the importance of gymnasiarchs in the Hellenistic cities largely depended on their ability to supply the *véoi* with oil from their private resources, thus contributing to the formation of oligarchic roles;²⁶ wealthy benefactors regularly chose the gymnasia (and specifically the *véoi*) as recipients of their donations. At the same time, processes of social distinction must have taken place within the *véoi*-groups. Because the organization was essentially a civic one, status differences could easily be translated from the group's environment to the inside. The institution could thus contribute to elite reproduction in the sense of acquiring habitual dispositions – precisely because not everyone there had the same social standing, but needed to find the place appropriate for him on the social ladder.

In Asia Minor, organizations of *véoi* were not uncommon in the Hellenistic period. But their wide-spread appearance in almost all larger cities is a Roman phenomenon.²⁷ What were the characteristics of the Roman *véoi*? Many have argued for a fundamental change in character, usually interpreted as a symptom of decline: “Though primarily an athletic establishment in origin, they had acquired a social character and were to all intents and purposes a club”.²⁸ This seems to presuppose a certain privatization of an institution that used to be an ‘establishment’ integrated into the civic apparatus, but the evidence is a bit more complicated. Especially in the later imperial era, the *véoi* occasionally appear very close to the governing bodies of a city – not only in decrees, but also on coins. In the time of Elagabal, the *συνέδριον* of the *véoi* of Phrygian Laodikeia issued its own coins; already under Antoninus Pius, there had been a series of coins “for the *véoi* of Laodikeia”. Similar coinage was issued in Herakleia Salbake.²⁹ It may be compared with the occasional coin-

26 Cf. Schuler 2004: 189 on the contribution of the gymnasiarchy to the development of a “Rollenbild des Honoratiorenpolitikers, der einem kleinen Kreis führender Familien entstammte und sein Prestige laufend durch den Einsatz privater Gelder für öffentliche Belange untermauerte”. Cf. Scholz 2015 on the imperial period.

27 Cf. Forbes 1933: 17-19.

28 Macro 1980: 681. Cf. Dreyer 2004: 236 (they became “nicht eine politische, sondern eine soziale Organisation”).

29 Cf. on these coins Martin 2013: I 203-7.

age of the Dionysiac σύνοδοι of performers, but the more useful comparison is with the γερουσία of Aizanoi, which was honored by a local γραμματεὺς with a special coinage.³⁰ If these νέοι were clubs, they must have been clubs of influential people whose goodwill was of special interest to both individuals and the city itself.

While it is difficult to generalize individual findings, it seems that the νέοι remained integrated into the institutional inventory of cities, but could enjoy a significant degree of autonomy, as they had their own magistrates and benefactors. In Aphrodisias, νέοι and ἔφηβοι were both organized in corporate bodies; the νέοι had their own secretary and funds, awarded the title ‘son of the νέοι’ to benefactors (thus imitating the ‘son of the πόλις’) and had their own seats in the stadium.³¹ The νέοι of (probably) Hierapolis may have had their own archive, overseen by a γραμματοφύλαξ.³² The νέοι of Pergamon are particularly well-known, not least because they had their own gymnasium where several inscriptions have been found. These raise a number of questions with regard to the νέοι’s autonomy. We know that the νέοι exchanged letters with Trajan and Hadrian (whose answer has survived intact; he calls them ἄνδρες ἀγαθοί, irrespective of age), and that they honored a Roman proconsul of Asia as their benefactor and eternal gymnasiarch.³³ A board of three secretaries of the νέοι is mentioned in two inscriptions.³⁴ On first sight, the impression is that the ‘young men’ had gained more control over their own affairs in the imperial era. An earlier honorific decree for a gymnasiarch, while voted for by the νέοι κατὰ πλῆθος, was nevertheless passed as a decree by βουλή and δῆμος, which suggests that in the late

30 On coinage of Dionysiac σύνοδοι, cf. Lorber & Hoover 2003 (Teos, late Hellenistic); Martin 2013: I 207-15 (Tralleis, Severan); on the γερουσία of Aizanoi: Martin 2013: I 145-46.

31 MAMA VIII 484 = *I. Aph.* 12 308 (υἱὸς νέων and γραμματεὺς τῶν νέων); *I. Aph.* 10 26 (stadium; νεωτέρων presumably identifies the νέοι); cf. on these inscriptions Chaniotis 2015: 123.

32 *SEG* 31 1106; cf. discussion by Labarre 2005.

33 *I. Pergamon* 273 (Trajan); *I. Pergamon* 274 (Hadrian); *I. Pergamon* 440 (proconsul).

34 *I. Pergamon* 274; *I. Pergamon* 440.

Hellenistic period, the νέοι were still unable to make decisions themselves.³⁵ So how could they now honor the proconsul? That the situation is more complicated is suggested by Aelius Aristides' report that νέοι could be used by the city of Pergamon to give an appropriate welcome to famous visitors. Could they be obligated to do so, and what would this mean for criteria of membership?³⁶ A fragmentary inscription seems to mention a δοκιμασία, an entrance fee, and a clause on "those leaving".³⁷ Fraenkel explains this as a rule on the βουλευταί of the νέοι, because βουλευταί in some cities had to pay entrance fees, and another fragmentary inscription seems to mention a βουλή νέων.³⁸ But the entrance fee could have been paid by ordinary members, and there seems to be no parallel for νέοι (or any other association) with a separate βουλή of their own.³⁹ The δοκιμασία – if indeed carried out by the νέοι – nevertheless points to a significant degree of autonomy; it may have served as a regulatory mechanism to keep the institution closed off against 'unworthy' candidates.

The magistracies related to the νέοι, attested since the later Hellenistic period, raise another problem, as it is often not clear whether or not the magistrates of the νέοι were ultimately chosen by the city.⁴⁰ While

35 *I. Pergamon* 252 (second or first century BCE). The symbolic value of the gymnasium in a time of transition may be taken into account here, as it turned gymnasiarchs into guarantors of Pergamene civic traditions; see the remarks by Wörrle 2007: esp. 509–11.

36 Ael. Arist. *Or.* 51.29. Fraenkel (in *I. Pergamon*, p. 184) regarded it as natural "dass die römisch gewordenen Pergamener als Ersatz für die ihnen versagte politische Betätigung dem wichtig thuenenden Studententum den ersten Platz im öffentlichen Interesse gewährten".

37 *I. Pergamon* 278 l. 7: δοκ..., l.8: ἀποδιδόσ[θαι], l. 9: [τ]ῶν ἐξιόντων, l. 12–13: [τὸ τῶν] | νέων γυμνάσιον.

38 *I. Pergamon* 486 B l. 4: [ὁ δεῖνα γραμματεὺς βουλήs νέων.

39 Poland 1909: 386 n. † (followed by Forbes 1933: 35 n. 10) therefore proposed a comma: [γραμματεὺς βουλήs, νέων. This is not an elegant solution, but possibly the only one that does away with the unlikely 'council of the νέοι' – the person in question would have served as γραμματεὺς of both βουλή and νέοι.

40 The latter explanation is preferred by Forbes 1933: 36. Cf. Dmitriev 2005: 31–32; Labarre 2005 : 122: "Ces magistratures, créées pour encadrer la partie la plus jeune du corps civique, étaient de nature publique. Elles étaient indissociables de celles de la cité".

gymnasiarchs ‘of the νέοι’ (often also responsible for ἔφηβοι or γέροντες) were most likely civic officials, this is far less evident for secretaries or treasurers. It is therefore not clear how much direct influence wealthy people with their own agenda could exert on these organizations, apart from the informal rules of euergetism.

The spread of νέοι in Roman Asia Minor, their ambiguous status and their aristocratic outlook have occasionally led scholars to postulate an influence from the *collegia iuvenum* broadly attested in the Western provinces.⁴¹ As these groups have often been seen as a ‘Kaderschmiede’ for local elites in the West,⁴² their relationship to the νέοι would be very pertinent to this discussion. But not only are there good arguments against the aristocratic character of the *iuvenes*,⁴³ it is also difficult to align the supposed influence from West to East with the chronological data. The specific evidence adduced cannot carry much weight. The older literature unanimously refers to the νεανίσκοι of Thyateira as the prime example of a thoroughly Romanized group of young men, formed according to the model provided by the *iuvenes*, but the data hardly justifies this conclusion. What we have are seven honorific decrees by a group that

41 Kornemann 1900: 389 on the *neaniskoi* of Thyateira (but cf. 390 on γεπουσία and νέοι generally: “spezifisch griechische Erscheinungen”); Chapot 1904: 155 (“ils ont peut-être voulu imiter les *collegia iuvenum*”). Rostovtzeff 1905: 61-71 argues for the creation of the *iuvenes* by Augustus, based on the model of the ἔφηβεία, but also notes an influence by the *iuvenes* on the νέοι of Asia Minor (93 n. 1). Forbes 1933: 68 considers similar ideas (*iuvenes* influenced by νέοι), but cf. 62 on the νεανίσκοι of Thyateira, which were “patterned after the organized *iuvenes* of Italy and the West”. On the *iuvenes*, cf. Jaczynowska 1978, who (12-13, 18) points to local tradition and rejects the supposed influence of νέοι or ἔφηβοι.

