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THE ISLAND OF LAWS

BY GYÖRGY NÉMETH

Abstract: According to the well-known opinion of Wilamowitz-Moellendorff, Plato was not familiar with Cretan customs when he wrote the Laws. If we compare the text of Nomoi with Cretan law inscriptions from the 7th-5th centuries, we can conclude that Plato's knowledge of the laws of Cretan poleis was more profound than it had been assumed. It is especially true in the case of the regulation of alcohol consumption on the basis of Laws 666a-b and an inscription from Eleutherna (Nomima II.98; Lupa 323).

Key-words: Platon, Laws, Nomoi, Cretan Laws, Eleutherna, wine.

Minos and Rhadamanthys

The laws and lawgivers of Crete were held in high esteem through the course of ancient history.¹ It is not accidental that the origins of Cretan legislation were associated with the son of Zeus, mythical king Minos himself (at least from the 4th c. BC onwards).² It is also sure that according to the Odyssey (8th/7th c. BC) Minos ruled the island of Crete:

*There is a land called Crete in the midst of the wine-dark sea, a fair rich land, surrounded by water, and there are many men in it, past counting, and ninety cities. They have not all the same speech; their tongues are mixed. There dwell Achaeans, there brave-hearted native Cretans, there Cydonians, and Dorians in three divisions, and noble Pelasgians. Among their cities is the great city Cnossus, where Minos reigned when nine years old, he that held converse with great Zeus...*³

After his death, Minos acted as judge in the Underworld, which could imply that the poet may have heard something about the exceptional law-abiding be-

¹ To this estimation cf. K. Schöpsdau, *Platon Nomoi (Gesetze)*. Übersetzung und Kommentar. I-II. Göttingen 1994-2003, 1, 180: Hdt. 1, 65; Pl. *Cri.* 52e, *Prt.* 342a-e; *R.* 544c3; *Lg.* 683a; 691e ff; Arist. *Pol.* 1269a29 ff; *EN* 1102a 8-11: „Also, the true statesman seems to be one who has made a special study of goodness, since his aim is to make the citizens good and law-abiding men – witness the lawgivers of Crete and Sparta...” Tr. by J. Bywater. As Archilochus (7th c. BC) says: “but the Cretan law is taught” [Bergk, *Fr.* 133]. Polybius is the only one to express a strong contrary opinion, cf. 6, 45.

² Cf. the pseudo-Platonic dialogue *Minos*.

³ *Od.* 19, 172-179. (Tr. by A. T. Murray)

haviour of contemporary Cretans. Odysseus also met the wise king on his descent to the Underworld:

*There, you must know, I saw Minos, the glorious son of Zeus, golden scepter in hand, giving judgement to the dead from his seat, while they sat and stood about the king in the wide-gated house of Hades and asked him for judgement.*⁴

Plato maintains the priority of Minos in legislation, yet the king entrusted his brother Rhadamanthys (and Aeacus) with jurisdiction. However, their role slightly changed in Plato's mind: at first Rhadamanthys and Aeacus prepared the judgement that is made after all by Minos⁵, whereas in the *Laws* Minos is clearly the legislator, Rhadamanthys the judge, and Aeacus is not mentioned at all.⁶ The Athenians, however, had also a different and less attractive image of Minos. He was the father of the bull-headed monster called Minotaur and forced the Athenians to pay a tribute: young boys and girls who were devoured by this terrible creature.⁷ This tyrannical king, who subjugated Athens, (or rather his infamous son) was defeated by Theseus, an Athenian hero. It is small wonder that not only the dramas of Athenian playwrights but also early Attic historians reflect a negative image of Minos.⁸ Crete for Plato, however, is the very island of laws, which is difficult to imagine to have been founded by a cruel tyrant, thus someone in Plato's Academy composed the dialogue *Minos*, which claimed the Cretan king to have been a just lawgiver, whose fame was spoiled by Athenian dramatists partial to Theseus.⁹ The *Laws* apparently follows this image of Minos.

⁴ *Od.* 11, 568-571.

⁵ *Pl. Grg.* 523e; 526c-d; *G. R. Morrow*, *Plato's Cretan City*. New Jersey 1993, 38. According to Ephorus (4th c. BC), Rhadamanthys was the creator of Cretan laws, which were altered by Minos, cf. Strabo C 482.

⁶ 624b-625a; 630d; 632d. Aristotle also considers Minos the creator of laws, as it remained in the epitome of his study *On the Constitution of the Cretans* (Heraclides Lembus 14.): "Minos is said to have been the first to establish the Cretan constitution. He was both an effective and a good lawgiver. During the ninth year, he made his revision of the laws."

⁷ We can find traces of this story in *Pl. Lg.* 706b.

⁸ The works of Pherecydes and Hellanicus are referred to by *Morrow*, op. cit. (note 5) 23. Sophocles wrote a trilogy on Cretan myths, which is lost today, yet the titles (*Theseus*, *Daedalus*, *Men of Camicus*) reveal that Minos was not a positive character in it. Presumably, the *Cretans* of Euripides and the *Rhadamanthys* of Critias (or Euripides) are written in the same spirit.

⁹ *Morrow*, op. cit. (note 5) claims that *Minos* is written by Plato, cf. 35-39. To a favourable account of the Cretan king, cf. *Plu. Thes.* 16.

From Drerus to Gortyn

Many archaic texts of Crete survived in inscriptions of stone or bronze. The earliest inscriptions in other areas commemorated the acts of individuals (e.g. the winner of a dancing competition, the happy owner of a drinking vessel that brings love to those who drink of it, or a hero who had died for his homeland)¹⁰, however, such inscriptions in Crete, as Angelos Chaniotis also emphasized it, are not attested in this period (except for that of the boy-lover Herpetidas), though the number and length of legal inscriptions in the island is more than significant.¹¹ If we examine the vast corpus of legal inscriptions from archaic and early classical Greece edited by Henri Van Effenterre and Françoise Ruzé, in the two volumes we find altogether 209 items from 8th to 5th c. BC, though these make in fact 191 independent inscriptions (a long text was published in 18 parts) and not less than 76 items of them are Cretan laws.¹² Considering length, Cretan texts occupy the majority of the two volumes, since the laws of Gortyn (around 450 BC) alone make 620 lines. The chronological distribution of these texts is also interesting. We have genuine legal texts in the 7th c. BC (ie. not much after Homer) only from Crete: altogether twelve inscriptions. This number grows constantly in the following centuries:

7 th c. BC	12
6 th c. BC	20
5 th c. BC	34

Provenance sites are allotted disproportionately.¹³ It is especially spectacular that Cnossus, one of the most significant cities of the island, is hardly represented at all, while Gortyn, the second in significance, provides more inscriptions alone than the rest of Crete altogether.¹⁴ The reason for such disproportion is that no modern city was built on the site of ancient Gortyn, thus it was possible to excavate the complete territory of the ancient town, whereas Iraklion covers archaic Cnossus.¹⁵ We can conclude that the number of Cretan law epi-

¹⁰ IG I² 919; JHS 91 (1971) 67.

¹¹ A. Chaniotis, *Das antike Kreta*. München 2004, 58.

¹² H. van Effenterre–F. Ruzé, *Nomima*. I-II. Roma 1994-1995, E. Lupu, *Greek Sacred Law*. A Collection of New Documents. Leiden–Boston 2005.

Included only one of them (Nr. 22, see below) and two more temple inscriptions from the Hellenistic and Roman era.

¹³ Gortyn: 48; Eleutherna: 8; Drerus: 7; Axus and Lyttus 3-3; Arcades and Eltynia 2-2; Cnossus, Phaestus, and Rhittenia 1-1.

¹⁴ To the significance of Gortyn, cf. Pl. *Lg.* 708a.

¹⁵ Law inscriptions were written on refined stone tablets that were later often built into houses as e.g. threshold. The epigraph did not trouble masons: the surface with writing was easier to stick, thus it was turned towards the binder. Walls of early modern houses unbuilt during the excavation of the Athenian Agora provided more inscriptions than later periods of the excavation.

graphs used to be considerably higher than the number of those we know today.

The earliest extant law inscription of the ancient Greek world (around 650 BC) was found in the agora of Drerus, a town in Eastern Crete.¹⁶

“May God be kind.

This has been decided by the city: When a man has been Kosmos, for ten years that same man shall not be Kosmos. If he should become Kosmos, whatever judgements he gives, he himself shall owe double, and he shall be useless as long as he lives, and what he does as Kosmos shall be as nothing.

v v The swearers (to this shall be) the Kosmos, the Damioi and the Twenty of the city. v v”

The aim of the code is obvious. No man can occupy the highest office more than once in every ten years.¹⁷ Should anyone break this law, his right to hold office is forfeited. It is a lot more interesting that this short epigraph inscribed in stone with scrawly letters reveals almost the whole constitutional system of Drerus. The head of the city was called Kosmos, who was a military and political leader as well as a judge. He summoned the assembly (which is now called simply polis, ie. the assembly of the polis), he proposed bills, and he was also responsible for public cults. The name of the office refers to the order that he had to maintain in the army and in everyday life.¹⁸ Besides the Kosmos, the *Damioi* and the Twenty of the city assembly also swore a public oath. Their function are not fully revealed. *Damos* means township, a settlement belonging to the polis, thus *Damioi* may have represented their own village.¹⁹ The Twenty were a numerically determined council. It is remarkable that we know three Cretan poleis (Axus, Cnossus, Tylissus) where the council was called *bola* (equivalent to Athenian *bule*), yet in Rhittenia we encounter a council of elderly (*preigistoi*).²⁰ This is in accordance with the report of Ephorus, who claims that one has to hold the office of the cosmos first to become a member of the council.²¹

The site where the inscription of Drerus was found is even more interesting. The earliest agora of the Greek world was built in Drerus, and it is surrounded

¹⁶ Ch. W. Fornara, *Archaic Times to the End of the Peloponnesian War*. Cambridge 1977, 11; Nomima, op. cit. (note 12) 81.

¹⁷ Cosmos in Plato is called *cosmetes*, cf. *Lg.* 755c. A cosmos could be re-elected after three years in Gortyn in the 6th century, cf. Nomima, op. cit. (note 12) 82. According to Aristoteles and Ephorus, there were ten cosmoi (*Pol.* 1272a; Strabo C 484), however, inscriptions refer to 3 to 10 cosmoi, cf. S. Link, *Das griechische Kreta*. Stuttgart, 1994, 97; *Chaniotis*, op. cit. (note 11) 66.

¹⁸ Thus cosmos still means world order.

¹⁹ In Attica, cf. *demos* and its leader: *demarchos*.

²⁰ Cf. Nomima, op. cit. (note 12) I. 7; 63.

²¹ Strabo C 484.

by stone steps on three sides (since it is situated between the two Acropoleis of the city). On one side, there was temple of Apollo on a rock platform. The stone with law inscriptions was built into the basement of the temple, at eye level. The law was thus put under the protection of Apollo (as it is often referred to in the *Laws*)²², and it was situated on the edge of the sacred sphere and the political sphere (the agora being the location of the assembly).²³ The law, which must have been considered of special importance, was always to the fore for members of the assembly.

The earliest Cretan laws (7th c. BC) tried to control various problems. One fixed the requirements of citizenship in Gortyn, another one from Drerus determined the school semester for the *agelai*, bands to train the youth,²⁴ and all the others, from homicide to pasturing, from communal dining (*andreion*) to the duration of hunting season, from oaths to the protection of flowing rivers, controlled numerous important issues.²⁵ In this period not even a single law inscription is attested in any other part of the Greek world.²⁶

However, the aforementioned ones are not the most representative pieces of Cretan law inscriptions. The huge legal corpus of Gortyn (620 lines) was found at the end of the 19th century on the rear wall of the Roman odeon. There was a special building in the agora, the peers of which can be attested in Southern Italy: the round, theatrical halls of the assembly (*ekklesiasterion*) in Metapontion and Poseidonia.²⁷ In Gortyn a large (33.3 m in diameter), rotund hall was built sometime before 480 BC, the central part of which was open. The laws were inscribed inside, on the concave surface of the wall in the middle of the 5th century, yet the laws themselves probably date back to earlier periods. The laws of Gortyn provide us the largest inscription and the longest legal text in Greek. The citizens of Gortyn had their code always at hand while having a meeting, thus the sessions were held in the hall of the assembly, in the focal point of laws. Romans built the auditorium of an odeon onto this round building, which

²² Pl. *Lg.* 624a; 632d; 686a; 691e; 696b; 738c; 759c; etc.

²³ K.-J. Hölkeskamp, Tempel, Agora und Alphabet. Die Entstehungsbedingungen von Gesetzgebung in der archaischen Polis. In: H.-J. Gehrke (ed.), Rechtskodifizierung und soziale Normen in interkulturellen Vergleich. Tübingen 1994, 135-162. 141.

²⁴ Nomima, op. cit. (note 12) I. 68. Plato makes several references to *agelai*, cf. *Lg.* 666e; 680e. Public education existed not only in Sparta but also in Crete (804c-e), just as the *paidonomos*, cf. Ephorus, *FGrHist* 70 F 149 = Strabo C 484; Arist. *Pol.* 1300a 4-6. Schöpsdau, op. cit. (note 1) 2, 553.

²⁵ To Cretan laws from the 7th c. BC, cf. Nomima, op. cit. (note 12) I. 66; 68; II. 10; 11; 22; 23; 61; 78; 89; 92; 93.

²⁶ Draco's homicide law (621 BC) is known from a copy made in 408 BC, whereas the oath of the founders of Cyrene was copied even later.

²⁷ Ancient Crete. A Hundred Years of Italian Archeology (1884-1984). Rome 1984, 42.

kept the laws safe. The inscription is 9 m in length, 1.5 m in height and it is divided into 12 columns. The corpus includes paragraphs of only civil law (paragraphs dealing with individuals, families, inheritance, possession, and debt). Several parts of the text reveal that it is composed of earlier, amended laws. The code helps us understand much of the structure of the society in Gortyn in the 5th century.

The structure of the code: 1, 2 - 2, 2: lawsuits of slaves; 2, 2 - 2, 45: crimes of sexual nature (raping, adultery, etc.); 2, 45 - 3, 16: law of property for divorced women; 3, 17 - 3, 37: proceeding in case of the death of spouse; 3, 37 - 3, 40: fines; 3, 40 - 3, 44: cessation of marriage (divorce, death) for *woikei* (sing. *woikeus* – Cretan peasant, similar to helots in Sparta); 3, 44 - 4, 23: illegitimate children; 4, 23 - 5, 9: division of property among children belonging to the family; 5, 9 - 5, 54: division of property among inheritors; 6, 1 - 6, 2: donation of father to his daughter; 6, 2 - 6, 46: selling or pledging family property; 6, 46 - 6, 55: ransom for prisoners; 6, 55 - 7, 10: children from mixed marriage; 7, 10 - 7, 15: damage caused by purchased slaves; 7, 15 - 9, 24: legal status of a heiress in matrimonial and property law; 9, 24 - 9, 40: commitments a deceased person had made; 9, 40 - 9, 43: sons as guarantors; 9, 43 - 9, 54: regaining debts under special conditions; 10, 14 - 10, 25: presents; 10, 25 - 10, 32: inalienability of individuals; 10, 33 - 11, 23: adoption; 11, 24 - 12, 19: supplemental measures.

The texts of the Gortyn Code (including not only the great inscription but numerous other, earlier documents as well) reveals the following social structure. Government and executive power were in the hands of the elected magistrates called *kosmoi*, assisted by also elected *titai* (sing. *titas*). *Titai* were monetary supervisors, who collected fines. There was a *kosmos* in Gortyn called *xenios* dealing with the issues of foreigners, who could be re-elected only after five years.²⁸ Years were recorded according to the first *kosmos* (*protokosmos*, like the *archon eponymos* in Athens). The council of elderly and (in a limited way) the popular assembly had the right to take part in political issues.²⁹ The decisions of the *kosmoi* and the council had to be submitted to the assembly for confirmation. Citizens were divided into *phylai* (*pyla*) and tribes (*startos*). Male citizens forming groups (*hetaireia*) participated in community dining (*andreion*). Thus free inhabitants without citizenship were called *apetairoi*, ie. not members of a *hetaireia*. The lands (*klaros*) of citizens were cultivated by *woikeis*, whose social position was similar to that of the Spartan helots. Only

²⁸ Nomima, op. cit. (note 12) I. 82.

²⁹ The council of elderly (*preigistoi*) is known only from a treaty between Rhittenia and Gortyn, cf. Nomima, op. cit. (note 12) I. 7. The council also oversaw the actions of the *kosmoi*.

the members of the most influential and richest families could become kosmoi, thus they were rather delegated than formally elected. Limiting re-election secured the opportunity to members of each family to hold the highest office.

In footnotes I referred to the aforementioned oligarchic social structure and the elements of the Gortyn code whenever they appeared in Plato's Magnesia. It is inevitable that foreigners visiting Crete in the 7th-5th centuries BC noticed not only the longer or shorter law inscriptions in public places but also the fact that other types of inscriptions are much less frequent. Consequently, it is not exclusively because of the (changing) fame of Minos that Crete was regarded as the island of laws in the Greek world.

Plato's sources

Our preliminary question is the following: did Plato know these laws? If yes, what were his sources? The works of Homer were the foundation of Greek education in the 5th-4th century BC, thus Plato must have heard about the name of Minos and about the settlements in the island "of the hundred cities" as a young boy.

*And the Cretans had as leader Idomeneus, famed for his spear, even they that held Cnosus and Gortys, famed for its walls, Lyctus and Miletus and Lycastus, white with chalk, and Phaestus and Rhytium, well-peopled cities; and all they beside that dwelt in Crete of the hundred cities. Of all these was Idomeneus, famed for his spear, captain, and Meriones, the peer of Enyalios, slayer of men.*³⁰

Plato's family may well have had some fancy to Crete, since probably his uncle Critias (protagonist in one of his dialogues) was the author of the tragic drama *Rhadamanthys*.³¹ However, no ancient source testifies that he had ever visited the island, even though it is difficult to imagine his journey to Egypt without stopping at Crete. The circuit to the island while on the way to Sicily (assumed by Effenterre) seems to be an improbable suggestion to me.³² The relationship of Plato and Crete became highlighted after Wilamowitz-Moellendorff laid down in his book on Plato that the distinguished philosopher had no idea at all about Cretan conditions.³³ Many scholars attempted to refute the summary judgement of the *pater philologiae*. Angelos Chaniotis, a professor in Oxford of Cretan origin and researching also Cretan inscriptions, drew the attention that the foot-walk from Cnossus to the cave of Zeus on Mt. Ida (described at the beginning

³⁰ *Il.* 2, 645-651. (Tr. by A. T. Murray)

³¹ An alternative theory claims that the play was written by Euripides.

³² H. van Effenterre, *La Crète et le monde Grec de Platon à Polybe*. Paris 1968, 67-68; Morrow, op. cit. (note 5) 25.

³³ U. von Wilamowitz-Moellendorff, *Platon I*. Berlin 1920. 661; 686.

of the *Laws*) used to be indeed covered by woods until the 17th century, when invading Venetians cut cypress and cedar trees.³⁴ Therefore the comparison of Plato's description and the modern surroundings can be misleading. Morrow enumerated all institutions and customs minutely described by the imaginary founder of the Magnesian settlement, and concluded that Plato was indeed well-informed about Cretan circumstances.³⁵ Morrow mentions communal dining (625c), application of archers and light-armed troops instead of cavalry and heavy infantry (625d; 834b), pederasty (636b; 836b), the martial nature of training (626a-b), calling their homeland motherland (*metris*) beside fatherland (*patris*),³⁶ the ignorance of foreign poets (680c; 629b), neglecting mathematics (818e), regulation of poetry and dance (660b), etc.

Yet Effenterre makes a sobering remark claiming that similarities between Cretan law and Plato's text do not prove that the *Laws* follow a Cretan pattern.³⁷ There are many customs found both in Cretan and Platonic regulations that are shared by almost all Greeks (e.g. rape, exposure of children, monogamy). In some other instances Cretan and Platonic laws coincide, yet they differ from the practice of other Greek poleis (certain regulations concerning last will and female inheritors)³⁸, and in some cases Plato contradicts well-known Cretan laws (marital age of girls, individual property of consorts, adoption beside living children, guardianship).³⁹ Even if we can see the similarities only between the laws of Plato and those of Crete, we should remember that most Greek laws are lost or extant in fragmentary form and we have the largest comparative material right from Crete. Notwithstanding, the abundance of similarities compel us to accept that Plato did know Cretan laws profoundly. Yet is it possible only if he had visited the island and examined the law inscriptions himself? The answer is definitely no.

Besides Plato, other authors also dealt with Crete. Strabo, for example, cites a lengthy quotation from Ephorus' description of Cretan laws.⁴⁰ Apart from some remarkable differences, his text shows convincing similarities with the notes of Plato and Aristotle.⁴¹ The latter makes reference to Crete in *Politics*

³⁴ "True, Stranger; and as one proceeds further one finds in the groves cypress-trees of wonderful height and beauty, and meadows too, where we may rest ourselves and talk." Pl. *Lg.* 625c. (Tr. by R. G. Bury.) *Chaniotis*, op. cit. (note 11) 12-13.

³⁵ *Morrow*, op. cit. (note 5) 28-31.

³⁶ Pl. *R.* 452c.

³⁷ *Effenterre*, op. cit. (note 32) 60-62.

³⁸ Pl. *Lg.* 923d; 925c; 878a; 929c; 924e.

³⁹ Pl. *Lg.* 784a; 806a; 923b; 774e. These measures are against the regulations found in the Gortyn Code.

⁴⁰ C 480-481.

⁴¹ *Morrow*, op. cit. (note 5) 22.

(1271b) and in the fragments of the *Constitutions*. Morrow did a valuable research to clear the questions of chronology: Plato cannot follow Ephorus, since the latter published his work some years after the *Laws*. However, Aristotle was still a member of Plato's Academy when he started collecting Cretan sources for his *Politics*, which may reflect the influence of an old Plato, since conversation must have often shifted to Crete while the *Laws* was being composed.⁴² Concerning communal dining, we know e.g. the report of Dosiadas from his lost *History of Crete*, which testifies that (unlike in Sparta) the Cretan *andreion* was financially supported by public budget.⁴³ The *Cretica* (around 400 BC) written by Charon of Lampsacus portrayed Minos as legislator.⁴⁴ Yet the sources of Plato and Aristotle were not necessarily only written ones. We hear about Cretans in contemporary Athens, e.g. Nikias from Gortyn, a guest of Athens, or Cretan archers fighting for Athens in the Peloponnesian War.⁴⁵ We even know that there was at least one Cretan member of the Academy in Plato's old age.⁴⁶ Theudius of Magnesia (in Asia Minor) could inform Plato and Aristotle about the site of Cretan Magnesia and its relation to its namesake in Asia Minor, since in this period he was in Plato's Academy as a mathematician.⁴⁷ For those who are still not convinced about the authenticity of the information in the work of the Athenian philosopher, I quote Plato's measure on drinking wine: "Shall we not pass a law that, in the first place, no children under eighteen may touch wine at all, teaching that it is wrong to pour fire upon fire either in body or in soul, before they set about tackling their real work, and thus guarding against the excitable disposition of the young? And next, we shall rule that the young man under thirty may take wine in moderation, but that he must entirely abstain from intoxication and heavy drinking. But when a man has reached the age of forty, he may join in the convivial gatherings and invoke Dionysus, above all other gods, inviting his presence at the rite (which is also the recreation) of the elders, which he bestowed on mankind as a medicine potent against the crabbedness of old age, that thereby we men may renew our youth, and that, through forgetfulness of care, the temper of our souls may lose its hardness and become softer and more ductile, even as iron when it has been

⁴² Morrow, op. cit. (note 5) 20-23. It is indeed unusual that Aristotle referred to Cretan laws as if they had been uniformed everywhere in the island. To the contrary, *Chaniotis* (op. cit. [note 11] 74-77) emphasizes that there were several types of e.g. subdued agricultural people, and there was a considerable variation in the terms applied to them in certain poleis (*klarotas*, *woikeus*, *hypooikos*, *mnoitas*, *aphamiotas*, *katakeimenos*, *nenikamenos*).

⁴³ *Athenaeus* 143a-d.

⁴⁴ At least according to *Chaniotis*, op. cit. (note 11) 78.

⁴⁵ *Thucydides* 2, 85, 5; 6, 43; 7, 57.

⁴⁶ Morrow, op. cit. (note 5) 27; *Effenterre*, op. cit. (note 32) 71.

⁴⁷ Proclus' *Commentary on Euclid* is cited by Morrow 31.

forged in the fire.”⁴⁸ Consequently, although the laws of the Magnesians ordered total prohibition of drinking alcohol for youth, over forty it was allowed to get even drunk in proper company and in honour of god Dionysus. This measure is strikingly similar to the one we can read in an inscription of Eleutherna found in 1987: “One shall not drink. [- - -] an adult (*dromeus*) at Dion Akron, drinking at a symposium shall drink (*syninpinonta*).”⁴⁹ Effenterre, the editor of the text notes that we have no similar regulation except the aforementioned citation from the *Laws*. It is difficult not to presume that the Athenian philosopher had known about this Cretan tradition recorded in the 6th century BC. Whatever the source, the information that he received proved to be correct. Relying upon these findings, we do not need extraordinary courage to say that prospective Cretan discoveries shall provide further parallels to the vast material of the twelve books of the *Laws*. Nevertheless, we can surely claim already that the best location for Plato’s Magnesia was positively Crete: in spite of the summary judgement of Wilamowitz, we can ascertain that Plato had thorough if not direct knowledge of the island of laws.

⁴⁸ Pl. *Lg.* 666a-c.

⁴⁹ Nomima op. cit. (note 12) II. 98; *Lupu*, op. cit. (note 12) 323. Late 6th c. BC. The mount of Zeus lies at the border of Eleutherna and Axus, so Effenterre assumes that the measure concerns a garrison of frontier sentry, yet the text of the inscription does not confirm his theory. The second part of the epigraph is fragmentary, *Lupu* reads (op. cit. [note 12] 324): “Nor shall the priest. But if he performs cult for the god ---”

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TILTING SCRIPTS

INCONGRUENCE AS A SOURCE OF HUMOUR IN THE PARODOS OF THE *FROGS*

BY ETELKA SZABÓ

Abstract: The purpose of the following study is to decode the semantic layers of ancient Greek texts and scripts introducing the well-defined “General Theory of Verbal Humour”. Classical tragedies, the *parodoi* of the texts used by Aristophanes and the dialogues following them, are all formed according to a (more or less standardised) script. Via putting frogs on the stage, Aristophanes parodies the patterns of the chorus songs and agons in Greek tragedies. Although the setting – the River Styx – could not be more sublime, and the winner of the debate is Dionysus himself, his adversaries are “only” frogs. The Frog Song reveals that the unity of content and form is not to be broken up without serious damage to the effect, as their separation from each other results in the reverse of the original catharsis. This parody, however, does not only refer to the emptiness and anachronistic quality of certain forms, that is, it does not only ridicule the genre, but can also function as the continual self-correction of Aristotelian mimesis. Aristophanes’ parody of a *parodos* is a meticulously constructed text, a faithful image of the prototypical scripts functioning as source texts, and abundant in humorous effects. Parody is enjoyable in itself, however as any good parody works with the mechanisms creating the parent text; it can only appear comic if it really reveals the patterns underlying the original, and it can only reach its aim if these patterns really bring the original work of art to the recipient’s mind.

Key-words: Aristophanes, conceptual integration, humour, incongruence, Old Comedy, *parodos*, parody, script-analysis

The linguistics of humour has a long history dating back to Plato and Aristotle; however distinguished its ancestry, nonetheless no significant breakthrough is detected until the 1980s.¹ Even though it was not the first theory of humour in linguistics, Raskin’s “Semantic-Script Theory” (SSTH, 1980) constitutes a radical departure from the traditionally taxonomic approach of most linguistic studies conducted in the area of humour. This theory argued that the central aspect of humour was semantico/pragmatic and moreover presented an articulated conception of semantics to implement this claim. Raskin’s theory of semantics is based on earlier scripts, however with significant differences from the

¹ S. Attardo, Cognitive Stylistics of Humorous Texts. In: E. Semino – J. Culpeper (eds.), Cognitive Stylistics: Language and Cognition in Text Analysis. Amsterdam–Philadelphia 2002, 231.

Schank–Minsky–Fillmore approach, later to be completed by cognitive views. Raskin claimed that no operational boundary was to be identified between the semantic (lexical) and the pragmatic (encyclopaedic) information. Although the semantic view appears to dominate Raskin’s approach, the SSTH involves quite a significant pragmatic component, which interprets humour as a violation of Grice’s co-operative principle.

Raskin’s theory of humour points to two separate claims: on the first hand that each humorous text is interpretable according to (at least) two distinct scripts, on the other hand that the scripts are opposed being local antonyms. Controversially to Raskin’s views, Attardo claims that the SSTH can be reduced to an incongruity model (the leading psychological model of humour); this incongruity can be simply defined as a mismatch between what is expected and what is actually perceived. Raskin’s analysis concentrates only on jokes, the simplest and least complicated type of humorous text, while this methodological restriction suggests some problems for the analysis of longer texts. The “General Theory of Verbal Humour” (GTVH, Attardo and Raskin 1991) profoundly influenced by cognitive linguistics focuses not only on the opposition between target- and source-text, but on the textual material evoked by the scripts of joke, which are not necessarily funny. The GTVH also applies narrative strategy to define the “genre” of the joke such as riddle, structure, question and answer, etc. Supposing that there exist special narrative strategies creating humorous texts, the GTVH postulates a text-typology applied for verbal humour. The GTVH assumes that the reader of a text elaborates a Text World Representation (TWR), which is similar to a mental space or a counterfactual situation/possible world, involving and organising pieces of information about the narrative events contained in the text. This mental representation serves as a starting point for such non-literal semantic components as inferences and mappings. However, linguistic-based humour theory was one of the few fields in which script/frame-based semantics continued to be employed; recently, this kind of semantic approach has returned due to its adoption within the “cognitive” approaches to the study of language and literature.

A case study: Aristophanes, *Frogs*

1. The re-configuration of the text – the incongruence of scripts

1. 1. The structure of choruses

Originally, the term “script” means a sequence of instructions about how to execute certain actions. Used in linguistics, the definition of the term includes the moment of typical action; typical sequences of actions and those of events,

if based upon prescribed patterns, are both considered as scripts. In modern textual linguistics the term is applied in the latter sense, referring to typical sequences of actions pre-arranged in time.² The typical sequences of actions connected to the typical verbal utterances forming the script do not necessarily overlap.³ Taking this into consideration, the meaning of the term “script,” in textual linguistics, turns out to be a conception of patterns which make a typical sequence of actions to be realised in language.

Thus, the term “script” implies two different models, which are nevertheless linked to each other. Firstly, the pattern in language makes a certain kind of knowledge (the conception about a sequence of events) apprehensible and presentable in verbal communication. Secondly, this knowledge and the processing of the patterns of action realised in practice are themselves the results of a certain formation, impossible to be created without language.

Classical tragedies, the *parodoi* of the texts used by Aristophanes and the dialogues following them, are all formed according to a (more or less standardised) script. As the first step of my GTVH-analysis, I intend to approach classical Greek choruses and the *agones* following them according how they are realised in language. That is, we need to explore the typical sequences of events which form the pattern of a *parodos* and an *agon* following it. The detailed analysis of sequences should reveal that verbal conversion of events, since the verbal realisation of patterns necessarily includes stylistic and connotative variations as well as certain dramaturgic deflections from the pattern itself. Considering this, the general structure of the dialogue between the chorus and the actor(s) is as follows:

The reconstruction of the script of a classical chorus:

1. The chorus marches in
2. The chorus identifies itself
3. The standpoint of the chorus is defined
4. The dialogue unfolds: *Ἀμοιβαίον*
5. Epirrhema and anti-epirrhema
6. Agon
7. “Exhaustion”, the peak of the dialogue
8. The judgement of the chorus

² G. Tolcsvai Nagy, *A magyar nyelv szövegtana* [Introduction to the Hungarian Textology]. Budapest 2001, 75 and S. Petőfi, *A szöveg mint komplex jel* [Text as Complex Sign]. Budapest 2004, 57.

³ S. Kiss, *Elbillenő forgatókönyvek* [Tilting Scripts]. *Officina Textologica* 14 (2008) 49-57.

Dramaturgy defines three possible kinds of chorus entry songs, with the chorus arriving on either an empty stage or a stage full of actors. In the early tragedies of the first group the chorus is the protagonist, and its entry into the orchestra is accompanied by a special song written in anapests (sometimes iambs or trochees). All through the play, the chorus will stay on the stage; the rest of the characters may only occasionally and temporarily come into contact with it (e.g. *Suppliants*, *Persians*). In the second group of plays (a representative example of which is the chorus in *Oedipus at Colonus* [117-137]), the chorus arrives on an empty stage, as a preparation for the appearance of the characters. The third group includes plays in which the chorus will appear if a protagonist asks them to do so, while the potential adversaries of the agon are already on the stage (*Libation Bearers* [84-88], *Medea* [133-137]). From the circumstances of the chorus' entry it is possible to guess their subsequent role. The grand protagonist-choruses of the earliest tragedies are actively involved in, and actually direct the events. In the tragedies classified into the second group, the chorus will still influence the events more or less, giving instructions or guidance to the main characters. In tragedies of the third group (consisting mostly of Euripides' plays), the choruses – usually slave women or local women – do not take an active part in the plot, and will only passively watch the events. Their only task is to reflect or comment on the events, and pray to the gods.

The most obvious form of self-identification is the members of the chorus clearly announcing to the audience who they are, where they are from, and how they are related to the people on stage. For instance, in Euripides' tragedy *Hecuba*, the chorus of the women carried off from Troy marches in and tells us how the women became slaves along with their queen Hecuba [98-103]. The chorus, however, does not always identify itself so unambiguously. From time to time only the name of the native land of the chorus members is supplied – in that case the chorus usually consists of local women or slave women (*Iphigenia at Aulis* [164-168]). Sometimes it is a character already on stage who identifies the chorus, for example Tecmessa in Sophocles' play *Ajax* [201-203].

According to Aristotle's definition, a parodos is ἡ πρώτη λέξις ὅλη χοροῦ.⁴ In classical tragedies and old comedies the parodos (the first chorus song) has several functions apart from being the entry song of the chorus (which is not always true, as the first song of the chorus does not always coincide with their entry). Following the parodos is the first chance to develop a dialogue (ἄμοιβαίον) between the chorus or the chorus leader and the actors. The participants of this dialogue are not necessarily friends or possible allies. In the first part of the agon the chorus initiates a debate by its song and dance, then, with a few lines

⁴ *Poet.* 1452b 23.

of exhortation, sends the first speaker of the agon into the dialogue. The first speaker who explains his or her opinion in the so-called epirrhema, will always lose in the end. The peak of the dialogue is the *πνῖγος*, a virtuoso tirade made up of the rhythm pattern of the epirrhema. The second speaker, who will win the debate, is granted the same dramatic opportunities as the first one.

The chorus may talk not only to the characters, but also to another group. Commonly, the chorus is divided into two half-choruses, replying to each other's song. Frequently, a chorus song written for two half-choruses is supposed to relate and comment on the events in the wings. In Euripides' tragedy *Alcestis* the chorus separates into two groups, and that is how the *ἀμοιβαίον* unfolds. From the dialogue of the two half-choruses (the elders) the audience can learn what is going on in Admetos' palace: Alcestis is ready to die for her husband, and the servants are already preparing the funeral decorations for her [93-111]. Sophocles, in his fragmentary satyr play *The Tracking Satyrs*, invents a special dramatic way of applying two half-choruses talking both to each other and Silenus as well as trying to involve the audience in the agon and the search for the lost herd.

In the beginning of the agon the chorus defines its attitude, and will often even commit itself to one of the characters.⁵ Depending on the relationship between the chorus and the characters on stage, the chorus may choose between several patterns of action. In some plays the members of the chorus expect the protagonist to support them (*Seven Against Thebes*); they often warn the protagonist benevolently to fulfil his/her duties in a critical situation (*Oedipus the King*); sometimes they try to restrain the protagonist from committing a fatal mistake (*Medea*), or attempt to give moral support to the protagonist in need (*Electra*). At times they may be plotting to disturb the protagonist's plans and openly set themselves against him/her. Especially in the Old Comedy, the chorus often appears as the comic protagonist's adversary, as in the *Birds*.⁶ Enraged, the birds want to tear the two intruders, Euelpides and Peisthetairos into pieces, together with Tereus the Hoopoe, who has let human beings in among them, thus breaking the laws and the ancient oath of birds (*Birds* 328-337).

Concluding the agon, the chorus voices its judgement concisely in tetrameters, preparing the following dialogue, which will show the results and consequences of the debate in the agon. The fulfilling the criteria of the role the chorus demonstrates involvement in the events of the play, the introductory chorus songs are divided into three groups.

⁵ Arist. *EN* 1123a 23-24.

⁶ B. Zimmermann, *The Parodoi of the Aristophanic Comedies*. Oxford Readings in Aristophanes. Oxford–New York 1996, 182.

2. The Frog Song

2.1. The Frog Song-pattern

The patterns of events, as they should follow from the configuration reconstructed in 1. 1., now appear somewhat modified. Some features of dramatic language suggest that the modified form was applied for the sake of a modified sequence of events. The typical sequence of events, taken from parent texts, is not perfectly congruent with the sequence of events in the target text; neither are the verbal formations specifically connected to the events. This incongruence, however, cannot be so great as to allow the audience to recognise the parallel structures and verbal formations connecting the target text (that is, the song of the frog chorus and the *agon* following the latter) and the parent text(s).

Via putting frogs on the stage, Aristophanes parodies the patterns of the chorus songs and *agons* occurring in Greek tragedies. Although the setting – the River Styx – could not be more sublime, and the winner of the debate is Dionysus himself, his adversaries are “only” frogs. They are not some inferior sort of animals, though, for they are the favourites of Zeus: that is what makes the scene infinitely comic even after thousands of years. Both the situations and the form come from the “original” script, which leads to the conclusion that the “original” and emptied forms called *parodos* and *agon* are capable of carrying any kind of contents. However, the members of the chorus as well as the actual debate (the not-too-deep-in-thought croaking of frogs) prove to be entirely humiliating for the god. Thus, the song reveals that the unity of content and form is not to be broken up without serious damage to the effect, as their separation from each other results in the reverse of the original culminating point of genre of tragedy, i.e. the essential catharsis. This parody, however, does not only refer to the emptiness and anachronistic quality of certain forms, that is, it does not only ridicule the genre, but can also function as the continual self-correction of Aristotelian mimesis.

The re-configuration of the classical chorus song-pattern:

1. The chorus gives a sign – self-identification
2. The chorus appears
3. Opinion defined: Why do we croak?
4. The dialogue unfolds: *Ἀμοιβαίον*
5. Epirrhema and anti-epirrhema
6. A reduced *agon*
7. “Exhaustion”; the frog-song is silenced
8. The chorus is defeated

2. 1. 1. The croaking is heard

Aristophanes' frogs are singing on the banks of Styx, bestowing themselves on no less cardinal persona than Dionysus himself, who has descended to the Underworld for Euripides. The god is in a bad temper: he has a stomach-ache, and furthermore his bottom is sore from the hard seat of the boat.⁷ Not long after that, the frog-song resounds, as Charon forewarns us, *ῥᾶστ' ἀκούσει γὰρ μέλη κάλλιστ', ἐπειδὴν ἐμβάλης ἄπαξ* [*Batr.* 206-7].⁸ The appearance of frogs is a brilliant parody of the *παρόδος*, the entry song of ancient drama, revealing the chorus marching in and identifying itself. In the chorus song of the *Frogs*, although Charon has already driven Dionysus' attention to the presence of frogs, it is the onomatopoeia, that is, the croaking that functions as a self-identifier, returning again and again as a refrain in the text:

βρεκεκεκέξ κοᾶξ κοᾶξ,
βρεκεκεκέξ κοᾶξ κοᾶξ.

2. 1. 2. The chorus appears

Similarly to the chorus songs of tragedies, the chorus songs of comedies can also be classed into three groups. Naturally, the three groups are not always clearly definable in all comedies or tragedies; some pieces, like the chorus songs of the *Clouds* or the *Birds*, may bear the features of more types than one.