42 Cf. the literature mentioned in the preceding note. There can be no doubt that *iuvenes* could be an element of local or regional networks with a strong Roman focus; cf. Roncaglia 2015: 206-7 on AE 1953: 18. But uniformity of organization and purpose should not be assumed, as shown by Randazzo 2000.

43 In the Severan period, Callistratus seems to presuppose that the large majority of *iuvenes* would be *tenuiores*: *Dig.* 48.19.28.3 with Jacques 1980: 217-24, who also notes that the evidence for nobles in groups of *iuvenes* is limited to patrons and magistrates, which may point to control exercised by local elites over youth organizations. See also Kleijwegt 1994: 83-84.

carries references to Herakles and the civic gymnasia in its name.⁴⁴ All inscriptions thoroughly root the νεανίσκοι in a Roman context: one is for a senator, and most others are concerned with services rendered or victories achieved during the Severan ἄγων. But this does not distinguish the νεανίσκοι of Thyateira from other groups; in addition, they do not seem to be identical with the νέοι, who also appear at Thyateira alongside δήμος and βουλή.⁴⁵ We are left with the worship of Herakles, which would certainly fit a Roman context, but can also be explained in the context of Greek gymnasia.

While it is impossible to show that the *iuvenes* influenced the νέοι or vice versa, the constant importance of νέοι in Roman Asia Minor may well have had something to do with the fact that Romans knew comparable organizations from Italy and the Western provinces. Emperors were aware of the peculiarities of Greek gymnastic culture (to the point that Trajan famously ridicules it in a letter to Pliny),⁴⁶ but they also knew what kind of organizations fostered Roman rule in other places. A direct equation between νέοι and *iuvenes* is not made in the most important document relating to the Roman perception of νέοι, namely, the *Senatus Consultum* from the time of Antoninus Pius concerning the νέοι of Kyzikos.⁴⁷ But the document confirms the impression that Roman law could act as an integrating factor with regard to ‘useful’ associations.⁴⁸

44 E.g. TAM V 2 949 (233-235 CE): ἀγαθῆι τύχηι. | [οἱ] περὶ τὸν Ἡρακλέα τῶν πρώ[των] γυμνασίων καὶ κατὰ τὸ ἀρ[χαῖο]ν τοῦ τρίτου νεανίσκοι | [Αὐρ.] Γλύκωνα, υἱὸν Αὐρ. Γλύκωνος | [τοῦ] Μητρᾶ ἀνδρὸς ἐκ προγόνων | [λειτ]ουργοῦ, προστάντα ἐνδόξως | [καὶ πο]λυδαπάνως τοῦ ὑπὸ αὐτῶν | [ἐπιτελ]ουμένου Σεβηρείου ἀγῶ[νος] τῶν ἐπινικίων ἑορτῶν | [τοῦ] κυ[ρίου] ἡμῶν Αὐτοκράτορος | [[Μ. Αὐρ. Σεβήρου Ἀλεξάνδρου]] | [Εὐσε]βοῦς Εὐτυχοῦς Σεβαστοῦ | [π]αρ’ ἑαυτῶν ἀνέστησαν. Cf. TAM V 2 987, 994, 1007, 1008, 1009, 1015.

45 TAM V 2 925 (νέοι dedicating a statue of βουλή from their own resources through their γραμματεῦς); 1065 (joint honors by δήμος, νέοι and παῖδες).

46 Plin. *Ep.* 10.40.2: *gymnasiis indulgent Graeculi*. Roman elitist discourse on the gymnasium has been recently discussed, from different perspectives, by Orth 2015 and Mann 2015.

47 *CIL* III 060 = *FIRA* I² 48; cf. the recent treatment by Groten 2015: 178-79.

48 That corporations connected to the gymnasium could fall under the rubric of *utilitas publica* is also argued (but with a focus on education) by Sommer 2006: 106-10, 126-35.

According to the Latin summary, the Kyzikenes had asked “that the *corpus* which is called ‘of the *véoi*’ and which they have in their city should be confirmed through the authority of the senate”.⁴⁹ As in the case of the οἶκος ναυκλήρων in Miletus,⁵⁰ the city asked for – and received – official confirmation of its right to ‘have’ an already existing group. *Confirmare* is also used by Gaius in his note on the legitimate *collegia* which receive special permission from either the senate or the emperor.⁵¹ By leaving the designation in the Greek, the text not only precludes a direct equation with *collegia iuvenum*, but also marks the *véoi* as a typically Greek institution. The parallels should nevertheless have been obvious. The use of the Greek may be explained by the need to give the precise *nomen* and *causa* of a *collegium licitum*, and the *nomen* was *véoi*.

The case of the *véoi* of Kyzikos supports a reading of the legal regulations that sees the whole discourse on *collegia* as directly relevant only for an altogether limited number of privileged groups with claims to *utilitas publica*.⁵² The *véoi* were among these groups because they evidently fulfilled a function that was judged important by the authorities: the continued reproduction of local elites with a strong orientation towards Rome. The request does not concern the foundation of the group, which

49 *Ut corpus, quod appellatur Neon et habent in civitate sua, auctoritate amplissimi ordinis confirmetur.*

50 Ehrhardt & Günther 2013 (SEG 63 974).

51 *Dig.* 3.4.1pr (Gaius 3 ad ed. prov.): *Item collegia romae certa sunt, quorum corpus senatus consultis atque constitutionibus principalibus confirmatum est.*

52 De Ligt 2001: 350–52 argues against the earlier view of Mommsen and de Robertis (that the *neoi* had to ask for permission because they did not consist of *tenuiores*; cf. *Dig.* 47.22.1pr) and instead focuses on the Kyzikenes’ attempt to gain prestige, which comes close to the reading offered here. But de Ligt goes on (355–356) to state that *véoi*, γερούσῳι etc. generally did not fall under the terms of the *lex Iulia de collegiis*, which was supposedly concerned only with *collegia sodalicia* (*Dig.* 47.22.1pr: *Mandatis principalibus praecipitur praesidibus provinciarum, ne patientur esse collegia sodalicia neve milites collegia in castris habeant*). I read Marcian’s text as referring to *collegia* and *sodalicia*, i.e. all possible forms of private organization (as do Groten 2015: 268–69 and Bendlin 2016). The focus on Roman law as an incentive to participate in a new order turns de Ligt’s argument on its head: it was precisely semi-public groups like the *véoi* who could accept the offer made by the *lex Iulia*. This also has a bearing on the reading offered by Randazzo 2000: 209–10 (who, in addition, too readily equates *véoi* and *iuvenes* and does not take into account the long prehistory of *véoi* at Cyzicus).

the Kyzikenes already “have in their city”,⁵³ but its confirmation as a *corpus*; it is a successful attempt to gain official recognition of a corporate ‘imperial identity’. The omnipresent quest for status and privileges fueled the provincials’ desire to become part of the system. Individuals could pride themselves of having a part in a legitimate, elitist institution – which could in turn commemorate its members as φίλοι ἀδελφοί, as in the footprints accompanied by inscriptions from Kyzikos.⁵⁴ Rome, on the other hand, could only profit from the legal integration of an institution that might, under special circumstances, foster not loyalty, but social unrest.⁵⁵

A necessary consequence of such recognition was that the organization gained the right to be treated *ad exemplum rei publicae* – this is what *corpus habere* was all about. We may want to describe this as a process of privatization, as the νέοι should henceforth have been able to autonomously administer their own affairs without interference by civic magistrates.⁵⁶ However, we do not know how things played out locally, and

53 A list recording gifts by Philetairos of Pergamon already mentions νέοι at Cyzicus for the year 277/6 BCE: εἰς ἔλαιον καὶ [σ]υναγωγ[γὴν] | τῶν νέων ἀργυρίου τάλαντα Ἀλεξάνδρεια | εἴκοσιν ἕξ (OGIS 748 ll. 15-17). Although συναγωγή is probably used as a term for assembly and not as a corporate designation, this may well have been the *corpus quod appellatur neon* later to be the subject of the SC.

54 E.g. *IMT Kyz Kapu Dağ* 1508 (third century CE?): [Α]ρτεμιδώρου κ(αἰ) | [Σ]ωσιπάρχου κα(ἰ) | [Ἀσ]κληπιάδου κ(αἰ) Πο[π]λίου τῶν φίλων[v] ἀδελφῶν μέμνη[σ]θε οἱ νέοι; cf. Hasluck 1910: 293; Ziebarth 1914: 103-4; both authors point to a parallel phenomenon from the gymnasium of the νέοι at Pergamon (*I. Pergamon* 576).

55 Cf. esp. *Dig.* 48.19.28.3 (Callistratus 6 de cogn.): *Solent quidam, qui vulgo se iuvenes appellant, in quibusdam civitatibus turbulentis se adclamationibus popularium accommodare. Qui si amplius nihil admiserint nec ante sint a praeside admoniti, fustibus caesi dimittuntur aut etiam spectaculis eis interdicitur. Quod si ita correcti in eisdem deprehendantur, exilio puniendi sunt, nonnumquam capite plectendi, scilicet cum saepius seditiose et turbulente se gesserint et aliquotiens adprehensi tractati clementius in eadem temeritate propositi perseveraverint.* That the *iuvenes* in view here may not have been organized in *collegia* is argued, among others, by Randazzo 2000: 205-8; contrast Jacques 1980: 220. Laurendi 2016: 283-85 argues that *vulgo* marks the lack of official organization.

56 This may have been one of the points addressed by the proconsul Memmius Rufus in his regulations concerning the gymnasium of Beroia (*I. Beroia* 7). Some specific competence (the right to appoint the ephedarch according to Kennell 2007) is left to the “association of the νέοι” (L.45: -- χίας τόπον τῆ τῶν νέων ἀπολείπω συνηθεία). Kennell points to the fact that the νέοι are treated as a “legally-constituted association”.

in any case, legal recognition by Rome can also be seen as a transition from one state oriented context (an institution embedded into the civic framework) to another (an institution embedded into the imperial framework). The city's interest in this transition remains somewhat unclear, but as it was the city that made the request, there must have been some kind of advantage to be had. Perhaps the creation of a legally independent entity could relieve the city of some of the financial burden connected to the maintenance of *véoi* associations: as a legitimate *corpus* the *véoi* of Kyzikos could hope to gain "privileges and immunities" from Roman administrators, and to attract benefactors who wanted to associate themselves with the group.⁵⁷ However, our ignorance about how a constellation like this would have played out in financial terms is almost total.

The *véoi* thus fit the model developed above quite well. Their long Hellenistic history shows that not all the bricks in the wall of Roman imperial culture had to be newly manufactured. However, the institution was transformed and re-imported into Asia Minor. We need to ask why an institution survived and even spread that had lost much of its original relevance in the Roman period, when the military training of future citizens was not decisive for a city's future anymore. The symbolic dimension of having young men train for combat and demonstrate their skills in public performances should not be underestimated.⁵⁸ But another reason may well have been this institution's capacity to foster elite reproduction on several levels, as a school for acquiring the habitual dispositions needed, and a platform of representation for gymnasiarchs and other benefactors.

57 In the case of Beroia (see preceding footnote), the independent legal status of the *véoi* appears to be part of the proconsul's solution to the problem of chronic underfunding of the city's gymnasium.

58 This is not the place to enter discussion of the recently published ephebarthic law from Amphipolis (SEG 65 420; new ed. by Rousset 2017), which has received much attention already (Rousset *ibid.* with the response by Hatzopoulos 2015/16 [published 2017]; Mari 2017). Setting aside its value for reconstructing Antigonid social institutions, in our context it is important to note that in 24/3 BCE, a law from the second century BCE was (partially? faithfully? cf. Hatzopoulos vs. Rousset) re-inscribed that regulated the military training of ephebes, although the political context had clearly changed and many rules were no longer applicable.

The paradigmatic parallel for this would be the Athenian *ἐφηβεία*. Due to the exceptional amount of data, we can here trace a transformation “from a school for citizens to an aristocratic club” – not because only aristocratic families would have been allowed to enter, which was not the case, but because the *ἐφηβεία* became a primary focus of elite representation.⁵⁹ Aristocrats took care to be appointed *κοσμήτης* in the year their son entered the *ἐφηβεία* (or even sons: age limits were apparently less important than the desire for elite representation); catalogues of ephebes were no longer erected by the city, but by the elite members or functionaries at their own costs.⁶⁰ At the same time, the *ἐφηβεία* became a precise copy of the Athenian state. Its function as a corporate body of elite reproduction is especially visible: after the *ἐφηβεία*, people often held high offices in the city, thus taking over roles for which they had been thoroughly prepared through their period as ephebes.⁶¹ They had learned the codes of elite behavior, they had enhanced their network (even translocally, as the *ἐφηβεία* was open to citizens from abroad), they had distinguished themselves from the non-aristocratic ephebes, and had already entered a competition for fame and honor with their aristocratic equals. The public or private nature of this institution has been debated.⁶² Perhaps we should locate the ephebes and their organization exactly at the boundary between the modern notions of public and private. The processes described here have their roots in the Hellenistic period,⁶³ but their formalization under Roman rule is still remarkable. And while it is certainly justified to warn against taking Athens as a normative model for understanding the *ἐφηβεία* in other cities at least in the Hellenistic period,⁶⁴ it can serve as a model for the development of

59 The quotation is taken from Wiemer 2011 (title), who, however, argues against this development (see below, note 62).

60 Wiemer 2011: 500–8.

61 Wiemer 2011: 506.

62 Wiemer 2011: 512–13 stresses the public character of the *ἐφηβεία*, noting that no private association could have acted in public or made similar claims to being a civic institution; both arguments are open to question. Perrin-Saminadayar 2013: 173 notes a structure “de type associatif”, but justly sees a decisive difference to private associations in the temporary nature of membership.

63 Stressed by Perrin-Saminadayar 2013.

64 Hin 2007: esp. 141–43.

age-based organizations in the Roman period, including the νέοι of Asia Minor.

3. The Old

From the ‘young’, we may now move on to the ‘old’, the πρεσβύτεροι or, much more common in the Roman period, the γερουσία. The origins of clubs of old men (i.e. older than thirty) tied to the gymnasium are Hellenistic, but they appear later than the νέοι, and not in the same quantity. In Roman times there seems to have occurred a development in terminology from πρεσβύτεροι (as the more natural antonym to νέοι) to the corporate designation γερουσία, although in the early Roman period both terms were used, even within the same city and in the same decree, as in first-century BCE Iasos.⁶⁵ It has been argued convincingly that the late emergence of πρεσβύτεροι was the result of individual benevolence shown by gymnasiarchs.⁶⁶ Unlike the νέοι, πρεσβύτεροι do not seem to have been subject to civic obligations, so they appear as an originally private organization. That they were a club of nobles is suggested by the very fact that benefactors found it advantageous to include them in their distributions.

The late Hellenistic πρεσβύτεροι never reached the wide distribution and the political influence that characterized the γερουσία of the Roman period. That influence was such that on first sight, there seems little sense in searching for private characteristics of the γερουσία. In many cities of Roman Asia Minor, it regularly appears as co-author of civic decrees, alongside δήμος and βουλή, sometimes even replacing the latter. Its significance may also be measured by the fact that the trend towards personification of civic institutions included the γερουσία; as in the case of δήμος and βουλή, both statue groups and coins showing γερουσία personified are well attested.⁶⁷ Roman law does not seem to be of help either:

65 *I. Iasos* 87 and 121; cf. Zimmermann 2007: 1524. On the πρεσβύτεροι of Iasos, cf. now Fröhlich 2013.

66 Fröhlich 2013: 79-97.

67 Martin 2013: I 141-51. An inscription from Halikarnassos published by Carbon, Isager & Pedersen 2017 mentions the “first priestess of (the) γερουσία”, who was elected by

in Pliny's exchange of letters with Trajan, a *collegium fabrorum*, Greek ἔρανοι and even distributions of money among people grouped *quasi per corpora* are all treated as problematic (with different results), while the existence of a γερουσία is mentioned only in passing, with no reference at all to the ban on associations Pliny was supposed to carry out in Bithynia et Pontus.⁶⁸ That Vitruvius refers to the γερουσία of Sardeis as a *collegium seniorum* also does not tell us much, as *collegium* could designate a private association as much as a board of magistrates.⁶⁹ However, this official outlook might be the result of accumulated influence overshadowing the original nature of the institution. Two aspects in particular link the γερουσία with the sphere of Romanized corporations: the issue of membership and the issue of foundation.