In comedies of the first type – most characteristically represented by the choral song of the elders in *Lysistrata* [254-386] – the chorus arrives at an empty stage, as a preparation for the appearance of the main characters. After the two half-choruses converse with each other, the chorus of the women arrives, initiating a fierce debate, only to be ended by *Lysistrata*. In comedies of the second group (*Knights*, *Peace*), the chorus comes to help, summoned by one of the actors already on the stage, and tries to actively direct the events: *Peace* [296-308], *Knights* [242-254]. As far as the choruses of the third group are concerned, they do not play an important role in the plot, neither as a helper, nor as an in-former of the actors struggling on the stage; the members of the chorus even want to prevent the protagonist from reaching his aim: *Wasps* [242-247].

In this case the chorus does not appear at the explicit request of a character – although Charon is a fairly keen to hear the croaking – ; they only appear because they only appear because they are supposed to do so. Neither does it influence the course of events later, except that the unskilled Dionysus has to pull the oars to the quick rhythm of the frog-song, which will only make him feel worse. Later

⁷ *Batr.* 221 and 236-37.

⁸ “It’s easy. You’ll hear songs / most delightful, when once you lay into it”. All translations by M. Dillon (Perseus Digital Library, 1995).

on, the frog-chorus will be replaced by another chorus, a more “serious” one, if possible under the present circumstances: the chorus of the initiates.

2. 1. 3. The standpoint is defined; epirrhema

The frogs, as one will expect from a classical Greek chorus, spick to the pattern of the idealised script when they duly explain why they have appeared, and on whose side they are. They are completely harmless, merely wishing to sing to Nysian Dionysus, as they do every year anyway, in Limnae, at the Feast of the Jars, when the people gather to share in a joyful revelry at the sanctuary of the god [214-220]:

BAT. κοᾶξ κοᾶξ,
ἦν ἀμφὶ Νυσηίου
Διὸς Διόνυσον ἐν
Λίμναις ἰαχήσαμεν,
ἦνίχ' ὁ κραιπαλόκωμος
τοῖς ἱεροῖσι Χύτροισι
χωρεῖ κατ' ἐμὸν τέμενος λαῶν ὄχλος,
βρεκεκεκέξ κοᾶξ κοᾶξ.⁹

Unfortunately, the god does not appreciate the hymn; angrily, he croaks back as an anti-epirrhema. In-between the strophes of the chorus song, dialogic parts are inserted, matching each other like antistrophes [225-227]:

ΔΙΟ. ἀλλ', ἐξόλοισθ' αὐτῶ κοᾶξ
οὐδέν γάρ ἐστ' ἀλλ' ἦ κοᾶξ.¹⁰

The croaking functions as a jab-line, as, according to stereotypes, a god from Olympus should not be croaking. Thus, the conceptual model of the god and his deeds as they are handled in the text are incongruent, which will result in laughter. The croaking returns again and again, as if in poetic parallelism, which keeps the text open to the unfolding of the “basic idea.” This idea is repeated over and over, generating the figure called *reditio*. The “topic sentence” results from the same idea, systematically returning at the end of each episode, before the community croak back in applause. The repetition does not only function as a means of giving emphasis; it will also become an effective way of forming the text, following the pattern of parallelism, which is quite common in ancient poetry. The croaking also emerges as a means of arranging the text proportionally: each

⁹ “Let us sing, my sweet / song, Koaxkoax / which for Nysian / Dionysos, son of Zeus, / we sang at Limnae / when in drunken revelry / at the Feast of the Jars / the crowd of people marches to my sanctuary. / Brekekekex, koax, koax.”

¹⁰ “Go to the hell with your koax / koax and nothing but koax!”

croaking indicates the appearance of a new theme and idea. Thus, the onomatopoeic passages do not only separate but also connect parts of the text.

The scene, however, does not make it explicit whether the frogs are actually aware of the fact who is descending into the Underworld. Concluding from the unfolding dialogue, they have no idea that it is their worshiped Dionysus sitting in Charon's boat. It is true, though, that the god is travelling in disguise, in clothes similar to Hercules': a lion's hide, under that a purple robe, and women's shoes. Once such clothes have brought Hercules luck, Dionysus, wearing them, is not likely to come back empty-handed either. His intention explains the disguise: just as Hercules wanted to bring up Cerberus, he wants now to bring up a playwright, Euripides, just deceased [66-69], since he is in need of a good poet [72-73]. Although Euripides is not the best in his job – he cannot even be a patch on Sophocles –, he is the easiest to bring up, because he would escape by himself anyway [80-82]. Neither does the masked god reveal his identity to the boatman, who even gets him to pull the oars [196-205].

2. 1. 4. The agon between the god and the Amphibians

From the dialogue (accompanied by croaking) of the chorus and the god, a kind of agon unfolds, reduced to two participants. While the god tries every means to silence the frogs, they will always start again, claiming that the frog-folk is highly favoured by gods, especially Pan, Apollo and the Muses, as it is frogs that produce the reed for Pan's syrinx [229-233]:

*ΔΙΟ. ἀλλ', ἐξόλοισθ' αὐτῶ κοᾶξ
οὐδέν γάρ ἐστ' ἀλλ' ἢ κοᾶξ.*

*ΒΑΤ. εἰκότως γ' ὦ πολλά πράττων
ἐμὲ γὰρ ἔστερξαν μὲν εὐλυροί τε Μοῦσαις·
καὶ κεροβάτας Πάν, ὁ καλαμόφθογγα παίζων·
προσεπιτέρπεται δ' ὁ φορμικτᾶς Ἀπόλλων,
ἔνεκα δόνακος, ὃν ὑπολύριον·
ἔνυδρον ἐν λίμναις τρέφω.
βρεκεκεκέξ κοᾶξ κοᾶξ.¹¹*

It does require some courage to enter into a debate with frogs, as frogs are in their element while croaking, particularly if they need to croak down the great Dionysus himself in a grand contest [242-245]:

¹¹ “**Dionysos:** Go to hell with your koax / koax and nothing but koax! **Frogs:** Rightly so, you busybody. / the Muses of the fine lyre love us / and so does horn-crested Pan, playing his reed pipe. / And the harpist Apollo delights in us as well, / On account of the reed, which as a bridge for his lyre / I nourish in the water of the pond. / Brekekekex, koax, koax.”

*ΒΑΤ. μᾶλλον μὲν οὖν
 φθεγξόμεσθ', εἰ δὴ ποτ'
 εὐηλίοις ἐν ἀμέραισιν
 ἠλάμεσθα διὰ κυπείρου·
 καὶ φλέω, χαίροντες ὠδῆς
 πολυκολύμβοισι μέλεσιν.¹²*

2. 1. 5. Exhaustion: the frogs are croaked down

The wrathful god commands the amphibians to be silent, although, for a frog, that means horrible suffering,¹³ as “singing” is their element. Miraculously, the god will win the contest, by simply giving a good croak to the company – that is where the agon reaches its peak, the exhaustion or *πνίγος* [263-267]:

*ΔΙΟ. κεκράξομαι γὰρ
 ἄν με δῆ δι' ἡμερας,
 βρεκεκεκέξ κοᾶξ κοᾶξ,
 ἕως ἄν ὑμῶν ἐπικρατήσω τῶ κοᾶξ,
 βρεκεκεκέξ κοᾶξ κοᾶξ.
 ἔμελλον ἄρα παύσειν ποθ' ὑμᾶς τοῦ κοᾶξ.¹⁴*

The frogs willy-nilly grow quiet, admitting to defeat, and their silence is more telling than any conclusion (used in other plays at such points). The frog-chorus, now mute, surrender to Dionysus, but the traditional finale of the improvised agon (the “seal” expressing the judgement of the chorus) is only implicitly present. This implied judgement, “the silence of the frogs,” functions as a “punch line” concluding the elliptic agon.

2. 1. 6. Ellipsis: recognition failed?

What makes the situation even more comic is that the intruder, with his bad mood and the pain in his stomach, does not identify himself at the beginning of the dialogue, so the frogs may safely sing to him about their own might and power. Thus recognition, a crucial moment in the prototypical script of Greek drama, fails to appear,¹⁵ though it might have made Dionysus feel happier, and given the frogs an opportunity to pay their deference to the divinity they respect above all others.

¹² “No, all the more / will we sing, if ever / On a sunshiny day, / we leaped through the weeds / and the rushes, rejoicing in the song's / diving melodies.”

¹³ *Batr.* 254, *δεινὰ τάρρα πεισόμεσθα.*

¹⁴ “Nor you me, oh no, / Never! For I will shout / if I have to, all day long, / until I vanquish you with this koax.”

¹⁵ *Poet.* 1554b-1555a

3. Mechanisms of incongruence

3. 1. Incongruence on the level of a conceptual integration: The cognitive model of frogs

Another source of humour, besides the classical text of the chorus song re-configured, is the conceptual integration of the speaker's identity. Mark Turner (literary history) and Gilles Fauconnier (cognitive studies) have created the theory of *blending* (conceptual integration): the mental mechanism which connects separate conceptual fields during the interpretation of a text.¹⁶ Owing to this ability, the reader's imagination can easily work out the rhetoric formulae in a text. The theory of blending examines and models the interpretational processes in the mind, suggesting that at the very first moment of encountering the text we create allusions between it and earlier mental models. These allusions are constantly checked during the process of reading. This strategy of interpretation helps us unravel the figures of a text. Everyone possesses the capacity of cognitive blending, which means that – as Aristotle also recognised – everyone is able to create and decode rhetoric figures in the same way, if not to the same extent.¹⁷ The process, which works on a mental level, only becomes conscious for accomplished writers, artists of language: they will consciously choose from among possible forms of a certain idea. Others use the possible forms instinctively, depending on their language competence. When encountering the text for the first time, recipients create a cognitive model (in this case a trivial one) about the concept of “frog” – that is, they identify the speaker. This activates a certain conceptual sphere (that of the frog) and retrieves a cognitive model, which causes the recipient to form expectations – never to be fulfilled, in our case. By merely activating the conceptual spheres, incongruence emerges, as, stereotypically, frogs are not considered the most perfect and attractive creatures of the world and few people enjoy their characteristic voice. What is more, these green creatures, croaking and jumping, appear as the chorus and participate in the realisation of a prototypical script: they name themselves, define their standpoint, and abruptly get into a debate with the protagonist, who happens to be divine. The incongruence between the parent text and the target text (the frog song) lies in the fact that, as a rule, amphibians do not argue with gods.

¹⁶ Cf. G. Fauconnier, *Mappings in Thought and Language*. Cambridge 1997; see also: M. Turner, *The Literary Mind*. New York 1996.

¹⁷ *Rhet.* 1405a 9: *Καὶ τὸ σαφές καὶ τὸ ἡδύ καὶ τὸ ξενικὸν ἔχει μάλιστα ἡ μεταφορά, καὶ λαθεῖν οὐκ ἔστιν αὐτὴν παρ' ἄλλου.*

3. 2. Incongruence reduced and growing – tilting moments

In the case of incongruent scripts, sequences of events and linguistic patterns connected to them appear as derived from their typical appearance; but differences between the two do not keep to the level of stylistic/connotative possibilities.¹⁸ The reason for these modifications is that, besides the congruent moments of continuation, other, *tilting* moments will occur. Classical books on rhetoric enumerate four devices to modify a “neutral” expression: addition (*adiectio*), detraction (*detractio*), replacement (*immutatio*) or interchanging the expression with another one (*transmutatio*).¹⁹ In the case of the chorus in *The Frogs*, certain elements of the sequence of action emerge as modified expressions or realisations of a modified pattern. In the part of the text examined here, differences are found between the imprints of the script and the expectations based on the standards stored in the reader’s mind.

3. 3. The pattern modified

3. 3. 1. Detractio

Out of the modifications listed in classical and modern books on rhetoric, detraction and replacement are both frequently used by authors. Detraction may take different forms: on the one hand, simply omitting one (otherwise widely used) moment from the script of the target text; on the other hand, reducing the utterances of the characters. In the first case, Aristophanes simply omitted the last moment of the parent script, that is, judgement: the chorus only admits to its defeat by silence. The other case is trivial: as the events of the scene are not important for the unfolding of the plot, there is no chance for an agon of the length commonly occurring in tragedies to develop.

3. 3. 2. Adiectio

Addition results more complicated patterns, more difficult to describe. In the target text, distorting the events suggested by the parent text does not end with a subversion of formulae familiar to each and every Greek theatre-goer. To the parent text, the author adds its negative image: this second sequence of events is not typical, as it is the god who stops his devout flock from fulfilling their sacred duty of praising him. This sequence of events emerges as the reverse of another, sacred sequence implied by the mythical figures and the setting.

A typical sequence of events may also expand by the addition of other events, even by interweaving different patterns. By means of introducing new

¹⁸ S. Kiss op. cit. (note 3), 52.

¹⁹ *Inst. orat.* I, 5, 38-41.

structures to the script which shows the basic sequence, a novel, non-conventional meaning is connected to the original and conventional one. In this case, the typical sequence of events (the debate of the protagonist and the chorus) is subverted by the different patterns woven into it, although the script of the parent texts is preserved, thus it still remains recognisable all the time.

3. 3. 3. Immutatio

Sometimes, one element in the typical sequence of events is replaced by another, that is, the events do not follow each other as one would expect them to, with the pattern of the parent text in mind. In the parodos of *The Frogs*, the reader can recognise the moments which are needed to identify the parodos and the agon in a Greek tragedy. To these moments, the author adds another pattern. While constructing a regular agon-script, this secondary pattern weaves the text through and through, croak by croak. Thus, the incongruence between the parent and the target texts is confirmed.

Not only events, but also characters that realise those events or the settings in which the events are realised, may be replaced: for a true god crossing the Underworld waters, it is not the Elders of Thebes or the Wives of Corinth but a few croaking frogs that provide the chorus.

3. 3. 4. Transmutatio

A sequential change, that is, an exchange of elements conventionally fixed in the script, also appears in the text in question, subverting the conventional pattern again. The very appearance of the chorus and the introduction of the ritual parodos are themselves breaks with “canonised” dramaturgy. The chorus should introduce the appearance of the protagonist; here, the protagonist and his companion announce the appearance of the frogs instead, who, in turn, do not play any significant role whatever in the plot. The chorus appears for nothing but croaking (which equals a hymn to Dionysus).

Laughter is generated by the decreasing incongruence between the parent and target scripts, continually alluding to each other. The more plainly the parent text appears in the events and structure of the target text, the better it is for the comic effect. The points of the highest congruence between the target and the parent texts work as jab-lines, and the implied judgement concluding the parodos and the agon (“the silence of the frogs”) works as a punch-line. On a semantic level, on the other hand, this effect appears as reversed: humour emerges in its strongest form at the moments which show the strikingly obvious contrast between the patterns (conceptual models and expectations) stored in the reader’s mind and the target text – that is, at the moments of the least congruence between the parent text and the target.

Conclusion

Since Plato, it has been widely realised that every living being that overestimates its properties and does not recognise its own insignificance, becomes ridiculous.²⁰ Aristotle, on the other hand, shows that these amiably self-conceited frogs are absolutely harmless.²¹ The main source of comedy in the text is contrast (incongruence), always present, but not always to the same extent: the frog-language of the beginning suddenly changes into a human text, which, relying on its rhetoricity and systematically arranged narrative steps, should prove to be large-scale drama – except that it is sung by frogs on the banks of a river. Everything we know about the chorus song of a classical Greek tragedy is ridiculed by giving creative powers to loveably fallible amphibians and creating an almost epic perspective for their lives, with transcendental overtones. A parody of style gains its effect from the incongruence between form and content; that is what makes e.g. the *Batrachomyomachia* (supposedly written by Homer) a perfect parody of the *Iliad*. It contains all the epic characteristics, and its prosody is faultless, but instead of a battle of gods and heroes, it is about a fight between frogs and mice. The mirror-text (the parody), however, gains its true meaning only if the reader knows the parent text (in this case, Euripides' tragedies). Parody is not unenjoyable in itself; but as any good parody works with the mechanisms creating the parent text;²² it can only appear comic if it really reveals the patterns underlying the original, and it can only reach its aim if these patterns really bring the original work of art to the recipient's mind.

To draw a final conclusion, we may say that Aristophanes' parody of a parodos has proved to be a consciously and meticulously constructed text, a totally faithful image of the prototypical scripts functioning as parent texts, and abounding in humorous effects. In the *Frogs*, the author makes fun of both gods and heroes in Greek mythology, as well as the greatest playwrights. The latter aspect, finally, reaches far beyond the scope of making fun of chorus-scripts used in tragedies; it ridicules the myth itself and tragedy as such, as the myth's most sophisticated adaptation, together with the tragic world view, characters, and a tragic set of concepts.

²⁰ *Philebus* 1449c.

²¹ *Poet.* 1449a: Ἡ δὲ κωμωδία ἐστὶν ὡς περ εἶπομεν μίμησις φαυλοτέρων μὲν, οὐ μὲντοι κατὰ πᾶσαν κακίαν, ἀλλὰ τοῦ αἰσχροῦ ἐστὶν τὸ γελοῖον μῶριον. τὸ γὰρ γελοῖον ἐστὶν ἀμάρτημα τι καὶ αἰσχος ἀνώδυνον καὶ οὐ φθαρτικόν, οἷον εὐθύς τὸ γελοῖον πρόσωπον αἰσχρόν τι καὶ διεστραμμένον ἄνευ ὀδύνης.

²² *I. Fónagy*, *A költői nyelvről* [The Language of Poetics]. Budapest 1999, 94.

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SOME POINTS TO THE EXPLANATION OF THE CONCEPT OF ΟΥΣΙΑ ΘΕΟΥ IN THE HERMETIC LITERATURE

BY ENDRE HAMVAS

Abstract: The philosophical problem how the essence of God can be defined and what this substance, if it can be called a substance at all, might be like is present in several treatises of the Corpus Hermeticum and in some philosophical and theological texts of late antiquity.

In my essay I try to find the correct interpretation of the idiom οὐσία θεοῦ in the Hermetic texts with the help of some parallel writings from Jamblich and Sallustius. After the explanation of the relevant texts I conclude that the term οὐσία is used only to the cosmic gods, not to the first principle, and it has the function to connect the absolute transcendent first cause to the material world through the cosmic gods. The main source of this conception is the platonic tradition, as it can be seen not only from the similarity of the content, but from the similar use of the philosophical terms.

Key-words: οὐσιάρχης, οὐσία θεοῦ, Corpus Hermeticum, Asclepius, Sallustius, Numenius, Jamblich, first cause, cosmic gods

a.) The concept in the Hermetic treatises

The philosophical problem how the essence of god can be defined and what this substance, if it can be called a substance at all, might be like is present in several treatises of the Corpus Hermeticum. The expression οὐσία θεοῦ and other related theological questions can be found in CH. II, V, VI and XII.

Two noteworthy facts need to be already taken into consideration. Firstly, that the expression itself is theological meaning that its aim is to define the divine nature and puts the question forward whether god can be described at all. Secondly, it faces the unknown authors with possibilities of the usage of the term itself and the problems originating from its usage. The quotes have been referred to are the following:¹

¹ For the Greek and Latin texts with a French translation see: Corpus Hermeticum, I-IV. Texte établi par A.D. Nock et traduit par A.-J. Festugière. Paris 1946-1954. I used the following English translation: B. Copenhagen, Hermetica. The Greek Corpus Hermeticum and the Latin Asclepius in a New English Translation, with Notes and Introduction. Cambridge 1992.

CH II 5: ἐὰν μὲν οὖν ἦ θεῖον, οὐσιῶδές ἐστιν. ἐὰν δὲ ἦ θεός, καὶ ἀνουσίαστον γίνεται.

If it is divine, it is something essential; but if it is god, it comes to be even without essence.

CH V 9: εἰ δὲ τί με καὶ τολμηρότερον ἀναγκάζεις εἰπεῖν, τούτου ἐστὶν οὐσία τὸ κύνει πάντα καὶ ποιεῖν καὶ, ὥσπερ χωρὶς τοῦ ποιοῦντος ἀδύνατόν ἐστι γενέσθαι τι, οὔτω καὶ τοῦτον ἀεὶ [μὴ] εἶναι, εἰ μὴ πάντα ἀεὶ ποιοῦντα.

If you force me to say something still more daring, it is his essence to be pregnant with all things and to make them. As it is impossible for anything to be produced without a maker, so also it is impossible for this maker [not] to exist always unless he is always making everything.

CH VI 4. αἰ γὰρ ἐξοχαὶ τῶν καλῶν περὶ αὐτοῦ εἰσι τὴν οὐσίαν· φαίνονται καὶ καθαρώτεροι καὶ εἰλικρινέστεροι τάχα πού καὶ αὐταὶ αἰ οὔσαι ἐκείνου. τολμητέον γὰρ εἰπεῖν, ὥς Ἀσκληπιέ, ὅτι ἡ οὐσία τοῦ θεοῦ, εἴγε οὐσίαν ἔχει, τὸ καλὸν ἐστὶ, τὸ δὲ καλὸν καὶ ἀγαθὸν ἐν οὐδενὶ ἔστι καταλαβέσθαι τῶν ἐν τῷ κόσμῳ·

If indeed there are things preeminently beautiful near to god's essence, those seem perhaps even cleaner and purer in some degree which are part of him. One dares to say, Asclepius, that god's essence (if, in fact, he has an essence) is the beautiful but that the beautiful and the good are not to be detected in any of the things in the cosmos.

CH XII 1. Ὁ νοῦς, ὡς Τάτ, ἐξ αὐτῆς τῆς τοῦ θεοῦ οὐσίας ἐστὶν, εἴ γέ τις ἔστιν οὐσία θεοῦ· καὶ ποῖα τις οὔσα τυγχάνει, οὗτος μόνος ἀκριβῶς αὐτὸν οἶδεν. ὁ νοῦς οὖν οὐκ ἔστιν ἀποτετμημένος τῆς οὐσιότητος τοῦ θεοῦ, ἀλλ' ὥσπερ ἠπλωμένος καθάπερ τὸ τοῦ ἡλίου φῶς. οὗτος δὲ ὁ νοῦς ἐν μὲν ἀνθρώποις θεός ἐστι· διὸ καὶ τινες τῶν ἀνθρώπων θεοὶ εἰσι, καὶ ἡ αὐτῶν ἀνθρωπότης ἐγγύς ἐστι τῆς θεότητος·

Mind, ο Tat, comes from the very essence of god – if in fact, god has any essence – and god alone knows exactly what that essence might be. Mind, than, has not been cut off from god's essentiality, it has expanded, as it were, like the light of the sun. In humans this mind is god, among humans, therefore, some are gods and their humanity is near to divinity.

From the texts just quoted it can be seen that the authors would like to avoid the idiom in question rather than using it. They unambiguously refer to the fact that in relation to god, the expression can be used only for lack of something better: employing the term is nearly a religious offence. I think that the point at issue is that the expression is used as an analogy; if the nature and energy of god is to be described with our own words it can only be done with the help of the pattern of how the cosmic gods do their duty. However this method cannot work correctly, as the expressions like εἰ δὲ τί με καὶ τολμηρότερον ἀναγκάζεις εἰπεῖν or εἴ γέ τις ἔστιν οὐσία θεοῦ show that there is limit to the use of the word οὐσία concerning god. With restraints like this – even if they seem to be a little complicated – the authors indicate that they do not use the correct words.

In the following I would like to show that to solve the problem the Platonic tradition must be investigated, where – to simplify the question – the main

principle appears not as something that *is*, or not a *being substance* but as the source of being. Thus the word which indicates being ie. οὐσία cannot be used pertaining it.² These problems will be elaborated on later in this essay, although, it can be stated that this opinion is generally accepted in later Platonism. It follows from this that in Platonic and Christian texts we can read terms such as ἀνούσιος or ὑπερούσιος concerning the main principle. These expressions can be interpreted as something that is without or above existence.³ From this point of view it can be understood why the authors of the Hermetic texts would like to avoid the term οὐσία θεοῦ. Therefore it can be concluded that the correct interpretation of the word οὐσία here is being (or existence), and consequently the meaning of the idiom οὐσία θεοῦ is the being of god. From this point of view it is understandable why it cannot be adopted for the first principle: it is not one of the existing beings but the source of the existence.

The question is the following: can these considerations lead us to solving the problem of how to interpret οὐσία θεοῦ or there is a special context needed in which it becomes possible to discover the true meaning of the expression. In the following parts of my essay I will attempt to answer these question based on the context of the Hermetic corpus and with the help of some texts that can help to explain the developments of the theology in the late antiquity.

First of all, let us consider how the word οὐσία can be interpreted in the present conditions.

² Plat. *Rep.* 509b9: καὶ τοῖς γινωσκομένοις τοίνυν μὴ μόνον τὸ γινώσκεισθαι φάναι ὑπὸ τοῦ ἀγαθοῦ παρεῖναι, ἀλλὰ καὶ τὸ εἶναι τε καὶ τὴν οὐσίαν ὑπ' ἐκείνου αὐτοῖς προσεῖναι, οὐκ οὐσίας ὄντος τοῦ ἀγαθοῦ, ἀλλ' ἔτι ἐπέκεινα τῆς οὐσίας πρεσβεία καὶ δυνάμει ὑπερέχοντος. Cf. *G. Vlastos*, Degrees of Reality in Plato. In: *Platonic Studies*. Princeton 1973, 58-75. *J. Annas*, An Introduction to Plato's Republic. Oxford 1981, 242-272. *G. Santas*, The Form of the Good in Plato's Republic. In: *G. Fine* (ed.), Plato 1, Metaphysics and Epistemology. Oxford 1999, 247-274.

³ *B.A. Pearson*, The Tractate Marsanes (NHC X) and the Platonic Tradition. In: *U. Bianchi – M. Krause – J.M. Robinson and G. Widengren* (eds.), *Gnosis. Festschrift für Hans Jonas*. Göttingen 1978, 373-384. *R. Majercik*, The Existence-Life-Intellect Triad in Gnosticism and Neoplatonism. *CQ* 42 (1992) 475-488. *C.L. Hancock*, Negative Theology in Gnosticism and Neoplatonism. In: *R.T. Wallis – J. Bregman*, (eds), *Neoplatonism and Gnosticism. Papers Presented at the 6th International Conference of the International Society for Neoplatonic Studies, entitled International Conference on Neoplatonism and Gnosticism, held at University of Oklahoma, Mar. 18-21, 1984*. New York 1992, 167-186. *J.D. Turner*, Gnosticism and Platonism: The Platonizing Sethian Texts from Nag Hammadi in their Relation to Later Platonic Literature. *Ibid.* 425-460. *Idem*, The Gnostic Sethians and Middle-Platonism: Interpretations of the Timaeus and Parmenides. *VigChr* 60, 1 (2006) 9-64.

In his commentary, W. Scott adopts the Peripatetic and Stoic use of the term,⁴ and interprets it as *a concrete (material or quasi-material) substance*. According to this interpretation the Hermetic usage of the word has no novelty in it, it is a philosophical term deeply rooted in the Hellenistic philosophical schools. With regard to CH XII. he says that *the writer hesitates to attribute οὐσία to God, and therefore here prefers to use the abstract term*. However, he makes no attempt to resolve the problem why the author has doubts to use the term describing god.

In my view the interpretation in the Stoic sense in this case is not convincing. Although the idiom οὐσία θεοῦ can be found in connection with the Stoics, it still supports the thoughts of Scott only partially.

Diogenes Laertius says that according to Zeno and Chrysippus the οὐσία θεοῦ is the whole cosmos and the heavens.⁵ In this case the term indicates that the divine logos is regarded as an immanent power, that has effect over the whole cosmos.⁶ As it follows from the previous statement it can be understood that the Stoics attributed to god the material substantiality of the cosmic gods, but beside this the word signifies here also the immanent essence of god, the logos which pervades the whole universe. If we think that we can solve our problem if we suppose that our texts deal with the question of how the first principle can be immanent, not wholly transcendent in the universe, we can accept the Stoic usage. But this interpretation leaves out of consideration those parallel texts which show close verbal connections with the Hermetic texts just quoted above. Already Festugière, in one of his studies criticized Scott's thesis, and drew attention to the Platonic tradition reminding us of some relevant connections with other texts showing close resemblances to the theological structure that can be reconstructed from the Hermetic treatises.⁷

At this point the treatise concerning the gods and the universe by Sallustius and some chapters of Jamblich's *De mysteriis* must be taken into consideration. Some of the Gnostic treatises and the early Christian debates of Christology⁸

⁴ *Hermetica. The Ancient Greek and Latin Writings which Contain Religious or Philosophic Teachings Ascribed to Hermes Trismegistus I-IV*. Ed. et trans. W. Scott. (vol. IV. ed. A.S. Ferguson), Oxford 1924-1936. II. 339.

⁵ SVF II. 1022; II. 1132. I used also the following edition: A.A. Long – D.N. Sedley, *The Hellenistic Philosophers*. Vol. 1. Translation of the Principal Sources, Vol. 2. Greek and Latin Texts with Notes and Bibliography. Cambridge 1987.

⁶ For a summary of Stoic theology see: K. Algra, *Stoic Theology*. In: B. Inwood (ed.), *The Cambridge Companion to the Stoics*. Cambridge 2003, 153-178.

⁷ A.-J. Festugière: *Les dieux ousiarques de l'Asclépius*. In: *Hermétisme et mystique païenne*. Paris 1967, 121-137.

⁸ About the development of the philosophical term οὐσία see: Chr. Stead, *Divine Substance* (Oxford Scholarly Classics). Oxford 1986.

give an interesting contribution to the attempt of solving the problems in discussion. It does not mean however, that the Stoic term mentioned above has no relation to the Hermetic texts and that these have to be excluded from our interpretation because if we want to solve that problem of how the transcendent god or the first principle can be in ontological connection with the causes and elements of the cosmic order, there is a great value in examining the Stoic usage of οὐσία.⁹ In this manner using the Stoic term οὐσία θεοῦ has the benefit to emphasize the immanent order of the cosmic gods who have the connection with the first transcendent cause.

As it can be seen in the following this divine order is going to be examined with the help of some examples. But first of all it seems to be practical to present the meanings of οὐσία in late Antiquity. Christopher Stead made the list presented in his study about the divine substance:¹⁰

- A Existence
- B Category or status
- C Substance
- D Stuff or Material
- E Form
- F Definition
- G Truth.

It needs to be noted that Stead made this list examining the terms ὑπόστασις and οὐσία in early Christian context. However, his findings and conclusions cannot be neglected. I use his results as a point of departure. I hope I will show that in the context of the Hermetic texts the following meanings of οὐσία are important:

- A existence
- B the special category of substance
- C material substance in terms of divine immanence.

At this point none of the above listed three definitions can be regarded as exclusive meaning, especially because on one hand there might be some new aspects occurring during our investigations, and on the other hand it might be

⁹ Cf. *R. Todd*, Monism and Immanence. The Foundations of Stoic Physics. In: *J.M. Rist* (ed.), *The Stoics*. Berkeley 1978, 137-160. *M. Lapidge*, Stoic Cosmology. *Ibid.*, 161-185.

¹⁰ *Chr. Stead*, op. cit. (note 8.) 132.

found that not only one special meaning is standard in our context. First of all, it must be examined what kind of basis the parallel texts could give in understanding οὐσία θεοῦ.

b.) The Hermetic term οὐσιάρχης and some parallel texts

There is an interesting text in the Latin Asclepius¹¹ that sheds light on οὐσία θεοῦ in Hermetic treatises. It is where the cosmos is described as governed by the first intelligible principle with the help of the cosmic gods:

*Magna tibi pando et divina nudo mysteria, cuius rei initium facio exoptato favore caelesti. deorum genera multa sunt eorumque omnium pars intelligibilis, alia vero sensibilis. intelligibiles dicuntur non ideo, quod putentur non subiacere sensibus nostris; magis enim ipsos sentimus quam eos quos visibiles nuncupamus, sicuti disputatio perdocebit et tu, si intendas, poteris pervidere ... sunt ergo omnium specierum principes dii. hos consecuntur dii, quorum est princeps οὐσιάρχης. hi sensibiles, utriusque originis consimiles suae, qui per sensibilem naturam conficiunt omnia, alter per alterum, unusquisque opus suum inluminans. caeli vel quicquid est, quod eo nomine comprehenditur, οὐσιάρχης est Iuppiter: per caelum enim Iuppiter omnibus praebet vitam. solis οὐσιάρχης lumen est: bonum enim luminis per orbem nobis solis infunditur. XXXVI, quorum vocabulum est Horoscopi, id est eodem loco semper defixorum siderum, horum οὐσιάρχης vel princeps est, quem Παντόμορφον vel omniformem vocant, qui diversis speciebus diversas formas facit. septem sphaerae quae vocantur habent οὐσιάρχης, id est sui principes, quam fortunam dicunt aut Είμαρμένην, quibus inmutantur omnia lege naturae stabilitateque firmissa, sempiterna agitatione varia. aër vero organum est vel machina omnium, per quam omnia fiunt.*¹²

I begin by disclosing great things to you and exposing divine mysteries. There are many kinds of gods, of one part is intelligible, the other sensible. Gods are not said to be intelligible because they are considered beyond the reach of our faculties; in fact, we are more conscious of these intelligible gods than of these we call visible, as you will be able to see from our discussion if you pay attention. The heads of all classes are gods, after whom come gods who have a head-<of>-ousia; these are the sensible gods, true to both their origins, who produce everything throughout sensible nature, one thing through another, each god illuminating his own work. The ousiarchēs of heaven (whatever one means by that word) is Jupiter, for Jupiter supplies life through heaven to all things. Light is the ousiarchēs of the sun, for the blessing of light pours down on us through the orb of the sun. The thirty-six (the term is ‘horoscopes’), the stars that are always fixed in the same place, have as their head or ousiarchēs that are called Pantomorphos or Omniform, who makes various forms within various classes. The so-called seven spheres have the ousiarchai or heads called Fortune and Heimarmenē, whereby all things change according to nature’s law and a steadfast stability that stirs in everlasting variation. Air is the instrument or mechanism of all the gods, that through which all things are made.

¹¹ S. Gersh, Theological Doctrines in the Latin Asclepius. In: R.T. Wallis – J. Bregman (eds), op. cit. (note 3) 129-166. V. Hunink, Apuleius and the Asclepius. VigChr 50, 3 (1996) 288-308.

¹² Asclepius Latinus 19.

The text just quoted gives a description of a cosmic structure that is supported by a divine hierarchy: every zone of the material structure is governed by a single cosmic god, while every single cosmic god is subordinate to an intelligible divine power. In this way the whole sensible cosmos (*mundus* in the Latin Asclepius) is subordinate to the rule of an intelligible god while the first intelligible cause can remain transcendent at the same time. How does this structure work according to our text? As it can be stated from the text quoted while the cosmic god governs the beings in the sensible world under his authority, his authority is also under the rule of a higher intelligible god for the sake of the cosmic harmony. This is the intelligible cause that rules with the help of an οὐσιάρχης and directs the cosmic god. All of this implicates that here the term οὐσία stands for the essence of a cosmic god, that manifests itself in the power they display in the zone of the cosmic order they have to take care of. The word οὐσιάρχης refers to this concept and with its usage the aspect of a cosmic god can be expressed. (Eg. the cosmic god Fortuna rules the zone of the seven planets.) Thus the structure of the cosmos is enriched with one more aspect; the powers that animate and operate in the cosmos appear in the theological structure and the cosmos becomes a living and dynamic entity.¹³ It is also evident that both the cosmic and the intelligible gods must be understood as part of one god, so the contemplation of the lower but sensible god leads us to the recognition of the intelligible god who is manifested first in more sensible forms.¹⁴ These are the intelligible gods that appear as οὐσιάρχης in the Asclepius. The idea that the intelligible god is one single god and the sensible god can be identified as Iuppiter himself can be seen from another text in the Asclepius. The following can be read:¹⁵ *Deus supra verticem summi caeli consistens ubique est omniaque circum inspicit...Dispensator qui est, inter caelum et terram obtinet locum, quem Iovem vocamus.*

How can the meaning of the word οὐσία explained in this context? As it has already been stated the word has an ontological aspect. In this case the interpretation of the term would be existence and so the οὐσιάρχης can be translated as *the one, who rules the existence* of a cosmic god. On the other hand all the cosmic gods have a definite function, so the οὐσία refers to that substantial essence that the cosmic god displays through his power, what is more, this cosmic power depends on the intelligible god. However the meaning “substance of the cosmic god” cannot be excluded either.

¹³ Cf. A. Thornton, *The Living Universe*. Leiden 1976.

¹⁴ S. Gersh, *Middle-Platonism and Neoplatonism: The Latin Tradition*. Notre Dame 1986, 378.

¹⁵ Asclepius Latinus 27.

The order of the intelligible and sensible gods can be described as shown in the next chart:

Sensible god	Parts of the sensible god (θεός αισθητός)	The οὐσιάρχης
Iuppiter	Caelum	Iuppiter
	Sol	Light
	Horoscope, The 36 The Decans	Pantomorphos
	The seven planets: Saturn Juppiter Mars Venus Mercury Luna	Fortuna (Είμαρμένη)
Iuppiter Plutonium ¹⁶ and Κόρη	Terra	

The organon of these (*organum*) is that pervades the universe

Aēr ¹⁷	(Secundus? – lacuna)
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Some relevant textual and linguistic parallels to this Hermetic structure can be found in other sources. In the followings two sources are going to be examined to present how the term οὐσία appears in the similar sense in other, non Hermetic treatises.

Sallustius the author of the tractat *Concerning the gods and the Universe*¹⁸ makes a distinction between two types of gods that leads to a theological structure similar to the one described in the Asclepius. When he speaks about the gods, he says:

¹⁶ Ascl. Lat. 27: *terrae vero et mari dominatur Iuppiter Plutonium et hic nutritor est animantium mortalium et fructiferarum.*

¹⁷ Usually considered to be a separate part of the sensible God (Cosmos). Cf. *Gersh*, op. cit. (note 11) 377.

¹⁸ I used *G. Rochefort's* edition: Sallustios: Des dieux et du monde. Paris 1960. See also: *A. D. Nock*, Sallustius Concerning the Gods and the Universe. Edited with Prolegomena and Translation. Cambridge 1926. I used the translation of *G. Murray*: On the Gods and the World. In: Five Stages of Greek Religion. London 1943², 200-225.

Τῶν δὲ θεῶν οἱ μὲν εἰσὶν ἐγκόσμιοι, οἱ δὲ ὑπερκόσμοι. Ἐγκοσμίους δὲ λέγω αὐτοὺς τοὺς τὸν κόσμον ποιοῦντας θεούς. Τῶν δὲ ὑπερκοσμίων οἱ μὲν οὐσίας ποιοῦσι θεῶν, οἱ δὲ νοῦν, οἱ δὲ ψυχάς.¹⁹

Of the Gods some are of the world, Cosmic, and some above the world, Hypercosmic. By the Cosmic I mean those who make the Cosmos. Of the Hypercosmic Gods some create Essence, some Mind, and some Soul.

In this text Sallustius makes a distinction between the cosmic and the hypercosmic gods. The former can be identified with the sensible gods, the later with the intelligibles. The material world is ruled by the cosmic gods that are submitted to the non-sensible, intelligible divine powers; to the hypercosmic gods. The cosmic gods rule the cosmos, however they themselves are submitted to higher non-perceptible although knowable divine activities, namely to the activities of the hypercosmic powers. These powers circumscribe the functioning of the cosmic powers and determine how they exert their powers in the cosmos. To clarifying the text I will illustrate the system of Sallustius in a table:

Hypercosmic gods ²⁰	Cosmic gods ²¹
τῶν δὲ ὑπερκοσμίων οἱ μὲν οὐσίας ποιοῦσι θεῶν	Τῶν δὲ ἐγκοσμίων οἱ μὲν εἶναι ποιοῦσι τὸν Κόσμον (Ζεὺς καὶ Ποσειδῶν καὶ Ἥφαιστος)
οἱ δὲ νοῦν (ποιοῦσι θεῶν)	οἱ δὲ αὐτὸν ψυχούσιν (Δημήτηρ καὶ Ἥρα καὶ Ἄρτεμις)
οἱ δὲ ψυχάς (ποιοῦσι θεῶν)	οἱ δὲ ἐκ διαφόρων ὄντα ἀρμόζουσιν (Ἀπόλλων καὶ Ἀφροδίτη καὶ Ἑρμῆς)
	οἱ δὲ ἡρμοσμένον φρουροῦσι (Ἑστία καὶ Ἀθηνᾶ καὶ Ἄρης)

The parallels between the Hermetic Asclepius and Sallustius' text must be emphasized. Both texts use the idiom οὐσία θεοῦ only regarding the cosmic gods and both texts refer to the fact that the οὐσία of the cosmic gods is dependent on the hypercosmic god(s). But the connection between the two separate types of gods is not explained in either text. Concerning the Asclepius some possible meanings for οὐσία have already been mentioned above. Having examined the text of Sallustius our departure point seems to be correctly chosen; however, no more conclusions can be drawn. Albeit, one chapter earlier describing the first cause Sallustius makes an interesting remark that may give a key to the problem. From this part of the text it can be concluded that the

¹⁹ *De diis et mundo*, VI.