As regards membership, two inscriptions from Phrygia strongly suggest that γερουσίαι could be governed by different rules and interests than one might expect from an institution supposedly analogous to either the βουλαί or age-classes. At Sebaste, a whole family of Iulii (father, mother, three children including a daughter) was among the 71 persons who joined the local γερουσία in 99 CE.⁷⁰ This is remarkable in several ways: members of the γερουσία of Sebaste, which was perhaps founded on this occasion, apparently did not need to be old, nor did they need to be male.⁷¹ At least in this case, the γερουσία seems to have served as a

the σύστημα γερόντων and honored by the people. Perhaps we are again dealing with γερουσία personified, which would make the dating of the inscription (first century BCE according to the editors) all the more interesting.

68 Plin. *Ep.* 10.33.1 (*gerusia*); 10.33-34 (*fabri*); 92-93 (*eranoi*); 117 (*quasi per corpora*).

69 *Vitr.* 2.8.10: *Croesi domus, quem Sardiani civibus ad requiescendum aetatis otio, seniorum collegio gerusiam dedicaverunt ...*

70 Paris 1883: 452-56 no. 2.

71 It is well known that there were female gymnasiarchs, but these were liturgical positions of an honorific character, perhaps most often carried out by widows (see Wörrle 2016, 410-14 on a new inscription from Limyra). It is true that membership of the Iulii in the γερουσία of Sebaste may also be regarded as honorific in character; cf. the case of Tate, a former gymnasiarch who was accepted in the γερουσία of Herakleia Salbake (*CIG* 3953c with Robert & Robert 1954: 174-75 no. 67), and TAM II 130 from Lydai for a γεραιὸς διὰ βίου (Wörrle 2016: 420 n. 80: "vielleicht eine Art Ehrenmitgliedschaft"). However, the inscription itself gives us no reason to think that children could not be brought to the meetings. – The recent attempt to show that women

venue for elite representation involving the whole family; the introduction of children was an effective way of integrating them into the local high society. By joining an elite club, they would have acquired the habitual dispositions necessary to perpetuate this family's status in the future. This is a rather natural way of elite reproduction, based on ancestry and on the existence of organizations where elite behavior could be learned. The tendency to encourage members to introduce their children, e.g. by reducing the entrance fee, is visible in other elite groups whose activities oscillate between civic and private. A prominent example is provided by the ὑμνωδοί of Pergamon, a group that specified its calendar and some conditions of membership on stone and looks much like a private organization, until we remember that issues surrounding the hymn-singers of Asia were subject to direct regulations by the emperor.⁷² In this semi-private body, “the one who takes over the hymn of his father” enters for half the price.⁷³

At Akmoneia in 64 CE, a certain Demades was allowed to inscribe someone into the membership list of the local γερουσία without an entrance fee (ἄσύμβολος).⁷⁴ Demades chose Karpos, a freedman (most likely: his freedman). The whole process must have been unusual, because the decree explicitly emphasizes that Karpos should enjoy rights on an equal footing. This needed to be stressed either because the procedure deviated from the normal process of admission (which at least included payment of a fee), or because freedmen were not normally members of Akmoneia's club of elders. The γερουσία of Akmoneia is known as an important local institution, treated on a par with δῆμος and πόλις (not βουλή!) in the monumental representations of the city's main governing bodies erected by a priest of Athena.⁷⁵ But in this case, it seems to act more like a private association. Demades had presumably gained this

could regularly be trained in gymnasia just like men (Tsouvala 2015) depends on rather doubtful evidence.

72 *I. Pergamon* 374 (time of Hadrian). For imperial measures regarding the ὑμνωδοί, cf. *I. Ephesos* 17-19; on their public nature, cf. Poland 1909: 47-49; for their interpretation as a private group, see Ziebarth 1896: 90-92; Price 1984: 118; on financial aspects, cf. Edelmann-Singer 2012: 167-69.

73 *I. Pergamon* 374 d ll. 17-18: ὁ δὲ πατρῶον διαδεξάμενος | ὕμνον.

74 *SEG* 56 1489 (Varinlioğlu 2006: 368-71, no. 5) ll. 1-5.

75 *SEG* 56 1490 (Varinlioğlu 2006: 363-68, no. 4); cf. Giannakopoulos 2013: 23-24.

right as a reward for benefactions; parallels are known from associations in Athens and on Delos.⁷⁶ We may ask why he did not introduce his son – maybe he had none, maybe his son was already a member. Introducing a freedman would mean two things: Demades' influence within the *γερουσία* was strengthened through the integration of a person loyal to him, and Karpos' membership in the local *γερουσία* was visible proof of the fact that Demades had the power to elevate people (and by inference, to bring people down). This is a classic theme of elite representation. It is based on a somewhat different way of elite reproduction than the one discussed above, namely on the possibility of 'leapfrogging': dependents could be promoted to elite status, or at least join the elite clubs, through loyalty towards their patrons.

For the Flavian period, entrance fees seem to be attested for the *γερουσία* of Chios and Kos as well.⁷⁷ The problem of admission is further elucidated by an inscription from Pergamon of Hadrianic date which has been found in the gymnasium of the *νέοι*, but has normally been understood to be the regulation of a club of elders because members were allowed to introduce their sons for 50 Denarii, provided that they had passed the *δοκιμασία* and their fathers had been members for at least five years.⁷⁸ It can be assumed that new members normally had to pay an entrance fee of 100 Denarii; they were probably limited in number. All this points to a closed elite circle with a tendency towards hereditary membership – very much like the *ὑμνωδοί*, where the entrance fee was also 100 Denarii, and where we know at least some of the members, such as the wealthy Castricii. That the actual age was rather irrelevant is sug-

76 *IG II² 1337* (Athens, 57/6 BCE); *I. Délos 1520* (153/2 BCE); cf. for other parallels Giannakopoulos 2013: 17–18.

77 *I. Ephesos 13 ii ll. 8–9, 16*; cf. Zimmermann 2007: 1527.

78 Heping 1907: 293–96 no. 18 b/c ll. 7–10: ὁμοίως δὲ εἰσέρχεσθαι τοὺς υἱοὺς τῶν μετεχόντων, δοκιμασθέντας μὲν καὶ αὐτοὺς, διδόντας δὲ εἰσηλύσιον 50, εἴ γε αὐτῶν οἱ πατέρες πρὸ πενταετίας μετεῖχον τοῦ συστήματος. Heping already argued that the regulation stems from the local *πρεσβύτεροι* or *γερουσία* (295); cf. Feyel 2009: 372–73. Certainty is impossible; this could also be a different association with more vague links to the gymnasium. But the terminology (*σύστημα*, *συνέδριον*) supports Heping's assumption, as it seems to occur more often in the context of age groups.

gested by the fact that fathers and sons could apparently enter the association at the same time (but would then not profit from the reduced rate).

The ‘old’ appear, at least in the cities discussed, as another example of a formalization and institutional elevation of late Hellenistic structures through Romanization. The organizational form most often chosen was the *γερουσία*, although we do see *γερουσῖαι* and *πρεσβύτεροι* co-existing for some time. As should be expected for elite corporations without a traditional place in the institutional makeup of Greek cities, the creation of such groups could depend on private initiative, which brings us to the issue of foundation.

A good example comes from early imperial Metropolis. A list records the contributions of members “for the Augusti and the *πρεσβύτεροι*”; as some members have contributed *κλῖναι* rather than money, the reference seems to be to the building or renovation of the *πρεσβύτεροι*’s meeting place.⁷⁹ Through the inclusion of the imperial household, this very act is framed as a contribution to the Roman imperial order. The members come from distinguished families who were already prominent in the Hellenistic period, but the group in this form came into being only recently; the list refers to its “new founder” Papylos.⁸⁰ The strong Roman orientation of the Metropolitan *πρεσβύτεροι* is further illustrated by the fact that they erected a partial copy of the Augustan calendar decree in their meeting place, most likely as a symbolic attachment to the ideas of peace and prosperity so enthusiastically expressed in that document.⁸¹

79 SEG 49 1522.

80 Ll. 9-10: Πάπυλος Ἀπολλωνίδου καὶ αὐτὸς τῶν πρεσβυτέρων | νέος κτίστης. Engelmann 1999: 142 and Dreyer 2015: 141 think that νέος κτίστης was an honorific title conveyed upon Papylos by the city, but this would make Papylos the only one in the list who is actually a member of the *πρεσβύτεροι* – a rather improbable suggestion. We should rather understand: “who is himself the new founder of the *πρεσβύτεροι*”, as does Fröhlich 2013: 64-65. On the members recorded in the list, cf. Engelmann 1999: 142 (“Die Stifter kamen meist aus alteingesessenen Familien, die seit hellenistischer Zeit in der Stadt belegt sind”), and the additions by Rigsby 2007: 134. It is not entirely clear how the *πρεσβύτεροι* relate to the *γεραιοί* who honored a gymnasiarch at some point in the first century CE (ed. pr. Dreyer 2015: 140, who also points out the almost identical wording in SEG 58 1339, a decree of the *πρεσβύτεροι*).

81 Dreyer & Engelmann 2006.

In a later period, a well-known inscription from Sidyma shows how Roman law could frame the process of founding a pro-Roman organization. The Sidymeans had decided to create a σύστημα γεροντικόν, because the current situation created by the emperor Commodus and his proconsul was just so brilliant and joyful.⁸² The γερουσία is thus presented in the most obvious way as an integral part of the Roman order. The city of Sidyma sent a prominent citizen, the Lykiarch Tiberius Claudius Telemachus, to the proconsul, who replied that such an intelligent decision deserved praise, not confirmation.⁸³ This interesting discourse on the relevance or irrelevance of Roman law seems to disguise the fact that the σύστημα γεροντικόν did in fact undergo a ratification procedure like the νέοι of Cyzicus, or the οἶκος ναυκλήρων of Miletus.⁸⁴ Whether or not that was a necessary step we can hardly know. For Sidyma, the answer depends on our willingness to read between the lines of the proconsul's rhetoric, and in all cases mentioned, the cities may simply have been interested in establishing or maintaining diplomatic contacts. A more fruitful understanding may be reached by focusing, again, on the legal conception of *collegia* as an incentive rather than a set of merely prohibitive measures.

In Sidyma, the first members of the γερουσία were named in a list, distinguished by their status as βουλευταί or δημόται – a nice example for the relevance of a basic understanding of *ordines* even inside elite corporations.⁸⁵ At the same time, the very presence of δημόται suggests that this was at least in part an attempt to enhance the number of people who could be counted among the local elite by virtue of their membership in the σύστημα γεροντικόν – an unusual strategy of elite reproduction, presumably motivated by the growing financial pressure that local elites had to face in the late second century. The distribution of βουλευταί to

82 TAM II 175 ll. 3-6: ἐπεὶ διὰ τοὺς [εὐ]τυχεστάτους καιροὺς τοῦ θειοτάτου Αὐτοκράτορος Καίσαρος | ... περὶ τὰς πόλεις αὔξησιν καὶ ἡ ἡμετέρα | πόλις ἐψηφίσαστο σύστημα γερωνικόν κατὰ τὸν νόμον.

83 ll. 10-12: Πομπῶ(νιος) Βάσσος ἀνθύ(πατος) Σιδυμέων | ἄρχουσι βουλή δῆμῳ χαίρειν τὰ καλῶς γεινόμενα ἐπαινέσθαι μᾶλλον προσήκει ἢ κυροῦσθαι.

84 Cf. already Benndorf & Niemann 1884: 73. De Ligt 2001: 353 emphasizes the voluntariness of the procedure, taking the proconsul's words at face value. Does κατὰ τὸν νόμον in l. 6 perhaps point into a different direction?

85 TAM II 176 ll. 2-4: οἱ πρώτως καταταγέντες ἰς τὴν γερουσίαν.

δημόται is 51:49. Given that 100 is a plausible number for ratification purposes,⁸⁶ this seems to suggest that the Sidymeans included as many δημόται as was possible without compromising the character of the group as an elitist institution. We do not know how the βουλευταί were chosen (there were certainly more than 51 in Sidyma),⁸⁷ but, if this reconstruction is correct, we see the interests of the elite behind a foundation that might at first sight appear to be a democratic innovation.

A similar process of foundation, perhaps with a stronger involvement of a private person, may have occurred in Phrygian Apameia, but the evidence is difficult to interpret.⁸⁸ A more instructive case takes us back to Lycia. The γερουσία of Patara was established at some time in the 120s by a wealthy individual, Gaius Iulius Demosthenes. His personal initiative was duly acknowledged in a later honorary decree for his son issued by βουλή, δῆμος and the recently created γερουσία.⁸⁹ As no Gaius Iulius Demosthenes is known from Patara through other inscriptions, his identification with the famous Gaius Iulius Demosthenes of Oinoanda, best known through the long inscription recording his foundation of the Demostheneia, is virtually certain.⁹⁰ Demosthenes belonged to the fraction of Lycian elites that not only gained influence locally, but also achieved a career in Roman military service; he was also involved in Roman administration on a regional level, as he became high priest of the emperors in the Lycian κοινόν. He thus participated in a translocal network of

86 Pliny's *fabri* would have consisted of 150 members (*Ep.* 10.33). The *centonarii* of Hispalis had 100 members according to Mommsen's reconstruction of *CIL* II 1167 ll. 8-10 (this is evidently insecure). Membership of the *Augustales corporati* in Misenum was likely fixed at 100, cf. d'Arms 2000: 133. The *collegium fabrum dolabrariorum* in Trier seems to have had 100 members: the 50 names of the first *decuria* are partially preserved, and there is room for only one other *decuria* (*CIL* XIII 11313; cf. Waltzing 1909). The 93 *centonarii* of Solva may also have been 100 at the time of the official registration of the group (which is firmly established through the very topic discussed in Septimius Severus' rescript *AE* 1983: 731).

87 Habermann 2014: 236 n. 46 thinks that the 51 were distinguished by age; in view of the other evidence discussed here, the relevance of one's actual age for entering a *gerousia* needs to be questioned.

88 *IGR* IV 783; cf. Giannakopoulos 2008: 39-43.

89 Engelmann 2012: 191-92 no. 11 ll. 7-8: καὶ συστησαμένου τὴν γερουσίαν.

90 Demostheneia: Wörrle 1988. Identification: Lepke, Schuler & Zimmermann 2015: 365 ("An der Identität ... ist kaum zu zweifeln").

elites, and his offspring was later married to elite households in several Lycian cities, of course including Patara.⁹¹ We know that the Lycian ἀρχιερεῖς specifically cared for gymnasia of their home cities, and that the γυμνασιαρχία was one of the liturgies that were occasionally taken over by these super-elites.⁹² The foundation of a γερουσία in Patara seems to have been one small part of the translocal networking that someone like Demosthenes from Oinoanda had to engage in. He became the first gymnasiarch ‘of all age classes’ at Patara, a title regularly attested in later inscriptions. The office could also be held by women; one of the attested office-holders is in fact Julia Verania, most likely Demosthenes’ daughter.⁹³

The γερουσία of Patara appears as an official civic institution in the formula introducing civic decrees, which regularly mentions ἡ βουλή καὶ ὁ δῆμος καὶ ἡ γερουσία. But not only do we now know that it was founded by an individual (unlike βουλή and δῆμος); we can also observe slight differences. Claudia Anassa, wife of the great benefactor Tiberius Claudius Eudemos and herself benefactor with a special interest in the γυμνασιαρχία, was honored for her financial engagement with a statue. The decree was issued by βουλή, δῆμος and γερουσία, but the approval for setting up a statue could be given only by βουλή and δῆμος.⁹⁴ For all the γερουσία’s official appearance and political influence, which inevitably followed from its character as an elite club, a distinction was still drawn when it came to awarding the privilege of marking local civic space.

The political significance of γερουσίαι has been controversially discussed. It is true that specific competences cannot be identified,⁹⁵ but

91 Cf. Wörrle 1988: 55–65.

92 Cf. Bönsch & Lepke 2013: 499–500.

93 See the inscription published by Engelmann 2017.

94 Lepke, Schuler & Zimmermann 2015: 357–61 no. 9 ii ll. 14–15 (SEG 65 1486): τὴν δὲ τοῦ ἀνδριάντος ἀνάστασιν ἐκύρωσεν ἢ τε βουλή καὶ ὁ δῆμος.