²⁰ These are very similar to the Hermetic term οὐσιάρχης.

²¹ As every divine functioning can be separated into 3 parts there are 12 cosmic gods.

meaning of οὐσία is existence. It can be read that the first cause is more than οὐσία. If it was only οὐσία, the things that exist would only exist and not be good as well. However the existing things are also good. It means that they exist not because of the substantiality of the first cause, but owing to its goodness. Bearing all this in mind the first cause should be regarded as the good above existence.²²

The relation between the first principle and the cosmic god has a similar description in Jamblich's *De mysteriis*.²³ It is worth mentioning that the Hermetic literature is used as the source of his theological description. At the beginning of Chapter VIII he wonders why the Egyptians seem to have so many different first causes.²⁴ All of these problems can be found in the books attributed to Hermes that are said to sum up to twenty thousand books or thirty six thousand:

τὰς μὲν οὖν ὅλας Ἑρμῆς ἐν ταῖς δισμυρίαῖς βίβλοις, ὡς Σέλευκος ἀπεγράφατο, ἢ ταῖς τρισμυρίαῖς τε καὶ ἑξακισχιλίαις καὶ πεντακοσίαις καὶ εἴκοσι πέντε, ὡς Μανεθῶς ἱστορεῖ, τελέως ἀνέδειξεν.²⁵

The whole gamut, however, has been covered by Hermes in the twenty thousand books, according to the account of Seleucus, or in the thirty-six thousand, five hundred and twenty-five, as Manetho reports.

At this point the significance of Jamblich's report is not to be examined, neither which kind of books he could have thought of or whether he could have read any of them or if he relies on secondary sources only.²⁶ However it must be emphasized that the Hermetic philosophy is clearly referred to and his description of the theological principles is similar in great extent to those discovered in the Hermetic texts discussed.

According to Jamblich the first principle that precedes everything is the first cause that rests motionless in its own unity. (Πρὸ τῶν ὄντως ὄντων καὶ τῶν ὄλων ἀρχῶν ἐστὶ θεὸς εἷς, πρῶτιστος καὶ τοῦ πρώτου θεοῦ καὶ βασιλέως, ἀκίνητος ἐν μονότητι τῆς ἑαυτοῦ ἐνότητος μένων.) This first god is the transcendent Good that is followed by a generative principle; the

²² *De diis et mundo*, V.3.

²³ E.C. Clarke – J.M. Dillon & J.P. Hershbell, Jamblichus, *On the Mysteries*, trans. with introduction and notes. Atlanta–Leiden 2003. See also: Jamblique: *Les mystères d'Égypte*. Texte établi et traduit par É. Des Places. Paris 1966.

²⁴ H.D. Saffrey, Relecture de Jamblique, *De Mysteriis*, VIII, chap. 1-5. In S. Gersh and C. Kannegiesser (eds.): *Platonism in Late Antiquity: Homage to Père Edouard des Places*. Notre Dame 1992, 157-171.

²⁵ *De mysteriis*, VIII. 1.

²⁶ About Jamblich and the Hermetic literature see: W. Scott, op. cit. (note 4.) IV. 28-102. G. Fowden: *The Egyptian Hermes. A Historical Approach to Late Paganism*. Cambridge 1986, 131-141.

cause of being. This latter is the source of existence and of the substantiality of gods but it precedes the existence. It means that it is the father of existence. (ἀρχὴ γὰρ οὗτος καὶ θεὸς θεῶν, μονὰς ἐκ τοῦ ἑνός, προούσιος· καὶ ἀρχὴ τῆς οὐσίας. Ἄπ' αὐτοῦ γὰρ ἡ οὐσιότης καὶ ἡ οὐσία διὸ καὶ οὐσιοπάτωρ καλεῖται.) These are the first two causes that as Jamblich says according to Hermes are before everything preceding the aetherial, empyrial and celestial gods as well. During the description of these first principles Jamblich uses some interesting linguistic forms that are similar to the above mentioned Hermetic texts. He uses the idiom ἀρχὴ τῆς οὐσίας that shows close connection with the Hermetic οὐσιάρχης.²⁷ Similarly he employs terms such as οὐσιοπάτωρ and νοητάρχης. These words occur in the same contexts as in the case of the Hermetic texts, because the author shows with the help of these terms that the cosmic gods regarding their existence and even their substance depend on the first causes. It is not a coincidence. Jamblich's aim is to show that the Egyptians made an effort to deduce the diversity within the world of the existing things from supposed intelligible principles in such manner that the indivisible unity and transcendentality of the principles remain intact. Thus from this first cause can the diversity of the material world be comprehensible. In this world the cosmic gods dependent on the first principle are the immanent causes of the powers manifested in the energies of the cosmos.²⁸ During the exposition of this structure the functions of the various ontological levels have their own function as well; all of the levels are dependent on the one preceding them, however, all of them have their own sphere of action and own purpose. It can be seen clearly from the description of the relationship between the cosmic and hypercosmic gods. Each of the divine powers has its own determined mode of action but their influence depends on the first causes that circumscribe their energy. Here the same structure can be detected as in the Hermetic texts or in the treatise of Sallustius; revealing the connections between the causes the intelligible principles and the ontological structure of the sensible cosmos is presented. In this structure the οὐσία of the cosmic gods has a special importance in the work of all three quoted authors.

This interpretation is also supported by another analysis of the Egyptian theology by Jamblich. In the third part of the eighth chapter he attributes another theological system to Hermes. According to this description there are also two precosmic principles; the first one is the indivisible One, the other is Kmeph, who rules over the celestial gods. Here it can be seen that the first prin-

²⁷ As far as I know the closest parallel can be found at Ps.-Dionysius Areopagites, who uses the word οὐσιαρχία once in *De divinis nominibus*. I do not know if Dionysius has the word in his mind from Hermetic sources or not.

²⁸ *De mysteriis*, VIII. 2.

ciples are in connection with celestial, cosmic gods which results in a cosmic order. This generative aspect is supported by the terms that Jamblich uses. The gods after the first principles are the leaders of creation (δημιουργίας ἡγεμόνες) and they reign over the world where things come into being. Among these gods there is also an ontological order according to Jamblich. After the first one who is the creating Intellect (δημιουργικὸς Νοῦς, who appears as Egyptian gods, eg. Amoun, Ptah, Osiris) various levels of cosmic gods follow down to the lower sublunar sphere. Jamblich referring to the Hermetic literature tries to show how the structure of the intelligible and sensible cosmos can be described by supposing a transcendent cause, in another words, how the transcendent principle becomes the utmost cause of the immanent gods and the energy they expound.

It can be concluded that the word οὐσία can mean existence as a key-term of an ontological system, or the substance of gods that can be interpreted as the essence or force of the cosmic gods. This meaning is likely if the Hermetic authors are considered who try to define the essence of god in a conceptual way. In the following part of the essay this second meaning is going to be elaborated on.²⁹

c.) The idiom οὐσία θεοῦ as the definition of the essence of God

When the Hermetic authors talk about the possibility of defining the οὐσία of God by all means they think of how the essence of God can be described. They not only want to name God but they want to expose and understand the essence of God in his functioning, in his forces. To solve the problem the Hermetic texts quoted at the beginning of this essay need to be examined again. Concerning the fifth treatise the essence of God – who in this context is the first principle – is the begetting and the creation; without God nothing could come into being.

What is more, in CH VI it can be read that the essence of God is Beauty and Good. In the case of the text of Sallustius this idea has already been revealed, namely that God is not only the source of the existence but also the source of

²⁹ The two meanings – existence and essence – is in a very close connection in Greek. After the analyses of Stead there are four basic usages of the word οὐσία. These are the followings (cf. Stead, op. cit. (note 8.) 132):

1. Verbal, noting the fact
2. Predicative
3. Subjectival
4. The same, considered individually.

Beauty in all existing things. What can be concluded here is that the word οὐσία describes God again as the source of the existence of created things. This definition may appear in many forms, but it still reminds us of the idea of the Platonic Good. The essence of God is Good and he is the final principle of the existence of all living. We can read the followings about it at the beginning of CH VI:³⁰

Τὸ ἀγαθόν, ὡς Ἀσκληπιέ, ἐν οὐδενί ἐστιν, εἰ μὴ ἐν μόνῳ τῷ θεῷ, μάλλον δὲ τὸ ἀγαθὸν αὐτὸς ἐστιν ὁ θεὸς αἰεὶ· εἰ δὲ οὕτως, οὐσίαν εἶναι δεῖ πάσης κινήσεως καὶ γενέσεως (ἔρημον δὲ οὐδέν ἐστιν αὐτῆς)

The good, Asclepius, is in nothing except in god alone, or rather god himself is always the good. If this is so, the good must be the substance of all motion and generation (for nothing is abandoned by it).

This kind of use of the term οὐσία in the Platonic tradition must be examined.³¹ Some fragments of Numenius of Apamea³² can show the direction where the solution of the problem must be sought.³³ In the 2nd fragment it can be read that the first principle is enthroned above everything else (ἐποχούμενον ἐπὶ τῆ οὐσίᾳ). What this statement exactly means can be found in another text by Numenius. Eusebius informs us of Numenius, where he says that the first principle, the Intellect (ὁ Νοῦς) is above the intelligible things, the existence (or essence as des Places interprets the term here) and the idea (ἔστι νοητὸν ἢ οὐσία καὶ ἢ ιδέα).³⁴ From this text the conclusion can be deduced that in the ontological system of Numenius the first principle, which he identified with the Good was followed by the intelligible sphere, the world of existence and idea, and the Demiurge, who creates the world of generations.³⁵ In relation to the aforesaid it is important for us that according to Eusebius Numenius defined Good as the principle of existence (οὐσιᾶς ἀρχή). This idiom recalls the Hermetic οὐσιάρχης and refers to the fact that the first principle is

³⁰ CH VI 1. cf. *Scott*, op. cit. (note 4.) IV. 372.

³¹ About the Platonic tradition and Hermetism regarding to the theological problems see: *A.-J. Festugière: La révélation d'Hermès Trismégiste. IV: Le dieu inconnu et la gnose.* Paris 1954.

³² For the citations of Numenius I used the edition of *É. des Places: Numénius, Fragments. Texte établi et traduit par É. des Places.* Paris 1973. For an English translation with the edition of the fragments see: *K.S. Guthrie: Numenius of Apamea,* London, 1917.

³³ For Numenius see: *P. Merlan, Numenius.* In: *A.H. Armstrong (ed.): The Cambridge History of Later Greek and Early Medieval Philosophy.* Cambridge 1967, 96-106; *M. Frede, Numenius.* In: *W. Haase-H. Temporini (eds.), ANRW, II. 36. 2.* Berlin–New York 1987, 1034-1075.

³⁴ Frg. 16. See: *des Places*, 1973 (note 32), 57.

³⁵ For the theology of Numenius see: *M. Baltes, Numenius von Apamea und der platonische Timaios.* *VigChr* 29 (1975) 240-270. *J.D. Turner, Sethian Gnosticism and the Platonic Tradition.* Québec–Paris 2001, 385-389.

above everything else even above existence. The term οὐσία must refer to existence here, because about the genesis is said to be the image of οὐσία³⁶. Since the genesis is a characteristic feature of the cosmos³⁷ the material world must come into existence after the model of substantial being. So can the image of the existence with the idea form the intelligible realm and is able to create the cosmos with the help of the Demiurge. At the same time, because the world of existence is dependent on the intelligible first cause a similar structure can be seen as before; the intelligible first principle (in the case of Numenius, the Good) supports the material world through the substantial existence, without getting immediate connection with the material world.

The text analyses show that the idiom οὐσία θεοῦ is a widely used term in the theological literature of late Antiquity. Our researches has arrived to the conclusion that the term οὐσία has the meaning of (a) existence but in a complicated, substantial sense, (b) it refers to the essence of the cosmic gods, that they can manifest with the help of their power. As we have seen all the quoted authors have the opinion, that the existence of the cosmic god is determined by a transcendent principle for which the term οὐσία cannot be applied. If it was used the transcendent principle would be supposed to be dependent. In spite of this in the Hermetic treatises arises the question if the first principle has an οὐσία. In all of these cases the authors have doubts about the answer but using an analogical language they talk about how the essence of the first cause can be described. As we have seen this is in connection with the fact that the first principle is the first cause of existence, the ultimate source to which everything can be traced back. This can be seen also from the language used by the authors; eg. the CH II unambiguously makes a distinction between the substantial existence and the essence of god.³⁸

However, this remark raises another question. Namely, whether the term οὐσιώδης that is usually used for the divine condition of the human soul or for the process of divinization can be derived from the meanings of οὐσία or rather it has a special meaning that has to be interpreted as divine.

First of all, if the word has nothing to do with the term οὐσία why is it used in certain cases instead of using the concept of divine? In my view it is more likely that there is a connection between the two terms. As the cosmic gods are connected by their οὐσία to the first principle, so is the chance given to a human being to become divine, in other words, to be similar to the cosmic gods, and hereby to be in touch with the first cause with the help of his divine part

³⁶ Ἀνάλογον δὲ τούτῳ μὲν ὁ δημιουργὸς θεός, ὡν αὐτοῦ μιμητής, τῇ δὲ οὐσίᾳ ἢ γένεσις.

³⁷ Frg. 3.

³⁸ CH II 5: ἐὰν μὲν οὖν ἦ θεῖον, οὐσιωδὲς ἐστίν. ἐὰν δὲ ἦ θεός, καὶ ἀνουσιαστον γίνεται.

that is called ούσιώδης.³⁹ The one who gets this condition will be similar to the gods, can separate himself from the material world, and has an immediate connection with the first principle. In CH IX there are two kinds of people mentioned: those who are bound to the material world and those who are the divine ones (ούσιώδης). The former are ruled over by the daemons, while the others with the help of God can think in the right way, ie. by striving to know god they can be similar to Him.⁴⁰

οὐ πᾶς δὲ ἄνθρωπος, ὡς προεῖπον, ἀπολαύει τῆς νοήσεως, ἀλλ' ὁ μὲν ὑλικός, ὁ δὲ οὐσιώδης· ὁ μὲν γὰρ μετὰ κακίας ὑλικός, ὡς ἔφη, ἀπὸ τῶν δαιμόνων τὸ σπέρμα τῆς νοήσεως ἴσχει, οἱ δὲ μετὰ τοῦ ἀγαθοῦ οὐσιωδῶς ὑπὸ τοῦ θεοῦ σφύζομενοι·

As I said before, not every person enjoys understanding. One will be material, another an essential person. As I mentioned, material people surrounded by vice get the seed of their understanding from the demons, but god saves those who in their essence are surrounded by good.

Here the question of the divine ούσιᾶ is bound up with the problem of how god is knowable and how can the human beings become divine. Examining the divine nature is accompanied with the urge to seek also the way to God. This means that here we are dealing with a special sense of ούσιᾶ θεοῦ. On the evidence of the texts dealt with it can be said that it is not likely that the Stoic term ούσιᾶ has an importance here, rather the interpretation originating from the Platonic tradition must be used that explains how the first transcendent principle can be in connection with the material world. This is not an immediate connection – because in that case the transcendentability of the first cause would come to an end – but it is realized by the cosmic gods. The hypercosmic first cause has an effect on the order of the cosmos through the ούσιᾶ of the cosmic gods so although it is independent from the material world that can still receive Him. The texts studied show similar structures using the same linguistic elements to describe this ontological system in order to show that although the final cause is unknowable the divine can be attained by knowing the cosmic gods in their existence and in their essence.

³⁹ Cf. Asclepius Latinus 10.

⁴⁰ CH IX 5.

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**MORE ADDITIONS TO MALTBY'S *LEXICON OF ANCIENT
LATIN ETYMOLOGIES* AND MARANGONI'S *SUPPLEMENTUM
ETYMOLOGICUM*: THE SCHOLIA TO STATIUS**

BY NEIL ADKIN

Abstract: Etymology has recently become one of the most vibrant spheres of classical scholarship. Maltby's epoch-making *Lexicon* has now been complemented by Marangoni's *Supplementum Etymologicum*. The present article offers addenda to both. It limits itself to the scholia on Statius.

Key-words: Maltby, Marangoni, etymological studies, ancient Latin etymologies, scholia on Statius.

The new boom in etymological studies continues unabated. Here Maltby's *Lexicon* has rightly been greeted by one reviewer as an "ouvrage inestimable",¹ while another review has gone so far as to qualify the book as "l'*instrumentum idéal*".² It is however becoming more and more evident that the material assembled by Maltby stands in need of substantial amplification. Two articles by the present writer have already attempted this task.³ Marangoni has now devoted an entire monograph to the same purpose.⁴ Marangoni's work resembles Maltby's in being a contribution of the utmost value; however it too has its drawbacks.⁵ Both of these books readily acknowledge the importance of the scholiastic tradition in the preservation of etymological learning.⁶ Again however it is becoming increasingly clear that this is precisely the area in which the

¹ So *P. Flobert*, *Gnomon* 65 (1993) 356, reviewing *R. Maltby*, *A Lexicon of Ancient Latin Etymologies*. Leeds 1991, repr. Cambridge 2006.

² *J.-C. Fredouille*, *Latomus* 54 (1995) 156.

³ *Viz.* *Some Additions to Maltby's Lexicon of Ancient Latin Etymologies*. In: *C. Deroux* (ed.), *Studies in Latin Literature and Roman History* 12. Brussels 2005, 74-96; *Further Additions to Maltby's Lexicon of Ancient Latin Etymologies: Priscian*. In: *C. Deroux* (ed.), *Studies in Latin Literature and Roman History* 13. Brussels 2006, 462-478.

⁴ *C. Marangoni*, *Supplementum Etymologicum Latinum* 1. Trieste 2007. His second volume, which has yet to appear, will deal exclusively with Keil's *Grammatici*.

⁵ Cf. the review by the present writer, forthcoming in *Latomus*.

⁶ Here particular reference may be made to the explicit statement in Maltby's "Introduction" (p. ix) that the sources for his etymologies are "mainly ... commentators".

data supplied by both scholars is capable of considerable augmentation.⁷ The present article restricts itself to the scholia on Statius.⁸

*****Achaemenius**, -a, -um: 8,286 *Achaemenius*] *Achaemene Parthorum seu Medorum civitas est. Achaemenius patrium est, id est Chaldaeus.*
*****Acheloius**, -a, -um: 1,453 *Acheloiaque arva*] *Achelous amnis Thessaliae oriens Aetoliam perfluit. 2,142 Acheloius heros*] *Tydeus ab Acheloo fluvio, qui per Aetolos fluit in Calydonem.* *****Acrocorinthus**, -i f.: 7,106 *Acrocorinthus*] *mons est circa Corinthum immensae altitudinis.* ****Actaeus**, -a, -um: 2,737 *Actaeas* (sc. *faces*)] *Athenienses, quia Athenarum iuxta litus sita sunt secreta nemorum loca. ut Virgilius (Aen. 5,613): "in sola secretae Troades acta". 4,453 "Actaeos imbres" aquam fontis illius (sc. dicit), unde Actaeon aspersus in cervum mutatus est. 12,464 Actaeis* (sc. *muris*)] *quia Athenae primo Acte dictae sunt.* ****Aeg(a)eus**, -a, -um: 5,88 *Aegon*] *promunturium Lemni est, id est mare Aegaeum.* *****aerisonus**, -a, -um: 1,265 "*aerisoni*" (sc. *Nili*) *ait: aeris sonum dantis propter sistrum (ib. cuius [sc. Isis] sacris sistro celebratis). 4,298 "Stymphalon" ... "aerisonum" dicit, quia non sagittis, sed aeris sonitu Hercules Stymphalidas occidit.* *****Aet(h)ion**, -is m. (*equus*): 6,443 (465) *igneus Aethion*] *iucunde Graeco nomini expositionem adiecit, quia Aethion dicitur de colore, unde et Hyperion, quamvis alii patronymicum accipiant. utrique tamen recte.* *****aethra**, -ae f.: 5,583 *aethra*] *id est per splendorem aetheris.* *****Aetnaeus**, -a, -um: 7,327 *Aetnaeos* (sc. *vapores*)] *nimios. in similitudinem Aetnae fulminatus est Asopus.* *****Agenoreus**, -a, -um: 2,383 "*arces Agenoreas*" *propter Cadmum, conditorem Thebarum, Agenoris filium. Ach. 1,593 Agenorei Bacchi*] *Thebani ... Agenor ... rex Phoenices fuit. de quo natus est*

⁷ Cf. the present writer, *Supplements to Marangoni's Supplementum Etymologicum: The Commentators on Terence*. forthcoming in *Eos*; *id.*, *Further Supplements to Marangoni's Supplementum Etymologicum: Servius and Servius Auctus on Virgil*. Forthcoming in: *C. Deroux* (ed.), *Studies in Latin Literature and Roman History 15*; *id.*, *Further Supplements to Marangoni's Supplementum Etymologicum: The Commentators on Horace*. forthcoming in *Inv. Luc.*; *id.*, *Further Supplements to Marangoni's Supplementum Etymologicum: The Scholia to Persius and Juvenal*. forthcoming in *Boll. Stud. Lat.* For omission of material that does not come from scholia cf. *id.*, *Further Supplements to Marangoni's Supplementum Etymologicum: The Collections of Differentiae* Published by Beck and Brugnoli. *Euphrosyne* n.s. 37 (2009) 407-414; *id.*, *More Additions to Maltby's Lexicon of Ancient Latin Etymologies* and *Marangoni's Supplementum Etymologicum: Isidore of Seville on Grammar, Rhetoric and Dialectic (Etym. 1-2)*. (forthcoming in *Habis*).

⁸ The text used is that of *R. Jahnke*, *Lactantii Placidi qui dicitur Commentarii in Statii Thebaida et Commentarius in Achilleida*. Leipzig 1898. Unless otherwise indicated, the references are to the book and line of the *Thebaid*. A single asterisk (*) signifies that the *testimonium* would appear to predate those furnished by Maltby and Marangoni; two (**) denote an etymology that differs in some way from what they give; three (***) indicate a lemma for which they are unable to supply any etymology whatsoever.

Cadmus, qui Thebas condidit. ****agilis**, -e: 1,501 *agiles* (sc. *ortus*)] ... *quibus agimur.* **Al(1)ecto**, -us f.: 1,477 *Alecto* ... *impausabilis dicitur.* *****Aloidae**, -arum m.: 10,850 *Aloidas*] *Otus et Ephialtes, Aloei filii.* **ambio**, -ire: 2,405 *ambire*] *circumire.* *****Ambracius**, -a, -um: 4,804 *Ambracii ponti*] *civitas Epiri, de qua mare nomen accepit.* *****Amphiareum** (-on), -i n.: 8,206 *civitas ... in eo loco est post condita, in quo hiatus terrae Amphiaraum recepit, ... in qua etiam oraculum est, quod Amphiareon vocatur.* *****Amymone**, -es f.: 2,433 *Neptunus vero cuspide dicitur locum, in quo Amymonem compresserat, percussisse. unde cum aqua flueret, ... dictus est ... fluvius Amymone* (Jahnke: -es). 4,735 *Amymones* (sc. *liquor*)] *ab Amymone, Danae filia, nuncupatus fons.* *****animans**, -tis m., f., n.: 11,465 *animantum*] *animas habentium id est hominum.* *****Anthedonius**, -a, -um: 9,291 *Anthedoniumque*] *Anthedon est civitas Boeotiae.*⁹ 9,328 *Anthedonii*] *Anthedon civitas Glauci, qui deus maris est factus.* *****Arachne**, -es f.: 11,401 *Arachne lanificii peritissima ... ab ea* (sc. *Minerva*) *in araneam est mutata.* ****Arcturus**, -i m.: 2,58 “*per Arcturum*” *id est per septentrionem. per arcton enim solet volare Mercurius.* *****Atalant(a)eus**, -a, -um: 7,267 *Atalanteam* (sc. *Schoenon*)] *duas Atalantas fuisse certissimum est: unam Arcadem, cuius Parthenopaeus est filius; aliam de Scyro, nobilem cursu.* ****Atla(n)s**, -ntis m.: 1,98 *Atlas, Iapeti filius et Clymenes, cum hospitio non susciperet Perseum, ... rediens* (sc. *Perseus*), *cum ab Atlante Libyae finibus prohiberetur, monstrato Gorgonis capite in montem eum mutavit.* *****Atracius**, -a, -um: 1,106 *Atracia* ... *arte* ...] *Atracis, qui fuit rex Thessaliae ... , qui primus artem magicam apud Thraciam constituit. ergo “Atracia” est magica scientia.* *****audax**, -cis: 3,460 *bene “audaci”, quod propius caelo ausus esset insurgere.* ****aureus**, -a, -um: 1,544 “*aureus*” *ideo, quia in auro erat sculptus* (sc. *Perseus*). *****Belidae**, -arum m.: 6,269 (291) *Belidae fratres*] *ex Belo nati Danaus et Aegyptus fratres.* *****bimembris**, -e: 1,457 *bimembres*] *duplicium membrorum.* **biremis**, -is f.:¹⁰ 6,19 *biremes*] *naves duplicem ordinem remorum habentes.* *****blandimentum**, -i n.: 12,246 *blanda*] ... *blandimentis enim inducimur.* ****Branchiadae**, -arum m.: 3,479 *Branchiadae qui Iovem Branchum colunt.* *****Cadmeius**, -a, -um: 4,565 *genetrix Cadmeia*] *Agaven dicit non Cadmi filiam, sed quae a Cadmo originem duceret ergo “genetrix Cadmeia” ambigue.* *****Calydonius**, -a, -um: 1,401 *sub Olenius.* 2,481 *qui* (sc. *aper*) *vastatis Calydoniis terris Calydonius ab urbe gentis est appellatus.* *****Caspus**, -a, -um: 10,288 *Caspia* (sc. *tigris*)] *a mari Caspio, quod inter Armeniam et Pontum est.* *****Castalia**, -ae f.: 1,698 *Castaliae* (sc.

⁹ *Boeotiae* is Jahnke’s emendation of a paradosis that gives either *Euboeae* or gibberish.

¹⁰ The entry for *biremis* in Maltby, op. cit. (note 1) 81 refers the reader to the one for *triremis*. However Maltby’s *Lexicon* contains no such entry. The text of Ps. Asconius at issue must instead be sought under “*trieris*”.

rore)] ubi quondam virgo Castalia fuit. quam cum Apollo amaret et vim vellet inferre, in fontem se praecipitavit. **Cecropidae**, -arum m.: Ach. 1,203 Cecropidae] Athenienses a rege Cecrope. *****Celaenaeus**, -a, -um: 2,666 Celaenaea (sc. buxo)] Celaenae Marsyae civitas, ubi primum dicitur tibiarum usus inventus. *****Cenchreus**, -a, -um: 4,60 Cenchreaeque (sc. manus)] Cenchreus portus est Corinthi. *****Centaureus**, -a, -um: 4,837 Lycormas] qui et Evenos, quem “Centaureum” dixit, quod in eo Herculis sagittis Nessus Centaurus sit interemptus. ... “Centaureum” ideo, quia hunc Nessus Centaurus custodiebat. *****Cirrhaeus**, -a, -um: 8,331 Cirrhaeo] monte Parnaso, quia in Cirrha parte montis ipsius hiatus terrae est, ubi responsa Delphica dabantur. ****Clarius**, -a, -um: 8,199 Clarias (sc. fores)] ... apud Clariam ... Apollinis est oraculum. quod autem ambos colant Apollinem Dianamque, ideo Clarii vocabulo nuncupantur. ut Virgilius (Aen. 3,360): “qui tripodas, Clarii laurus, qui sidera sentis”. *****claro**, -are: 5,285 “claravit” ... pro “clarum fecit”. *****Cleonaeus**, -a, -um: 6,812 (837) Cleonaeae (sc. stirpis)] Cleonae civitas Corintho vicina. *****commendo**, -are: 7,462 mandant ...] commendant (sim. 9,810). *****concauus**, -a, -um: 9,348 cavae] ... loca concava. *****consecro**, -are: 7,715 sacrum] consecratum. *****cornus**, -us f.: 7,647 cornu] hasta. Graece (cf. κρᾶνος). *****cosmographia**, -ae f.: 2,32 “cosmographia” dicitur mundi descriptio. *****crudus**, -a, -um: 10,342 crudus ...] cruentus. *****cuniculator**, -is m.: 2,419 fossores dicuntur in exercitu cuniculatores, qui cuniculos faciunt, per quos ingressi milites murorum fundamenta convellunt. ****curia**, -ae f.: 2,150 ab eo, quod in secretis locis curae publicae disserantur, ad hoc electa loca curias nominavit antiquitas. *****Cyaneae**, -arum f.: 5,347 Cyaneis maris] Cyane nympha in Sicilia est. ****Cycnus** (-ygn-), -i m. (equus): 6,441 (463) Cygnum] de colore candenti nomen accepit. quia igneus fuit. *****Dana(e)ius**, -a, -um: 1,324 Danaiaque arva] Danaus ... fu[it] Beli fili[us]. *****declinis**, -e: 5,297 declinia] quae declinarent et fugerent. *****deeo**, -ire: 2,551 hos deire iugis] anastrophe: hos de iugis ire. *****desilio**, -ire: 1,309 desiluit] cum saltu descendit. *****desolo**, -are: 5,149 sub solo. ****devius**, -a, -um: 9,804 devius ...] a via ... motus. ****dilectus**, -us m.: 9,759 male dilectum (sc. Cydona sorori)] quia dilectus inter vos non pietatis est, sed libidinis. *****Dircaeus**, -a, -um: 2,142 Dircaeus (sc. heros)] Polynices a Dirce fonte Thebanorum. 4,74 Dircaeus gener] Polynices est de fonte Boeotiae sic vocatus, qui ex Dircaeio funere, cuius corpus iuxta eum – quod taurus traxit – inventum est, inde nomen accepit. Ach. 1,12 Dircaeus (sc. ager)] Thebanus. Dirce enim regina fuit quae ... in fontem mutata est, qui Dirces nominatur. ****Dirce**, -es f.: 3,205 Dircen significat, quam Amphion et Zetus, Antiopae et Iovis filii, tauro vinxerunt, de cuius sanguine fons natus est eius nomine decoratus. 4,74 sub Dircaeus. *****dissero**, -ere: 6,917 (942) serunt] disserunt. ****dithyrambus** (-tir-), -i m.: 2,71 secundus

... dies natalis Dionysi ille dicitur, quo ... Iovis est productus ex femine
ideo et διθύραμβος (pars codd.: ditirambus) dicitur id est bis genitus.
*****Echionius**, -a, -um: 1,168 plebis Echioniae] Thebani populi. Echionis enim
et Agaves filius Pentheus rex Thebanorum fuit. 2,90 regis Echionii] Eteoclis ab
Echione rege Thebanorum. ****Eleusinus**, -a, -um: 2,382 Eleusin] oppidum est
Athenis vicinum, in quo Ceres eximie colitur, unde sacra Cereris Eleusina vo-
cantur. ****Eleusium**, -i n.: 2,382 oppidum constituit (sc. Triptolemus), quod ex
patris sui (sc. Eleusii) nomine appellavit Eleusium.¹¹ *****Ephyreus**, -a, -um:
4,59 Ephyre] ... est autem Corinthi civitas. unde Virgilius (Georg. 2,464):
“Ephyreaque aera” hoc est Corinthia. *****Epidaurius**, -a, -um: 6,887
(912) Epidaurius] Epidaurus civitas est Peloponnensis equis nobilis.
*****Erymanthius**, -a, -um: 5,665 Erymanthium ... Parthenopaeum dicit ab
Erymantho, monte Arcadiae. ****Erythraeus**, -a, -um: 7,566 Erythraeis (sc.
oris)] Indicis. Graece dixit. a colore marmoris rubri ἐρυθράν θάλασσαν vo-
cant mare, quod est inter Aegyptum et Indiam. *****Euneus** (-os), -i m.: 6,318
(340) Euneos vocatur alter (sc. filius Iasonis) ominis causa a patre navigaturo.
*****excubiae**, -arum f.: 12,353 excubati] excubias praestat. ****exosus**, -a, -um:
11,588 exosus ...] odio habens. *****expio**, -are: 11,506 piabo ...] expiabo.
*****ex(s)ecrabilis**, -e: 2,298 sacro auro] exsecrabili (sim. 9,748).
*****ex(s)ecror**, -ari: 4,198 sacros] exsecrandos. *****ex(s)equalia**, -um n.:
11,610 exsequialia ...] ... quae (sc. lacrimae) exsequiis coaequantur.
*****facultas**, -tis f.: 2,245 facultas] unusquisque pro viribus suis vota faciebant.
*****falcatus**, -a, -um: 10,544 falcato] falces habente. ****fatisco**, -ere: 12,295
fatiscere ...] fatigari. *****festinus**, -a, -um: 6,75 festinus] ... figuratum nomen
vel a participio “festinans” vel a verbo “festino”. ****fidus**, -a, -um: 8,289 an
fidi ...] id est: ... fides ... servaretur. *****fulmineus**, -a, -um: 10,424 fulminei
(sc. Bacchi)] id est fulmine excussi utero matris. ****Furiae**, -arum f.: 1,477 ra-
bidam (sc. Megaeram)] id est contra eum (sc. Oresten) furem. nam tres esse
Furiae dicuntur. *****furiatus**, -a, -um: 2,21 furiata sacerdos] furore correpta.
furtim: 6,305 (327) furto] adulterio furtim commisso. ****Gargara**, -orum n.:
1,549 Gargara] summae partes Idae montis quasi Carcara (cod. Pb: carcaros;
Jahnke: “= κάρ κάρός ?”) id est capitis caput. κάρρα (cod. Pb: κάρ) enim
Graeci caput vocant.¹² *****Gauranus**, -a, -um: 8,545 Gaurano] Gaurus mons
Campaniae ulmis vitibusque contextus. ****gentilis**, -e: 8,706 gentilis aper] de ea
gente, unde Tydeus fuerat. id est Calydonius. *****gigantomachia**, -ae f.: 2,595
(cod. Valentin.) Flegrae mons est Geticae provinciae in quo gigantomachia

¹¹ Maltby, op. cit. (note 1) 202 does cite this text, but provides the wrong etymon: his *Eleusinus* is a mistake for *Eleusius*.

¹² While this passage does occur in Maltby, op. cit. (note 1) 254, he fails to record the important evidence of cod. Pb.

dicitur id est pugna gigantum contra deos. ***(h)alcyon**, -is (-e, -es) c.: 9,361 Ceyx, filius Luciferi, habuit uxorem Alcyonen. ... conversi sunt ambo in aves marinas, quae alcyones vocantur. notandum autem: cum de muliere dicimus, “haec Alcyone” facit, cum de avibus, “hic” et “haec alcyone”, “hi” et “hae alcyones”. ****hastatus**, -a, -um: 2,718 hastata (sc. Bellona)] hastis armata. ****Hellespontus**, -i m.: 2,281 Helle lapsa nomen ponto dedit. 5,475 Helle utpote puella sexu infirmior in mare delapsa nomen Helles ponto tribuit. **heptapylus** (-os), -a, -um: 7,252 portae Thebanae ... erant septem. unde Thebana civitas heptapylos dicta est. *****Herculeus**, -a, -um: 12,301 ex quo compressu Alcmenae (sc. a Iove) Hercules dicitur natus. merito ergo noctem Herculeam dixit, in qua conceptus est Hercules. ****Hippocrene**, -es f.: 4,61 equo Pegaso, cuius ungula percussus locus fontem effudit, qui Hippocrene dicitur. ****hiulcus**, -a, -um: 1,26 hiulci fulminis ...] quia fulmen, quicquid percusserit, hiare facit. *****horridus**, -a, -um: 12,495 horret ...] horridior fit. *****Hyanteus**, -a, -um: 1,181 quas (sc. Thebas Boeotiae) “Hyanteas” vocant a nympha, quae illic colitur. ****Hyperion**, -is m.: 6,443 (465) sub Aet(h)ion. *****Hyrcaeus**, -a, -um: 5,204 Hyrcanae (sc. leae)] Hyrcania Indiae regio, in qua tigrides generantur. *****Iasides**, -ae m.: 1,541 Iasides] πατρωνυμικόν ab antiquis ducibus ductum, qui ante Danaum fuerunt: Iasi filius Iasides. Iasus ... antiqu[us] re[x] Argivorum fu[it]. *****Iasonidae**, -arum m.: 6,318 (340) Iasonidae iuvenes] de Iasone et Hypsipyle duo nati sunt filii: Thoas et Euneos. *****Iasonius**, -a, -um: Ach. 1,65 Iasonia ... rapina] hic fabulam Iasonis tangit. *****Icarius**, -a, -um: 4,655 “Icaria umbra” dixit, quia Icarus comes Liberi accipitur. *****illicitus**, -a, -um: 10,470 illicita] ... eo quod non liceat. *****immodice**: 6,777 (802) immodice] violenter, quasi qui excesserit modum. *****impeto**, -ere: 8,523 composuit sibi verbum “impeto te”. *****Inachus**, -a, -um: 1,380 Inachiis (sc. tectis)] Argivis, ab Inacho fluvio.¹³ *****incestus**, -a, -um: 2,283 ideo “incestum” dicitur, quod sacrato illo Veneris cingulo (sc. cesto) non fuerit vinctum. *****incito**, -are: 8,125 “citat” incitat. ****infrendo**, -ere: 5,663 infrendere est dentes dentibus quaterre infantes enim sine dentibus infrendes dicuntur. 9,446 infrendere ... est proprie dentes irascendo quaterre. unde et infrendes dicuntur pueri sine dentibus. ***iniquus**, -a, -um: 2,646 iniqua (sc. humo)] ... hic autem “iniqua” proprie “inaequali” dixit. *****innumerus**, -a, -um: 7,51 innumeris] mire numerum infinitum finxit. *****Inous**, -a, -um: 10,425 Inoamque fugam] quia cum Ino se praecipitaret in mare, meruit numen fieri. *****inservo**, -are: 8,194 inservare] proprio usus est augurii (Jahnke: “augurum?”) verbo, qui, dum captant auguria, dicuntur caelum servare.

¹³ Maltby, op. cit. (note 1) 298 does adduce this text, but he misunderstands its *Inachiis* as a noun (“**Inachii**, -orum m.”) instead of an adjective (*Inachiis* ... *tectis*).

*****insessus**, -a, -um: 12,236 *insessa*] *inhabitata. sive magis, quod “in” augeat, obsessa.* *****insuper**: 10,249 *insuper*] *super.* *****integro**, -are: 11,329 *integrata* ...] *ex integro.* *****intempestus**, -a, -um: 2,154 *intempestumque Tonantem*] *hoc est vehementer tempestuosum, hiemalem.* ****invidiosus**, -a, -um: 7,193 *invidiam* ...] *invidiosam orationem.* *****irremeabilis**, -e: 1,96 *irremeabile*] *eo quod ab inferis ad superos mortalium nullus remeat naturaliter.* *****Ismenis**, -dis f.: 9,319 *Ismenide*] *ex Ismeni fluminis filia Ismenide natus.* *****Ismenius**, -a, -um: 2,307 *Ismenius heros*] *Polynices, qui a Thebano fluvio nomen accepit.* *****Isthmiacus**, -a, -um: 6,535 (557) *Isthmiaca* (sc. *harena*)] *id est in agone, qui Isthmia vocatur, in honorem Leucotheae et Palaemonis apud Corinthum consecratus.* *****Isthmius**, -a, -um: 7,15 *Isthmius umbo*] *Isthmus est terra inter duo maria in longum porrecta.* *****Ithacus**, -a, -um: Ach. 1,718 *Ithacus*] *pro Ithacesius. principale pro derivativo ponitur.* *****Itonaei**, -orum m.: 2,721 sub *Itone.* 7,330 sub *Itone.* *****Itone**, -es f.: 2,721 “*Itone*” *civitas Boeotiae, Minervae sacra, ut ipse ait (7,330-331): “ducit Itonaeos et Alalcomenaea Minervae agmina”. Bacchylides Minervam Itoniam dicit. “Itone”. ergo Minervam ab oppido cognominavit, quod est in Macedonia, ubi eius antiqua est aedes, vicina Boeotiae, in qua Itonus regnavit, Herculis filius et Paphies. 7,330 Itonaeos] ut ipse supra (2,721): “Aonia divertis Itone”. in qua Itonus regnavit, Herculis filius. haec civitas Boeotiae est. hinc Bacchylides Minervam Itoniam dixit et Alalcomenen ipsam significavit.* *****Itonius**, -a, -um: 2,721 sub *Itone.* 7,330 sub *Itone.* *****Labdacides**, -ae m.: 6,429 (451) *Labdacides*] *patronymicum significat Polynicem, cuius avus Laius Labdaci filius fuit. 9,777 Labdacidae] a patre Labdaco.* *****Labdacius**, -a, -um: 2,210 *Labdacium* (sc. *ducem*)] *Eteoclen. patronymicum ab avo Oedipi, huius proavo. 9,650 Labdacias* (sc. *cohortes*)] *Thebanas a patre Labdaco.* *****Lernaeus**, -a, -um: 4,638 *Lernaeos* (sc. *alumnos*)] *Graecos a Lerna, palude Arcadiae.* ****Liberalia**, -um n.: Ach. 1,393 *thiasi*] *thiasos saltationes, choreas Liberi id est Liberalia.* *****lividus**, -a, -um: 2,14 *livida tabes*] ... *bene livorem dixit.* *****lunatus**, -a, -um: 5,145 *lunatum* (sc. *agmen*)] *peltatum. quod scuta Amazonarum, quae peltas appellant, in modum lunae formata sint. 9,689 lunata* (sc. *monilia*)] *in modum lunae curvata.* *****lustralis**, -e: 10,793 *lustralemne*] *lustrare civitatem humana hostia Gallicus mos est.* *****Lycaon**, -is m.: 11,128 *ipsum* (sc. *Lycaonem*) ... *mutavit* (sc. *Iuppiter*) *in lupum, qui Graece dicitur λύκος.* ****mactus**, -a, -um: 7,280 *macte animo*] *ut si diceret: perfectae indolis iuvenis. mactare enim dictum est sacrificium perfecisse. unde Virgilius (Aen. 9,641): “macte nova virtute, puer” id est perfecte.* *****Maenalius**, -a, -um: 6,581 (603) *Maenalius* (sc. *puer*)] *Parthenopaeus Arcas, quia Maenalus mons Arcadiae est.* **malo**, malle: 1,102 *mavult*] ... *magis vult.* *****Marathonis**, -dis f.: 11,644 *Marathonide silva*] *Marathon mons Atticae regionis.* *****Marathonius**, -a, -um: 5,431 *ibi* ... *a monte*

eius (sc. Atticae) Marathonius appellatus est (sc. taurus). 12,196 Marathonique] id est Marathonem, Graeciae civitatem, in qua nutritus est Theseus. **margarita (-es), -ae f.: 6,63 “haec margarites”, quod Graecum est. ***marita, -ae f.: 4,207 “maritae” dicuntur uxores maritis deditae. ***Martius, -a, -um: 2,727 “Pleuron Martia”, quia ibi maxime Mars colitur. 11,97 Martia] qualia Mars solet effîcere. ***Mavortius, -a, -um: 1,680 Mavortia Thebe] “Mavortiam” dixit aut propter Harmoniam Martis ... filiam aut fortem significat, ut (Aen. 11,374) “si patrii quid Martis habes”. aut ad terribenas referendum est, quos constat draconis dentibus genitos, qui fuit in tutela Martis. Megaera, -ae f.: 1,477 Megaera quasi μεγάλη ἔρις. ***Meleagrius, -a, -um: 4,103 Meleagria Pleuron] civitas Boeotiae ... , in qua Meleagri sorores ... in aves versae sunt. ***Melicertia, -orum n.: 3,479 Isthmia ... finguntur Melicertia. nam constat Melicertam ab Aethiope rege susceptum, cum ... Isthmos delatus esset. **memor, -is: 4,49 memores] qui haberent memoriam. **meridies, -ei m.: 3,246 inter ortum et occasum omne quod medium est, meridies nominatur. **Mimallon, -is f.: 4,660 Mimallones ...] lingua Macedonum Bacchae. ***Mino(i)us, -a, -um: 7,187 Minoia ...] Minos ... Iovis et Europae fili(us), Cretensium re(x). **Minotaurus, -i m.: Ach. 1,192 Taurus notarius Minois fuit, quem Pasiphae amavit. cum quo in domo Daedali concubuit. et quia geminos peperit, unum de Minoe, alterum de Tauro, enixa esse dicitur Minotaurum. ***monstrose: 1,235 monstro ...] nomine usus est pro adverbio, id est: “monstro” pro “monstrose”. ***multifidus, -a, -um: 3,142 multifida] multifarie fissa. ***Munychius (-nic-), -a, -um: 2,252 Pallada Munichiis (sc. iugis)] quae Pallas ... diligit ... Munichiam. ***Neleius, -a, -um: 4,125 Pylos Neleia] Pylos a Neleo, patre Nestoris, nuncupata Neleia. ***Nemea, -orum n.: 4,160 quo (sc. leone) superato ludos instituit (sc. Hercules), quos a loco Nemea appellavit. ***Nisa, -ae f.: 7,261 Nisam hanc quidam volunt regionem esse, in qua Nisus regnavit, cuius crinem purpureum Scylla filia dicitur amputasse. ***Nisus, -i m.: 2,382 quidam Nisum montem Megarensium dicunt, in quo sepultus est Nisus, quem ferunt crinem habuisse purpureum. ***noctivagus, -a, -um: 12,132 “noctivagum” ideo, quia ... nocte vagantur. **noctua, -ae f.: 3,507 est ... versa (sc. Nyctaea) ... in avem (sc. noctuam). ***novo, -are: 1,111 novat] novos ... facit. ***noxius, -a, -um: 5,392 amaro] noxio. unicuique enim res, quae nocet, amara est. **nubilum, -i n.: 1,311 nubilum ... ex transitu nubium fit. ***Nycteis, -dis f.: 7,190 Nycteidos ...] ... Antiopae, Nyctei filiae. **nympha**, -ae (-e, -es) f.: 7,296 nymphe (pars codd.: nimpha)] ad ornamentum carminis sui Graecum nomen accepit. νύμφη (pars codd.: nimpha) enim Graece dicitur sponsa. ***occiduus, -a, -um: 10,84 occiduae] in occidentalibus partibus constitutae. ***Oebalidae, -arum m.: 5,438 Oebalidae] id est Castor et Pollux, qui Spartani fuisse dicun-

tur, quia Oebalia urbs Spartaest. *****Oebalius**, -a, -um: 2,163 Oebaliosque (sc. duces)] accipiamus Laconicos. Oebalus enim rex Laconum fuit. *****Oeclides**, -ae m.: 3,620 Oeclides] Amphiaraum, Oeclei filium, dicit. ****oestrus**, -i m.: 1,32 oestro] instinctu, stimulo, quem Romani asilum dicunt, Graeci oestrum. *****Ogygiae**, -arum m.: 2,586 Ogygiae] Thebani, ab Ogygio terrigena. ****Ogygius**, -a, -um: 1,173 Ogygiis ... rebus ...] Ogyges, ut Varro docet in libris de gente populi Romani, rex fuit Thebanorum, sub quo primum diluuium est factum longe ante quam illud, quod sub Deucalione factum esse narratur. aut certe ab Ogygio uno terrigena, Thebanorum primo rege, a quo Thebani antiquas res Ogygias nominabant, qui primus eis imperavit. 2,85 Ogygii ... Iacchi] Thebani ab indigena. 7,348 Coryciumque nemus] quidam "Ogygium" legunt, quia post Cadmum Ogygius Thebas rexit. quo vocabulo antiqui Thebanos intellegi voluerunt. post etiam nemori est hoc nomen impositum. etiam tumulus circa Thebas ita vocatur. ****Olenius**, -a, -um: 1,401 Calydon, Pleuron et Olenos civitates sunt Aetoliae, unde fuit Tydeus. atque ideo modo Olenium dicit, modo Calydonium, modo Pleuronium. 2,541 Olenii ... suis] Olenos Aetoliae regio est, in qua sus Calydonius dicitur interemptus. *****olivifer**, -a, -um: 4,50 oliviferae Sicyonis] Corinthi municipium olivis fertile. *****Onchestus**, -i f.: 7,272 Onchesti] Onchestus Neptuni filius fuit, qui ex suo nomine hanc condidit civitatem. *****Opheltes**, -ae m.: 4,778 Archemorum, Lycurgi filium, quem draco interemit. cui proprium nomen Opheltes est (cf. ὄφις, ἐλεῖν [e.g. Aesch., Ag. 689-690]). *****Pagasaeus**, -a, -um: Ach. 1,65 "Pagasaea" Argo a loco dicta, ubi facta est. Pagasus civitas Thessaliae. **palaestra**, -ae f.: 6,805 (830) pales] palaestrae studium. *****Pandionius**, -a, -um: 2,720 Pandionium montem dicit a Pandione, filio Erichthonii. 8,616 Pandioniae] volucres dicit propter Prognen et Philomelam, quae filiae Syrii (Vollmer: Scyrii) erant Pandionis. *****Parrhasis**, -dis f.: 7,8 Parrhasis] Arcas a gente dicta. ****Parthenopaeus**, -i m.: 4,309 cuius (sc. pueri) conceptum quia diu sub virginitate celaverat (sc. Atalante), Parthenopaeum vocavit. **Patareus**, -a, -um: 1,696 Patarea (sc. dumeta)] Lyciae civitas est Patara, Apollini sacra. *****paternus**, -a, -um: Ach. 1,41 sub patrius. ****patrius**, -a, -um: 10,343 patrias ... domos] ... patriam. Ach. 1,41 a patre "paterna", a loco "patria". ****pavidus**, -a, -um: 5,567 pavidus est, qui pavorem incutit. *****Peliacus**, -a, -um: 6,353 (375) Peliacis (sc. arvis)] montem Pelion in Thessalia esse notissimum est. *****Pelias**, -dis f.: 5,336 Pelias pinus] Argo navem dicit, quae in Pelio monte Thessaliae fabricata est. ... sive Pelion, unum de numero Argonautarum, significat Phthium (cuius civitas est Phthia ...) aut certe Pelion, Neptuni filium, qui Iolci summam obtinebat. *****Pelopeus**, -a, -um: 1,117 Pelopeaque regna ...] ... Peloponnesum dicit a Pelope. **Peloponnesus**, -i f.: 1,117 sub Pelopeus. *****Peneius**, -a, -um: 4,143 Peneia

stagna] *Peneus Thessaliae fluvius*. *****perosus**, -a, -um: 10,816 *perosam*] odio habentem. ****Persae**, -arum m.: 1,719 *Persei ... antri*] *Persae ab Achaemene, Persei et Andromedae filio, qui iis imperavit, nunc Achaemenii dicuntur*. *****Perseius**, -a, -um: 3,441 *Perseius heros*] *mos poetae huius est frequenter easdem personas nondum cognitis praenominibus invocare, ut nunc Adrastum significat. Perseus enim Argis regnavit*. *****Perseus**, -a, -um: 1,225 *Perseos ... Argos*] “*Perseos*” pro “*Perseios*”, principale pro derivativo (cf. 1,224 *Argivorum a Perseo*), atque ideo media syllaba producta est (sim. 4,119 *Persea humo*] *Argiva est, ubi Perseus regnavit. “Persea” ergo principale pro derivativo “Perseia”. unde et longam posuit “se”*). 1,719 sub *Persae*. 3,633 *Persei* (sc. *montis*)] *Aphesantem significat montem, ... de hoc enim Perseus primum volavit, quando ad caput Gorgonae auferendum profectus est*. 4,482 *quare ... “Persee” dicat, ratio est. quidam enim volunt non Iovis filium esse Mercurium, sed Pyrrhae ... , quidam Persei*. *****pervigil**, -is: 8,266 (*male*) *pervigil ...] id est non pervigilans*. *****Phaethonteus**, -a, -um: 1,221 *Phaethon* ... *favilla*] *Phaethon, Solis et Clymenes filius, patris currus petivit. quos cum regere non potuisset, fulmine est praecipitatus in Padum*. *****Pharius**, -a, -um: 5,11 *Phariis*] *Aegyptiis. Pharos enim civitas est Aegypti*. *****Philesia**, -orum n.: 8,198 *et Apollini et filio pariter consecrata sunt templa, quae ab osculo Branchi sive certamine puerorum Philesia nuncupantur*. *****Phoroneus**, -a, -um: 12,465 *Phoroneas*] *Argivas. Phoroneus, rex Argivorum, qui primus Iononem honore sacrificii decoravit*. *****Phrixus**, -a, -um: 2,281 *Phrixei velleris aurum*] ... *Phrixus ... pellem ... auream Martis templo dicavit*. 6,520 (542) *Phrixei aequoris*] *Hellesponti, ubi Helle, Phixi soror, in mare cecidit*. *****Phthius**, -a, -um: 5,336 sub *Pelias*. *****Pisaeus**, -a, -um: 1,421 *Pisaeo ... Tonanti*] *Pisae civitas Elidis, ... ubi agon in honorem Olympici Iovis celebratur*. *****Pleuronius**, -a, -um: 1,401 sub *Olenius*. ****poenigena**, -ae m.: 3,506 *unde Virgilius (Aen. 7,773): “fulmine poenigenam (sc. Aesculapium) Stygias detrusit ad undas” id est per poenam matris natum*. **Portunus**, -i m.: 7,421 *Palaemon ... portubus praest. ... qui (sc. Portunus) Graece Palaemon dicitur*. *****praecipitium**, -i n.: 9,768 *praeceps (sc. Euboea)*] *in praecipitio posita*. *****praefuro**, -ere: 2,419 *ideo ait “praefuris” id est ante furis, cum adhuc, quae dixerat, non agantur. ... sufficeret mihi fides, qua praefuris hoc est in qua tu valde furis*. *****praesagium**, -i n.: 8,204 *sagis (sc. clangoribus)*] *divinis. unde praesagia praedivinationes mentis*. *****praeivus**, -a, -um: 1,326 *praevia*] *dux viae*. *****primitiae**, -arum f.: 11,285 “*primitiae*” *proprie dicuntur primae fruges diis oblatae*. *****prociduus**, -a, -um: 3,128 *prociduae (sc. matres)*] *paene cadentes id est ruentes in faciem*. ****prodigus**, -a, -um: 3,69 *vitae prodigus (sc. dicitur), qui ... vitam prodigere vult id est effundere*. *****Proetides**, -um f.: 2,220 *Abantis filius Proetus, cuius filiae Proetides furore immisso a Ve-*

nere boves sibi sunt creditae. *****pudibundus**, -a, -um: 5,296 *pudibunda*] *nomen est, non participium. ... et indicat non pudentem, sed pudenti similem.*
 *****raptim**: 6,636 (658) *hunc rapite*] *raptim mittite.* 7,135 *rapit*] *raptim facit invadere.* *****refero**, -re: 5,298 *refert*] *referit.* *****refluus**, -a, -um: 7,333 *refluumque* (sc. *Euripum*)] *quia septies in die ... refluit.* ***regius**, -a, -um: 11,668 *regem*] *animum regium.* *****retorqueo**, -ere: 10,473 *retorto ...*] *retro contorto.*
 *****Rhoeteus**, -a, -um: Ach. 1,44 *Rhoeteae*] *Troianae. Rhoeteum enim promunturium est Troianae urbis.* ****rigidus**, -a, -um: 10,497 *rigidi ...*] *frigidi.*
 *****Riphaeus**, -a, -um: 1,419 “*Riphaeae*” (sc. *grandinis*) *id est Scythicae. Riphaeus mons Scythiae.* *****saris(s)a**, -ae f.: 7,269 *sarisas*] *Macedonum lanceas. hoc enim nomine tela sua ipsius gentis homines vocant.* *****Scyrius**, -a, -um: Ach. 1,245 *Scyria* (sc. *vada*)] *Scyros insula est.* *****Semeleius**, -a, -um: 5,265 sub *Thyoneus.* ****senium**, -i n.: 11,674 *nimia senectus dicitur “senium”.*
 *****Sestias**, -dis f.: 6,525 (547) *Sestias ...*] *id est Hero, cuius poeta ex loci vocabulo nomen adiecit. Sestos enim in Propontidis litore locus est.*
 *****Sidonius**, -a, -um: 1,181 *Sidonii ... iuveni*] *... de Sidone enim fuit Europa.*
sinister, -tra, -trum: 8,177 *sinistri*] *propitii, dictum a sinendo.* *****Sisyphium**, -i n.: 2,380 sub *Sisyphius.* *****Sisyphius**, -a, -um: 2,380 *Sisyphii ... portus*] *cum inter duo maria montem positum Sisyphus crudeli latrocinio occupasset ... , tandem ... apud inferos saxi, quod volvit, poenas exsolvit pondere. portus Corinthus ex utraque parte duos habet, Sisyphium et Lechaem.* *****solitudo**, -inis f.: 4,439 *solaque in nocte*] *in qua solitudo est.* *****solo**, -are: 5,149 *solare domos*] *vastare id est solas facere. compositivum “desolare”.* ****spes**, -ei f.: 10,248 *sperantibus ...*] *in spe habentibus.* ****sponsa**, -ae f.: 10,61 *desponsa*] *sponsa.* *****status**, -a, -um: 1,666 “*stata*” *ab eo, quod stent nec mutantur.*
 *****Strymonius**, -a, -um: 3,526 *Strymonia* (sc. *Arcto*)] *Strymon fluvius est Thraciae. est autem in septentrione.* *****Stygius**, -a, -um: Ach. 1,480 *Stygios amnes*] *Styx palus est quaedam apud inferos.* *****suadus**, -a, -um: 4,453 *suadumque cruorem*] *qui persuadeat manibus ad superos redire.* *****superne**: 9,499 *superne*] *desuper cadens.* *****Talaionides**, -ae m.: 5,18 *dux Talaionides*] *Adrastus, Talai et Eurynomes filius.* *****Tanagraeus**, -a, -um: 9,745 *Tanagraeum*] *Euboeum. Tanagre enim civitas Euboeae est.* *****Tantalus**, -dis f.: 3,191 “*Tantalus*” ... *Niobe, quia Tantali fuit filia.* ****tapes**, -tis m. (-te, -tis n.): 1,518 *tapetas*] *... declinatur et Graece ὀ τάνης, τοῦ τάνητος, a qua declinatione est iste accusativus.* ****tempestivus**, -a, -um: 2,355 *tempestiva*] *quasi ... tempori convenientia.* *****Teumesius**, -a, -um: 1,485 *Teumesium* (sc. *leonem Hercules superasse dicitur*) *Teumesus mons Boeotiae est.* 2,383 *Teumesia* (sc. *arva*)] *vel oppidum Teumesum vel promunturium dicit “arva” ergo “Teumesia” a campo eiusdem regionis Thebis vicino.* 2,624 *Teumesia cornus*] *Thebana. Teumeson mons est Thebanorum.* 5,92 *Teumesia Thyias*] “*Teumesia*”

Boeotia. Teumesus enim campus est iuxta Thebas prope Cithaeronem. *****Therapnaeus**, -a, -um: 7,793 Therapnaei] Therapne Laconicae civitas est. *****Thermodontiacus**, -a, -um: 12,164 Thermodontiaco] Thracio, a fluvio Thermodonte Thraciae regionis. *****Theseius**, -a, -um: 4,81 Theseia Troezen] Thessaliae civitas, quam Theseiam dixit, quod Theseus Troezenae civitatis iter obsessum a latronibus liberum praestitisset, vel quia Theseus Aethrae filius in hac urbe natus est. *****Thoantis**, -dis f.: 5,650 Thoantis] Hypsipyle. patronymicon a Thoante patre. accentus in fine est. *****Thyoneus**, -i m.: 5,265 sic Thyoneus, quomodo Semeleius. Liberi enim patris mater Thyone dicta est, quae et Semele appellatur. *****tigris**, -is f.: 6,697 (722) notandum, quia metri necessitate “tigrin” accusativum Graecum posuit pro “tigrem”. **Tisiphone**, -es f.: 1,477 altera (sc. Furiarum) Tisiphone quasi τούτων φωνή id est istarum vox. *****trames**, -itis m.: 6,148 (155) “trames” est via transversa. **trietericus**, -a, -um: 2,661 “trieterica” ... Liberi sacra sunt, quae exacto triennio mos est celebrari. 7,93 trieteride multa] trieterica sacra sunt, quae intermissa triennio redeunte celebrantur. *****trieteris**, -dis f.: 7,93 sub trietericus. *****tripos** (-us), -dis m.: 1,509 “tripos” species est lauri, tres habens radices, Apollini consecrata propter triplicem vim divinationis. *****Tritogenia**, -ae f.: 2,722 Tritone] fluvius vel palus in Libya, in qua Minerva dicitur nata unde Graeci eam Minervam Tritogeniam vocant. (cod. M add.: sed alcius intuentibus Tritonia vocari videtur quasi Tritonia [cod. Pc: Tritonoia] id est tertia notia [cod. Pc: noticia], scire videlicet deum, mundum et animam; nam haec omnia sapientia colliguntur; quae intelleguntur per Minervam; vel Tritonia dicitur ANOTOI TPHΘHN[sic] id est a terrore). *****Tritonia**, -ae f.: 2,722 sub Tritogenia. *****Tydides**, -ae m.: Ach. 1,469 Tydides] Diomedes, Tydei et Deipyles filius. *****ultra**: 3,383 “ultra” “ultra” accipimus. *****ventosus**, -a, -um: 12,653 ventosa] ventis abundans. *****verecundia**, -ae f.: 1,538 verentes] verecundiam patientes. *****vicissim**: 1,177 “vicissim” ... vice serviendi. 12,353 “vices” dicuntur militum custodiae, qui ad vigilandum sibi vicissim succedunt. *****victimator**, -is m.: 4,463 sacerdotum consuetudo talis est, ut aut ipsi percuciant victimas – et agones appellantur – aut sic tenentis cultrum alter impingat. ... qui victimatores dicuntur.

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TUTELA MULIERUM
THE INSTITUTION OF GUARDIANSHIP OVER FULL AGED
WOMEN IN THE LATE ROMAN REPUBLIC AND EARLY
PRINCIPATE

BY MÁRIA SZABÓ

Abstract: The purpose of this study is to examine the social and legal opportunities of the Roman women through the *tutela mulierum* in the late Republic and early Principate. The base of the disquisition is a remark in Gaius' Institutes, which says that full aged women, in spite of being legally under guardianship, administer their own property. The examined sources show relevant social changes, which resulted in the guardians' sanction becoming merely formal, yet indispensable condition for concluding certain transactions. Therefore the reason for retaining guardianship may be associated with the nature of these transactions. Women, who did often run enterprises on their own, did not have the authority to conclude the transactions of archaic law, based on the so-called „words of creation”, until the legislative reforms of the 4th century AD.

Key-words: tutela mulierum, guardianship, Roman women, auctoritas, Gaius, manus, mancipatio, res mancipi.

*Veteres enim voluerunt feminas, etiamsi perfectae aetatis sint, propter animi levitatem in tutela esse.*¹ Textbooks on Roman Law often cite this sentence from Gaius concerning guardianship. Although apprehending its true meaning may be quite problematic, mostly because Gaius himself – who presumably was born in the second century AD – could only have vague ideas about the original intentions of the *veteres*.

This study attempts to examine the life of Roman women through the *tutela mulierum*, for it was – at first sight at least – an institution determining their status and limiting their social opportunities. Our first question to ask is what sort of idea can we gain of the *tutela mulierum* from ancient legal sources. The second is how these rules of the law could have worked in real life, as literary and archaeological sources reflect upon them.

The basic reason of our disquisition is a remark in Gaius' Institutes that makes the statement quoted above much less unambiguous. It says that despite

¹ Gai. 1, 144.

the strict rule, full aged women administered their own property: „*Feminas vero perfectae aetatis in tutela esse fere nulla pretiosa ratio suasisse videtur: nam quae vulgo creditur, quia levitate animi plerimque decipiuntur et aequum erat eas tutorum auctoritate regi, magis speciosa videtur quam vera; mulieres enim, quae perfectae aetatis sunt, ipsae sibi negotia tractant.*”²

In the next chapters we attempt to examine whether traces of this alleged financial independence can be found in the extant sources. In case of a positive answer, the question that remains is why was the *tutela mulierum* retained even two centuries after the age of Gaius.

***Tutela mulierum* in legal texts**

The two basic reasons for being under guardianship in Roman law were being under-aged and being a woman. Guardianship concerned *sui iuris* Roman citizens only, those who were not under *potestas* or – in case of married women – under *manus*. It ceased to exist over male children coming of age, while age had no significance in case of female wards. Generally women remained under lifelong guardianship until the age of Augustus, who extended the *ius liberorum* to all women. According to this rule, freeborn women who had borne three children and *libertinae* who had borne four, were disengaged from the authority of their guardian.³

When examining the legal status of women we must consider the two different types of marriage in the rules of Roman law. To conclude marriage with *manus*, a formal legal action was necessary, either *coemptio* or *confarreatio*.⁴ Free marriage (*matrimonium sine manu*) could come into effect simply by sharing the same household and having the intention to get married. On the other hand, such cohabitation could turn into marriage with *manus* simply by the passing of time. Usucaption of *manus* over the wife was automatic, if the cohabitation lasted for one whole year uninterruptedly (*usus*).⁵ If the couple

² Gai. 1, 190.

³ According to Pál Csillag, before the Augustan legislation the *ius liberorum* used to be given to women as a privilege, but later it was generalized to women engaged in certain trades. The *Lex Iulia de maritandis ordinibus* extended this right to all women bearing the proper number of children. P. Csillag, *The Augustan Laws on Family Relations*. Budapest 1976, 83.

⁴ It is clear from Gaius' statement that the *coemptio*, the *confarreatio* and the *usus* were the exclusive forms of gaining *manus*, and not of concluding the marriage. Gai. 1, 110.

⁵ By the age of Gaius *usus* was either partly abolished by statute, or partly obliterated by mere disuse. Gai. 1, 111.

wished to avoid this, they had to spend three nights separately before the year ended (*trinoctium*).⁶

A woman concluding marriage with *manus* ceased to be under her father's *potestas* and came under her husband's *manus*, while in case of *matrimonium sine manu* she remained under *potestas* as long as the *pater familias* was alive. The wife married with *manus* entered her husband's *familia* and legally was regarded as being *filiae loco*,⁷ while her relations broke with her family of origin concerning intestate succession.⁸ The wife's goods were absorbed into the husband's property just like everything else she gained from that moment on. If the wife entered a free marriage, according to the rules of Roman civil law she did not become a member of her husband's family in a legal sense (*familia proprio iure*), but remained in her father's agnation.

Thus a woman came under guardianship if she was single and ceased to be under *patria potestas*, or if she concluded a free marriage and later on paternal authority ceased to exist over her, or if she concluded a marriage with *manus* and the *manus* ceased to exist. On the whole, a woman was a subject of *patria potestas* or *manus*, or if neither, she got under guardianship. The father or – in case of *matrimonium cum manu* – the husband was entitled to determine the person of the guardian in his will.⁹ This regulation seems to have been declared by the Twelve Tables as well.¹⁰ If the guardian was not appointed in the will of the deceased, the nearest agnatic relative became the woman's legal guardian *ipso iure*. If she concluded a marriage with *manus*, her husband's nearest agnate became her guardian, on the grounds of leaving the paternal agnation.

According to Gaius, the lifelong guardianship over women was declared as far back as the Twelve Tables,¹¹ including the regulation on legal guardianship. The practical reason of the latter was presumably that the nearest male agnate – in case of intestate succession – was the heir of the ward, so keeping the property was his main interest. This regulation remained valid for centuries, giving legal guardians special authorization even when the rules of the *tutela mulierum*

⁶ As far as we know, details on the forms of Roman marriage were first recorded by Gaius, cf. Gai. 1, 108-113. 115b.

⁷ The term *filiae loco* appears in the sources regarding *matrimonium cum manu* concluded by *coemptio*. In the marriage concluded by *confarreatio*, the term for the wife is usually *domina*. J. Zlinszky, *Ius Privatum*. Budapest 1998, 23-26.

⁸ Gai. 1, 156. The fact that the *uxor in manu* does not become a member of her husband's agnation was pointed out by R. Brósz, *Ist die uxor in manu eine agnat?* *Annales Universitatis Scientiarum Budapestiensis de Rolando Eötvös nominatae. Sectio iuridica* 18 (1976) 42-57.

⁹ Gai. 1, 144-148.

¹⁰ XII tab. 5, 1.

¹¹ XII tab. 5, 1.

started to become obsolete. On the other hand neither the guardian, nor the ward had the right to choose in this case, legal guardianship being compulsory for both of them. The regulation was formally abolished by the Claudian legislation.¹² From then on, the Urban Praetor and the majority of the Tribunes of the people assigned a guardian in case of the lack of testamentary appointment.¹³

Traces of the *tutela mulierum* in some non-legal texts

According to the rules of the law a Roman woman was under the lifelong control of men – a father, a husband or a guardian. The next question is whether we still can find data in non-legal texts to confirm Gaius' notion that, in spite of all that, women of full age did in fact administer their own property.

Even though the rules of the law were so strict concerning the guardian's sanctioning power that may not always be reflected in everyday life. To examine women's capacity for independent legal actions in practice, we must turn to data gathered from personal correspondence, contracts or inscriptions, referring to transactions concluded regularly by a female party.

The first trace to be studied is in one of Cicero's family letters. The most interesting letter concerning guardianship is the one written by Cicero to her wife Terentia on 26th November 58 BC.¹⁴ We learn from this letter that Terentia showed great independence and activity not only in the field of family business, but also in public matters. She prepared the return of her husband from exile, and also kept close relations with many of Cicero's influential friends. It is clear from Cicero's reflection that her wife planned to sell her rural estate (*vicus*), and he was desperate to convince her to change her mind on that.¹⁵

According to Susan Dixon's study of other letters,¹⁶ Cicero tried to dissuade Terentia from using her property in his behalf, arguing that her money alone would not be enough anyway and they should ask for their friends' help in-

¹² T. Nótári, De matrimonio cum manu. *Jogtörténeti Szemle* 2005, 2, 52-56.

¹³ The same method was used if the testamentary guardian was appointed under some condition or to act upon a certain day, until the condition was fulfilled or the certain day arrived, and also if a guardian was appointed testamentally, as long as there was no heir under the will, cf. Gai. 1, 185-186.

¹⁴ Cic. *Ad fam.* 14, 1.

¹⁵ Cic. *Ad fam.* 14, 1: *Quod ad me, mea Terentia, scribis te vicum vendituram, quid, obsecro te – me miserum! –, quid futurum est? et, si nos premet eadem fortuna, quid puero misero fiet? Non queo reliqua scribere – tanta vis lacrimarum est...*

¹⁶ S. Dixon, Family Finances: Terentia and Tullia. In: *The Family in Ancient Rome. New Perspectives*, ed. B. Rawson, New York 1986, 95-102.

stead. As a final point he mentions their son, fearing that young Cicero would end up deadbeat without his maternal heritage.

This reveals on the one hand the fact of the separate administration of the spouses' property. The rules of Roman law provide that in a marriage with *manus* the wife's property is absorbed into her husband's estate and she acquires ownership for him by all modes of acquisition.¹⁷ In a free marriage there was no community of property *ipso iure*, yet the husband gained ownership over the dowry, at least as long as the marriage lasted.¹⁸ First the rules of Roman law did not regulate the question of dowry,¹⁹ but later it became obvious that if the marriage ended with divorce or the husband's death, it had to be restored to the wife in some form.²⁰ The first legal action concerning dowry is traditionally related to the divorce of Carvilius Ruga, also the development of the *actio rei uxoriae*. The first statutory regulation derives from the legislation of Augustus.²¹

However, it seems that in practice – despite the husband's legal ownership – the dowry was considered as the wife's property. Cicero was sentenced to exile and confiscation of property, yet he was able to safeguard her wife's estate from it.²² In the letter mentioned above Cicero clearly refers to her wife's money („*tua pecunia*”).²³ This means that their property was administered separately – including the dowry. Dixon emphasizes that though the spouses shared the same social status, they did not form an economic unit.²⁴

Terentia's plan of selling her rural estate is especially significant concerning guardianship. According to Plutarch, Terentia's father was already dead.²⁵ It is

¹⁷ If the husband was still under *patria potestas*, all the property belonged to his *pater familias* and both the spouses acquired for him. S. Treggiari, *Roman Marriage. Iusti coniuges from the Time of Cicero to the Time of Ulpian*. Oxford 1993, 365.

¹⁸ G. Hamza, *A házastársak közötti ajándékozási tilalom eredetének kérdései a római jogban* [with a German summary titled: *Die Fragen bezüglich des Ursprungs des Schenkungsverbot unter Ehegatten im Römischen Recht*]. *Acta Facultatis Politicae-iuridicae Universitatis Scientiarum Budapestiensis de Rolando Eötvös nominatae* 20 (1977) 157.

¹⁹ The date of the appearance of dowry in Roman law is uncertain. The preserved fragments of the Twelve Tables do not mention it, the first known allusion is related to the development of the *actio rei uxoriae*. S. Dixon, *The Roman Family*. Baltimore 1992, 50.

²⁰ At first this was only true if the dowry was confirmed by *stipulatio*. In some cases the wife's relatives had a claim to restore the dowry for them on her death. Treggiari, *Roman Marriage* (note 17), 466.

²¹ Hamza, *A házastársak közötti ajándékozási tilalom* (note 18), 158.

²² Dixon, *Family Finances* (note 16), 97.

²³ Cic. *Ad fam.* 14, 1: ...*si non erunt, tu efficere tua pecunia non poteris*. According to Dixon this was the usual term for goods belonging to the dowry. Dixon, *Family Finances* (note 16), 96.

²⁴ Dixon, *Family Finances* (note 16), 98.

²⁵ Plutarch mentions that Terentia's estate consisted of dowry and paternal heritage, cf. Plut. *Cic.* 8.

obvious that she concluded a free marriage with Cicero, consequently she was under guardianship. Roman law declares all Italian lands to be *res Mancipi*, Mancipable things.²⁶ Gaius emphasizes that for the ancient procedure of *Mancipatio* – which was the only way to alienate *res Mancipi* – the guardian’s sanction was indispensable for the wards.²⁷

It appears that Cicero did not find his own authority as a husband enough to dissuade his wife from her plan, for he desperately begged her to change her mind, bringing up their son’s interest as a final argument.²⁸ On the other hand, whoever Terentia’s guardian was, he did not seem to have any voice in her business either. Cicero does not even mention the guardian in the letter to try and argue with his authority. Presumably, Terentia could take the guardian’s sanction for granted, even despite her husband’s objection.

It is true that Terentia is known as an unusually self-willed woman.²⁹ On the other hand, her independence may not be so unique. It might be the part of a process beginning in the late Republic, giving more financial independence to women as the spouses’ community of property slowly passed out of common usage. This independence could easily make the guardians’ authority much less significant.

Keith R. Bradley’s statistic analysis, calculating the incidence of remarriage among the Roman elite of the late Republic, is interesting regarding female wealth as well.³⁰ His analysis is based on the data concerning 58 *consuls* and their wives. Of course, a precise calculation of the rate of remarriage is beyond reach, for full records of their matrimonial history just do not exist. Yet supplemental prosopographical and chronological studies – including their children as well – may provide the basis for reasoning out some unknown data.³¹

²⁶ *Res Mancipi* were the Italian lands, the ancient servitudes (*iura rusticorum praediorum*), slaves and four-footed animals. The difference between *res Mancipi* and *res nec Mancipi* was that the former could only be alienated by the ancient procedure of *Mancipatio*, while the latter by simple *traditio*. A. Földi – G. Hamza, *A római jog története és institúciói* [The history and institutes of Roman law]. Budapest 1996, 27.

²⁷ Gai. 2, 80.

²⁸ Dixon even considers that as an „emotional blackmail”. Dixon, *Family Finances* (note 16), 98-99. Yet this instance sheds light on the importance of maternal heritage as well.

²⁹ According to Plutarch she treated her husband just the way she wished to, cf. Plut. *Cic.* 29.

³⁰ K. R. Bradley, *Remarriage and the Structure of Upper-class Family at Rome*. In: *Discovering the Roman Family. Studies in Roman Social History*. New York 1991, 156-175. He examined consular families between 80-50 BC.

³¹ The frequency of divorce was a commonplace for many authors in the late Republic and early Principate. People often divorced for practical – not emotional – reasons as well. Hermogenianus and Gaius give the reasons of entering the priesthood, sterility, old age, illness or military service.

16% of the *consuls* in question remarried for certain, yet considering the supplemental studies, the rate goes up to 39%. It reaches even 47% if we take into account the new marriages of their wives.³² In most of the cases the end of the first marriage was caused by divorce, and „serial-marriage” – up to five marriages in a row – was not rare either.³³

This analysis of members of the senatorial order may also be significant because most of the wealth was concentrated here in Roman society. The consequence of frequent divorce could have been omitting the spouses' community of property. Separate administration must have seemed more flexible, and this could make gaining financial and economic independence much easier for married women too. All this is presumably related to the fact that marriage with *manus* began to pass out of common usage. We do not know for certain when exactly it disappeared for good or when it was abolished, but it seems that it still was a part of everyday practice in the early 1st century BC. Gellius reports a case of Q. Mucius Scaevola in which the accurate calculation of the duration of *trinoctium* resulted in the usucaption of *manus*, in spite of the wife's objection.³⁴ Still even then marriage with *manus* was likely far less common than before, and – except for *confarreatio* – it disappeared by the age of Gaius.³⁵

We cannot state that the only or even the main motive of the disappearance of *manus* can be traced back to financial matters. Yet marriage with *manus* could make the life of a married couple quite uneasy in this regard too, considering the change of social circumstances. Most of the couples were likely to choose separate administration, which is reflected in one of Martial's epigrams too. He ranks a wife in the line of heroines, for she made her husband the extreme favour of sharing her paternal heritage with him.³⁶ This joke is of course exaggerated, yet it surely reflects the true social situation of the poet's age. Most wives probably administered their estate separately from their husbands', and the proliferation of free marriages must have advanced this trend.

D. 24, 1, 60-61. Martial trifles about a wife divorcing her husband because his praetorial election would cost her too much money, cf. Mart. 9, 41.

³² Bradley, Remarriage (note 30), 160.

³³ The two well-known statesmen, Sulla and Antonius were also involved in such „serial-marriages”. For details on their marriages see Plut. *Sulla* 6; *Ant.* 9. 10. 31.

³⁴ Gell. 3, 2.

³⁵ Gai. 1, 111. Yet certain priestly offices could only be held by someone born in a marriage solemnized by *confarreatio*, if he himself was also married by *confarreatio*. Gai. 1, 112.

³⁶ Mart. 4, 75: *...te patrios miscere iuvat cum coniuge census, / gaudentem socio participique viro. / Arserit Euhadne flammis iniecta mariti, / nec minor Alcestin fama sub astra ferat; / tu melius.*

As free marriage became more common, the number of *sui iuris* women grew. In a marriage without *manus* the wife remained under *patria potestas*, and after her father's death she usually did not become a subject to anyone else's control. Independent women, on the other hand, became wealthier too, because their property was not absorbed into the husband's estate, and they were able to acquire further goods for themselves, e.g. the paternal heritage or perhaps the benefits of their investments. As for their wealth, it was only the guardian who could legally have an impact on its administration, as the guardian's sanction was requisite for the ward's certain legal actions. One of these legal actions was selling real-estates.

Pliny the Younger reports an instance of a real-estate vendition with a woman in the lead. Pliny sold real-estates from his heritage to his late friend's daughter, Corellia. The transaction was not easy, and Pliny tells all the details about the difficulties.³⁷ There is one thing that he does not even mention, and that is the contribution of Corellia's guardian. Moreover he does not mention any man – a husband or a relative – who took action on her behalf. Considering that her father was dead, Corellia was presumably a *sui iuris* woman, thus she had to be under guardianship. We know from Gaius that as a ward she needed the sanction of her guardian to participate in the vendition of the real-estate, but it was probably mere formality, so Pliny did not consider it worth remarking.

For Pliny did not hesitate to remark the extraordinary, as shown at another instance in his letters. C. Caecilius *consul* designate took legal action against Corellia, the same woman as mentioned above. In this case Pliny reveals the expression of surprise at the unusuality of taking legal action against a woman,³⁸ and also tells us that he is going to take on the unpleasant task of standing for her in court.³⁹ In all, it is inferential that if Pliny met with anything new in the case of the vendition mentioned above, he would not have passed by it without a remark. Consequently, women's practically independent participation in legal processes must have been no rarity, even though the rules of the law made the guardian's sanction inevitable. The fact that the sources will not even mention the guardians allows us to presume that the sanction could be mere formality.