95 Cf. Quaß 1993: 418–20, who argues against overestimating the γερουσίαι’s political relevance. The terminology chosen is reminiscent of the debate on νέοι: “[Es] darf als sicher gelten, daß die kaiserzeitlichen Gerusien keine politischen, sondern soziale Institutionen waren” (419). Contrast Zimmermann 2007: 1527, who emphasizes that due to their elitist character, γερουσίαι were political rather than gymnasial institutions.

this may lie in the very nature of an institution that may best be compared with the resident Romans (κατοικοῦντες Ῥωμαῖοι etc.). In both cases, a circle of influential Romanized (or simply Roman) people assumed a corporate identity, often based on private initiative. Their combined influence and network effects, which could be used to the good of the city, made it desirable for βουλή and δῆμος to include these newly formed groups in political decisions, although they did not have a traditional role to play in them. The fact that both resident Romans and the γερουσίαι appear as partners of βουλή and δῆμος in civic decrees therefore should not distract from the efforts of private persons to create these corporations, or from the character of these groups as official embodiments of essentially private networks formed by influential persons. In several cities especially in the hinterland, Romans and γερουσίαι are the spearheads of Romanization; professional associations then follow with a delay of about fifty years.⁹⁶ Nor was that process necessarily limited to the urbanized areas. Village γερουσίαι that appear to have been founded as private clubs are known from a number of inscriptions.⁹⁷

The proliferation of decrees jointly issued by βουλή, δῆμος and γερουσία may also overshadow possible conflicts between the γερουσία and the civic government. The γερουσία of Ephesos is a well-known, but debated case. A series of letters from Roman emperors and the proconsul of Asia, ranging from approximately 29 BC to 32 CE, shows how the γερουσία had to negotiate its privileges with the Roman administrators in charge.⁹⁸ The last letters (by the proconsul Publius Petronius) were sent in three successive years, which has been taken to imply a necessity to seek annual renewal of the privileges. But the more likely interpretation is that the γερουσία needed reassurance and clarification of the privileges in the light of some unknown conflict.⁹⁹ The other party in that conflict must have been the city itself. The clarification (or addition) in

96 Cf. Eckhardt 2016: 149-52.

97 Cf. Schuler 1998: 227-29. A nice illustration is an inscription of late Hellenistic or early imperial date from Attea in Mysia, recently discussed by Jones 2014 (*SEG* 63 1017): the κάτοικοι Ῥωμαῖοί τε καὶ Ἕλληνες and the γερουσία honor a hero. Neither a δῆμος nor a βουλή are involved in this village decree, but the trend towards developing corporations that fit into the Roman order is already visible.

98 *SEG* 43 757-72.

99 As is convincingly argued by Lewis 2000.

one of the letters that the *γερουσία* was allowed to prosecute its debtors according to its own laws points to one of the sources of conflict.¹⁰⁰ We do not know for sure how the *γερουσία* had originally received its privileges. Registration as an official *collegium* is not the only possible explanation, but it is a likely one, and perhaps supported by the frequent occurrence of the term *σύστημα* both here and in other early examples of interaction between Roman authorities and newly formed *γερουσῖαι*.¹⁰¹ The main point is that Rome actively supported the creation and maintenance of an elitist corporation that could be distinguished from the civic governing bodies – and was prepared to maintain that distinction even where it led to conflicts.

Admittedly, the evidence adduced in this section has rather often been taken from regions which are not normally at the core of debates on the Romanization of institutions. However, special cases are needed to get a clearer view on the realities often hidden behind a consensual and official rhetoric. We might add that this is not the only example where Phrygia and Lycia provide early and unambiguous evidence for the social processes which are generally believed to characterize Roman Asia Minor – like the transformation of civic *βουλαί* into aristocratic bodies, so clearly reflected in the praise for Quintus Veranius in the *Stadiasmus Patarensis* and other documents from Lycia, or the role resident Romans could play in the early first century CE, remarkably visible in Phrygian Apameia.¹⁰² Sometimes, people at the periphery may be more excited than others about change, and record it in forms that are easier to decipher for us.

100 SEG 43 765 (29/30 CE) ll.17-18: πρὸς τε τοὺς ὀφείλοντας ὑμῖν | καὶ πράξεις γείνεσθαι κατὰ τοὺς ὑμετέρους νόμους.

101 Cf. the *γερουσία* of Kos in a letter of Claudius (IG XII 4 1 254, 47/48 CE), or in Greece the old men of Argos and Agrippa (RDGE 63). *Σύστημα* is unattested as a designation for associations before the Roman period (but see already Pol. 21.13.11 on the *Salii*). In terms of both etymology and meaning, it is the closest match for *collegium* one could imagine. Cf. the passage from Vitruvius quoted above, n. 69.

102 Lycia: SEG 51 1832 A ll. 25-30 (*stadiasmus*); SEG 51 1824bis: The first *βουλευταί* of Gagai according to the new reading by Schuler & Zimmermann 2012: 616, cf. *ibid.*, 609-18 for the publication of a new bouleutic list of Patara and discussion of the transformation of civic *βουλαί*. Romans in Apameia: Terpstra 2013: 203-7.

4. The Blessed

It is a truism that all group life in antiquity had a religious dimension; to some extent, all associations were cult associations.¹⁰³ There are nevertheless notable differences in the way this aspect is stressed in their designations and in the records of their activities. Roman Asia Minor offers ample testimony for the spread of associations named after professions – a phenomenon virtually unattested in the region before the imperial era. At the beginning of this article, it was suggested that the desire to become part of a Romanized social order could lead to the formation of corporate organizations that could claim a place in that order, at the expense of other forms that had been established at an earlier period. Professionalization is one plausible test case. In Ionian cities like Ephesos and Smyrna, the evidence for associations with a deity in their name crumbles against the large number of professional associations. In these cities, Romanization apparently led to changes in the associational culture, or at least in the publicly visible part of that culture. The nature of these changes does not seem coincidental given the fact that the Roman conception of legitimate *collegia* left little to no room for private religious activities as the stated purpose of an association.¹⁰⁴

The one phenomenon that seemingly militates against this conclusion is the remarkable spread, in the second and third centuries CE, of μύσται throughout Ionia and the rest of Asia Minor. It surely demands a better explanation than the one offered by Poland, who argued that these μύσται adhered to indigenous Anatolian traditions thinly veiled in

103 Frequently noted in the early days of scholarship: e.g. Wilamowitz-Moellendorf 1881: 274; Ziebarth 1896: 12-13; Poland 1909: 5-6.

104 Among the dossier of inscriptions recording official recognition procedures, religion figures prominently in the case of a) the *symphoniaci* who performed during *sacra publica* at Rome (*CIL* VI 4416); b) the *dendrophori*, who were civic personnel in the cult of Mater Magna (*CIL* VI 29691; X 3699, 3700); c) the *Augustales*, who were official institutions for emperor worship (*CIL* V 4428; *AE* 2001, 854), d) the *cultores Dianae et Antinoi* of Lanuvium (*CIL* XIV 2112), who do not seem to fit the pattern on first sight, but seem to have received legal recognition only after they added Antinoos to their name and should hence be regarded as a loyalty cult (as argued by Bendlin 2011).

a Greek cloak.¹⁰⁵ The following remarks are an attempt to show that for many groups of μύσται, the νέοι and γεπουσάι of Roman Asia Minor provide a more plausible analogy than private cult associations.¹⁰⁶ They, too, spread widely because of their capacity to express elitism, and can therefore be tied to the transformation of Greek cities into building blocks of the Roman empire. It is clear that ‘initiates’ do not, on first and perhaps also on second sight, operate on the same institutional level as the age-classes. Their very designation not only points to a different scope of action, but also to elective social formation – one does not choose to be ‘young’ or ‘old’, but initiation is usually a choice. These differences of representation (not necessarily in content) make this case study all the more pertinent in our context. Not only does it help to integrate religion – the most prominent associational context in the Hellenistic period – into our picture of transformations under Rome. It may also serve to confirm the impression that the process in view here was a two-way street: civic institutions could assume more private characteristics over time (like the young men), but they were met halfway by others that assumed a more civic character than they used to have (like the elders).

Mysteries were of course not a Roman innovation, but an age-old Greek form of worship. This very fact makes it all the more interesting that the many inscriptions mentioning μύσται in Asia Minor are almost entirely of Roman date.¹⁰⁷ This distribution fits a general trend of the period: intellectuals of the imperial era reinterpreted cultic and philosophical traditions, contributing to what has been labelled the ‘mysterization’ of religion.¹⁰⁸ The reasons for this new taste are of course difficult to pin down, but what we can say is that mysteries and Roman imperial ideology were a rather fitting match. Emperors publicly underwent initiation in Eleusis and supported new mystery cults and “mystical contests”.¹⁰⁹

105 Poland 1909: 37.

106 A fuller discussion of μύσται and μυστήρια, also extending to the Hellenistic roots, is provided by Eckhardt & Lepke 2018.

107 Justly noted by Poland 1909: 38; inexplicably denied by Sommer 2006: 182.

108 The term (“Mysterisierung”) is taken from Auffarth 2013: 433; cf. now also section 2 in Belayche, Massa & Hoffmann 2021.

109 New mystery cults: IG XII 2 205 (Mytilene 14-37 CE); ἀγῶνες μυστικοί: I. Ancyra 141; I. Side 130.

Especially in Asia Minor, the cult of the emperor could be fused with mystery concepts, which led to a neologism like *σεβαστοφάντης*.¹¹⁰ This discursive background needs to be kept in mind in discussing groups of *μύσται*. Their very name made them a rather obvious candidate for integration into an order based on loyalty and privileges.