According to a group of Finnish researchers of the Ostian brick stamps, it appears that some women were quite active in investing their money. According to Päivi Setälä, brick production was one of the favourite fields of invest-

³⁷ Plin. *Epist.* 7, 2-14.

³⁸ Plin. *Epist.* 4, 17. ...*a quo – ut ais – nova lis fortasse ut feminae intenditur...*

³⁹ Plin. *Epist.* 4, 17: *Et admones et rogas, ut suscipiam causam Crelliae absentis contra C. Caecilium consulem designatum.*

ment of the senatorial order from the 2nd century AD.⁴⁰ Not only the purchase of lands but also of the clay beds seemed profitable. The study sheds light not only on a new focus of the female aspect, but also on the development of land ownership in the areas adjacent to Rome.

It seems that clay beds were administrative units (*officinae*) through which brick production was provided. The brick stamp served as an abbreviated contract between the landowner (*dominus*) and the contractor responsible for the production (*officinator*).⁴¹ In case of brick stamps with only one name, the owner presumably did not enter into a contract with an *officinator*, but oversaw the production himself.⁴²

Out of the 150 names identified as *domini* on the brick stamps examined by Päivi Setälä, 50 belonged to women. That rate goes even higher when examining the stamps of investors from the senatorial order in the 2nd century only, as 50% of the landowners of this age were women. Yet the rate is lower in case of the landowner entrepreneurs – the ones without an *officinator* –, 20% of them being women. For these women brick production was a livelihood, possibly an investment.⁴³

Setälä revised her own approach, for it is no longer based on the idea that female land owners were inheritors of the land and the clay beds. In most cases no family relations can be detected between the *dominae* and the *officitatores* or the successive landowners. That means that they acquired the land by some other legal transaction, most likely by purchase. Some women also seemed cunning in business. The year 123 AD brought the demand of a great expansion of building. The name of the consuls of this year are found in 207 stamps, and 60% of the names of the *domini* is not known from other sources. The brick producers of this productive year could be small-scale landowners for whom brick production was an important and immediate livelihood. After Hadrian the *domini* were almost exclusively members of the senatorial order, and their diminished number shows that brick production was increasingly in the hands of a small number of families, including the imperial family.⁴⁴

⁴⁰ P. Setälä, Women and Brick Production – Some New Aspects. In: Women, Wealth and Power in the Roman Empire. Ed.: P. Setälä. Roma 2002, 181.

⁴¹ The types of the contracts could be *locatio conductio rei*, *locatio conductio operis* or *locatio conductio operarum*. Setälä, Women and Brick Production (note 40), 183-184.

⁴² Setälä, Women and Brick Production (note 40), 183.

⁴³ Setälä, Women and Brick Production (note 40), 184-185.

⁴⁴ Setälä examined the consular dated stamps only, for she considered this as a sign of organized operations and a proof that the state was interested in this industry, cf. Setälä, Women and Brick Production (note 40), 186.

It is interesting to see that the majority of the *dominae* in this prominent year were women. Thus women met the demand for bricks just as men did. Most of their names were found on stamps dated from this year only, which means that they joined the business only as long as it was profitable. Therefore they must be defined as female entrepreneurs.⁴⁵

All this is especially important regarding guardianship, because again it is about the purchase of Italian lands for which women needed the sanction of their guardians. The brick stamps offer insight into the transactions of quite a large group of women. That shows that real-estate purchase was just as frequent among women as it was among men.

It seems though that some women went much further than purchasing a piece of land. There are many stamps where the woman's name succeeds her father's or husband's name as a landowner. These women presumably joined the family business. On the other hand there are *dominae* who seem to have joined the business first in their family, and some of them carried on extensive and well-organized operations. E.g. Flavia Seia Isaurica, who is known only on the basis of brick stamps, produced bricks and owned several clay beds between 115 and 141 AD. She was the first brick producer in her family. She operated during the most active building period, with the names of ten *officinatores* appearing on her stamps. She was succeeded by her son in the business, who however did not continue the production at every unit owned by her mother.⁴⁶

We find female names among the *officinatores* as well, although their rate is quite low, i.e. 6% only. It is interesting to note that the rate of *officinatrices* is the highest in the imperial family, i.e. 25%. In all, brick stamps prove that many women purchased land and clay beds, especially from the 2nd century AD.

Of course whether it was their own decision or somebody else acted on their behalf⁴⁷ is unknown, for these inscriptions are far too laconic. Yet comparing them with the literary sources, we may presume that the guardians' contribution here too could be. The fact that we find female names among the *officinatores* indicates that women's legal opportunities may have broadened in practice. An *officinatore's* job probably included personal contribution, besides the classic administration of property that used to be a guardian's task. So presumably if a

⁴⁵ Setälä, Women and Brick Production (note 40), 186-187.

⁴⁶ With many other examples, see *ibid.*, 190-191.

⁴⁷ Women often hired clerks, as mentioned in one of Martial's epigrams. He trifles on a husband, whose wife's clerk is much too handsome, so he presumably does the husband's work instead of the wife's, cf. Mart. 5, 61. Despite the frivolous joke the story shows that wives had their own clerks so often that husbands found it to be natural too.

woman appeared as *officinator*, than she must have been involved in the course of production at some level, being a real entrepreneur. This might show that the social status of women went through serious changes as well, and eventually some of them got the chance to step out of the limits of the family and have a more active role in society.

The altered social role of wealthy Roman women is reflected extensively in literature. We find the most extreme references in the satires of the 1st century AD. The poets – meeting the demands of the genre – often portrayed rich women in an exaggeratedly negative sense, and in the background we may again detect the changes in the social structure. Beside the caricaturistically overdrawn bad attributes of the women of their age, the poets glorify the virtues of matrons of the past.⁴⁸

*Intolerabilius nihil est quam femina dives*⁴⁹ – says Juvenal plainly. In his famous sixth satire he gives endless examples of women's indecent, sometimes manly behaviour. These women do not even reflect the good old virtues of the late matrons, for them family and morals do not mean anything. Among others, he makes the following remark about women infiltrating the men's world: *Illa tamen gravior, quae cum discumbere coepit, / laudat Vergilium, periturae igniscit Elissae, / committit vates et comparat, inde Maronem / atque alia parte in trutina suspendit Homerum. / Cedunt grammatici, vincuntur rhetores, omnis / turba tacet, nec causicus nec praeco loquetur / altera nec mulier: verborum tanta cadit vis, / tot pariter pelves ac tintinnabula dicas / pulsari.*⁵⁰

Women's estate as a goal of marriage also appeared quite often in the coarse jokes of the satires.⁵¹ That women bragged with their wealth and gained influence through it did not seem very attractive in the poets' eyes either. Martial comments on an instance: *Bella es, novimus, et puella, verum est, / et dives, quis enim potest negare? / Sed cum te nimium, Fabulla, laudas, / nec dives neque bella nec puella es.*⁵²

Wealth infiltrating the relationship of the spouses also influenced Martial: *Uxorem quare locupletem ducere nolim / quaeritis? Uxori nubere nolo meae. / Inferior matrona suo sit, Prisce, marito: / non aliter fiunt femina virque pa-*

⁴⁸ These satires of course also reflect the „moral crisis” of their age. We only examine the reactions to female wealth. For more details on this crisis at Juvenal, see R. P. Bond, *Anti-feminism in Juvenal and Cato*. In: *Studies in Latin Literature and Roman History*, Vol. 1. Ed. C. Deroux. Bruxelles 1971, 7-58.

⁴⁹ Juv. 2, 6, 460.

⁵⁰ Juv. 2, 6, 434-442.

⁵¹ Juv. 2, 6, 136-137: *Optima sed quare Caesennia teste marito? / Bis quingena dedit: tanti vocat ille pudicam.*

⁵² Mart. 1, 64.

res.⁵³ Horace and Martial both mention women with huge dowry as tyrants of their husband,⁵⁴ and the „reigning widows”⁵⁵ as characteristic features of Rome.

It is remarkable that, according to Juvenal, women could even enter into a sphere reserved exclusively for men. He says that women go to court just as men do: *Nulla fere causa est, in qua non femina litem / moverit. Accusat Manilia, si rea non est. / Conponunt ipsae per se formantque libellos, / principium atque locos Celso dictare paratae.*⁵⁶ Of course, „officially” the field of public law remained closed for women, they were not allowed to accuse even in the age of Ulpian.⁵⁷

Although Juvenal’s words are obviously exaggerated, it may be possible that – despite the strict prohibition – some women could actually break into the closed field of public law. Presumably wealthy, independent women had the chance to reach beyond the potentials offered by their formal legal opportunities. Women showed up in segments of society which they were not allowed to enter before. Thus in the eyes of some they acted more or less „manly”, in a way that does not suit a Roman matron. This must have been a reason why poets created such a negative picture of them.

The new role that some women played – according to Juvenal at least – could reach the field of public law as well, yet their widening opportunities were most significant in the sphere of civil law. In this sphere even legislators were willing to acknowledge the developments in social structures.

The legislators’ will

In all it seems that the spread of the separation of the spouses’ property and the gradual disappearance of *manus* brought about the financial and economic independence of wealthy women, which ended up in the decline of the significance of guardianship in practice. The result of this process is a commonplace for Gaius.⁵⁸ This might indicate that these changes passed off „naturally”, as an

⁵³ Mart. 8, 12.

⁵⁴ Hor. *Carm.* 3, 24.

⁵⁵ Mart. 1, 49, 33-34: *Procul horridus Liburnus et querulus cliens, / imperia viduarum procul...*

⁵⁶ Juv. 2, 6, 243-245.

⁵⁷ D. 50, 17, 2: *Feminae ab omnibus officiis civilibus vel publicis remotae sunt, et ideo nec iudices esse possunt, nec magistratum gerere, nec postulare, nec pro alio intervenire, nec procuratores existere.* For further information on women’s legal opportunities in court, see R. Brósz, *Nem teljes jogú polgárok a római jogforrásokban* [with a German summary titled: *Die nicht-vollberechtigten Bürger in den römischen Rechtsquellen*]. Budapest 1964, 124.

⁵⁸ Gai. 1, 190.

integral part of social development and not as a result of legislative reform. The rules of the law concerning guardianship did not change significantly, only their function seems to have altered.

All this of course is true in the case of freeborn, wealthy *sui iuris* women. We may not state either that all Roman women enjoyed the same independence as Terentia or the women investing in clay beds. But it certainly appears that those women who did not enjoy it, were not kept from it by the institution of guardianship. On these grounds, the purpose of the guardians' sanction – at least by the age of the late Republic – was not chastening the women's inordinate demands or counteracting their levity of disposition. It even seems that, by the age of Gaius denying the necessary sanction could be regarded as an abuse of authority. State secured regulations came into effect that were meant to protect women from the abuse of power committed by their guardians.

One of these regulations was that the *praetor* could enforce the guardian to interpose his sanction. According to Gaius this enforcement was not the result of a legal action, but substituted for it. A woman of full age did not have the tutelary action against her guardian, thus the *praetor* was able to enforce the sanction in the course of an extra-judicial procedure.⁵⁹ We do not know any further details about this procedure. Neither it is clear that how often it ended with enforcing the sanction or with the contrary, balking the transaction the ward was trying to make. On the other hand this was not the only chance for a female ward to have her way. She could to set aside her reluctant guardian – except if he was one of her ascendants – and substitute him with another.⁶⁰

In the case of legal guardians the applicability of the enforcement of sanction by the *praetor* was limited. The ward's patrons and ascendants as legal guardians could not be compelled to interpose their sanction for making a testament, alienating a *res mancipi* or undertaking obligations, unless there were very weighty reasons for the latter two.⁶¹ To judge whether or not the reason was „weighty” enough was probably in the *praetor*'s competence, which means

⁵⁹ Gai. 1, 190-191: *...mulieres enim, quae perfectae aetatis sunt, ipsae sibi negotia tractant, et in quibusdam causis dicis gratia tutor interponit auctoritatem suam; saepe etiam invitus auctor fieri a praetore cogitur. Unde cum tutore nullum ex tutela iudicium mulieri datur: at ubi pupillorum pupillarumve negotia tutores tractant, eis post pubertatem tutelae iudicio rationem reddunt.* Gardner believes that the true reason why female wards of full age could not take legal action against their guardians was that in this case the guardians did not have practical trusteeship, so the action would not have been equitable. Even legal guardians could only use passivity as a weapon to affect their ward's decisions. *J. Gardner, Women in Roman Law and Society.* Bloomington 1986, 21.

⁶⁰ Gai. 1, 115.

⁶¹ Gai. 1, 192.

that he eventually decided on the necessity of the legal transaction the ward was about to make.

So presumably the process of enforcement was made to avoid the abuse of authority by the guardian,⁶² a situation in which the guardian's denial alone was capable of inhibiting a necessary transaction. In certain cases the praetor could decide to compel even legal guardians to give their *auctoritas* if the transaction was found requisite. On the other hand, the *praetor* probably did not enforce the sanction if the denial was reasonable enough. Although in the light of what was said above we may have doubts about the frequency of such conflict between the women and their guardians.

The fact that female wards were allowed to demand a substitute in place of an absent guardian – regardless of the duration of the absence – must have served for the same purpose. This was allowed by the senate especially for full aged women.⁶³ All this might confirm the assumption that the guardian was not meant to judge the necessity of legal transactions. His sanction must have been pure formality, yet indispensable as such. The fact that Gaius does not mention the absent guardian's right to supervise the transaction on his return seems to affirm the same. On the contrary, the authority of the absent guardian ceased to exist with the substitution.⁶⁴

The female ward also enjoyed considerable freedom in choosing the person of her guardian. On the one hand, in case of marriage with *manus* the husband could secure in his will her wife's freedom to choose her own guardian. He could allow her to choose once or several times, or – in case of unlimited option – even an indefinite number of times.⁶⁵ This might mean that husbands also found their wife's free choice important, that they considered the family property more secure with her in charge of the decisions, instead of the nearest agnate as a legal guardian.

On the other hand, being empowered by the husband's testament was not a woman's only chance to choose her guardian. The act of *coemptio* as a fictitious sale did not only function as a method to conclude marriage with *manus* but also – as a part of a complicated series of legal transactions – to substitute the female ward's guardian by a more „suitable“ one. According to Gaius this was accomplished by concluding two fictitious sales in a row, followed by a special

⁶² Gaius puts this statement – that we ought not to make a bad use of our lawful rights – into general terms too: Gai. 1, 53: *male enim nostro iure uti non debemus*.

⁶³ Gai. 1, 173.

⁶⁴ Gai. 1, 173.

⁶⁵ Gai. 1, 150-153.

process named *manumissio vindicta*.⁶⁶ For the *coemptio*, being a special version of *mancipatio*, the guardian's sanction was needed. Thus first the woman had to be „bought” by way of a *coemptio* by someone in her confidence, with the sanction of the original guardian. Through this she already reached the goal of setting aside her guardian, but she became subject to the buyer's control.⁶⁷ In order to gain independence and get the desired guardian she needed a second *coemptio*. This time she was bought by the new guardian to be, and then liberated by him through *manumissio vindicta*. This complicated process was based on the regulations that assigne the guardianship of a freedwoman to her patron.⁶⁸

All this indicates the mere formality of the guardians' sanction, but also sheds light on its indispensability. No matter how little influence the guardian had on the decision preceding it, his authority was absolutely necessary for the validity of the legal transaction the ward wished to achieve. Yet there were many warrants that were meant to mitigate the female wards' defencelessness originating in this.

The question of the nearest agnates' legal guardianship is also interesting. A rule of the Twelve Tables declared that if no guardian was appointed testamentarily, the nearest agnatic relative became the guardian of the under aged male and female as well as the full aged female wards. In the case of marriage with *manus* the husband's nearest agnatic relative became the guardian, because the wife had already lost all relations with her family of origin in a legal sense. The office of guardianship was compulsory for the legal guardians, yet theoretically it was in their interest too. For in the case of intestate succession the nearest agnate was the ward's heir, so his task was to administer the estate he – or his heir – was looking forward to receive. Regarding full aged women the guardianship of the nearest agnatic relative was abolished by the Claudian legislation.⁶⁹

Even in the age of Gaius ascendants as legal guardians received special rights providing them an exceptional role compared to that of the appointed guardians. As already mentioned above, they could not easily be compelled to give their sanction, and not at all in the case of making a testament. Gaius explains this with the fact that legal guardians are the ward's heirs of intestacy,

⁶⁶ Gai. 1, 114-115a.

⁶⁷ The legal methods involving getting under someone else's control were not rare in Roman law. Emancipation and making a will by a woman – before the legislation of Hadrian – were also two of these methods, cf. Gai. 1, 115a.

⁶⁸ Gai. 1, 165.

⁶⁹ Gai. 1, 157.

and their loss of estate by testamentary disposition, or the diminution of its value by debt or by alienation of a considerable portion had to be prevented.⁷⁰

Considering, all this it seems that the legal guardians could have had the greatest influence on the decisions of their wards. This could have been the only case when the guardian was able to actually limit his ward's legal opportunities, regarding the administration of property, for the good of the guardian himself. This might even have been true when the practical functions of the guardians were already harshly diminished.

Nevertheless, Dixon emphasizes that presumably the agnates' „selfish” interests attached to the guardianship only existed initially. Later on, the idea of guardianship changed, and it was not regarded any longer as the preliminary trusteeship of the heir apparent of the estate. In the case of under aged wards, the guardianship was seen as an obligation, primarily aiming at the safekeeping of the inexperienced child's estate. On the other hand, the guardians of full aged female wards lost most of their rights as trustees of the estate. This was advanced both by legislation and changes in practice. Furthermore, while the guardianship of under aged wards lasted for a limited period of time, in the case of a full aged woman it could last awkwardly long: until her very death.⁷¹

On the grounds of all this, gaining *ipso iure* guardianship over their female relative probably did not make the agnatic relatives very happy. On the contrary, they most likely tried to fink out of the obligation, to which the *Lex Claudia* offered them a helping hand. J. A. Crook shares the same opinion.⁷² Both he and Dixon were inspired by one of Gaius' remarks, saying that legal guardians were allowed to transfer the guardianship of a female ward but not of an under aged male ward, for the latter was „not considered onerous, being terminated by the wards' attaining of the age of puberty”.⁷³

Being a legal guardian could have been troublesome indeed. This is also confirmed by the fact that legal guardians – unlike the ones appointed testamentarily – were compelled by the *praetor* to give security for due administration. According to Gaius, the purpose of this was to keep the guardians away from destructing or wasting of the ward's property.⁷⁴ Based on all this, we can assume that Claudius did not take a revolutionary step to „liberate” women but

⁷⁰ Gai. 1, 192.

⁷¹ Dixon, Family Finances (note 16), 99-100.

⁷² J. A. Crook, Feminine Inadequacy and the *Senatusconsultum Velleianum*. In: The Family in Ancient Rome (note 16), 90-91.

⁷³ Gai. 1, 168.

⁷⁴ Gai. 1, 199-200.

codified an already existing practice,⁷⁵ saving the agnates the trouble of being legal guardians.

In all, the institution of guardianship certainly was not meant to be the control of women „on account of their levity of disposition”.⁷⁶ Of course, if a father or a husband wished to control his wife’s or daughter’s financial decisions, he probably could do so quite easily. Presumably not all women had the same opportunities of financial independence either. Yet focussing on the full aged female wards’ guardians, we can state that they did not have so much influence on their wards’ decisions as to actually limit their opportunities. The range of their participation in the legal transactions was repressed to the level of formality.

Tutela mulierum and auctoritas

The remaining question is this: what could have been the practical purpose of the *tutela mulierum*, why could it be so significant that it was not abolished until the 4th century AD?⁷⁷ An obvious explanation would be that it was necessary because of the women’s missing or limited legal capacity. Yet there were some transactions that women were allowed to conclude on their own, without their guardian’s sanction. It is not easy to explain why a woman could independently loan money regardless of the sum of it, while she was not allowed to sell a mule – being a mancipable thing – without the sanction of her guardian. It is hard to see why was her legal capacity enough for the former, if it was not for the latter.⁷⁸

The practical tasks as a trustee of the guardians of full aged female wards vanished with time and legislation, so presumably the significance of the institution of the *tutela mulierum* can be found in the theory of law. According to Gardner, there was an illogical and absurd relationship between the rules of the law concerning guardianship and its materialization in everyday life. This arose

⁷⁵ According to Brósz, it was also a considerable reason for the *Lex Claudia* that Claudius wished to marry her niece – his brother’s daughter – who was under legal guardianship. Brósz, *Nem teljes jogú polgárok* (note 57), 124. For the sake of that Claudius also abolished the relative impediment to the marriage with one’s niece, but only in case of marrying a brother’s daughter, not a sister’s one. Gai. 1, 62. According to Suetonius Claudius also gave the *ius liberorum* to many women as a privilege. Suet. *Claud.* 19.

⁷⁶ Gai. 1, 144.

⁷⁷ The guardianship of full aged women was abolished by the legislation of Constantine. Brósz, *Nem teljes jogú polgárok* (note 57), 124.

⁷⁸ Not to mention the fact that many women – on the basis of the number of their children or the privilege given by the senate or the emperor – were exempted from guardianship which makes the retention of the institution even more questionable.

from the contradictions between men's political and public roles, and their private personal relationships. While the former, the public sphere remained under their full control, we can not say the same about the latter, due to the changes detailed above. So the retention of the *tutela mulierum* meant the retention of at least the appearance of men's control over the disposal of property.⁷⁹ Men had all the political rights, they monopolized the state's governance, they had the privilege of legislation and jurisdiction.⁸⁰ At the same time in the field of private law – presumably reflecting social demands – even legislation seems to have realized the fact that women had the opportunity to be independent.

There are illogicalities and absurdities in the legal system of the *tutela mulierum* itself too. At least the difference between the transactions that were achievable by women without the guardians' sanction and the ones that were not, does not seem very logical at first sight. Yet there might still be a logic in the way the transactions were divided. Perhaps this special kind of logic hides the reason for the retention of the *tutela mulierum*, closely related to the appearance of men's control over legal transactions.

The tradition of Roman law may play an important part in all this. A part of it is the legal sense of the concept of *auctoritas*, which in itself can be expounded in a broad spectrum. The difference between loaning money and selling a mule – which presumably used to be evident for the Romans – becomes more plausible, if we consider the difference between the legal transactions leading to them. A mule as a four-footed animal was a mancipable thing (*res Mancipi*) according to the archaic division of things. Thus it could only be alienated by an ancient legal transaction called *mancipatio*. On the other hand, in the case of the loan of money – which appeared later in Roman law – the regulations were much less strict.

Mancipable things were the Italian lands, the ancient servitudes (*iura rusticorum praediorum*), slaves and four-footed animals. The difference between *res Mancipi* and *res nec Mancipi* had no practical significance as time went by, yet the legal tradition kept the rule that the subject of *mancipatio* could only be *res Mancipi*.⁸¹ Everything else could be alienated by simple *traditio* based on the will of selling.

⁷⁹ Gardner, *Women in Roman Law and Society* (note 59), 22.

⁸⁰ On the lack of women's rights in public law, see Brósz, *Nem teljes jogú polgárok* (note 57), 121-124.

⁸¹ Földi – Hamza, *A római jog története és intézményei* (note 26), 272. Later the control over free persons – primarily *alieni iuris* members of one's family – was also transferred by *mancipatio*. This was the only exception, cf. Földi – Hamza, *ibid.*, 313.

Following Gaius' text, we can select the transactions in which full aged women needed the sanction (*auctoritas*) of their guardians. This reveals a harsh difference between the guardianship over under aged and full aged (female) wards. While neither the under aged nor the full aged wards could alienate *res Mancipi* without their guardians' sanction, full aged women could sell everything else independently.⁸²

Therefore, women lacked not the legal capacity – the able-mindedness needed to undertake an obligation – but the authority to participate in the ancient legal transactions performed in a strict, solemn form. So the difference between the transactions for which women needed their guardians' *auctoritas* and the ones they could conclude on their own, does not lie in the type of obligation deriving from them, but in their formalities.

The conclusion of the first transaction types in Roman law – assigned only to a limited range of subjects – was confined to male citizens of Rome by legal tradition. It was prohibited for everyone else even centuries later, when the significance of these were faded out by the development of less strict and less complicated transactions. The words of the *nuncupatio*, a solemn verbal pronouncement meant to secure the validity of the contract, had to be uttered in a strict order. Their effect could only turn into power of creation – thus constituting law – in the mouth of the Quirites.

All this seem to confirm the assumption that the retention of the guardians' *auctoritas* was at best sufficient to maintain the appearance of men's control over the disposal of property. It is true that the things falling under *res Mancipi* composed a significant part of the Romans' estate and women were not allowed to alienate them on their own either. Yet the proportion of the value of *res Mancipi* and *res nec Mancipi* altered vigorously from the 2nd century AD on. The latter gained far more significant value than it had ever before.⁸³

If the determinative and effective purpose of the *tutela mulierum* was the practice of social control over the disposal of property, then it would have been more efficient to require the guardians' sanction for transactions reaching an allotted limit of value. Considering that women could freely loan money, give

⁸² Gai. 2, 80.

⁸³ Hanza, A házastársak közti ajándékozási tilalom (note 18), 50. This process is confirmed by one of Martial's epigrams saying that silverware, artworks and ornaments provided important part of one's estate, 4, 39: *Argenti genus omne comparasti, / et solus veteres Myronos artes, / solus Praxitelus manum Scopaeque, / solus Phidiaci toreuma caeli, / solus Mentoreos habes labores. / Nec desunt tibi vera Gratiana / nec quae Callaico linuntur auro / nec mensis anaglypta de paternis.*

presents⁸⁴ and alienate *res nec mancipi* (including provincial lands), such control was at best illusory. Guardianship could not grant defence from the „fortune-hunters” – appearing so often in literary sources – either, for the kept men probably did not quite often ask their ladies for Italian lands or mules. Speaking of a similar case, Martial mentions crimson, precious stones and gold among the things that the „exploited Chloe” gives her lover.⁸⁵ Concluding from what was said above, a *sui iuris* woman could squander her money freely, if she wished to, by giving away her valuable yet not mancipable assets. On the whole, guardianship was not an efficient device to control women’s property but at best one to maintain the appearance of such control.

The question is whether there was a way, in which the *tutela mulierum* could have been more effective. Trying to maintain the control over the field of private law does not necessarily mean that it was meant to reserve the control over the disposal of property. Perhaps the privilege of concluding certain transactions, being fundamentally important as the only transaction of the archaic Roman law, could have been equally significant for a Roman man.

It is clear from Gaius’ text that women under guardianship needed the *auctoritas* of their guardian if they wished to conclude an ancient legal transaction, which in the age of the archaic law had been the privilege of the Quirites, i.e. full aged Roman men fit for military service.⁸⁶ It seems that though women in fact did administer their own property, the legislators were still unwilling to give them the right to conclude the ancient legal transactions independently. This may be in coherence with the concept of *auctoritas*, which covers a broad scale of meanings.⁸⁷

⁸⁴ Donations between spouses – presumably from the 1st century BC – were prohibited by the rules of Roman law. The reason for this, according to Gábor Hamza, lies in the legal construction of donation and in its original nature. Hamza, A házastársak közti ajándékozási tilalom (note 18). Apart from her husband a woman could donate everybody else freely.

⁸⁵ Mart. 4, 28: *Donasti tenero, Chloe, Luperco / Hispanas Tyriasque coccinasque, / et lotam tepido togam Galaeso, / Indos sardonychas, Scythas zmaragdus, / et centum dominos novae mone-tae: / et quidquid petit usque et usque donas. / Vae glabraria, vae tibi misella: / nudam te statuet tuus Lupercus.* Another epigram warns of the danger of fortune-hunters too, 2, 34: *Cum placeat Phileros tota tibi dote redemptus, / tres pateris natos, Galla, perire fame.* It appears that not all women were known for their profitable investments.

⁸⁶ Zlinszky, *Ius privatum* (note 7), 16.

⁸⁷ *Auctoritas* falls under the concepts of *mos maiorum*. It is bound up with the concept of *dignitas*, which used to belong to the patricians only. On further meanings of *auctoritas*, see L. R. Lind, *The Traditions of Roman Moral Conservatism*. In: *Studies in Latin Literature and Roman History*. Vol. 1. Ed. C. Deroux. Bruxelles 1971, 22. In the following we will concentrate on the legal sense of *auctoritas* only.

According to Lind *auctoritas* was always an active power, unlike its counterpart, *dignitas* which was static in nature.⁸⁸ This must have been needed to establish control over a thing or a person by the „words of creation”, very important in Roman religion too, when the ancient transactions first appeared. Presumably this process hid behind the words of the *nuncupatio*, which always had to be pronounced clearly and in the right order.⁸⁹ On the other hand there were further conditions of gaining *auctoritas*. No one could gain it who was inexperienced, unskilled in the field in question or lacked authorization from the proper power, often from the Roman people itself.⁹⁰

Adapting all this to the conclusion of ancient transactions, it seems that *auctoritas* served as the grounds of quiritary ownership which was attainable on the basis of the *ius Quiritium*. The grounds lay in the transaction itself, based on quoting the „words of creation”. This active power establishing ownership was the privilege of the *Quirites*, which neither strangers, nor women or under aged children could gain.

Regarding contracts, the obligation also used to be generated by words, by a solemn promise uttered in strict order (*sponsio*). The one who broke it became accursed (*sacer*). According to Gellius the debtor breaking his promise or the patron deceiving his client offended against *fides*, which explains the severe punishment declared by the Twelve Tables.⁹¹ Yet these punishments might have never been carried out, because the power of *fides* and the „words of creation” were strong enough to withhold from breaking it.

With the continuous subsistence of the two ancient legal transactions, *manipatio* and *stipulatio*, the words constituting law were part of the development of Roman law for centuries. Their essence was not the same in later periods as in the age of the Twelve Tables, but their formalities remained unchanged. They were probably considered far too significant for legislation to abolish them, breaking with the legal tradition.

Presumably, the Romans’ legal conservatism played an important role in retaining the *tutela mulierum* even after its practical functions had disappeared. The difference between the cases where the guardian’s sanction was required and where it was not, must have been based on the legislators’ effort to reserve

⁸⁸ Lind, The Traditions of Roman moral conservatism (note 87), 30.

⁸⁹ On the „word of creation” in Roman religion, see Th. Köves-Zulauf, Bevezetés a római vallás és monda történetébe [Introduction to the History of Roman Religion and Mythology]. Budapest 1995, 70-151.

⁹⁰ Lind, The traditions of Roman moral conservatism (note 87), 30.

⁹¹ Gell. 20, 1. The debtor of more creditors was to be cut in an equal number of pieces to the number of his creditors. XII tab. 3, 1-6.

the full aged Roman men's privilege to conduct the ancient legal transactions.⁹² The essence of these transactions staled with time and social changes, yet the significance of the externals remained the same. So much that a woman, who on the other hand, ran her own business independently, needed an intermediary to conclude such transactions. She needed a male Roman citizen, the „heir” of the Quirites.

Thus a full aged *sui iuris* woman – under the proper circumstances – could decide when, how and on what conditions she would use her property. The only thing she could not do was to conclude the ancient legal transactions, which used to be the most important instruments of the disposal of property in the age of archaic Roman law. So the male Roman citizens not only controlled the field of public law, but they were able to maintain the appearance of controlling the most significant transactions of civil law as well.

Presumably, the *tutela mulierum* disappeared when even the formal significance of the ancient transactions vanished. The archaic formalities were replaced by more flexible, faster and more simple transactions, and – for the sake of the security of commerce – writing became more important than words.⁹³

In the Institutes of Justinian we can not find any trace of the distinction between *res Mancipi* and *res nec Mancipi*, and of course there is no trace of the guardianship of full aged women either. The *tutela mulierum* was abolished by the legislation of Constantine, who tried to rationalize Roman law in many aspects. Apart from the *tutela mulierum* he abolished the punishments of childlessness and unmarried state introduced by the legislation of Augustus.⁹⁴ So after all the recognition of social demands and putting forward practical aspects gave the *coup de grâce* of the illusion, maintained through the *auctoritas* of the guardians.

⁹² The *ius liberorum* – whatever it's grounds were – must be considered as a privilege.

⁹³ Zlinszky, *Ius Privatum* (note 7), 106.

⁹⁴ *CodTheod* 8, 16, 1. In a resemblance with the *ius liberorum*, one could gain acquittance from the provisions of the Augustan legislation against childlessness. E.g. Martial – who was single and childless – received the right of three children from the emperor, *Mart.* 2, 90-91.

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**LA “SAEVITIA” DE QUINTILIUS VARUS: TRANSFORMACIÓN
DE SU IMAGEN ENTRE VELLEIUS PATERCULUS
Y L. ANNAEUS FLORUS¹**

POR M.^a P. GONZÁLEZ-CONDE

Abstract: In Latin literature the image of Quintilius Varus underwent an evolution between Velleius Paterculus and Florus that to a large extent corresponded to the change of political circumstances within the Roman state. During the reign of Tiberius the “clades Variana” was devised as a means that helped justify to public opinion the changes in foreign policy. A century later, Annaeus Florus, who had lived through Trajan’s wars, described the “saevitia” of Varus and attacked the idea of expansion beyond the limes. This attitude provides further support for the case that is now made for his work’s “Hadrianic ideology”.

Key-words: Rome, Quintilius Varus, Florus, Trajan, Hadrian, Roman legions.

En el año 9 d.C., el ejército romano fue derrotado por los Germanos en Teotoburgo², perdiendo tres legiones y precipitando el final de una política de expansión que tardaría en volver a tomar velocidad. Augusto se encontró con la difícil tarea de ensayar una nueva dirección en su política de defensa que, debido a lo avanzado de su edad, tendría que ser asumida especialmente por su sucesor. A la complicación de la pérdida material de las legiones se unía la necesidad de dar una explicación pública en Roma. Se optó entonces por dar un salto adelante y reconocer el suceso como la mayor catástrofe a la que el estado romano habría tenido que hacer frente. La población de la Urbe conoció las verdaderas dimensiones de la derrota, que se convirtió en una *clades*, cuya responsabilidad recayó exclusivamente en el general al mando, Quintilio Varo³. La

¹ Este trabajo se ha realizado en el marco del proyecto HUM2006-07904, financiado por el Ministerio de Educación y Ciencia de España.

² Entre otras fuentes y especialmente para el relato de la derrota: Vell. 2, 117, 1 ss.; Flor. 2, 30, 1-39; Cass. Dio 56, 18-24. Una relación de todas las fuentes figura como apéndice final en: R. Wiegels (ed.), *Die Varusschlacht – Wendepunkt der Geschichte?* Stuttgart 2007, 128-129.

³ Sobre el impacto en la opinión pública, Suet., *Aug.* 23, 1: *Hac nuntiata excubias per urbem indixit, ne quis tumultus exsisteret, et praesidibus provinciarum propagavit imperium, ut a peritis et assuetis socii containerentur.* J.C. Rolfe, y K.R. Bradley, Suetonius. *The Lives of the Caesars, I: Julius, Augustus, Tiberius, Gaius, Caligula* (traducción de J.C. Rolfe; introducción de K.R. Bradley). Cambridge 1997.

clades variana pasó a ser uno de los acontecimientos más relatados en la literatura posterior⁴, que obvió la responsabilidad política de Augusto y de su círculo de poder, para centrarse en el aspecto técnico de la batalla y trasladar la culpa hacia el máximo responsable militar del ejército de Germania. Sin embargo, este territorio figuraba en las *Res Gestae divi Augusti*⁵ como una región mencionada entre las provincias pacificadas e incorporadas al imperio, estableciendo en el Elba los límites que separaban la romanidad de la barbarie. Esta mención en el documento demuestra que la política exterior augustea estaba muy alejada de las recomendaciones testamentarias que Tácito⁶ adjudicaba al primero de los príncipes, en el sentido de mantener el “*limes*” en la línea del Rin, Danubio y Éufrates.

La elaboración de una imagen

A la muerte de Augusto, las críticas contra Quintilio Varo se activaron, aunque la situación social y política del general, emparentado con la primera familia del estado, suavizó su inevitable linchamiento moral. La literatura latina transmitió una imagen que correspondía a la proyección pública del personaje y a la explicación dada desde el poder del estado de su actuación en la lejana frontera del Rin⁷. Varo pasaba así a la posteridad como un hombre negligente e

⁴ Sobre la denominación de la derrota, *vid. V. Rosenberger*, *Bella et expeditiones. Die antike Terminologie der Kriege Roms*. Stuttgart 1992, 68-71: diferencia entre *clades variana* y *bellum Germanicum*, que se utilizó en otras ocasiones para los enfrentamientos contra los Germanos.

⁵ *CIL* III, p. 774 (para el documento ancyrano). La referencia a la derrota de Varo se evita: *E.S. Ramage*, *The Nature and Purpose of Augustus Res Gestae*. Stuttgart 1987. Para un análisis del concepto “*Germania*” desde la perspectiva romana a través del tiempo: *Y. Thébert*, *Nature des frontières de l’Empire romain: le cas german*, en *A. Rousselle* (ed.), *Frontières terrestres, frontières célestes dans l’antiquité*. Paris 1995, 221-235.

⁶ Tac., *Ann.* 1, 11, 4. Sobre la política augustea en Germania y los planes de expansión hasta el Elba: *K.-W. Welwei*, *Römische Weltherrschaftsideologie und augusteische Germanienpolitik*. *Gymnasium* 93 (1986) 118-137; *id.*, *Probleme der römischer Grenzsicherung am Beispiel der Germanienpolitik des Augustus*, en *W. Schlüter* y *R. Wiegels* (eds.), *Rom, Germanien und die Ausgrabungen von Kalkriese. Akten des Internationalen Kongresses vom 2. bis 5. September 1996 an der Universität Osnabrück*. Osnabrück, Osnabrücker Forschungen zu Altertum und Antike-Rezeption 1999, 675-688.

⁷ *B. R. Wickevoort Crommelin*, “*Quintili Vare, legiones redde!*” Die politische und ideologische Verarbeitung einer traumatischen Niederlage, en *G. Franzius* (ed.), *Aspekte römisch-germanischer Beziehungen in der frühen Kaiserzeit*. Vortragsreihe zur Sonderausstellung “*Kalkriese-Römer im Osnabrücker Land*” 1993 in Osnabrück. *Espelkamp, Quellen und Schriftum zur Kulturgeschichte des Wiehengebirgsraumes B. 1*, 1995, 1-43: en particular para el tratamiento del duelo y del argumento del miedo frente al enemigo germano, pero también sobre las acusaciones de *temeritas* y *negligentia* contra Crasso y Varo como pretextos para justificar ambas derrotas.

imprudente, que hacía caso omiso de los que con su experiencia podían aconsejarle y que caía en las trampas puestas por los Germanos. Si bien se cuestionaba su preparación y aptitudes para el mando, en cambio quedaba casi intacta su integridad personal, excepción hecha de una reconocida avaricia. Esta visión del personaje estaba presente ya en época tiberiana en la obra de Veleyo Patérculo⁸, quien proporcionaba la visión más amable sobre el general y utilizaba su retrato para contraponerlo a su elogiado Tiberio. Su relato de los acontecimientos representa la versión oficial de época tiberiana, en la que Quintilio Varo tenía unas cualidades que perdería más tarde en la literatura⁹. Veleyo Patérculo no negaba totalmente las virtudes de Varo, tanto en su carácter (...*vir ingenio mitis*...) como en sus costumbres (...*moribus quietus*...), aunque le atribuía un excesivo gusto por la riqueza (...*pecuniae vero quam non contemptor*...) que le había permitido acumular una considerable fortuna. Las circunstancias le habían llevado a ostentar el mando sobre el ejército del Rin en un momento especialmente delicado y con el resultado ya conocido. Su candidez e inexperiencia habrían provocado la derrota de Roma. El Varo de Veleyo Patérculo perdía las legiones a causa sobre todo de su ignorancia y no de su maldad. La gravedad de los acontecimientos del Rin obligaba a trasladar las noticias a la opinión pública, pero la posición de Tiberio¹⁰ requería que su propia familia no fuera cuestionada. La política augustea de defensa había sido en parte responsabilidad suya. La propia sucesión dinástica estaba aún en cuestión por su reciente incorporación al sistema político romano. Por todo esto, no era la mejor ayuda para el nuevo Príncipe que un individuo vinculado a la familia imperial¹¹ hubiera perdido tres legiones en Germania. A la pérdida humana y material se unía un aumento de la sensación de peligro en Italia por el fallo de seguridad en la frontera norte.

En esta versión, la elección de Quintilio Varo para el mando del ejército del Rin no habría sido acertada, porque su falta de experiencia en el frente y su incapacidad para dejarse asesorar ponían en peligro a los soldados. Pero tampoco era un personaje totalmente desposeído de los valores aceptables para la élite romana. Lo contrario hubiera puesto en cuestión las decisiones tomadas por

⁸ Vell. 2,117,2-4: *Varus Quintilius, illustri magis quam nobili ortus familia, vir ingenio mitis, moribus quietus, ut corpore et animo immobilior, otio magis castrorum quam bellicae adsuetus militiae, pecuniae vero quam non contemptor, Syria, cui praefuerat, declaravit, quam pauper divitem ingressus dives pauperem reliquit.* J. Hellegouarc'h (ed.), Velleius Paterculus. Historia Romana. Paris 1982.

⁹ G. Maurach, Die literarische Form des Arminiuschlacht-Berichts, en R. Wiegels y W. Woelker (eds.), Arminius und die Varusschlacht. Geschichte-Mythos-Literatur. München-Wien-Zürich 1995, 167-173.

¹⁰ B. Levick, Tiberius. The Politician. London 1976.

¹¹ K. Wachtel, "P. Quintilius Varus", en PIR² VII.1, Berlin 1999, 20, n. Q 30.

Augusto en la actuación fronteriza, y por tanto, habría afectado también a Tiberio, responsable en gran parte de la defensa durante el reinado de su padre adoptivo. Como recordaba Suetonio¹², Tiberio salía reforzado de la derrota, presentándose como el salvador que llega al Rin para solucionar la situación y que logra pacificar la frontera. La aceptación del nuevo régimen del Principado requería una manifestación continuada de los valores del gobernante y de sus colaboradores que justificara el mando.

Las referencias de Veleyo, tan cercano a Tiberio y tan preocupado por ensalzar la imagen del monarca¹³, reflejaban sin duda las prioridades de su programa de gobierno. Por una parte, se daba un salto cualitativo en la narración de la derrota de Teotoburgo, que ahora se convierte en *clades variana*, se elabora una imagen de Varo que pasará a la posteridad y se engrandecen las consecuencias de la derrota. En esta versión, la conquista de Germania ya no es posible porque la pérdida de las tres legiones a manos de los Germanos era la consecuencia directa de la mala actuación del general al mando, y terminaba para siempre con las esperanzas de dominar la región¹⁴. La culpa se trasladaba al mando militar directo, sin responsabilidades políticas. Agravado el carácter trágico de la derrota, Tiberio podía invocar una supuesta voluntad augustea de frenar la expansión¹⁵ para llevar a cabo una tarea que, por otra parte, le exigía la situación política y económica heredada de su predecesor, a saber: el establecimiento de una línea fronteriza estable y de una política exterior centrada en un sistema de relaciones con los pueblos vecinos. La *clades variana*¹⁶ proporcionaba así a Tiberio un argumento frente a la expansión.

En el recuerdo de las siguientes generaciones de romanos, la derrota de Varo se engrandeció, y la proyección pública del acontecimiento revistió el carácter de un “trauma colectivo”¹⁷. Esta evolución, transmitida por las posteriores generaciones de escritores, permitía recordar que el territorio germano constituía una parte del mundo exterior a la romanidad, que así había quedado a la muerte de Augusto y que así debía seguir estando. Como consecuencia de esta evolución, la imagen de Varo cambió para las futuras generaciones de romanos. La

¹² Suet., *Tib.* 17, 1-2.

¹³ K. Christ, Velleius und Tiberius. *Historia* 50 (2001) 180-192.

¹⁴ Para una reflexión sobre la verdadera trascendencia de la derrota de Varo y su papel en el cambio de la política exterior, *vid.* R. Wiegels, *Immensum bellum – ein gewaltiger Krieg*, en R. Wiegels (ed.), *Die Varusschlacht – Wendepunkt der Geschichte?*, op. cit. en n. 2, 117-127, en particular 119-125; también R. Wiegels, „Die Varusschlacht – ein unlösbares Rätsel?“, en *Ibidem* 8-22, y especialmente 14-15.

¹⁵ Tac., *Ann.* 1, 11, 4.

¹⁶ V. Rosenberger, op. cit. en n. 4 68-71, sobre la diferencia entre “*clades variana*” y “*bellum Germanicum*”, que se utilizó para otros enfrentamientos con los Germanos.

¹⁷ Wickevoort Crommelin, op. cit. en n. 7, 9-13.

historiografía latina posterior, respetuosa en términos generales con la figura de Augusto¹⁸, no lo fue tanto con su familia. La necesidad de mantener intacto el recuerdo del primero de los Príncipes respondía a una forma de supervivencia política que consistía en la aceptación de los hechos ya consumados, es decir, el establecimiento del nuevo régimen político del Principado. El cuestionamiento del sistema ponía en peligro para las futuras generaciones de políticos romanos la estabilidad de su propio modelo de funcionamiento. La literatura posterior a Augusto, en gran parte cercana al poder del estado, asimiló estos presupuestos.

Los historiadores romanos posteriores recordaron la derrota frente a los Germanos como una gran afrenta que debía ser vengada, hasta el punto de que algunas de las siguientes actuaciones en la región se explicaron en clave de recuperación de las insignias de las legiones masacradas y, con ello, también del honor perdido en aquel alejado paraje, tan inhóspito y aterrador a los ojos de un habitante del Lacio¹⁹. El historiador Tácito recogió ese testigo y participó en la formación de una línea historiográfica dedicada a dar una explicación al acontecimiento de Teotoburgo que aclarara su carácter coyuntural. Aún reconociendo el peligro que suponían los Germanos y la inaccesibilidad de su país, había una intención de aclarar que Roma había quedado a salvo a pesar de la derrota y que su seguridad no estaba ya en peligro. La importancia dada por Tácito a la cuestión *variana* quedó patente en el tratamiento que le dió en sus obras. En la *Germania* recordó ampliamente el peligro que los Germanos habían supuesto para Roma y las derrotas que éstos habían sido capaces de inflingirle, al tiempo que reconoció la imposibilidad de que el imperio ejerciera alguna vez el dominio sobre su territorio²⁰. En las *Historias*, la derrota de Quintilio Varo constituyó el principal argumento para los Germanos en sus alegatos por la búsqueda de la libertad fuera del control romano, que el historiador ponía en boca de Arminio como principal artífice de la realidad de la independencia germana²¹. Finalmente, en los *Annales*, el autor abordaba la cuestión. La semblanza del general que hizo Tácito rechazaba cualquier consideración sobre sus posibles cualidades que pudiera desprenderse de las antiguas palabras de Vele-

¹⁸ Z. Yavetz, *Tiberio della finzione alla pazzia*. Bari 1999, afirma que sólo un lector ingenuo vería una imagen positiva de Augusto en los *Annales* taciteos, porque el historiador habría asociado el gobierno de Augusto a la tiranía. Sin embargo, la crítica feroz de Tácito empezaba a partir de la figura de Tiberio. El autor escatimó a este príncipe algunas de las iniciativas políticas que sin duda fueron suyas o del entorno que le sustentaba.

¹⁹ Wickevoort Crommelin, op. cit. en 7, 24-37, sobre la afrenta y la reparación tras una derrota, con los paralelos para otros episodios de la historia de Roma y su tratamiento en las fuentes.

²⁰ Tac., *Germ.* 33, 2 y 37, 5.

²¹ Los mismos argumentos que Tácito pone en boca de *Civilis* durante la revuelta de 68/68. M^o P. González-Conde, Tácito, *Hist.* IV, 73-74: el discurso de *Petilius Cerialis* y la *pax tacitea*. *Latomus* 55 (1999) 626-637.

yo Patérculo. El recuerdo de Varo había quedado ya fijado a comienzos del siglo II d.C. como lo transmitía Tácito, mientras su derrota en Germania se recordaba continuamente con un punto de dramatismo del que ya no podían desprenderse las operaciones militares en la frontera renana. En palabras de Tácito²², Germánico se veía perseguido, durante su estancia en el Rin, por la imagen onírica de Varo, al tiempo que la recuperación de las insignias legionarias y de los soldados vencidos en Teotoburgo se convertía en una prioridad para los romanos desplazados hasta aquel lugar²³.

La imagen ya fijada de Varo aparecía también en las biografías que Suetonio dedicó a Augusto y a Tiberio. El general, temerario y negligente, había perdido las legiones y con ello había debilitado la posición política de Augusto. El biógrafo de los césares reflejaba mejor que nadie las más que probables dificultades provocadas por el impacto de la noticia en la opinión pública. Las medidas que, según las noticias de Suetonio, tomó Augusto a partir de ese momento, demuestran que la situación se había hecho muy delicada para el Príncipe, que necesitó tomar iniciativas en diferentes ámbitos, pero especialmente a dos niveles²⁴: la presentación a la opinión pública y la respuesta institucional. Para lo primero, se transmitió el duelo del monarca, que se lamentaba de una pérdida de la que culpaba a Quintilio Varo y en la que no aceptaba ninguna responsabilidad política, mientras demostraba públicamente que buscaba la ayuda de los dioses. En lo segundo, renovaba los gobiernos provinciales para impedir revueltas o ataques en las fronteras, y disolvía la guardia de germanos que le había protegido hasta entonces. La envergadura de las medidas y el interés de Suetonio por transmitir las permiten suponer lo delicado de la situación, aún cuando la opinión pública está muy pobremente representada en la literatura latina de época imperial.

²² Tac., *Ann.* 1, 65, 2.

²³ Tac., *Ann.* 1, 60, 3; 12, 27, 2. El historiador recordaba también la suerte corrida por la familia directa de Varo, con la acusación y condena de *Claudia Pulchra* (Tac., *Ann.* 4, 52) y más tarde de su hijo y homónimo (Tac., *Ann.* 4, 66, 1). Sobre las verdaderas causas de esta persecución: *I. Cogitore*, *La légitimité dynastique d'Auguste à Néron à l'épreuve des conspirations*. Roma 2002, 117-119.

²⁴ Suet., *Aug.* 23, 1-2; y 49, 1. El biógrafo admitía el impacto que la derrota tuvo en Roma: Suet., *Aug.* 17, 2, cuando Tiberio evitó la celebración parcial del triunfo (*triumphum ipse distulit maesta civitate clade Variana*).

El recuerdo de Varo en la obra de Floro

Una cuestión diferente es el tratamiento del personaje en la obra de Floro. Cuando el autor escribió su *Epítome de Tito Livio*²⁵, se vió necesariamente limitado por el propio carácter de la obra, que le exigía brevedad y una necesaria renuncia a la introducción de detalles en la narración. La importancia histórica de la derrota de Varo en el bosque de Teotoburgo obligaba, sin embargo, a dedicarle un espacio en el relato de los acontecimientos dentro de la narración de la guerra contra los Germanos, tal y como exigía la propia estructura del Epítome. En la obra de Floro, la imagen de Varo había evolucionado²⁶. En palabras del epitomista, el general era un hombre imprudente e inexperto, que había caído en las trampas de los líderes germanos y cuya falta de experiencia le había llevado a la derrota en aquel lugar de la lejana Germania. Pero el autor añadía otra característica al derrotado Varo, la “*saevitia*”²⁷, que daba un nuevo giro al recuerdo del personaje. Floro había utilizado el término para referirse a otros acontecimientos de la historia de Roma, especialmente al ocuparse de la guerra civil entre Mario y Sila, en la que el propio carácter del conflicto denigraba a los contendientes²⁸. Fuera de este contexto, Mithridates había sido merecedor de esta consideración²⁹ y, por supuesto, Quintilio Varo.

Floro se permitió un reproche a la política exterior augustea que se escapa del tratamiento general en las fuentes³⁰. La decisión arriesgada de Augusto de conquistar la Germania no parece haber sido bien aceptada por el escritor, que manifiesta un deseo de que no se hubiese iniciado la empresa militar más allá del Rin. La postura no es un hecho aislado, sino que responde a una línea política que puede apreciarse en otros fragmentos de la obra. Sirva como ejemplo la moderación de Augusto en el bajo Danubio, en donde respondió al peligro Da-

²⁵ *Historia Romana. P. Jal*: (ed.), Florus. Œuvres. Paris 1967, 2 vols. Sobre la “fidelidad” de Floro a la obra de Livio y la posible dependencia de un epítome tiberiano, *vid. L. Bessone*, La tradizione epitomatoria liviana in età imperiale, en ANRW, II. 30.2, Berlin–New York 1982, 1230-1263; *L. Bessone*, La tradizione Liviana. Bologna 1977.

²⁶ Flor. 2, 30, 39: en el contexto del *bellum Germanicum*, relata el episodio de Varo, calificado aquí también como *clades* y con un dramatismo deliberadamente estudiado. *R. Wiegels*, Die Varusschlacht – ein unlösbares Rätsel?, en *op. cit.* en n. 14, 19: menciona entre otras fuentes el “*rhetorisch fantasievoll aufgeputzten Werk des L. Annaeus Florus*”; *U. Schmitzer*, Velleius Paterculus und das Interesse an der Geschichte im Zeitalter des Tiberius. Heidelberg 2000.

²⁷ Por el contrario, en la obra de Floro, la acción romana debía estar dirigida por la *Virtus*. Sobre *Virtus* y *Fortuna* en Floro, *vid. A. Garzetti*, Floro e l’età adrianea. *Athenaeum* 52 (1964) 136-156.

²⁸ Flor. 2, 9, 1 ss. Para la guerra civil vista por un especialista en la obra de este autor, *vid. P. Jal*, La guerre civile à Rome. Étude littéraire et morale de Cicéron à Tacite. Paris 1963. Para la guerra civil en la obra de Floro, *vid. la* Introducción de *P. Jal*, *op. cit.* en n. 25, IX-CXI.

²⁹ Flor. 1, 40, 6.

³⁰ Flor. 2, 30, 21: *Germaniam quoque utinam vincere tanti non putasset.*

cio con una campaña para expulsar al enemigo al otro lado del río, hacia sus territorios, aplazando una conquista que, como Floro sabía, se iba a producir mucho más tarde. El escritor recordaba esta prudencia en la actuación romana contra los Dacios y contra los Sármatas³¹, para introducir a continuación la crítica a la política renana.

Sin embargo, la intención de Floro no era la de hacer una crítica general de la política exterior augustea, como queda demostrado a lo largo de su escrito, que como es sabido, consiste sobre todo en una glorificación de la obra romana, tanto en su política de expansión republicana como en la culminación de un imperio territorial bajo el reinado de Augusto. La clave para entender la postura de la mayoría de los escritores latinos frente a la formación de un imperio territorial está en que, desde época tiberiana, la expansión se convirtió en un asunto oficialmente terminado. La muerte de Augusto cambió la frecuencia de las guerras de expansión. Las posteriores generaciones de romanos se aferraron a este discurso como el único medio de salvaguardar la integridad del imperio y la literatura altoimperial transmitió estos valores de moderación y cambio de pulso en la nueva política fronteriza y en el tratamiento de los pueblos vecinos. Esta moderación era también un asunto asumido por Anneo Floro, quien, a propósito de la guerra en Germania, se atrevía a recordar la dificultad de conservar los territorios conquistados³². Las guerras exteriores que Roma había librado hasta entonces, se aceptaban y engrandecían, como una condición necesaria para que no hubiera un cuestionamiento del estado territorial formado hasta el año 14 d.C. Esto significaba la aceptación de las guerras de conquista republicanas y de la actividad bélica augustea como una política de hechos consumados. Frente a la idea, defendida en ocasiones, de un Floro “militarista” en las guerras exteriores y “pacifista” en las guerras civiles³³, hay que ver más bien a un escritor que defiende el sistema ya aceptado, mediante la defensa de la obra

³¹ Flor. 2, 28, 18-19 y 2, 29, 21 respectivamente. A continuación comienza el capítulo de la guerra contra los Germanos, en donde se puede ver la diferencia de opinión con respecto a las dos precedentes: las dos primeras fueron tratadas como ataques prudentes por motivos de seguridad, que no iban seguidas de conquista y anexión; la tercera era para el autor una empresa imprudente e innecesaria llevada a cabo por motivos políticos y no militares. No en vano, el profesor R. Wiegels eligió unas palabras de Th. Mommsen para comenzar su artículo (*R. Wiegels*, op. cit. en n. 14, 8: “*Die Varusschlacht ist ein Rätsel, nicht militärisch, aber politisch...*”); *L. Bessone*, La storia epitomata. Introduzione a Floro. Roma 1996, 79-80, y especialmente n. 30.

³² Flor. 2, 30, 29: ... *difficilius est provincias obtinere quam facere ...*

³³ *P. Jal*, op. cit. en n. 25, CVIII; *L. Bessone*, op. cit. en n. 31, *passim*, con la interpretación del autor para cada una de las guerras republicanas, que habían contribuido al engrandecimiento de Roma cuando se habían realizado según la “*Virtus*” que debía dirigir la actuación con los pueblos vecinos. *Vid.* también aquí la discusión sobre la bibliografía anterior para esta cuestión. Sobre la visión de Floro a propósito del estado universal augusteo como una obra perfecta: *V. Alba*, La concepción historiográfica de Lucio Anneo Floro. Madrid 1953.

de expansión romana hasta la muerte de Augusto y su cuestionamiento en los reinados siguientes. La crítica podía centrarse en las campañas posteriores al 14 d.C., aunque una gran derrota como la de Varo animó a Floro a dejar por escrito una crítica puntual al asunto de Germania. En esta línea, el Epítome recordaba a Quintilio Varo como el artífice de la derrota y a Augusto como el responsable de una decisión política orientada a satisfacer los deseos de emular a su padre adoptivo.

La investigación actual sobre el *Epítome de Livio* se centra en la fijación de una cronología de la obra. Frente a la tesis de que Floro habría escrito bajo el reinado de Adriano, algunos investigadores han preferido retrasar su elaboración al reinado de Antonino Pío³⁴, aunque hay un reconocimiento de que el escritor no era ajeno a la línea política establecida en el poder romano durante el reinado de Adriano³⁵. A la muerte de Trajano, la necesidad de volver a la mode-

³⁴ Entre la amplia bibliografía, con diferentes argumentos y conclusiones: P. Jal, op. cit. en 25, CIV-CXI, concluye que la obra se redactó bajo el gobierno de Adriano; igualmente, A. Garzetti, op. cit. en n. 27; L. Havas, *Zur Geschichtskonzeption des Florus*. *Klio* 66 (1984) 590-598: concluye que la obra de Floro está en sintonía con la dirección política de Antonino Pío y que podría haberse escrito bajo su reinado. Esta idea se refuerza en L. Havas, *Zum aussenpolitischen Hintergrund der Entstehung der Epitome des Florus*, *ACD* 24 (1988) 57-60, a partir del tratamiento de la política oriental republicana. Frente a esta tesis, K. A. Neuhausen ha reivindicado una cronología augusteo/tiberiana: K. A. Neuhausen, *Florus Einteilung der römischen Geschichte in Lebensalter*. Paris 1992, *passim*; K. A. Neuhausen, *Florus' Einteilung der römischen Geschichte und seiner historischen Schrift in Lebensalter. Echte und interpolierte Altersstufen im überlieferten Prooeme als Schlessel zu einer neuen Datierung der 'Epitome'*, en H. Dubois-M. Zink (eds.), *Les âges de la vie au Moyen Âge*. Actes du Colloque du Département d'Études Médiévales de l'Université de Paris-Sorbonne et de l'Université Friedrich-Wilhelm (16-17 mars 1990). *Cultures et Civilisations Médiévales VII*. Paris 1992, 217-252, con el estudio de las "edades" de la historia floriana y con la cronología augustea como una cuestión abierta pero muy probable, así como su precedente en 1804 a partir de F. N. Titzze; K. A. Neuhausen, *Der überhörte 'Schwanengesang' der augusteischen Literatur: eine Rekonstruktion der Originalfassung (um 15 n. Chr.) des bisher dem 2. Jahrhundert zugeordneten Geschichtswerkes des Florus*. *ACD* 30 (1994) 149-207, en particular pp. 195 ss. (*terminus post quem* el 17 de septiembre del 14 d.C., por la *consecratio* de Augusto) y pp. 185 ss (*terminus ante quem* en 15/16 d.C., antes de que Germánico recuperara las águilas legionarias). Entre el conjunto de obras sobre Floro del profesor Luigi Bessone puede citarse, con la vuelta a la cronología adrianea: L. Bessone, *Ideologia e datazione dell'Epitoma di Floro*. *Giornale Filologico Ferrarese* 2 (1979) 33-57; *Id.*, *La Storia Epitomata*, op. cit. en n. 31, en particular pp. 123 ss. y la bibliografía citada en n. 25 de este artículo.

³⁵ L. Havas, *Zur Geschichtskonzeption des Florus*, op. cit. en n. 34, pp. 592-593, considera que el tratamiento del tema de la defensa y expansión del Imperio está en consonancia con la actuación de Trajano, lo que contribuye a fijar una fecha posterior a la muerte de Adriano para la obra de Floro, más en consonancia con Antonino Pío. Sin embargo, me parece indudable que, al comienzo de su reinado, Adriano buscó un apoyo político en las conquistas de Trajano, como recurso frente a una dudosa legitimidad sucesoria. Si bien su política exterior iba a cambiar radicalmente, su llegada a Roma como nuevo príncipe, de la mano de un triunfo póstumo de su pre-

ración en política exterior llevó al nuevo grupo de poder en torno a su sucesor a realizar un cambio radical en su actuación militar y diplomática en las fronteras³⁶: abandono de los territorios orientales y reorganización de las regiones transdanubianas anexionadas a Roma, como una aceptación de los hechos consumados; las provincias no podían abandonarse³⁷. Las consideraciones de Floro sobre las guerras exteriores del estado romano sancionaban estos principios de moderación política y contención militar. La línea directriz en el *Epítome*, por lo que se refiere a las guerras exteriores, consiste en: aceptación de las fronteras establecidas hasta la muerte de Augusto; y defensa de actuaciones militares puntuales al otro lado de la frontera que no supusieran permanencia ni conquista, sino disuasión, dejando claro que sólo este carácter coyuntural y preventivo les daba validez. Frente a la prudencia que Floro atribuye a Augusto en otros territorios, como Dacia, el intento de conquista de Germania rompía este principio de seguridad sin expansión. El recuerdo de Teotoburgo servía al autor para escenificar esta imprudencia y su responsable militar se transformaba en un individuo reprobable en lo profesional y en lo personal, dando de nuevo un salto cualitativo en la evolución de la imagen *variana*. La nueva política de paz inaugurada por Adriano estaba sin duda en la raíz de esta interpretación, que reflejaba una necesidad acuciante de frenar la expansión de Trajano.

Autores posteriores no parecen haber recogido fielmente el testigo de Floro en la descripción de Quintilio Varo. En época severiana, Dión Cassio³⁸ dedicó una atención considerable a la derrota de Teotoburgo, relatando la táctica de guerra utilizada, la crueldad del guerrero germano y las penalidades de los romanos hasta su derrota final. En sus palabras no había una crítica explícita al carácter de Varo. Ningún término despectivo fue dedicado al general, pero la narración completa de los acontecimientos dejaba claro que el escritor severiano aceptaba la imagen de un Varo inexperto y negligente, excesivamente confiado por falta de conocimientos sobre los verdaderos peligros a los que se enfrentaba en Germania. Nada, sin embargo, se decía de la “*saevitia*” de Floro, ni en Dión Cassio ni en las siguientes generaciones de escritores, aunque su recuerdo se había visto afectado ya por los cambios de imagen a partir de Floro.

decesor, no le vino mal, y lo utilizó con todas sus posibilidades. Sobre la imagen de Adriano en la historiografía actual, *vid.* A.R. Birley, *Hadrian: the Restless Emperor*. London 1997.

³⁶ M^a P. González-Conde, *La guerra y la paz bajo Trajano y Adriano*. Madrid 1991.

³⁷ *Id.*, Dacia provincia: un problema para Adriano en el bajo Danubio, en S. Crespo Ortiz de Zárate y A. Alonso Ávila (eds.), *Scripta antiqua in honorem Ángel Montenegro Duque et José María Blázquez Martínez*. Valladolid 2002, 397-402, especialmente 399-401.

³⁸ Cass. Dio 56, 18, 3-56, 23, 1; aunque hay ecos de la derrota de Varo también en: 57, 5, 4; 57, 18, 1; 57, 20, 2; y 60, 8, 7; G. Cresci Marrone, *Ecumene augustea: una política per il consenso*. Roma 1996, 62-63, a propósito de que Dión Cassio censuró el material anti-augusteo, aunque otros autores anteriores sí hicieron ligeras críticas a la expansión hasta el Elba.

Los valores estoicos de *virtus* y *iustitia* con los que un gobernante debía actuar para justificar su poder, habían sido claramente abandonados por Varo en los relatos de los escritores posteriores, especialmente en lo que se refería al tratamiento de los Germanos, que quedaban reducidos a la esclavitud por las órdenes de un “mal general”.

Conclusión

A lo largo de una centuria, el recuerdo de Quintilio Varo se había modificado, sufriendo una evolución que cambiaba también, en cierto modo, el sentido de los acontecimientos. La política augustea en Germania se vio frustrada a la muerte del Príncipe en el año 14 d.C. El ascenso de su hijo adoptivo, Tiberio, a la más alta magistratura del estado, propició un nuevo giro en la política exterior romana que buscaba liquidar el ritmo acelerado del expansionismo de conquista. Para justificar el cambio, Tiberio recurrió a un supuesto deseo de Augusto de que terminaran las guerras de conquista. Para este fin, resultó muy útil revivir y magnificar el recuerdo de la derrota sufrida en Germania el 9 d.C., estableciendo así el comienzo de un mito, la “*clades variana*”, con un único responsable que era Quintilio Varo. A esta situación le habría hecho frente Tiberio salvando al estado del peligro en la frontera norte y poniendo fin a la expansión. El sentido de esta versión oficial quedó expresado en la obra de Veleyo Patéculo, que daba la imagen tiberiana de la derrota en Germania.

Los escritores posteriores reprodujeron el mismo principio tiberiano: la defensa de un *limes* estático casi inviolable que remitía al propio Augusto y el recuerdo la *clades variana* como demostración de que Germania era un objetivo inalcanzable que no había que plantearse. Como consecuencia, la caracterización de Varo como único responsable del suceso se mantuvo y se exageró, al tiempo que la derrota de Teotoburgo se adornaba de detalles traumáticos para Roma.

Un siglo más tarde, las grandes guerras de conquista de Trajano apartaban de forma contundente la línea que el Principado había mantenido de forma oficial con respecto a las fronteras y que, con algunas excepciones puntuales en época julio-claudia y flavia, se había mantenido inalterable. La creación de una provincia transdanubiana ya era un hecho suficientemente significativo, al que además se añadieron las precipitadas noticias de creación de nuevas provincias orientales a medida que avanzaba la guerra contra los Partos. La muerte del Príncipe en el año 117 d.C. y el ascenso de Adriano, inauguraban una nueva política exterior que pretendía parar la expansión, aunque aceptaba lo ya realizado en Dacia. En una fecha no determinada, aunque no muy alejada de estos

acontecimientos, Floro escribía una versión de la obra de Livio en la que las guerras de conquista republicanas quedaban fuera de toda discusión, mientras que las operaciones de Augusto eran mejor aceptadas si no llevaban aparejada la expansión. El recuerdo de la *clades variana* se mantenía vivo, pero la imagen de su responsable se reactivó y se endureció. El Varo de Floro unía la crueldad a los defectos que ya le había atribuido la historiografía anterior. La derrota se identificaba así con una falta absoluta de todos los valores que, en el más estricto sentido estoico, deben mover al príncipe y a los hombres que gobiernan, junto a él, el imperio. La proyección de la figura de Adriano quería representar estos principios.

La moderación en política exterior que transmite toda la obra tenía un significado especial por la situación vivida en el imperio durante las conquistas de Trajano, y parecía responder a la visión del nuevo príncipe. Adriano evitó una crítica pública a las operaciones de su predecesor, pero se deshizo de los principales responsables del expansionismo trajaneó³⁹. La nueva consigna era la seguridad sin expansión ni conquista en las fronteras oriental y septentrional. Los escritores más cercanos al poder en esos años no fueron ajenos a estos principios, que proyectaron en su visión de la historia de Roma. El recuerdo de Quintilio Varo sirvió también a L. Anneo Floro para recordar, de forma terrible, lo que ocurría cuando se traspasaban los límites de lo razonable en política exterior y, con ello, para mostrar los valores que movían su obra, de marcado carácter adrianeo por su filosofía política y por las necesidades coyunturales de la realidad en la que vivía.

Addendum

Estando ya en imprenta este trabajo, ha aparecido el siguiente volumen: 2000 Jahre Varusschlacht. Imperium – Konflikt – Mythos. Stuttgart 2009. De especial interés para el presente artículo son las contribuciones de Z. Mari, A. H. Arweiler, K. Bringmann, T. Esch, H. U. Nuber, D. Salzmänn, W. Eck y R. Wolters.

³⁹ SHA, *Vita Hadr.* 7, 2-3. A.R. Birley, *op. cit.* en n. 35, pp. 87-88. M^a P. González-Conde, *op. cit.* en n. 36.

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VALERIUS AND DECORATUS CRESCENS ON CIL III 15169

BY GYÖRGY NÉMETH

Abstract: The paper examines a rediscovered inscription (CIL III 15169) and its dating. It raises the question why the relief depicts one man, though a father and his son were buried under the gravestone.

Key-words: CIL III 15169, Valerius Crescens, Britta, Pannonia, gravestone.

The following inscription can be found at No. 15169 in CIL III¹:

„Buda an der Südseite des Blocksberges bei dem Baue der Villa des Moritz Perczi rep., ibidem asservatur.

Protomae duae

VAL•CRESCES
ET DECORATUS
F H•S•S
BRITTA•CONIV
5 ET•F•P

Kuzsinszky misit.”

Bálint Kuzsinszky sent the inscription to the editors of the volume: Th. Mommsen, O. Hirschfeld, and A. Domaszewski. He also proposed an interpretation of the abbreviations in a study published in 1908.

¹ Suppl. II, 1. Berlin, 1902. Dorothee Janetzke-Wenzel, Ambassador of the Federal Republic of Germany to Budapest provided valuable support to this study, since the stone is erected in the garden of the residence of the German Ambassador. Ambassador permitted the examination of the inscription and allowed me to take photos. I also render my thanks to my colleagues Barnabás Lőrincz (ELTE) and Ádám Szabó (Hungarian National Museum) for their valuable pieces of advice. The author is to be held responsible for all the errors left in this study.

*Val(erius) Cresce(n)s et Decoratus f(ilius)
h(ic) s(iti) s(unt). Britta coniu(gi) et f(ilio)
p(osuit).*

He dated the inscription to the 1st century AD, due to the “simple and unsophisticated form” of its wording.²

The stone, which was supposed to be lost, is still erected in the garden where it was found. Having examined the stone, I would like to propose some changes to Kuzsinszky’s first publication.

Size of the stone according to Kuzsinszky: 160 cm high, 66 cm wide, 15 cm thick. According to my measuring: 158 cm high, 66 cm wide, yet 23 cm in thickness, which differs considerably from the original statement.

Kuzsinszky published a monochrome image (Fig. 16), which clearly shows that the relief depicts one person, a man wearing a Gallic cloak (*sagum*), thus the description “protomae duae” in the CIL publication is obviously wrong. It originates in the text of the inscription, which claims that two were buried under the gravestone.

There is no trace of later installation or fastening either on the roughly worked back of the stele or on the lateral faces. The height of the rosette of the pediment is 11 cm.

Size of the image area: 63 cm high, 43 cm wide. 52 cm is the height of the two columns at the edges of the relief, the head of each column is 5.2 cm. The right hand of the male figure wearing *sagum* grabs the fold of the cloak higher than the left.

Size of the inscription area: 50 cm high, 51 cm wide. Interestingly, the depth of the inscription area is 2.5 cm at the top and only 1 cm at the bottom.

Average height of letters in the first line: 5.5 cm.

In the second line: 4.8 cm. In the fourth line: 4.5 cm.

In the fifth line the size of letters varies radically between 4 cm (E) and 5.4 cm (P).

Considering the text of the inscription, there are only two corrections to make. First, interpunctio (•) is clearly indicated between F and H in line 3. (The distance between the two letters is considerably big, indeed.) The lower horizontal hasta of letter F is rising from left to right in both cases, so the letter can be easily mistaken with a slightly square P. Second, VAL should be read not as Valerius but as Valerii, since if Britta was the wife of Valerius Crescens and mother of Decoratus (descendant of Valerius Crescens), then it is difficult to presume that Decoratus was not Valerius.³

² B. Kuzsinszky, Magyarországán talált római köemlékek a vidéki múzeumokban s egyéb helyeken [Roman Stone Monuments from Hungary in Country Museums and elsewhere]. Muzeumi és könyvtári értesítő 2 (1908) 87.

³ This possibility was mentioned by Kuzsinszky, too, but strangely enough he did not publish the

The name Britta is worthy of attention. According to our knowledge, Britta as female cognomen is attested only four times: three times in Hispania (CIL II 805, 1335, 5812), and this once in Pannonia. We have altogether one Britta as male cognomen (CIL XIII 5020). It is conspicuous that from the three instances of Brittus we have one from Italia, one from Hispania, and one from Pannonia, yet this latter inscription has a remark: *domo hispano*.⁴ All this data leads us to the assumption that the woman, who buried his husband and son, was probably from Hispania.

There is an important question not raised by Kuzsinszky. If two were buried in the grave, why does the relief depict only one of them? I can imagine three conceivable answers.

1) When Valerius Crescens died and Britta ordered the gravestone, his son was still alive, yet when the inscription was carved, he was also dead. The present form of the inscription does not justify the assumption that the name of Decoratus was inscribed subsequently, yet I have to note that the final S of the name is carved on the frame of the inscription area.

2) Britta used the gravestone of someone else to bury his family members. The fact that such “recycling” is attested in Pannonia only much later contradicts to this assumption.

3) Britta purchased a completed gravestone with a relief at the monumental mason.

The solution may be found in the difference in the depth of the inscription area. Perhaps Britta bought a finished stone, or she had it made for her husband (there is no palpable chronological difference between the relief and the overall view of the inscription), but then she erased the original short inscription that had been written in memory of her husband (thus the upper part of the inscription area is 2.5 cm in depth), and had the new text engraved that commemorated also her son, who deceased meantime. The depth of the lower part of the inscription area did not change since there had been no text there before. The result of the secondary text engraving may be the lack of space to carve the name of Decoratus in the second line, though there would have been enough room in line 3. Letter traces of an earlier or corrected part of an inscription in the third line support this solution.

I suggest the following new formulation of reading:

text in accordance with it, cf. *ibid.* 87. col. 2.

⁴ Brittus: CIL V 5002; II 952; III 3271. Cf. *B. Lőrincz*, *Onomasticon Provinciarum Europae Latinarum*. Vol. I. Budapest 2005², 129.

VAL•CRESCES
ET DECORATUS
F•H•S•S
BRITTA•CONIV
5 ET•F•P

*Val(erii) Cresce(n)s
et Decoratus
f(ilius) h(ic) s(iti) s(unt).
Britta coniu(gi)
5 et f(ilio) p(osuit).*

On the basis of epigraphical features, the HSS formula, and the form of the name (Cresces instead of Crescens)⁵, I would date the inscription to the 2nd century AD, the Era of Severi at the latest.⁶



Fig. 1. The gravestone of Valerius Crescens and Decoratus



Fig. 2. The inscription

⁵ B. Fehér, *Pannonia latin nyelvtörténete* [A Latin Language History of Pannonia]. Budapest 2007, 399–400.

⁶ The finding circumstances of the inscription have been dealt with recently by Péter Kovács in a review, cf. Bölske. *Römische Inschriften und Funde. Antik Tanulmányok* 48 (2004) 201.

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SYRIAN NAMES GIVEN IN PANNONIA INFERIOR

BY BENCE FEHÉR

Abstract: Many people in Pannonia Inferior, who had some connection with the Syrian military units of the province, had more or less evidently barbarous names. Examining 46 such names, we can find that most of them are clearly interpretable either in Syriac or in Hebraic language, or even in both of them. Sometimes we can identify orthographic variations of these names, their religious background or even some differences in those people's use of their native language.

Key-words: Syriac, Hebraic, Ityraei, Hemesa.

As it is well known, the soldiers of the two major Syrian units in Pannonia Inferior, the *cohors I milliaria Hemesenorum* and *cohors milliaria nova Syrorum sagittariorum*, together with their family members, in their majority had Greek and Latin names; oriental names are not too frequent. It is more curious that very little attention was paid to the etymologies of those names up to now. Some other oriental names were left to us in the Aquincum area from civil persons, partially Jews,¹ who do not seem to have any connection with the above named units.

At the first view, taking into account those names that are not evidently Greek-Latin, we must consider the following people:

a) men

1. RIU 1175: *Aurelius Abibelus*, an inhabitant of Intercisa in the 3rd c., whose military relations are not known, but we may suppose from his dwelling place (and post-Marcus citizenship), that he was either a member of the Hemesan cohort, or from one's family. He had a wife of unknown name. His cognomen is clearly Syriac: *l í v i v* *My father is Bel.*

¹ For the Pannonian Jewry, see *S. Scheiber*, *Magyarországi zsidó feliratok a III. századtól 1686-ig*. Budapest 1960, 16-52, a little amplified in English: *S. Scheiber*, *Jewish inscriptions in Hungary from the 3rd century to 1686*. Budapest 1983. Regrettably he enumerates some such persons from Intercisa among his examples, who must be doubted to have been Jews, a heathen Syrian origin being more easily acceptable.

2. RIU 1184=CIL III 3334=10316: *Aurelius Abigeneus*, inhabitant of Intercisa, died at the age of 17 (2nd or 3rd decade of 3rd c., judging from his relatives' personal data), grandson of a soldier of the Hemesan cohort (see nr. 9) and son of a Legio II Adiutrix soldier. His name is clearly Semitic, several Syriac etymologies can be proposed, most likely אבא גני *my father is refuge*, nevertheless the etymologies אבא גני *my father is mercy*, אבא גני *my father Gen-naeus/Γεννέας* (the latter being an attested Syro-Arabian god's name or simply a Syriac etymological equivalent of Arabic *jinn*) were not unsupportable either.

3. RIU 1079 + RIU 1099: *Aurelius Barsamsus*, inhabitant of Intercisa (late 2nd or 3rd c.), a soldier of a cohort, in all likelihood the *mill. Hemesenorum*, being on one of his altars in the rank of an *optio*, on the other one of a *strator consularis*. His name is certainly Syriac, though it can be understood in two different ways: אבא שמש *son of the Sun* or אבא שמש *son of servant*. Since he appears to have been the worshipper of the Sun (RIU 1099: *Deo Soli*), I think the first explanation more probable.

4. RIU 524: *Aurelius Bassus, Abbosatis f(ilius)*, inhabitant of Brigetio in the middle or later Severan era, died at the age of 27. His father had been *peregrini iuris*, we do not know whether he had lived in Pannonia or not; anyway probably he died before his son, since the sarcophagus was erected by a certain Aurelius Iulianus, relative of the deceased (a Latin name, but sometimes given to people of Syrian origin, cf. nr. 18). The name of Abbosatis is evidently Syriac, but we are not able to define its original form unambiguously: the first element is אבא *father* in the *status constructus* (or maybe אבא in which case the name is not a possessive construction), but the short second element can be the Latinization of at least fifteen possible Syriac nouns, among which the most situation-prompt are two mocking expressions: אבא טא *drunkard* or אבא טא *stupidity/stupid*. Consequently his son was a Syrian immigrant who received the citizenship; his name seems Latin, moreover a typical and frequent name,² but it is also a name which appears relatively often with people of oriental origin.³ Naturally such a short name can be the Latinization of words from a lot of languages, one could find some Semitic etymologies too (cf. nr. 5), but none of them could be decisive.

5. RIU 1180: *Aurelius Bazas*, inhabitant of Intercisa, a veteran of the Hemesan cohort, born probably in Syria, or maybe Arabia (*domo Ge[rasa?]*), and therefore since he must have come with the cohort into Pannonia, died probably in the beginning of the 3rd c. Though consequently it is certain that he was a native Syrian, the etymology of his name is doubted (yet surely not Greek-Latin),

² B. Lőrincz, OPEL I² 114.

³ RIU 712, 1193, perhaps 110, 1194.

we may propose a Hebraeo-Syriac name $\alpha\upsilon\tau\epsilon\alpha\tau$ = $\alpha\tau$, or $\alpha\upsilon$ (from a Syrian geographic name), or $\alpha\tau$ *teat?