The most famous group from Smyrna is the *σύνοδος* of *τεχνῖται* and *μύσται* of Dionysos Breiseus *πρὸ πόλεως*. It is attested in several inscriptions from the reign of Titus onwards; the latest piece of evidence is a bronze seal showing either Philippus Arabs or (less likely) Gallienus with their imperial households.¹¹¹ The *μύσται* and *τεχνῖται* had a very prominent position in Smyrna.¹¹² They were in regular contact with emperors and Roman governors, and took care to document these contacts in inscriptions which seem to have functioned as a kind of archival records. The association even specifically asked for copies of documents to be sent from Rome, thus ensuring both authenticity of the documents and another occasion for diplomatic contact.¹¹³ The *μύσται* celebrated the birthdays of the emperors, but also the Panathenaia and “the festivals decreed by the city”.¹¹⁴ Apart from the lists of members, not a single one of the eleven documents pertaining to this association lacks a reference to Rome or to people who represented the Roman order. The information provided by the lists is also revealing. New members paid an entrance fee and were listed as “those who have paid the fee”;¹¹⁵ also in the lists is the designation *πατρομύσται*, which seems to suggest that those whose fathers had already been *μύσται* paid less – a structure well-known from the groups discussed above.¹¹⁶

The *μύσται* and *τεχνῖται* of Dionysos Breiseus must have played an important and institutionally defined part in local religion and, through

110 Cf. Pleket 1965; Bremmer 2016.

111 Inscriptions: *I. Smyrna* 598-601, 622, 639, 652, 706, 731-32. For the seal, see *I. Smyrna* 729 and Klose 1983.

112 Cf. Hirschmann 2006.

113 *I. Smyrna* 598, 731; cf. Petzl 1974: 81-82.

114 *I. Smyrna* 598 ll. 24-25: [Π]αναθηναίους καὶ ταῖς ὑπὸ τῆς πόλεως ἐψη|φισμέναις δημοτελέειν [έορταῖς]; cf. Petzl 1974: 83-85.

115 *I. Smyrna* 706 l. 6; 731 ll. 14-15 (οἱ πεπληρωκότες τὰ ἰσηλύσια).

116 *I. Smyrna* 731 ll. 17-18; 732 l. 1. Cf. Tod 1915: 2: “A hereditary member of the guild, one whose father is, or has been, a member”.

their diplomatic contacts with Rome, in local politics. In that sense, they can hardly be regarded as a private association, although participation was certainly voluntary. Similar conclusions can perhaps be reached for another group from Smyrna, the σύνδοδος τῶν μυστῶν τῆς μεγάλης θεᾶς πρὸ πόλεως θεσμοφόρου Δήμητρος.¹¹⁷ The association, mentioned with its full name in a rather uninformative inscription, is most likely identical with the ‘σύνοδος of μύσται of the goddess’, which joined βουλή and δῆμος in honoring female θεολόγοι.¹¹⁸ The latter are praised for having provided everything pertaining to general piety towards the goddess and the festival of the μύσται. In all probability, the whole context is a civic festival.¹¹⁹ So again, a group of μύσται with the attribute πρὸ πόλεως cooperates with the city in the organization of civic religion. At Ephesos, οἱ πρὸ πόλεως Δημητριασταί καὶ Διονύσου Φλέω μυσταί and the πρὸ πόλεως μύσται of Dionysos should be regarded as similar institutions.¹²⁰

117 *I. Smyrna* 655.

118 *I. Smyrna* 653, 654.

119 Considered also by Suys 2005: 206-7. The θεολόγοι were probably serving the city, not the association; cf. Harland 2014: 310 for parallels from Ephesos; contrast Sommer 2006: 217; Schipporeit 2013: 441-42 (“In Sitzungen der smyrnäischen Synodos referierten ‘Theologen’ rituelle Texte und Mitglieder führten rituelle Tänze auf”). In my view, the σύνδοδος of the μύσται of the goddess is identical with the σύνδοδος of μύσται of Demeter, and not with the Κόρης μύσται σηκοῦ καὶ ἐνβαταί οἱ ἐν Σμύρνῃ (*I. Smyrna* 726). Ziebarth 1900: 511 and Keil 1908: 553-54, n. 3 instead connect the θεολόγοι-inscriptions with the σύνδοδος of Kore; Poland 1909: 38 rejects both identifications; Schipporeit 2013: 198-99 seems to tend towards the connection with Demeter. I regard it as more likely that the goddess could drop out of the name (because it was self-evident in context) than that a qualification like ἐνβαταί would be left out.

120 *I. Ephesos* 1595 (οἱ πρὸ πόλεως Δημητριασταί καὶ Διονύσου Φλέω μυσταί), 4337 (οἱ πρὸ πόλεως Δημητριασταί), 275, 1268, 1595, 1600-2 (οἱ πρὸ πόλεως μύσται). Again, the identification of the groups is difficult, especially because they seem to have merged at some stage. The Δημητριασταί seem to be the earliest group, attested already in the time of Tiberius; *I. Ephesos* 1595 shows that it was combined with the μύσται of Dionysos Phleus. That group is perhaps the one designated in earlier documents as πρὸ πόλεως μύσται, founded in the time of Trajan or Hadrian by Marcus Antinius Drusus (*I. Ephesos* 1601; cf. *I. Ephesos* 275, where he is ἐπιμελητὴς τῶν μυστηρίων). *I. Ephesos* 1270 seems to show that the cults of Demeter and Dionysos Phleus were closely connected already in the late first or early second century CE;

A hint to the public function of these groups lies in the attribute *πρὸ πόλεως*. Scholarship on *μύσται πρὸ πόλεως* is unanimous in taking the designation to refer to associations that met or resided ‘before (i.e. outside) the city’. For the Ephesian groups, this has been connected with ritual processions known from other Dionysiac contexts.¹²¹ This interpretation dissociates the groups from their respective cities and emphasizes their private character. But, as is well-known, *πρὸ πόλεως* could have two meanings.¹²² The topographical one is most clearly phrased by Pollux: *τὰ πρὸ πόλεως* means *τὰ ἔξω πόλεως*.¹²³ Wherever a sanctuary is mentioned as being *πρὸ πόλεως* without any further indication, there is a likelihood that it was located ‘before the city’, meaning outside the city walls. But the many priests *πρὸ πόλεως* are much better explained if we take them as ‘official’ priests, acting ‘on behalf of’ the city.¹²⁴ As regards the *μύσται*, at Smyrna the designation *πρὸ πόλεως* is at times tied to the deity, which would leave some room for the argument that the cult took place before the city. But the situation is more complex: in the inscriptions from the second century, the attribute is grammatically tied to the god, while in the seal from the third century, the *μύσται* themselves carry the attribute *πρὸ πόλεως*.¹²⁵ In Ephesos, *πρὸ πόλεως* always qualifies the *μύσται*. *Μύσται* are people, not buildings; the most plausible analogy are priests *πρὸ πόλεως*, not sanctuaries *ἔξω πόλεως*. For Ephesos, this interpretation is further strengthened by the fact that the *ἱερονεῖκαι*, who are treated like a priesthood in several inscriptions, also receive the attribute *πρὸ πόλεως*, and that the only building that has ever been identified as a meeting place of the Dionysiac *μύσται* is the house of Caius Furius Aptus, which is clearly not located ‘before the city’.¹²⁶ So until evidence to the contrary is adduced, *μύσται πρὸ πόλεως* have to be

the merging of their respective groups of *μύσται πρὸ πόλεως* may thus have appeared as a logical step.

121 E.g. Merkelbach 1979: 151.

122 Cf. the classic discussion by Robert & Robert 1983: 171-76.

123 Pollux 9.14; cf. Hasluck 1912/13: 92.

124 Cf. Schuler 2010: 74-75.

125 Contrast *I. Smyrna* 622 (οἱ τοῦ μεγάλου πρὸ πόλεως Βρεισέως Διονύσου μύσται) with *I. Smyrna* 729 (μύσται πρὸ πόλεως Βρεισεῖς).

126 For *ἱερονεῖκαι πρὸ πόλεως*, see *I. Ephesos* 27F ll. 456-57; cf. *I. Ephesos* 650 ll. 12-14 (honors for an ἀγωνοθέτης τῶν πρὸ πόλεως ἱερέων καὶ ἱερονεῖκων). On the house

interpreted as ‘initiates acting on behalf of the city’, and even where *πρὸ πρόλεως* does qualify the god – as in a new inscription from Kyme where *μύσται* of Dionysos *Kathegemon* make a dedication to a Roman *procurator* – a case would have to be made for his sanctuary being located outside the city.¹²⁷

This means that at least in a number of cases, the private character of *μύσται*-groups needs to be heavily qualified. Calling them a kind of priestly college might go too far,¹²⁸ but at the very least, they seem to belong into the same ambiguous category as *νέοι* and *γερούσιαι*.¹²⁹ The very term *μύσται* suggests exclusivity, a special category of religious practitioners. *Μύσται* could thus be wealthy people who joined a club with an elitist name and henceforth had their place in civic religion.¹³⁰ They could demonstrate their superiority in religious matters, but at the same time functioned as a network and an additional communication channel to Roman governors and even emperors. Corporations of *μύσται* (or people celebrating mysteries, such as the *ὑμνωδοί* of Pergamon) contributed to elite reproduction in providing a context for the performative display of symbolic capital, while also fulfilling all the other functions discussed above.