6. RIU 1181: *Aurelius Cassianus*, inhabitant of Intercisa, died at the age of 4 (end of 2nd-beginning of 3rd c.),⁴ son of a beneficiarius of the Hemesan cohort, whose father had a Latin name: *Silvanus*,⁵ but he was born in Hemesa in all likelihood.⁶ Obviously, the origin of the cognomen *Cassianus* is not necessarily Semitic, and it can be well etymologized in Latin, or rather it is frequent in Pannonia that the Cassius-type names appear as Latinizations of Celtic names.⁷ Yet it is unlikely that people with such a family background wore Celtic names, and we know at least one surely Semitic person with the name *Cassia*,⁸ whose name was etymologized from Hebrew with reliability enough.⁹ Consequently we must propose that the cognomen *Cassianus* was formed as a male equivalent of the Hebraeo-Syriac name *Cassia* = $\alpha\upsilon\tau\epsilon\alpha\tau$ = $\alpha\tau$ (yc q). As for the source language, the family context makes the Syriac more probable than the Hebrew.

7. RIU 1182: *M. Aurelius Cerdon*, veteran inhabiting Intercisa, former *curator Cohortis mill. Hemesenorum*, born in Arethusa (three such cities are known,¹⁰ but only that in Syria is likely because of the cohort). Because of his origin he seems to have come with the cohorts and therefore died in the early 3rd c. He had five known descendants, the majority of them bearing Greek-Latin names (among them also *Silvanus*, cf. note 5), but at least one Syriac (nr. 34), and consequently we may suspect his native language was Syriac. Yet his name is not pointing necessarily thereto, Κέρδων being a well-known Greek name in

⁴ As *E. Schallmayer-K. Eibl-J. Ott-G. Preuss-E. Wittkopf*, *Der römische Weihebezirk von Osterburken I. Corpus der griechischen und lateinischen Beneficiärer-Inschriften des römischen Reiches* (Stuttgart 1990 Nr. 399, similarly 404) date it.

⁵ Yet this name was frequently given in the Syrian milieu of Intercisa (cf. RIU 1182, 1195 [born in Hemesa], 1204, perhaps TRH 162 and IIL 193), and it occurs in Ulcisia too (RIU 879, though this man's nationality is wholly unknown); already in the 2nd c. in the case of a soldier born in Palaestina (cf. *A. Mócsy*, *Bevölkerung von Pannonien bis zu den Markomannenkriegen*. Budapest 1959, 249, n. 185/8); it seems to have been an *a la mode* name used among the Syrians.

⁶ Probably the same man appears in the inscription RIU 1203 too, for his name see *B. Fehér*, *Pannonia latin nyelvű története* [The history of the Latin Language in Pannonia]. Budapest 2007, 484, note 4.

⁷ *W. Meid*, *Keltische Personennamen in Pannonien*. Budapest 2005, 262-263.

⁸ RIU 787=CIGP² 86, from Solva (see nr. 41).

⁹ *Scheiber* op. cit. (note 1) 27.

¹⁰ Steph. Byz. *Ethn.* p.116: Ἀρέθουσα, πόλις Συρίας καὶ Θράκης καὶ Εὐβοίας. The Syrian city was, according to the *ItAnt* 188. 194, only 16 miles from Hemesa, therefore practically there can be no doubt about the identification (more amply see PWRE II 680).

the imperial era too,¹¹ but since his Syriac origin is probable, and we can commend a possible Syriac etymology too (ܐܒܘܐܘܪ or ܐܒܘܘܪ! *castor-oil plant, bedbug?*), it must not be excluded either, or, even more likely, one may suspect a double etymology: a traditional Greek name given with the conscious background of a similarly sounding Syriac name.¹²

8. *BudRég* 14 (1945) 541: *Aurelius Deipas*, an inhabitant of Aquincum, *ensor*, probably late 2nd c. His name is barbarous, but no reliable etymology was found in any language until now. Though we may suspect from the name of his wife (cf. nr. 32), that they were of Syrian origin, no good Syriac etymology can be found either.

9. RIU 1184=CIL III 3334=10316: *M. Aurelius Deisan*, veteran inhabiting Intercisa, former *stor* (= *stator?* *strator?*) *tribuni cohortis mill. Hemesenorum*, born in Hemesa, come with the cohorts into Pannonia, still living when his grandson died at the age of 17, cf. nr. 2 (supposing a normal consequence of generations, it occurred most probably in the 2nd or 3rd decade of 3rd c.). His name must be oriental, it can be explained most easily as ܢܝܣܐ which was the name of the river of Edessa.¹³

10. RIU 1190: *M. Aurelius Malchian[us]*, soldier of Legio II Adiutrix, inhabitant of Intercisa, perhaps from the end of the 2nd c. There is no indication of his native land or language, and having been served in the legion, we would not suspect an oriental origin of his but from the find spot; yet his name is unambiguously Semitic, Hebraic (ܚܝܩܠܡ) or perhaps Syriac (possibly ܐܠܥܝܐ! *royal*). All the other names in his family are purely Latin (*Verecunda*, *Marcellinus*, [*Pulc*]rha?, *Optata*), and although the name form looks more like Hebraic than Syriac, there is no positive indication, that he had been a Jew, while in Intercisa he might naturally be supposed to be of Syrian, most probably Hemesan, origin.

11. RIU 1189=CIL III 10315: *M. Aurelius Malci[h]ia[s? -nus?]*, a soldier of the Hemesan cohort serving in various ranks (*strator officii [consularis]*, [*ex sum*]mo *curatore, signifer*), from Intercisa, died at the age of 55-59 in the 1st half of the 3rd c. Concerning his name, we can say the same as in nr. 8; though his native land was not mentioned, it is quite possible that he was born Syrian.¹⁴

¹¹ P. M. Fraser–E. Matthews, *A Lexicon of Greek Personal Names I-IV*. Oxford 1987-2008, I 254, II 257, IIIa 450, IIIb 229, IV 190: in sum exactly 100 occurrences, about a half of them from the imperial era.

¹² Anyway the orthography of the name seems to belong a non-classical, semi-barbarous level, since the name Κέρδων is Latinized mostly as *Cerdo* (ThLL Suppl. C 335-336); maybe the memory of the barbarous name laying behind retained the *-n* at the end.

¹³ Cf. the well-known name ܢܝܣܐܪܘܒܐܢܐ (*Bardesanes*).

¹⁴ Scheiber op. cit. (note 1) 37-41 holds that he was Jew, unambiguously deducing his name from the Hebraic ܚܝܩܠܡ, which is possible (certainly there were Jews in Hemesa, cf. ibid. 30, and the

12. RIU 1470: *M. Aurelius Mamaeanus*, known from Annamatia, soldier of an unknown unit. Since his name is most likely a Latinized Syriac one (ܐܘܪܝܠܝܘܣܝܢܐ / ܐܘܪܝܠܝܘܣܝܢܐ), it is conceivable that he served in the nearby Intercisa, in the Hemesan cohort, probably in the 3rd c. All his other personal data and family relations are unknown.

13. RIU 1082: *Aurelius Mammianus*, inhabitant of Intercisa in the 3rd c., veteran (the unit where he had served is not named, the Hemesan cohort is the most likely), his other personal data and family relations are unknown. His name seems to be of the same origin as the former one.

14. RIU 1165: *Aurelius Manaia*, a veteran inhabitant of Intercisa, probably from the 2nd half of the 3rd c. His wife was of Armenian origin (Aurelia Nardanosa), the text of her funerary inscription itself shows traces of an oriental person's imperfect Latinity.¹⁵ Consequently, possibly the husband was Armenian too, in which case his name is less likely Syriac; yet at least one Syriac etymology is obvious (ܐܪܝܬܡܝܩܝܬܝܢܐ *arithmetical master*) and sounding exactly the same, another obvious Persian–Mesopotamian name, which were natural to be used in Armenia too, that of the (contemporaneous) prophet Mani, was also known in the Syriac language too (ܡܢܝܐܝܢܐ).¹⁶ On the other hand, it is by no means certain that an Armenian woman's husband was native Armenian too, even though his Latin parlance was imperfect, he might be an Intercisan with the more common Syrian origin too.

There are six people from Intercisa bearing the same oriental name:¹⁷

15. RIU 1086: *Aurelius Monimus*, inhabitant of Intercisa, veteran of an unknown unit, probably the Hemesan cohort, from the end of the 2nd-3rd c., familiar relations unknown;

16. TRH 150: *Aurelius Monimus*, inhabitant of Ulcisia,¹⁸ decurio of the *Cohors mill. nova Surorum sagittariorum* in the 1st half of the 3rd c., familiar relations unknown;

sepulchral monument does not show any clearly heathenish peculiarity), but not necessary at all. The same must be true for Nr. 7.

¹⁵ *Fehér* op. cit. (note 6) nr. 135, cf. p. 140 note 29.

¹⁶ The etymology of the name is still dubious: cf. *Thesaurus Syriacus* ed. R. Payne Smith, New York 1981, 2172: 'Manes vox Chaldaeis et Syris vas vestem et instrumentum quodlibet significat (sc. ܡܢܝܐܝܢܐ); Persis vero teste S. Cyrillo Hierosol. ὀμιλίαν id est adlocutionem ... reapse vox Pers. ܡܢܝܐܝܢܐ rarus, unicus componitur.'

¹⁷ For the occurrences of the name *Monimus* in the Latin-speaking areas see B. Lórinicz, *OPEL* III 86. Though naturally it is an original Greek name too, the geographical division of its usage excludes that here it was given as a Graecism (a few occurrences from the late republican/early imperial era are known from Italy, and practically all the others appear in the classical or Hellenistic Thessalia, cf. *Fraser–Matthews* op. cit. (note 11) IIIa 305, IIIb 293).

¹⁸ The stone was found in the nearby Szigetmonostor, in a certainly secondary usage.

17. RIU 1193: *Aurelius Monimus*, inhabitant of Intercisa, *beneficiarius tribuni cohortis mill. Hemesenorum*, died some years over 40 (after 24 years service) in the 1st half of the 3rd c., familiar relations unknown;

18. RIU 1194: *M. Aurelius Monimus*, inhabitant of Intercisa, *decurio cohortis mill. Hemesenorum*, born in Hemesa, died at the age of 64 (about the 2nd decade of the 3rd c.); his wife had a barbarous name (see nr. 37), but his son a Latin one (*Iulianus*);

19. RIU 1184=CIL III 3334=10316: *Aurelius Monimus*, son of Nr. 9, who had been born in Hemesa, served as a *strator*; his age and relations see there;

20. RIU 1195: *M. Aurelius Monimus*, inhabitant of Intercisa, a veteran of the Legio II adiutrix, died at the age of 50 before the middle 3rd c.; his father was a Hemesan with the name Silvanus (cf. note 5), his other relatives had Greek-sounding names.¹⁹

The name is clearly connected with Syria, being an Edessan deity's name, who was interpreted in the antiquity as Mercurius/Hermes,²⁰ and therefore as personal name it must be thought of the same value, as the frequent²¹ *Mercurius/Hermes* cognomen. But as the (at least) six occurrences show, it was especially popular among the population coming from Syria, maybe as a sign for the retention of their religious inheritance. As for the origins of the name itself, though it is known in Syriac as a personal name (𐤌𐤓𐤅)²², its etymology is still unclear, it is possible that it was used originally by Greek-speaking Edessans, since it can be etymologized from Greek without difficulty.²³

21. RIU 1205 contains probably the same name abbreviated: *Aurelius Mon(imus?)*, a soldier of Intercisa (probably from the *numerus equitum scutariorum*) from the end of the 3rd-beginning of the 4th c. He had a brother with a Latin name (*Valens*);²⁴ judging from the era, the family was probably Latin-

¹⁹ See more detailed *Fehér* op. cit. (note 6) 262 note 2., with its Greek parallels.

²⁰ Iulianus, *Orat.* 34 (IV 195.p.): Οἱ τὴν Ἑδεσσαν οἰκοῦντες ἱερὸν ἐξ αἰῶνος Ἡλίου χωρίον, Μόνιμον αὐτῶν καὶ Ἀζιζὸν συγκαθιδρύουσιν. ... ἐλάβομεν, ὡς ὁ Μόνιμος μὲν Ἑρμῆς εἶη, Ἀζιζὸς δὲ Ἄρης.

²¹ In Pannonia we know 10 occurrences of Hermes, but only two of Mercurius (*E. Vorbeck*, *Zivilinschriften aus Carnuntum*, Wien nr. 19 [...]*Jcurius*, 214) – yet it was modestly frequent in the European provinces, see *B. Lőrincz*, *OPEL* III 77, where it has 35 occurrences.

²² *R. Payne Smith* (ed.), *Thesaurus Syriacus*. New York 1981, 2172, with the loci where it appears.

²³ Yet as we can see from the data of Iulianus, the other lesser deity of the Edessan triad had a clearly Syriac name (Ἀζιζὸς = 𐤌𐤓𐤅!strong). This deity was also worshipped in Intercisa, as we can doubtless see from the dedication *Deo Aziz[o]*, RIU 1053.

²⁴ Hypothetically one could say it was the translation of 𐤌𐤓𐤅, and then the two brothers wore the two supreme deities' names.

speaking, where the given name must have been Syriac only from the family tradition.

22. RIU 891: *Aurelius Monnius*, inhabitant of Ulcisia probably from the 1st half of the 3rd c., we do not know anything about his military or family relations (he was a member of the *collegium fabrum*), but in Ulcisia it is quite credible that he belonged to an oriental family, and his name seems to be most likely the same as the above treated *Monimus*.

23. RIU 1201: *Aurelius Salamas*, a veteran of Intercisa, *ducenarius*, died at the age of 70 in the end of the 3rd-beginning of the 4th c. His family relations are unknown, save for his son's-in-law name. As for his origin, his epitaph reads *Aedesitanus*, which is a problematic expression. Naturally, being an Intercisan monument, we must think of Edessa at the first view, in which case the name seems to be Hebraeo-Syriac (אֶדְסָא, אֶדְסָא, ἡμι δ, or see nr. 24), but the normal adverb from the name Edessa were *Edessaeus*, rarer *Edessenus*.²⁵ As for the initial E transformed into AE, it is a hypercorrection though not too frequent, yet well known in Pannonia,²⁶ and the Latinity of the inscription is base in other respects too.²⁷ But there occurs another possibility, which avoids the anomalies of the name, since we know another locality named Ἄιδεσσα/Edessa in Macedonia.²⁸ Though we do not know other people in Pannonia originating therefrom, yet a man born certainly in the 3rd c. (and probably not in its first years) was nothing more likely to have immigrated to Intercisa from the Syrian Edessa, than from Macedonia. If it were so, we ought to explain his name from another language.²⁹

24. RIU 1202: *M. Aurelius Sallumas*, a veteran of the Hemesan cohort, *tesserarius*, inhabitant of Intercisa. He was born in Hemesa, and therefore come into Pannonia with the cohorts, and still living at the age of 80, that is, some time about the 4th decade of the 3rd c. His name is openly Hebraeo-Syriac (mL # = מֵלֶךְ, the man himself seems to have been no Jew but a Syrian.³⁰

25. RIU 1215 = CIL III 10320: (...) *Monimus Aglavus*, or *Monimius Aglavus*, or *Monimus Aglavi (f.)*, a veteran of an unknown unit, probably in Intercisa, and therefore the unit was most likely the Hemesan cohort, in the 1st half

²⁵ Cf. Steph. Byz. *Ethn.* p.22, p.158, 260-261, where he does not discern the Macedonian Edessa either.

²⁶ *Fehér* op. cit. (note 6) IV 3.4.1.1., note 4 with examples.

²⁷ For the *militavi* S/3 form see *Fehér* op. cit. (note 6) III 3.1.4.2., in his see *ibid.* II 1.4.3., A^NN^S = *annis* and CEI^NER = *gener* with writing failures.

²⁸ Cf. Ptol. *Geogr. hyph.* III 13, 39., VIII 12, 7. It was practically a suburb of Aigai.

²⁹ It is naturally unlikely, but not quite impossible, since we know the similar Σάλμος name from Thracia (*Fraser-Matthews* op. cit. [note 11] IV 303).

³⁰ Though *Scheiber* op. cit. (note 1) nr. 7 asserts the contrary; yet the epitaph begins with *D(is) M(anibus)*, which probably indicates that he was a heathen.

of the 3rd c. His daughter see nr. 36. The first of his names shows his Syrian origin, being the same as in nr. 15-20; it is indifferent whether it was similarly a *cognomen* or used as a *gentilium* (unofficially?); on the other hand, his other name seems to be Greek (ἄγλαός), except for an unlikely possibility it is a Latinization of אגל *Abeing from the Mesopotamian city Agel*. Whether his native language was Greek or Syriac, we cannot know, even though he was born most probably in Syria, being without doubt over 70 at the time, when the stone was erected.

26. RIU 1073 = CIL III 10307: *Barsemis Abbei (filius)*, a soldier in Intercisa about 240 AD,³¹ who was translated into the Hemesan cohort from the *ala Firma Catafractaria*, where he had been *decurio*, born in Carrhae (Mesopotamia), said to be *Chosroenus*. His name is clearly Syriac, but several parallel etymologies can be proposed (perhaps the same as Barsamsus, nr. 3, i.e. אבֿן שֿון *son of the Sun* or אבֿן שֿבֿת *son of servant*; or else a colloquial diminutive form, or אבֿן עֿר *son of the blind one* (surely contemporary, being an Edessan Christian martyr's name from Trajan's era), or a Hebraic-Syriac compound with the biblical names הַיִּלְמָשׁ / יְלִמְשׁ (אבֿן עֿר / יֵשׁוּעַ *rv*),³² his father's one too: אבֿן פֿטרֿ = פֿטרֿ *pater/patricius*, יֵשׁוּעַ = יֵשׁוּעַ or the biblical אבֿן חֿבֿי = חֿבֿי),³³ partly his relatives had oriental names too (see nr. 35, 39).

27. TRH 214 = CIL III 10611 = CIGP² 101: Βηνειαμί, Jew, living in the 4th c. somewhere in the area of Aquincum.³⁴ His name is doubtless Hebraic: }מֵינְבֿ.³⁵ His father was called Ἀνεστάσιος with a Greek name, which could be the translation of a Hebrew one,³⁶ his mother Δηκοῦσα (see nr. 41), the inscription is in Latin written with Greek characters: seemingly the family's native language was Greek,³⁷ which is a normal feature for Jews of the western provinces.³⁸

³¹ Cf. B. Lőrincz, *Die römischen Hilfstruppen in Pannonien während der Prinzipatszeit I. Die Inschriften*. Wien 2001, nr. 320.

³² Thus also by Scheiber, op. cit. (note 1) 38, without a detailed etymology. Practically the same name appears in Dacia as *Barsemei* (IDR III/3, 299), *Barsimsus* (CIL XVI 107), which latter favours to our first etymological attempt, but the former to the last variation.

³³ 1Sam 8,2. יֵשׁוּעַ is known in a Christian milieu, as a bishop's name (*Payne Smith* op. cit. [note 22] 13).

³⁴ The monument was found secondarily in Albertirsa, in the Barbaricum, whereto it was carried most likely from Aquincum, or perhaps from the neighbourhood.

³⁵ Scheiber, op. cit. (note 1) 21, nr. 1, speaks for a Greek transliteration *Beniamis*.

³⁶ Scheiber, op. cit. (note 1) 21: { יֵשׁוּעַ }.

³⁷ The examples for character mistakes in the Pannonian inscriptions show that there were Pannonians with a Greek native language who tried to express their thoughts on Latin, influenced by the expectancies of their community, see *Fehér* op. cit. (note 6) VI 1.2.1.8. Generally the rate of those with a Greek native language was certainly higher than those taking it down (*ibid.* 1.1.1.),

28. RIU 1051 = CIL III 3327: *Cosmius*, Jew, living in Intercisa in the era of Alexander Severus. He held the office of the *praepositus stationis Spondill(...)*, a probably nearby location unknown up to now, and was called *a(rchi)synag(ogus)* in all likelihood.³⁹ The origin of his name is highly doubtful. *S. Scheiber* proposed some Hebrew etymologies:) ms yq or) ms q,⁴⁰ but these cannot be quite easily transliterated to Latin as *Cosmius*. The same can be said about the Syriac ~~ܐܘܨܡܝܘܣ~~ *!fortune-teller, seer*, adding that he was doubtless a religious Jew, and a name of such meaning were unlikely for such people. Taking into account that his native language could be Greek even as we see in nr. 27, 29, 40, 41, most easily we may see in it an original Greek name, though certainly it is not a frequent one either.⁴¹ Perhaps we can suppose kind of a double etymology, as in nr. 7.

29. RIU 787 = CIL III 10599 = CIGP² 86: *Iudas*. His name is clearly Hebrew in a Grecizing form (h d wh y = ~~ΑΥΔΑ~~ = 'Ιούδας), though in a queer form of declension (dat. *Iudati*), and since the inscription is partly in Greek characters, we must suppose his native language was Greek, cf. nr. 27, 41. His daughter's name is also oriental (nr. 40). The ending formula εὐλ(ογία) also shows that the family was Jewish.⁴² They lived in Solva in the 3rd c., where otherwise we do not know any oriental persons, and they do not seem to have had any connections with the Ulcisia and Intercisa communities, thus we can get no clear idea about their origins.

30. CIGP² 89: Νάουμ. The name appears on a very base gravestone in Aquincum from the 3rd or perhaps 4th c., where we see no other information about the man; the name is clearly Hebraeo-Syriac (~~ΝΑΟΥΜ~~ = mwk n), a biblical name, and the inscription is Greek, thus we can suspect that he was Jewish, or even possibly Christian.⁴³ But other proposals, as e.g. that he were a pagan Syrian⁴⁴ with Greek cultural background, cannot be excluded either.

and most of all in the lower layers of the society (as it is the case of this family, judging from the standard of the monument).

³⁸ Cf. *J. N. Adams*, *Bilingualism and the Latin language*. Cambridge 2003, 271–274, for Pannonia *Fehér* op. cit. (note 6) 483–484.

³⁹ *Scheiber* op. cit. (note 1) nr. 4, where the solution of the abbreviation is reasonably supported with the testimony of another Pannonian Jew's inscription from Moesia, cf. *ibid.* nr. 8.

⁴⁰ *Scheiber* op. cit. (note 1) 36.

⁴¹ Exactly in this form, we know it only from a very few pre-Roman occurrences (*Fraser–Matthews* op. cit. [note 11] I 270), but its female form, Κοσμία, is tolerably known in every times (*Fraser–Matthews* op. cit. [note 11] I 270, II 271, IIIa 255, IIIb 244, IV 199: in sum 24 occurrences, 11 from the imperial age). Also male derivative forms as Κοσμίων, Κοσμιανός appear rarely in the imperial age (*Fraser–Matthews* *ibid.*).

⁴² *Scheiber* op. cit. (note 1) 27: a translation of h k r b.

⁴³ The same rhythmic formula (cf. *Fehér* op. cit. [note 6] 461 nr. G10) appears in a late Christian gravestone from Sirmium (*A. F. Marsilius*, *Inscriptiones, monumenta, ornamenta, lateres hiero-*

31. CIL III 3490: [...] *Harfuarenus*,⁴⁵ AD 228 in Aquincum, called a native Syrian born in *Arfuari* (?), in the land of Doliche. It is disputable whether Harfuarenus was his cognomen given from his native land, or simply an adjective of origin after his perished name; anyway it is a Latin derivation from the original Syriac place name. Regrettably the locality is not known otherwise, and therefore we cannot define its original Syriac form.

b) women

32. *BudRég* 14, 1945, 541: *Aelia Cashia*, known from Aquincum, probably late 2nd c. She was the wife of *Aurelius Deipas*, *mentor*; neither her nor his origin is known. We can suspect her barbarous origin from the extravagant spelling of her cognomen, the match of which does not appear in Pannonia at all,⁴⁶ while otherwise the parlance of the monument is though not classic,⁴⁷ yet not too much inferior. Most easily we may suppose a Semitic etymology like nr. 40 and 6, that is, $h(y)q = \text{אֲשֵׁרָה}$, known as a biblical name too. Since her husband had an Aurelian citizenship, it is not unlikely at all, that they arrived from Syria to Pannonia.

33. RIU 1161: *Aurelia Baracha*, inhabitant of Intercisa, died at the age of 35 in the 1st half of the 3rd c. She was the wife of a soldier of the Hemesan cohort, who had a perfect Latin name: *Germanius Valens*, but perhaps only unofficially, since it seems so from their children's (similarly Latin) names, that he had an Aurelian citizenship. Thus his origin remains unclear, Baracha's nationality is not mentioned, but her name is clearly Semitic: $\text{אֲשֵׁרָה} = \text{hkr b}$ *blessed*.⁴⁸

glyphicis inscripti, metae, scapi columnarum, urnae &c. omnia ad ripas Danubii in Hungaria inventa atque in XXXI Tab. aere expressa. Bononiae [1722] Tab. 8.), though it was originally a pagan formula known in the whole empire, for its occurrences see *I. Bilkei*, *Die griechischen Inschriften des römischen Ungarns*. Alba Regia 17 (1979) nr. 10., in Pannonia see also TRH 48 = CIGP² 51.

⁴⁴ *P. Kovács* in CIGP² 53 takes it for Syrian without doubt.

⁴⁵ The locus formerly was read erroneously ***Harta*, for the right reading see *I. Tóth*, *Dolichenus-Basis*. Alba Regia 16 (1975) 95 = *I. Tóth*, *Iuppiter Dolichenus tanulmányok* [Studies on I. D.]. Budapest 1976, 161-170, now it is going to be published by *Á. Szabó* in CIL III², and in: *P. Kovács – Á. Szabó* (edd.), *Tituli Aquincenses I. nr. 374* (in print).

⁴⁶ *Fehér* op. cit. (note 6) IV 4.4.2.

⁴⁷ *Fehér* op. cit. (note 6) III 3.1.1.5 note 19.

⁴⁸ Thus already *Scheiber* op. cit. (note 1) 44 (nr. 6), who gives both etymologies, but favours to the Hebraic one and classifies her as a Jewess, not too much logically. Here even as in nr. 38 we give the feminine words in the *status absolutus*, because the manner of Latinization makes us suspect that this archaic form was still used. Whether it was so in the masculine names or not, mostly we cannot see, because the vocalism of the end syllable is mostly corrupted by the Latinization itself.

Since her epitaph begins with the words *D(is) M(anibus)*, it is not too likely that she would have been in the Jewish religion, therefore the Syriac etymology must be preferred, and (most naturally) Baracha must have been of Hemesan origin.

34. RIU 1182: *Aurelia Immedaru*, inhabitant of Intercisa, died at the age of 24 in about the 2nd decade of the 3rd c., born in a soldier's family of clearly oriental origin, cf. nr. 7; her mother, brother, sister and two nephews had Latin or Greek names, yet mostly characteristic for the Intercisan Syrian families (*Silvanus*, *Heliodorus*, *Heliodora*), but her own name is doubtless non-Latin, indeclinable in Latin, and at the first view hard to ascribe to any language. Examining it more closely, I found two Syriac etymologies possible, which were not known as personal names until now, but are tolerably fitting to the situation in the military community of Intercisa: $\text{ܐܘܪܝܠܝܐ} \text{ܐܡܝܢܐ}$ *mother of field* or $\text{ܐܘܪܝܠܝܐ} \text{ܐܡܝܢܐ}$ *my mother is the battle*. However, the transliteration of both of the etymologies is a bit problematic, since otherwise the Old Syriac *â* > West Syriac *ô* was transliterated in Pannonia as *a*, as we can see in our former samples; but every transliterations relish a bit of individual effort, and I cannot see any impossibility in a proposal that in some parts of the community the final *â* sounded more closed than elsewhere.

35. RIU 1073 = CIL III 10307: *Aurelia Thicimim(...)*, inhabitant of Intercisa about AD 240,⁴⁹ a relative of *Barsemis* (nr. 26) or his wife *Aurelia Iulia* (maybe their daughter, though the textual structure of the inscription is quite obscure). Since *Barsemis* was clearly Syrian, she must have been the same in all likelihood, and indeed her name is neither Latin nor Greek; yet regrettably I could not find any apt Syriac etymology either. Anyway we know another similar female name from Intercisa (nr. 37), which was given to the wife of a Syrian, and it makes our suspicion even stronger that this is nevertheless a Syriac name. Thus presently we must say: *Thicimim(...)/Ticim[a]* is *presumably* of oriental origin.

36. RIU 1215=CIL III 10320: *Claudia Monimosa*, inhabitant of Intercisa, died at the age of 50 about the 2nd quarter of the 3rd c., daughter of nr. 25, whose clearly Syrian name was *Monimus/Monimius*, and therefore the cognomen *Monimosa* must be held for a Latin derivation of the Syrian ܡܘܢܝܡܘܣ = ܡܝܘܣ name. As for the gentilice *Claudia*, theoretically it could have been inherited from the father, if he had been called (*Claudius*) *Monimus Aglavus*, but since he probably came as the soldier of an auxiliary unit into Pannonia in the late 2nd c., it is far more likely that he had an Aurelian citizenship and his daughter's gentilice is an arbitrarily taken one.

⁴⁹ See note 31.

37. RIU 1194: *Iulia Ticim[a?]*, wife of a soldier born in Hemesa (see nr. 18), still living in Intercisa about the 2nd decade of the 3rd c. Their son already had a Latin name. Though her origin is not uttered, and her name presently cannot be etymologized, the family relation and the evidently related name *Thicimim(...)* (cf. nr. 36) gives reason enough for an assumption that it is a name of oriental origin.

38. RIU 935: [*Septimia?*] *Omaina*, inhabitant of Ulcisia in the 1st half of the 3rd c., member of a soldier's family (of the *cohors nova Syrorum*), where all the other members had Greek names (*Theodora, Zosime, Diomedes*). Even these names make probable the Syrian origin of the family, and the name of *Omaina* can be etymologized as a Syriac one (אִמַּיָא *craftswoman*) or as an Arabo-Syriac one (that is, اُمَيَا = Lat. *Constantia* in a diminutive form of Arabic fashion).⁵⁰

39. RIU 1073 = CIL III 10307: *Barsimia*, probably daughter of *Barsemis* (nr. 26), and therefore all the circumstances must be the same; her name is clearly that of her father with a Latinizing feminine ending.

40. RIU 787 = CIL III 10599 = CIGP² 86: Κασσία (*Iudatis filia*). Her father had a Hebraic name (nr. 29), the family was Jewish, and indeed her name is one of double etymology, seemingly Latin, but it can be the transliteration of a biblical Hebrew name: חַסְיָא (= אִשָּׁרָה).⁵¹ This name is not unique in the Pannonian usage, its parallel occurs in Syrian context too, cf. nr. 6 and perhaps nr. 32 too.

41. TRH 214 = CIL III 10611 = CIGP² 101: Δηκοῦσα (?),⁵² Jewess, probably Greek-speaking, living in the 4th c. somewhere in the area of Aquincum, cf. nr. 27. Her son had a Hebrew name, her husband a Greek one (Βηνειαμί and Ἀνεστάσιος). As for her name, it is neither Latin nor Greek,⁵³ and consequently it

⁵⁰ We need no longer argumentation for that such Arabo-Syriac diminutives were used in the 3rd c., but to mention the name of the king Iulius Odoenathus (= اوديناث). For the *status absolutus* forms, see note 48.

⁵¹ *Scheiber* op. cit. (note 1) 27. The theoretical Syriac name form is not too likely, since on one hand it is less close to the Latin one in phonetics, on the other hand the family was probably Greek-speaking and surely Jewish, but we do not know anything about their accidental Syrian connections.

⁵² The form of the name in the inscription is Δηκουσσανι, in dative. It seems to be an example of the *-an-* stem amplification (cf. *Fehér* op. cit. [note 6] III 2.3.6.5. with the known Pannonian examples), because if it were not so, the name were Δηκουσάνης and it is exceptional that 3rd decl. names are female (ibid. 2.3.8.1., I. *Kajanto*, The Latin cognomina. Commentationes Humanarum Litterarum 36/2 Helsinki 1965, 24), not to mention the strong allusions for oriental masculine names with the *-anes* ending, moreover it were inevitably a compound word, yet we would have no clearer Semitic etymology for it – save for some comically absurd variations for a woman's name: אִשָּׁה אִשָּׁה דֹר אִשָּׁה דֹר, 'mad cock' or 'hateful cock'.

⁵³ *Scheiber* op. cit. (note 1) 21 tractates it as a distorted Greek name, Δικαιοσύνη, which were, according to his opinion, a translation of the really attested Hebrew feminine name חַסְיָא. We can put a series of arguments against this view: first, it were unparalleled and hard to explain, how

must be Semitic, a coherent etymology is very hard to find. The Syriac masculine names that are near to it in terms of phonetics, are Greek/Latin loanwords (ܣܘܕܕ *Decius*, ܣܘܕܐܝܢ *diaconus*), and consequently their female equivalent would have been easily derived from the original Latin/Greek forms, and it is even less likely that it had been a compound name (for it, see note 52). Though it sounds absurd, I must mention an idea that maybe the stone-cutter made a mistake, a metathese of the first and second syllable, and the original reading were Κουδῆσα, with a Greek-Latin or even Hebraic female ending from ܩܘܕܐܝܢܐ *holy, chaste?*

Appendix. There are Syrian names known from Pannonia Superior too; on the area which was transferred from Superior to Inferior at Caracalla's redistribution, some names appear already in the era when it was part of Superior, from Brigetio and Solva. There are no traces for an explicit immigration or settling of Syrians into Brigetio, but as for Solva, in the Flavian era the *cohors I Ityraeorum* was stationing there,⁵⁴ which makes the occurrence of such names quite natural. The *ala I Ityraeorum*, stationing at the same time in Arrabona, left us a lot of barbaric, mostly Syrian names.⁵⁵ These people were recruited certainly in the original home of the unit, where the Ityraei, a tribe of North Arabic origin, had been mostly Aramaic-speaking for about two hundred years.⁵⁶ Whether this oriental element could remain here in any extent after the departure of the *ala*, it is presently unclear. When both the units stationed in Inferior in the late Domitian-early Trajan era, they left no oriental names to us, probably the soldiers recruited in Ityrea had retired to that time.

42. RIU 791: *Bargates*, from Solva, personal data unknown. The name is identical with that of *Bargathes*,⁵⁷ and certainly Semitic. Its practically only acceptable etymology has been known for long time (*htrb* *son of the goddess*

and why this name would be declined in the 3rd declension, when otherwise the Latin of the inscription is base but not unintelligible; practically all the vowels were transformed, some in such exotic way as e.g. αιο>ου, for which there are no parallels in the epigraphic material, not even from far.

⁵⁴ Cf. B. Lőrincz, *Die römischen Hilfstruppen in Pannonien während der Prinzipatszeit I. Die Inschriften*. Wien 2001, 269, nr. 375-376.

⁵⁵ RIU 253, 254. Yet there were soldiers of European origin in the *ala* too, we know at least one sure German (cf. RIU 635), and some Celtic and Pannon names appear too (ibid., or RIU 263). We know far less people from the *cohors* until now, and therefore we cannot form a clear opinion of the rate of Orientals among them, but at least one such Latin name appears, which was mostly given to Celts (TRH 116: *Crescens Iulionis f.*).

⁵⁶ For Ityrea, see G. Beer, *PWRE IX 2377-2380*. The tribe lived there in an Aramaic milieu at least from the time of Aristobulos.

⁵⁷ RIU 254 = CIL III 4371.

'Atâ).⁵⁸ The transliteration is in an explicitly archaic form compared to the above discussed names, with the 'ayn=g identification, moreover it was certainly stabilized, because it occurs in different inscriptions from different units, but since the Ityraei were a non-urban, relatively remote community with Arabic relations, the linguistic archaism is understandable, not to mention that the inscription is one and half a century earlier. On the other hand there is an orthographic variation therein, which fortunately gives us some closer view of the phonetic nature of this name, improving that the intervocalic spirants (so-called *begadkephath* sounds) of the West Semitic languages did exist already in the 1st c. Ityraean parlance,⁵⁹ consequently probably in the whole Pannonian Syriac linguistic material,⁶⁰ but they were taken down arbitrarily with or without a H, and therefore we seldom can detect their presence. The inscription is roughly contemporary with the stationing of the *ala Augusta Ityraeorum*, thus probably Bargates was a member of it or from a member's family; his freedwoman mentioned in the inscription had a Latin name, her origin is unknown, probably local.

43. RIU 551: *Flavius Abbas*, died at the age of 11, in Brigetio, 2nd c. (most likely 1st half). The name seems to be אבא = אבא father/patricius (cf. nr. 26), אבא father (frequent as a personal name too). He was probably the son of *Flavius Antiochanus* (though family relations are not spoken out; perhaps we may think of a younger brother too), if the name is meaningful, the father had arrived from Syria, therefore a Syriac name is not extraordinary.

44. TRH 115: *Soranus Iamelici filius* died at the age of 50 in Solva, in the Flavian era, born as *Ityraeus*, soldier of the *cohors Augusta Ityraeorum*. His name is seemingly Latin, but it is a typically Italian name and rare enough,⁶¹ it is improbable that it had been given to a Syrian barbar in his home, or else that he had changed his name in Europe, therefore we have to seek for a Syriac etymology. Most easily we can interpret it as אסורו Syrian – since the Ityraei tribe was of Arabic origin, the giving of a name meaning 'Syrian' as a distinctive feature seems to be possible –, or else אסור, a rarer personal name. His father's name Iamelicus is more openly a Semitic one, but the dialect is to some extent

⁵⁸ Beer op. cit. (note 56) 2378. The name was transliterated similarly with the letter G in the compound name form *Atargatis*, but with a 0 character in the supposedly etymologically related divine name of an altar from Brigetio (CIL III 4300 = RIU 473) *Ammudates* (= stone of 'Atâ?'), cf. U. W. Hausig, *Wörterbuch der Mythologie*. Stuttgart 1965, 424 – but naturally the stone from Brigetio was erected nearly two centuries later (249 AD).

⁵⁹ Fehér op. cit. (note 6) IV 4.4.3.5.

⁶⁰ Cf. *Baracha*, and probably *Arfuari* – opposed to *Malchiah[nus]*. The *Ticim[a]~Thicimim(...)* doublet is irrelevant, because we do not know whether the sound was + or T.

⁶¹ *Kajanto* op. cit. (note 52) 183, in sum 16 occurrences (some of them republican).

doubtful. The vocalism of the second element shows more a Hebraic than a Syriac form, but then, the man's religion had had to be Jewish too, because the phonetically most reliable form were a theophoric sentence-name | l m h Hy *Yâh the king*. However I think a Syriac name form more likely, which is seemingly phonetically less exactly the same (similarly a sentence-name): אֱלֹהֵי הַמֶּלֶךְ *the king lived*, which is neutral in terms of religion, though presumably refers to a deity. Considering what we know about the archaic nature of the Ityraean names, cf. nr. 42, it is not unconceivable that the second element was not yet said in the *status emphaticus*, but in the *status absolutus*, and then it sounded closer to the Latin equivalent.

45–46. RIU 586 = CIL III 11057: *T. Soranius T. f. Felix*, inhabitant of Brigetio (most likely 2nd c.), died at the age of 40, born in Archelais (Palaestina or Capadocia) and his wife *Sorania Agathe*. Their cognomina were widely used, mostly in the lower social strata (perhaps the wife was a freedwoman), thus their original nationality remains questionable; their gentilice is unknown from elsewhere. Supposing they came from the Palestinian Archelais, they had lived in a Syrian milieu, where it is quite probable that the man who first achieved the citizenship (father of Felix?) was Syrian and formed his gentilice from an original Syriac name, which was naturally the same as that of Soranus, see nr. 44.

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THE MAGICAL FORMULA ON A LOST UTERINE AMULET

BY EDINA GRADVOHL

Abstract: The article tries to reconstruct the inscription of a magical gem found in 1883 in Torontál which went lost by now. For this reconstructive work I used other gem inscriptions and also other magical papyri and lead tablets in order to compare the two types of texts. The inscription contains the Soroor-logos and the Gigantorekta barophita-logos as well. The gem and the inscription together were used for the protection of the uterus.

Key-words: magic gems, Soroor-logos, Gigantorekta barophita-logos, Greek inscriptions, Torontál, Chnubis, uterus.