We should then not be surprised to find *μύσται* regularly and publicly emphasizing their relations with the emperors and their participation in the imperial cult. In Ephesos, οἱ τοῦ προπάτορος θεοῦ Διονύσου Κορησεΐτου σακηφόροι *μύσται φιλοσέβαστοι* make this clear enough in

of Caius Furius Aptus (Unit 6 in the Hanghaus 2) as meeting place of the *μύσται*, cf. Schäfer 2007: 163-66.

127 La Marca 2015 published a photo and a somewhat ambiguous translation (“*mystai di [Dioniso] Kathegemon e pro poleos*”). The publication of the text by Bru & Laflī 2021: 344-47 no. 5 has a better photo that clearly establishes the reading [Διονύσ]ου Καθηγεμόνος | [μεγάλου θε]οῦ πρὸ πόλεως | [ο]ἱ μύσται; the iota before *μύσται* is certain.

128 The possibility is considered already by Poland 1909: 40-41.

129 Cf. already Poland 1909: 532 (“halboffiziell[e] munizipal[e] Vereinigungen”).

130 Cf. Belayche 2013 : 33-34: “Les cités se peuplent de ces confréries d’agents culturels qui assument la fréquence et la sophistication nouvelle des démonstrations et constituent autant de ‘vornehme exklusive Klub[s]’ de (futurs) notables”. The quotation is from Keil.

their very name.¹³¹ Another example is the letter of one Apollonios to Lucius Mestrius Florus, which begins with the assurance that “mysteries and sacrifices are celebrated every year in Ephesos for Demeter Karpophoros and Thesmophoros and the Divi Augusti by μύσται with great purity and according to custom”.¹³² The text goes on to relate a financial conflict with the archon of the city; Apollonios in fact seeks Roman support for his group’s demands. There are three similar documents from Roman Asia Minor, two from Sardeis and one from Miletus.¹³³ In each case, Rome is urged to intervene because civic magistrates have not fulfilled their financial obligations towards the cult. In Ephesos and in the documents from Sardeis, the terms μύσται and μυστήρια are explicitly mentioned, in Miletus, it is the priest of the Kabeiroi who writes the letter. All four cases have been argued to show private associations in conflict with the cities.¹³⁴ But the situation seems not dissimilar to the conflicts surrounding the γεπουσία of Ephesos, so here again, a better explanation might point to the existence of corporate bodies of Rome-friendly elites, situated on the boundary between civic and private organization, with their own communication channels that could (and normally were) used for the good of the city, but could also lead to conflicts.

There are other cities in Asia Minor where all epigraphic references to μύσται and mysteries have to be understood in the context of elite representation, the most obvious case being Stratonikeia in Caria.¹³⁵ In some cases where we do not have enough information, there are at least indications that μύσται operated under similar circumstances, as in the case of Lydian Philadelphia.¹³⁶ This is not to say that all μύσται-groups in

131 *I. Ephesos* 293.

132 *I. Ephesos* 213 (88/89 CE).

133 *SEG* 49 1676 (Sardeis, 188/189 CE); 59 1396 (Sardeis, 221 CE); *Milet* VI 1 125-26 + 214 (80-82 CE).

134 Petzl 2009.

135 Cf. Belayche 2013: 31-32.

136 A group called οἱ περὶ τὸν Καθηγεμόνα Διόνυσσον μύσται is responsible for setting up the honorific decree for the son of a former ἀρχιερέυς and λογίστης of the βουλή; the son himself is qualified only as a μύστης ἐκ τῆς διατάξεως (*TAM* V 3 1462; second century CE). The honors were apparently conveyed by βουλή and δῆμος. Διάταξις hardly refers to the statutes of the association (*TAM ad loc.*), but rather to a civic decision; perhaps the famous father had taken care to have his son

Asia Minor can be explained along these lines. However, we should be aware of the possibility that a number of groups where we have only the name either belong to the category of semi-private institutions fostering elite reproduction or were influenced by this phenomenon so clearly visible in the larger cities.¹³⁷

5. Conclusion

For the reproduction of elite status, simply being born into an elite family is insufficient. Institutions are needed where habitual dispositions can be acquired, and where visible distinctions can be made between the noble few and the common people. I have argued here a) that Roman rule had an interest in such institutions, because it relied on the reproduction of Rome-friendly circles of some local standing, and b) that in Roman Asia Minor, organizations uniting the young, the old and those who claimed to be blessed by initiation were such institutions. None of these types of organization can be said to have been exclusively reserved for the elites, but even where the participation of lower social ranks is attested, this only enhanced these groups' potential for the reproduction and representation of elite status, as was perhaps most clearly visible in the curious case of the Akmoneian γερουσία. In each case, we have also seen legal proceedings that connected the organizations with the representatives of the Roman imperial order – the official recognition of groups of the νέοι of Kyzikos or the γερουσία of Sidyma, the privileges for the γερουσία of Ephesos, the support for the μύσται of Ephesos and Sardeis in their conflicts with the respective cities.

Going back to the model discussed at the beginning of this article, νέοι, γερουσιασταί and μύσται all had their strategies of “embedding the

inscribed into a local body of corporate elite reproduction against common custom (e.g. regarding minimum age?) – the example of Karpos the freedman from Akmoneia comes to mind. The ἱεροφάντης of Dionysos Kathegemon was honored by βουλή and δῆμος in an inscription from the third century CE; the same person had also held a couple of (other) civic offices (*TAM V 3 1497*). The restoration of μυστήρια in the well-known inscription regulating the household cult of Dionysius (*TAM V 3 1539*) is too insecure to be taken into consideration.

137 Cf. for an argument on μύσται in Phrygian villages Eckhardt 2016: 162-63.

local in the imperial".¹³⁸ For all we know, they – or their cities – did not act under direct pressure but chose to interact with the Roman order and the social and legal categories that came with it. Their obvious success made them all the more relevant as examples of integration, then to be imitated by the many professional associations in their attempts to gain status and recognition.¹³⁹

For scholars interested in the history of ‘private’ associations, this approach creates significant problems of categorization. The term private and its potential antonyms are, of course, debatable in themselves. A group that maintains contacts with the state and acts in the public sphere may still be regarded as private in the sense that it does not operate under direct state control. We have also seen that the status of *γερουσία* as essentially civic institutions may rather often result from an accumulation of influence by what was originally a private network. One solution, occasionally hinted at above, would be to classify the groups discussed here as ‘semi-public *collegia*’, a category proposed by Luuk de Ligt based on his interpretation of Roman legal regulations.¹⁴⁰ However, the logic of the process described here would force us to include not only *νέοι*, *γερουσία* or *Augustales* in this group (the examples chosen by de Ligt), but also *μύσται*, professional associations (explicitly excluded *ibid.*), hymn singers and village corporations. At least for Roman Asia Minor, this means that the majority of associations could be classified as neither private nor state controlled.

We may deduce from this that ‘private associations’ were a useless category from the outset, but that assumption, although perhaps endorsed by some recent treatments,¹⁴¹ would lead us to miss what may in

138 Ando 2010: 45.

139 On which see van Nijf 1997.

140 De Ligt 2001.

141 E.g. Last & Harland 2020: 12 reject the category of ‘private associations’ because “the commonly employed categories of ‘private’ (or related concepts of ‘individualistic’ or ‘personal religion’) vs ‘public’ have often been misleading in the study of social life in the ancient Mediterranean”. The argument appears to be that calling an association ‘private’ implies that it does not act in ‘public’, a notion that would indeed sit oddly with the fact that many of the groups in question are known from public inscriptions. But while this betrays the authors’ own use of terminology, as historians they cannot be unaware of the fact that ‘public’ is by no means the only

fact be the whole point of Romanized (or ‘imperial’) corporate identities. The boundary between private and state-controlled organization was blurred to an extent that we do not find in the Hellenistic period. Our problems in categorizing associations in Roman Asia Minor with the tools applicable to earlier epochs are indications of an actual change. With the transformation of cities into Rome-oriented oligarchies, the nature of private organizations changed as well, in a process that was facilitated, but not in detail supervised by the Roman administration and its legal framework.

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