In the Corpus of the Pannonian Greek Inscriptions an inscription of a gem can be found that went lost by now.¹ It was dedicated in 1883 to the Hungarian National Museum. On the one side of the opal gem, which was found in Torontál (i.e. in the Barbaricum of the Roman era/period), there is a lion-headed and snake-bodied god, whose name was Chnum or Chnubis, while on the other side the following inscription can be read:

ΧΝΟΥΒΙΣ
ΣΟΡΟΡΜΕΡ
ΦΕΝΑΡΒΑΡ
ΜΑΦΡΙΟΝΙΡ
5 ΙΓΞ ΓΙΓΑΝΤ
ΦΙΤΑΒΑΡ
ΦΙΤΑ [- - -]

Péter Kovács, who published the lost gem, correctly recognized on the inscription the Soroor-logos formula. The original inscription read as follows: ΣΟΡΟΟΡΜΕΡΦΕΡΓΑΡΒΑΡΜΑΦΡΙΟΥΡΙΓΞ.² The text of the gem is

¹ Kovács Péter, *Corpus Inscriptionum Graecarum Pannonicarum*. Debrecen 2007³, Nr. 192.

² The formula can be found in *W. M. Brashear's* word-list (*Voces Magicae*) on p. 3599. (The Greek Magical Papyri. ANRW. II. 18, 5, Berlin–New York 1995). *R. K. Ritner* wrote a detailed paper on the question of the „Soroor formula”: *A Uterine Amulet in the Oriental Institute Collection*, JNES 43 (1984) 209–221.

somewhat different, it can be traced back to two mistakes, namely one made by the gem cutter and that of the 19th century letter-writer. It should also be noted that this complicated charm's formula survived in several, different versions.³ However, the inscription of the gem had a continuation in the fifth line. The second charm is a well-known formula, that can be found on the other Chnubis gems as well:

ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΟΦΙΤΑ⁴

Although it was used for charm, both words can be interpreted perfectly in Greek: „he who shatters giants”⁵ and „crusher of snakes”⁶ (the word „barophita” comes from „ophis”, which means snake).⁷ Maybe it is surprising, that both words appear very often on the amulets of the snake-bodied Chnubis which served as a protection. The connections between the snake and the lower body is pointed out by Simone Michel.⁸ However it is certain, that the end of the formula was ΒΑΡΟΦΙΤΑ in most cases, thus it is unnecessary to mark it with three hyphens as if it was a lost text of uncertain length and content.

The Soroor-logos and the Gigantorekta-logos appeared together on several gems depicting Chnubis. Simone Michel's monograph mentions five gems the text of which show close connection to the charms of the lost stone of Torontál.

1. Michel 11.3.b.3 (p. 258.): ΝΝΝ ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΒΑΡΩΦΟΝΤΑ ΧΝΟΥΒΙΣ ΝΑΒΙΣ ΒΙΕΝΥΘ

2. Michel 11.3.b.8 (p. 258.): ΧΝΟΥΜΙΣ ΝΑΑΒΙΣ ΣΟΡΟΟΡ ΜΑΡΒΑΡΟΥΔΕΑΡΟΥ ΑΣΑΛΩΩΝ ΑΡΡΙΕΣΟΥ ΡΑΟΥΣΜΙΣΥΕΗΥΘ ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΟΦΕΙΤΑ

3. Michel 11.3.b.18 (p. 259.): ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΟΦΙΤΑΦΕΝΓΑΡΒΑ

4. Michel 11.5.15 (p. 262.): ΧΝΟΥΒΙΝ ΕΛΑΒΙ ΒΑΡΟΦΙΤΑ ΓΕΙΓΑΝΤΟΠΛΗΚΤΑ ΒΙΕΝΥΘ

³ S. Michel, *Die magischen Gemmen*. Berlin 2004, 257–258. On p. 487. there is a short entry on the magical charm by Michel.

⁴ S. Michel op. cit. (note 3) 258–259. Several more or less different versions are known of this formula.

⁵ LSJ s. v.

⁶ LSJ s. v.

⁷ S. Michel op. cit. (note 3), 169, n. 865.

⁸ S. Michel op. cit. (note 3), 169, p. 188.

5. Michel 37.B.2.b.2 (p. 310.): ΝΑΑΒΙΣ ΒΙΕΝΝΥΘ ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΒΑΡΟΦΙΛΑ

W. M. Brashear makes a concise statement about the application of the Soroor-logos: it is a „formula for opening the womb”. Simone Michel’s description is somewhat more informative: „Der Logos mit dem Wortlaut erscheint in den magischen Papyri als Name einer Macht, die für das Öffnen von Türen und lösen von Fesseln zuständig ist. Auch auf dem Gemmen hängt der Logos – vorrangig am Rand von Uterusamuletten umlaufend geschrieben – mit dem „Öffnen” und „Schließen” des Organs zur rechten Zeit zusammen.”⁹ Thus the „Soroor-logos” was used for opening doors and the removal of handcuffs and it was probably this opening-closing function that was carried over to the cervix. Since aside from the magic inscriptions often the uterus itself was depicted on the gems, with a key in front of the cervix which served for the opening and closing of the womb, it is obvious that these objects were used by women mainly for the protection of their uteri and the influencing of its operation.¹⁰ The description of the Torontál’s gem doesn’t allude to the depiction of the uterus. This doesn’t mean that the depiction of the uterus wouldn’t be on the gem since this type of representation was first identified by A. Delatte in 1914, 30 years after the Torontál’s gem has been found.¹¹ Thus the descriptor of the gem might have regarded the uterus as an unidentifiable magical sign. As the schedule below represents, on the gems which contain the formula of the Soroor-logos, Chnoubis and the uterus are represented together very often:

	Chnoubis	Uterus	Chnoubis+Uterus
Soroor-logos	17	13	40
Gigantorekta barophita	28	0	0
Soroor-logos + gigantorekta barophita	5	0	0

⁹ S. Michel op. cit. (note 3), 487. I have to note that there is a fictive Soroor-logos in Michel’s book. The fragmentary inscription around the Ouroboros on the uterus gem of Pusztaszabolcs published by László Kákósy, number 106 in Péter Kovács’s collection, is described with the comment: „wohl Soroor-logos” (Michel 336). However the letters that can be read on the stone (ΠΑΚΑΑΡ) are by no means part of the Soroor-logos, even if it appears most often around the Ouroboros snake. At best it can be a significant deformation of a part of the ΦΕΡΓΑΡΒΑΡΜΑΡ logos, since the row of letters ΠΑΚΑΑΡ cannot be matched to any known logoi.

¹⁰ The simplified uterus can also be seen on the gem published by Robert K. Ritner: there is a circle (the womb), under which a half-circle (the cervix) can be seen on its base, below this a key. The photo and the picture can be found in Ritner’s study on p. 211.

¹¹ A. Delatte, Études sur la magie grecque IV., Le Musée Belge 18 (1914) 21–96., esp. 77.

It should be noted that the formula of the Soroor-logos was used for other purposes as well. Two lead tablets, published by A. Audollent, contain curses, one of which is against a gladiator from Carthage, Sapautulus, while the other is against a *venator*, called Vincentius.¹² Both include the Soroor-logos formula written in three words, namely in lines 252. 24. and 253. 34: ΣΟΡΟΟΡΜΕΡ ΦΕΡΓΑΡΒΑΡΜΑΡ ΟΦΡΙΟΥΡΙΓΖ. In line 252. 26. the charmer wants to bind with an unreleasable tying the soul of Sapautulus similarly as in the case of Vincentius in line 253. 48. Thus the charm was used for loosening-binding function.

On the magical papyri the formula of the Soroor-logos appears three times: in PGM IV. 1567, XII. 172 and XIX. 10.¹³ In IV. 1567. the author of the papyrus wants to force a woman to love him with the help of love charm. On the papyrus the charm is divided into two words: ΣΟΡΟΟΡΜΕΡΦΕΡΓΑΡ ΜΑΡΒΑΦΡΙΟΥΡΙΓΖ. The formula was used for strengthening of the love spell of attraction. In line XII. 172. the formula is a „*Desmolyton*”, which means that it was used for loosening an iron fetter and also for opening doors: ΣΟΡΟΕΡΜΕΡ ΦΕΡΓΑΡ ΒΑΖ ΜΑΜΦΡΙ ΟΥΡΙΖΓ. Line XIX. 10. contains a love spell of attraction as well, although the most part of it consists of several magical words. The formula of the Soroor-logos survived fragmentary.

According to the above the formula of „Soroor-logos” is connected closely with the womb only on the amulets of the uterus, and its use renders it improbable that it was only applied for the opening-closing of the womb in order to facilitate or prevent conception.¹⁴ Robert K. Ritner’s assumption – which was formulated in his paper about Egyptian charms – is much more feasible. He assumes that these gems were generally used for the prevention of the womb, with the help of which the opening function did not only help the reception of the seed but also the flow of the menstruation, whereas the closing function could assist in the prevention of conception, in keeping the conceived embryo and in ending the menstruation. The function of opening-closing could be used with negative and positive aim.¹⁵ The second charm, ΓΙΓΑΝΤΟΡΗΚΤΑ ΒΑΡΟΦΙΤΑ is suitable for the prevention and the protection and it cannot be connected with the opening-closing function of the uterus.

Thus the gem, which was found in the Torontál, was used by women and it might have been a magical object in order to protection of the uterus.

¹² A. Audollent, *Defixionum tabellae*. Paris 1904, Nr. 252; 253.

¹³ K. Preisendanz: *Papyri Graecae Magicae*. Stuttgart 1973. Abbreviation: PGM. A XII. 172 Brashear 3599. Erroneously it is cited as VII. 172.

¹⁴ For this purpose rather the Ororiouth-logos was used. Cf. *Németh György – Isabel Canós i Vil-lena: ORORIOUTH in Vilabertran*, ZPE 130 (2000) 139–142.

¹⁵ Ritner op. cit. (note 2), 221.

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THREE YEARS? ST. PAUL'S JOURNEY TO ARABIA

BY DANIEL BAJNOK

Abstract: The article intends to summarize and answer the questions concerning the journey of Paul to Arabia. Shortly after his conversion, Paul left Damascus to go to Arabia, a place that can be possibly identified with the Kingdom of Nabataea. We cannot surely establish the duration of his stay in Arabia, which may be considerably shorter than three years. Some scholars have claimed that Paul went there to preach the gospel, whereas others have assumed that he prepared in contemplation and prayer to his career as an apostle. The Nabataean kingdom and its capital, Petra, was a greatly Hellenized, “cosmopolitan place”. A passage of Strabo (XIV.5.13.) leads us to a third conceivable assumption to explain the motivation for Paul’s visit in Arabia: the Hellenic surroundings of Petra contributed to the development of his theological thinking.

Key-words: Arabia, conversion, Damascus, Nabataea, St. Paul

Arabia is mentioned twice in the New Testament, and both occurrences are from Paul’s letter to the Galatians.¹ The first one of these two mentions makes a short and hasty reference to an episode of the life of the apostle – a reference that is made neither in any other Pauline letter nor in the Acts of the Apostles. This episode is Paul’s journey to Arabia.

Though there are hardly any details of Paul’s life that are unanimously undisputed by scholars (philologists and theologians), nobody has ever challenged his stay in Arabia, and even the succession of the surrounding events are beyond question. An ardent persecutor of the followers of Christ, Paul (or Saul) was travelling from Jerusalem to Damascus when an overwhelming supernatural apparition overbore him. As a result of this experience, he joined the Christians of Damascus, the ones he had hated and sworn to destroy. After receiving baptism, he did not spend much time in the city but went to Arabia, before starting his missions as an apostle of Christ. These events are to be dated to the middle or the second half of the 30s AD. Unfortunately, this is all we can be more or less sure about, all the rest is result of assumptions and implications. The aim of this study is to ask the proper questions that can be raised in connection with Paul’s road to Arabia and to propose potential answers to them, as far as possible.

¹ Gal. 1:17 and 4:25.

The passage that is the only exact source of our topic is the one below (in its context):

*But when it pleased God, who separated me from my mother's womb, and called [me] by his grace, to reveal his Son in me, that I might preach him among the heathen (έν τοῖς ἔθνεσιν); immediately I conferred not with flesh and blood: Neither went I up to Jerusalem to them which were apostles before me; but I went into Arabia (ἀπῆλθον εἰς Ἀραβίαν), and returned again unto Damascus. Then after three years (Ἐπειτα μετὰ τρία ἔτη) I went up to Jerusalem to see Peter, and abode with him fifteen days. But other of the apostles saw I none, save James the Lord's brother. Now the things which I write unto you, behold, before God, I lie not. Afterwards I came into the regions of Syria and Cilicia...*²

The letter to the Galatians is the most passionate writing of Paul, in which he rebukes his addressees in an indignant manner, calling them foolish (ἄνόητοι) twice (Gal. 3:1; 3:3). The reason of his indignation is that shortly after his missionary stay in Galatia, the Galatians were distracted by a different gospel. Because of some “false brethren unawares brought in” (παρείσακτοι ψευδάδελφοί, Gal. 2:4), the Galatians returned to observing the law of Moses, which, according to Paul, does not make any man just (δίκαιος), since justification is possible only by faith.³ To confirm the authenticity of his teachings (“my gospel”), he claims that he did not receive it from any man, nor was he taught to it, but it was given to him by Jesus Christ himself through revelation (Gal. 1:11-12). This personal and almost exclusive revelation (ἀποκάλυψις) enables the apostle to preach the gospel.

All scholars agree that the revelation mentioned by Paul refers to the events of his road to Damascus, i.e. the so-called Pauline turn. The most important element of this event, Paul's vision, is mentioned *en passant* in the letters of the apostle⁴, however, we have detailed descriptions of it from Luke, the author of a gospel and of the *Acts of the Apostles*, who was very close to Paul.⁵ The Acts maintains three narrations of the road to Damascus, though they differ from one another in some details. The most exhaustive account is to be found in chapter 9. Paul was already close to the city, when suddenly he was shined about by light from heaven. He fell to the ground and heard a voice:

² Gal. 1:15-21 (English translation from King James' Bible).

³ A short theological summary of the letter can be found in Gal. 2:16: “Knowing that a man is not justified (οὐ δικαιοῦται) by the works of the law, but by the faith of Jesus Christ, even we have believed in Jesus Christ, that we might be justified by the faith of Christ, and not by the works of the law: for by the works of the law shall no flesh be justified.” The same idea is confirmed later on as well, cf. Gal. 3:8; 3:11; 3:24; 5:4.

⁴ Apart from the reference in the letter to the Galatians cf. 1Cor. 9:1; 15:8.

⁵ Cf. Philem. 24; Col. 4:14; 2Tim. 4:11.

*Saul, Saul, why persecutest thou me? And he said, Who art thou, Lord? And the Lord said, I am Jesus whom thou persecutest: [it is] hard for thee to kick against the pricks. And he trembling and astonished said, Lord, what wilt thou have me to do? And the Lord [said] unto him, Arise, and go into the city, and it shall be told thee what thou must do.*⁶

This astonishing scene is noticed by his fellow-travellers, who “stood speechless, hearing a voice, but seeing no man.” The account of the same episode in chapter 22 is slightly different. Here we have Paul as a narrator, telling the story of his conversion to the Jews in Jerusalem: at the middle of the day a bright, heavenly light flashed around him, he fell to the ground and heard roughly the same words as in chapter 9. However, the reaction of his companions was different, since they “saw indeed the light, and were afraid; but they heard not the voice of him that spake to me.” To sum up: according to Act. 9:7, the company of Paul did hear the voice calling him, yet saw nothing, but according to Act. 22:9, they could see the light but did not hear anything.

The third account (in chapter 26) does not follow any of the preceding ones from the viewpoint of the fellow-travellers. Paul narrates his miraculous conversion to King Agrippa II with the following words:

*At midday, O king, I saw in the way a light from heaven, above the brightness of the sun, shining round about me and them which journeyed with me. And when we were all fallen to the earth, I heard a voice speaking unto me, and saying in the Hebrew tongue...*⁷

The shining apparition in this story involved not only Paul but also his fellows, and they all fell. The words of the mysterious voice in Hebrew language are different, too. The instruction did not command Paul to go into the city but gave a prophesy of his career as an apostle: he would become the apostle of the (non-Jewish) Gentiles, he would turn them from darkness to light, he would bring them forgiveness for their sins, and they would be made holy by believing in Christ.⁸

Narrated by Luke in three different (partly contradictory) versions, Paul’s conversion on the road to Damascus is an excellent example to show the problems that emerge when a reader approaches the Acts as a historical source. Commentators explain that the author wanted to emphasize different aspects of the same episode, or even Luke, travelling together with Paul, may have heard the apostle telling the story of his most fundamental experience many times in

⁶ Act. 9:4-6.

⁷ Act. 26:13-14.

⁸ Act. 26:16-18.

different words.⁹ Nevertheless, I think a philologist has some reason to assume that Luke's manuscript was not thoroughly edited.

Two sojourns in Damascus

The aforementioned passage from the letter to the Galatians gives a simple framework to the relative chronology of the events after Paul's revelation, described in the above paragraphs. It is obvious that first he went to the city of Damascus and joined the local followers of Christ, yet he did not spend a long period there but went to Arabia. Then he returned to Damascus, and three years later went up to Jerusalem to see Peter and James. We can conclude that Paul stayed twice in Damascus, first before his trip to Arabia and then after it.

Unfortunately, the Acts makes a reference neither to Paul's journey to Arabia, nor to his two sojourns in Damascus. The most detailed account (chapter 9) claims that Paul, having lost his eyesight, entered the city and met Christ's followers. A disciple called Ananias healed and baptised him, and in this moment Saul, the persecutor of Christians, was turned to Paul, an apostle of Christ.

*Then was Saul certain days with the disciples which were at Damascus. And straightway he preached Christ in the synagogues, that he is the Son of God. But all that heard [him] were amazed, and said; Is not this he that destroyed them which called on this name in Jerusalem, and came hither for that intent, that he might bring them bound unto the chief priests? But Saul increased the more in strength, and confounded the Jews which dwelt at Damascus, proving that this is very Christ. And after that many days were fulfilled, the Jews took counsel to kill him: But their laying await was known of Saul. And they watched the gates day and night to kill him. Then the disciples took him by night, and let [him] down by the wall in a basket. And when Saul was come to Jerusalem, he assayed to join himself to the disciples: but they were all afraid of him, and believed not that he was a disciple.*¹⁰

The plot of the above passage and Paul's actions from his conversion till the visit in Jerusalem can be highlighted in seven points, which altogether took three years, according to Gal. 1:18.

- 1) He recovered and was baptised in Damascus (18-19).
- 2) He started preaching at once in the synagogues of Damascus that Jesus is

⁹ Cf. *M. Hengel–A. Schwemer*, Paul Between Damascus and Antioch. The Unknown Years. (Tr. by *J. Bowden*). Louisville 1997, 38.

¹⁰ Act. 9:19-26. The other two narratives of the conversion are more concise and slightly different in their content. The account of chapter 22 only claims that Ananias healed Paul and ordered him to tell everyone what he had seen and heard (22:15), and chapter 26 informs the reader that Paul preached the gospel first in Damascus, then in Jerusalem and throughout the country of Judaea (26:20), and ultimately to the Gentiles.

the son of God (20).

3) Many of his audience were amazed (21).

4) He grew more and more powerful and tried to prove (συμβιβάζων) that Jesus was the Messiah (Christ) (22).

5) The Jews were confused, and some days later they agreed to kill him. (22-23).

6) Paul was told about their plan, and his disciples¹¹ helped him to escape (24-25).

7) He arrived to Jerusalem. (26).

How can we insert the road to Arabia mentioned in Gal. 1:17 to this apparently coherent system of narration? What is the point that separates the first staying in Damascus from the second one? Unfortunately, neither Paul, nor Luke, nor any other source gives us a solid hint in this question, thus we must turn to assumptions. There are two moments in Luke's narrative that may be an obvious time for leaving to Arabia.

The first moment is offered after the third element of the above framework, i.e. after Act. 9:21. Surely not earlier than that, since after his recovery and baptism he started to teach at once (εὐθέως) in the synagogues. If so, then we can assume that after having shocked the religious Jews in the synagogues, Paul noticed his lack of success as a preacher and decided to leave Damascus and go to Arabia, thus the fourth item (Act. 9:22) is already about a Paul who had returned from Arabia. In this case we could understand Luke's remark on Paul growing stronger (μᾶλλον ἐνεδυναμοῦτο) as a reference to the sojourn in Arabia. Items 4-6 (Act. 9:22-25) concern the second period in Damascus. An overwhelming majority of modern scholarly literature considers this first assumption to be correct and maintains that the time-clause of Act. 9:23 ("after that many days were fulfilled" – ὡς δὲ ἐπληροῦντο ἡμέραι ἰκαναί) refers to a later period when Paul was confronted with local Jewish people during his second staying in Damascus.

However, there is another possible moment for Paul to go to Arabia: after item 6. In this case his departure is rather an escape, since the conditions have become so dangerous for him that he needed the help of his friends to lower

¹¹ *M. Hengel* draws the attention that Paul was saved by his own disciples (οἱ μαθηταὶ αὐτοῦ). The word disciple (μαθητής) is totally absent in the vocabulary of the Pauline epistles, which use apostle (ἀπόστολος) instead of it. Luke's account in the Acts assumes that Paul had already acquired some followers among the Christians of Damascus, cf. *Hengel-Schwemer* op. cit. (note 9), 129. There is, however, an alternative manuscript version that does not connect the disciples to Paul so much: λαβόντες δὲ αὐτὸν οἱ μαθηταὶ νυκτὸς, cf. *E. Nestle et al.* (ed.), *Novum Testamentum Graece*. Stuttgart 1993²⁷, 347.

him from the city walls in a basket (Act. 9:25). It is puzzling that this way we have no information about his second stay in Damascus. This is a strong argument to opt for the former possibility, yet this latter is still not to be ruled out entirely. The sojourn in Arabia is completely omitted in the Acts, either, so why would it be inconceivable to presume that the second period in Damascus is also left out? Returning to a city where he had been almost killed seems to be illogical, either, but we know that Paul often returned to places where the inhabitants made an attempt on his life.¹² We have to accept that Paul's first departure from Damascus is feasible both after the 3rd and the 6th item and it is impossible to decide this question for sure.

An interesting autobiographical remark of Paul contributes to the problem of the two periods in Damascus in 2Cor. 11:31-33:

The God and Father of our Lord Jesus Christ, which is blessed for evermore, knoweth that I lie not. In Damascus the governor (ἐθνάρχης) under Aretas the king kept the city of the Damascenes with a garrison, desirous to apprehend me: And through a window in a basket was I let down by the wall, and escaped his hands.

It is obvious that this story belongs Paul's adventurous escape from Damascus mentioned in Act. 9:25, yet the motivation behind the attempt on his life is dissimilar in the two accounts. Luke narrates that the Jews of Damascus wanted to kill the apostle, whereas Paul does not mention them in his anecdote but rather asserts that the governor of King Aretas wanted to arrest him. The chronology of the Arabian journey is not solved, and we do not even know any more who wanted to harm the apostle of the Gentiles in Damascus: the Jews or the governor of the king?

At that time King Aretas IV ('Philopatris', 9/8 BC - 39/40 AD) was a ruler of the so-called Nabataean Kingdom, which was a country to the south of Judaea (and Damascus). Contemporary Jews called Nabataeans Arabs.¹³ They controlled the whole Sinai Peninsula, part of the Arabian Desert, and the cities east from the Dead Sea. If Paul's remark is correct, we have to conclude that the apostle is tried to be apprehended by the officer of the Nabataean king – but why?

We can hypothesize two answers: the governor persecutes Paul either because his master, Aretas IV ordered him to do so, or because Paul had done something in Damascus that provoked the reaction of the governor. If we consider the first answer more conceivable, then we must presuppose that the apos-

¹² The most obvious example is Jerusalem where the Jews often tried to kill him, yet he returned from time to time, see Act. 9:29-30; 21:10-31. Paul was expelled from Iconium and was almost stoned to death in Lystra, still, he returned shortly to both towns, see Act. 14:5-21.

¹³ J. J. *AJ*. 1.221.

tle had already been to Arabia by this time (=Act. 9:23-25; 2Cor. 11,32f), and there he confronted with the king for some reason. So Paul was haunted in Damascus not because of his missionary activity in the synagogues and because of the fury of the Jews but rather due to the will of the Nabataean king. Thus, considering the reason of his adventurous escape, the narrative of the Acts and that of the second Corinthian letter come into antagonism with each other. Instead of a relatively clear religious motive, we should assume an obscure political reason (i.e. the revenge or Aretas) behind the scene.¹⁴

The other assumption is more permissive and applicable: Paul was persecuted for what he had been doing in Damascus. This version fits the narrative of the Acts easily. Paul preached about Jesus, the Messiah (Act. 9:22), which made local Jews so furious that they did not only agree to kill him among themselves but they also persuaded (bribed?) the governor of the Nabataean king to watch the gates (Act. 9:24) and to put guards around the city (2Cor. 11:32). The Jews wanted to arrest the apostle with the help of the governor. This option does not exclude the aforementioned item 6 (Act. 9:25) as the moment of Paul's departure to Arabia, since he was in fact not pursued by Nabataeans but only by his own people, who used every endeavour to arrest him.

As we can see, we have no firm historical evidence to prove or exclude any of the options above, thus we must rely on vague assumptions. Still, no written source alludes to Paul's confrontation with King Aretas, so it seems more probable that the governor of Damascus observed the urge of the local Jews when he tried to arrest him.

Chronology¹⁵ and motivation

“Three years” are often mentioned as the duration of Paul's staying in Arabia. However, we have to see clearly that Gal. 1:15-18 is our only source for establishing chronology and it does not say that Paul spent three years in Arabia.

¹⁴ Cf. *Hengel–Schwemer* op. cit. (note 9), 128-129.

¹⁵ The absolute chronology of Paul's conversion cannot be satisfactorily established due to the lack of dating sources that could be inserted into the more or less coherent relative chronology of the New Testament. I do not intend to opt for any of the existing theories. For attempts to reconstruct an absolute chronology cf. *F. Schroeder*, Paul, Apostle, St. In: *New Catholic Encyclopedia*. Vol. XI. (ed. The Catholic University of America) New York 1967, 2; *G. Lüdemann*, Paulus, der Heidenapostel. Bd. 1. Studien zur Chronologie. Göttingen 1980, 272-273; *J. Roloff*, Paulus. In: *Evangelisches Kirchenlexikon. Internationale theologische Enzyklopädie*. Bd. 3. (ed. *E. Fahlbusch et. al.*). Göttingen 1992, 1089; *A. Suhl*, Paulinische Chronologie im Streit der Meinungen. In: *ANRW II.26.2* (1995) 939-1188.

We can accept that the time clause of Gal. 1:18 (“then after three years”) refers to the period between Paul’s conversion and his visit to Jerusalem, still, we do not know about the duration of the two periods in Damascus and that of the intervening journey to Arabia. There are two attitudes towards the chronology of the Arabian sojourn in the scholarly literature on Paul: generally we can distinguish between the theories of ‘long-Arabia’ and ‘short-Arabia’. The former hypothesizes a lengthy staying in Arabia that lasted for years with two relatively short periods in Damascus, whereas the latter presumes that Paul spent most of the time in Damascus and visited Arabia for a short time only.

The ‘long-Arabia’ theory is the traditional one, shared by the majority of Catholic literature.¹⁶ Time adverbs of Act. 9:19-25 do not imply a long stay in Damascus. After his recovery and baptism, Paul started preaching immediately (εὐθέως) about Jesus (Act. 9:20). The other indication of time (“many days were fulfilled” – ἐπληροῦντο ἡμέραι ἱκαναί)¹⁷ is difficult to interpret as a very long interval, either. If three years passed between the revelation near Damascus and the visit in Jerusalem and if Paul stayed for only some weeks or months in Damascus, then it is obvious that the majority of these three years were spent in Arabia.¹⁸

The first argument against ‘long-Arabia’ arrived in 1897: in a short study¹⁹ J. W. McGarvey pointed out that Paul does not say anything about the duration of his journey in Arabia in his letter to the Galatians²⁰, however, the narrative of Act. 9:20-22 clearly implies that the apostle stayed long in Damascus until his confrontation with the Jews. McGarvey self-evidently considers the Arabian journey to fit the narrative scheme of the Acts after our item 3. McGarvey is rather passionate in attacking the theory of ‘long-Arabia’: “Let us hear no more, then, of Paul spending three years in Arabia.”²¹

The 20th century saw many scholars joining McGarvey in this question.²² They called the attention to the fact that the “three years” refers to the duration

¹⁶ Cf. e.g. the entry on ‘Paul’ in *New Catholic Encyclopedia* (Schroeder, op. cit. [note 15], 5.) and in *Katolikus Lexikon* (Tóth K., Pál, apostol, szent. In: *Katolikus Lexikon*. III. (ed. *Bangha Béla*). Budapest 1932, 475); see also the fundamental study of *J. Holzner* (Paulus. Sein Leben und seine Briefe. Freiburg 1959, 57-58).

¹⁷ According to both *LSJ* and *PGL*, ἱκανός means ‘sufficient, satisfactory’, however, Luke often uses the word meaning ‘many, great’ in his gospel and in the Acts, cf. φῶς ἱκανόν – “great light” (Act. 22:6); ἀγέλη χοίρων ἱκανῶν – “herd of many swine” (Lu. 8:32).

¹⁸ See also *ODCC* 1046.

¹⁹ *J. C. McGarvey*, Those Three Years in Arabia. In: *J. C. McGarvey*, Short Essays in Biblical Criticism. Cincinnati 1910, 247-250.

²⁰ Cf. *Lüdemann*, op. cit. (note 15), 85.

²¹ *McGarvey*, op. cit. (note 19), 249.

²² Some of them: *H. Maccoby*, The Mythmaker. Paul and the Invention of Christianity. New York

of time between Paul's conversion and his arrival to Jerusalem. The apostle probably spent most of this time in Damascus and Arabia was only a brief adventure. They all support the theory of 'short-Arabia'. Still, most lexicons²³ hesitate to decide in this issue and they confess that we do not know about the duration of Paul's journey in Arabia: it could take a few days as well as three years.

We have to remark that in accordance with the chronology in the ancient Near East, it is very unlikely that the "three years" made three full calendar years. It is more probable that it lasted in fact about two years. Several scholars have pointed out that an interval of "three years" were calculated in antiquity by considering the remaining part of the first year as one full year, similarly to the time elapsing from the last one. Thus, "after three years" should be understood like this: 3 years = (x + 1 + y), x indicating the rest of the first year and y indicating elapsed time from the last one, until the event in question. We encounter the same method of measuring time when we consider the resurrection of Christ on the third day.²⁴ Though it is not more than one day and a half from the afternoon of Good Friday until the dawn of Easter Sunday, the x + 1 + y days are to be interpreted as three days. Taking this into consideration, some scholars have emphasized recently that the "three years" mentioned by the apostle should be understood as about two actual years.²⁵

The aim of Paul's journey in Arabia is obscure, too, yet scholarly literature assumes two possible motivations. Some researchers suppose that Paul went to Arabia to convert Arabs to believe in Christ, while others think that it was a period of silent preparation for him – he prepared himself to his career as an apostle, reorganized his thought to understand the significance of his revelation near Damascus.

Those who regard Arabia as a missionary journey argue that after his revelation and recovery Paul immediately started preaching in Damascus and we have no reason to doubt that he did the same in Arabia, too. Yet there is no trace of this Arabian mission, no Arabian congregation was established, which has led some scholars to the conclusion that Paul spent only a short period of time there, visiting only some cities near Damascus, and his endeavour was ulti-

1986, 105; *K. Haacker*, Zum Werdegang des Apostels Paulus. Biographische Daten und ihre theologische Relevanz. In: ANRW II. 26. 2 (1995) 917; *H-D. Saffrey*, Histoire de l'apôtre Paul, ou Faire chrétien le monde. Paris 1991, 27-28; *J. Murphy-O'Connor*, Paul. His Story. Oxford 2004, 25-27.

²³ Cf. the entries on Paul in *The Catholic Encyclopedia* (Prat 1911, 569. and in *Evangelisches Kirchenlexikon* (Roloff, op. cit. [note 15], 1089.).

²⁴ See Lu. 24:7.

²⁵ *Lüdemann*, op. cit. (note 15), 83; *Hengel-Schwemer*, op. cit. (note 9), 107.

mately a failure.²⁶ A longer missionary attempt is highly unlikely, since the apostles usually travelled in pairs²⁷ or in groups of three, a custom fully observed later by Paul.²⁸

Others think that Paul had a psychologically obvious need to reorganize his thoughts before starting his apostolic career, similarly to Jesus, who went out to solitude before he started preaching the gospel in Galilee.²⁹ Yet it is probably not necessary to prove how unlikely it is to assume that Paul had contemplated for three years before he returned to Damascus. Obviously, Paul had an active, urbanised character who liked cities, travelling from one to another.³⁰ If Jesus spent only forty days in the desert, it is impossible to expect Paul spending years under similar conditions. Martin Hengels also remarks that Gal. 1:17 does not say that Paul went out to the wilderness (εἰς τὴν ἔρημον) as Jesus did but to Arabia (εἰς Ἀραβίαν), which makes it more probable that he set out to a long journey and did not withdraw into solitude and semi-wilderness in the vicinity of Damascus.³¹

Kingdom of Nabataea

As it has been mentioned above, the geographical destination of the Arabian journey may well have been the country of a Semitic people called Nabataeans (ναβαταῖοι). The kingdom of the Nabataeans underwent a considerable cultural development between the 1st century BC and AD, reaching its heyday under the long rule of King Aretas IV. In the 1st century BC, Diodorus of Sicily

²⁶ According to Murphy-O'Connor, Nabataeans were hostile with the apostle because they considered him as a spy of the Jews. „It is most unlikely that Paul penetrated very deeply into 'Arabia'. He may not even have reached Bosra, which is close to the southern border of modern Syria. [...] It is also probable that Paul did not stay very long. [...] I would give him a week at the most. [...] The sole importance of his imprudent venture is that it indicates that from the beginning he was convinced that his mission was to the Gentiles.” (Murphy-O'Connor, op. cit. [note 22], 26.)

²⁷ Following the instruction of Jesus, cf. Mr. 6:7.

²⁸ Hengel-Schwemer, op. cit. (note 9), 109.

²⁹ Mt. 4:1-11; Mr. 1:12.13; Lu. 4:1-13.

³⁰ A. N. Wilson, Paul: The Mind of the Apostle. New York-London 1997, 81.

³¹ Hengel-Schwemer, op. cit. (note 9), 109. N. T. Wright presented an interesting theory about the “Arabian” journey. He presumes that Paul used to belong to the Shammaite school, the most radical group of the Pharisees, and his road followed the pattern of Elijah in the Old Testament. After killing the priests of Baal, Elijah withdrew to Mt. Sinai. Moved by the instructions of the Lord he returned with renewed zeal to Damascus (1Ki. 19:15). Wright highlights the parallels between Saul, the persecutor of Christians and Elijah, the murderer of the Baal priests. Both a depressed Elijah and a broken Saul hide in the caves of Mt. Sinai, then return to Damascus to fulfil God's will (N. T. Wright, Paul, Arabia, and Elijah (Galatians 1:17). JBL 115.4 (1996) 683-692.

did not hold Nabataea in high esteem: the inhabitants “range over a country which is partly desert and partly waterless, though a small section of it is fruitful. And they lead a life of brigandage, and overrunning a large part of the neighbouring territory they pillage it, being difficult to overcome in war.”³² However, at the beginning of the 1st century AD, Strabo presented a significantly more favourable picture of them. The Nabataeans established a well-organized state, the capital of which was Petra, one of the most spectacular ancient cities:

The capital of the Nabataeans is called Petra. It is situated on a spot which is surrounded and fortified by a smooth and level rock (petra)... It is always governed by a king of the royal race. The king has a minister who is one of the Companions, and is called Brother. It has excellent laws for the administration of public affairs.

*Athenodorus, a philosopher, and my friend, who had been at Petra, used to relate with surprise, that he found many Romans and also many other strangers residing there. He observed the strangers frequently engaged in litigation, both with one another and with the natives; but the natives had never any dispute amongst themselves, and lived together in perfect harmony.*³³

Strabo affirms that Petra was a frequented place, though it had not been so often visited by foreigners before. Athenodorus noticed that there was a considerable difference between the behaviour of foreigners and natives. Nabataeans have not adopted litigation, which is common among Romans and other Hellenized people.

Josephus³⁴ provides information for the Nabataean history in the 30s, which is prevailed by an enmity between Aretas IV and Herod Antipas, King of Judaea. Antipas cheated on his wife, daughter of Aretas, with his niece Herodias. When his wife became aware of his promise to marry Herodias, she escaped Judaea and went back to his father. It is probable, however, that it was only an excuse for war, since the military conflict took place years later, as Josephus reveals. The actual reason for war was a disputed territory that used to belong to late Philip (brother of Herod Antipas), who died in 34 AD.³⁵ Aretas proved to be superior in the war between 34 and 36, yet Antipas turned to Emperor Tiberius, who ordered Vitellius, procurator of Syria, to punish the Nabataeans. The life of Aretas was saved by the death of the emperor: the attacking Syrian legions stopped when they received the news from Rome in the spring of 37 AD.

The possible coincidence of the Jewish-Nabataean conflict and Paul’s journey to Arabia-Nabataea lead some scholars (including M. Hengel) to the as-

³² Diod. II.48.1-2. (Translated by C. H. Oldfather)

³³ Str., *Geogr.* XVI.4.21. (Translated by H. C. Hamilton–W. Falconer)

³⁴ J. *AJ.* XVIII.109-115; XVIII.120-126.

³⁵ J. *AJ.* XVIII.106.

sumption that the aforementioned conflict may have influenced or even ended Paul's staying in Arabia.³⁶ An argument for this position could be Paul himself in 2Cor. 11:32, if we interpret it as the revenge of Aretas (see above). However, other sources do not confirm this theory. In fact, we have very little evidence for the extension of Nabataean authority over Damascus. Paul's second letter to the Corinthians is actually the only source that claims that Aretas IV was master of Damascus. Although we have plenty of coins minted by Aretas IV, no such coin was found in Damascus.³⁷

Archaeological research has greatly contributed to our knowledge about the culture of Nabataeans. The traditional sun god of the Nabataeans (Ḍū Sharā – 'Lord of the Mountains'), originating from the nomadic period, had become a syncretized divinity in the Hellenistic Age, being identified either as Zeus or as Dionysos. Hellenistic attributes on coins and sculpture reinforce this change.³⁸ A similar procedure can be noticed in the figure of Atargatis, an ancient Semitic fertility goddess. Yet it is not only the syncretism of the pantheon that reveals the Hellenism of the Nabataeans but also their architecture. The monastery and the treasure of Petra were both supposed to have been built after the Roman conquest (106 AD) but today they are dated to the time of Aretas IV.³⁹ The lack of burials (implied by Strabo⁴⁰) is refuted by the decorative façade of royal rock tombs.⁴¹ The original structure of the Hellenistic theatre building is dated to even earlier: 33 BC.⁴² It is no wonder that G. W. Bowersock calls Petra "a cosmopolitan place",⁴³ where Hellenistic, Egyptian, and Iranian elements appear and mingle in architectural decorations.⁴⁴

We have to see that the Nabataean kingdom and particularly its capital, Petra, was a profoundly Hellenized place that was probably an attractive destination to a profoundly Hellenized Jew who grew up in Tarsus, another greatly Hellenized city in Cilicia, in the Eastern Mediterranean. Strabo writes the following about the culture in Tarsus:

³⁶ Hengel-Schwemer, op. cit. (note 9), 112.

³⁷ A. Negev, The Nabateans and the Province of Arabia. In: ANRW II. 8 (1977) 569: „The existence of a Nabatean ruler at Damascus at this time has never been satisfactorily explained.”

³⁸ Ph. Hammond, The Nabataeans: Their History, Culture and Archaeology. Gothenburg 1973, 95-96.

³⁹ G. W. Bowersock, Roman Arabia. Cambridge, Mass. 1983, 62.

⁴⁰ Str., Geogr. XVI.4.26.

⁴¹ Hammond, op. cit. (note 38), 94.

⁴² Hammond, op. cit. (note 38), 99.

⁴³ Bowersock, op. cit. (note 39), 61.

⁴⁴ Hammond, op. cit. (note 38), 95-99.

The inhabitants of this city apply to the study of philosophy and to the whole encyclical compass of learning with so much ardour, that they surpass Athens, Alexandria, and every other place which can be named where there are schools and lectures of philosophers.

*It differs however so far from other places, that the studious are all natives, and strangers are not inclined to resort thither. Even the natives themselves do not remain, but travel abroad to complete their studies, and having completed them reside in foreign countries. Few of them return.*⁴⁵

These lines may strikingly remind the reader of Paul himself, who may have received his Hellenic education in the schools of the Cilician Tarsus before he moved to Jerusalem to study at the feet of Gamaliel and to learn the perfect manner of the Jewish traditions.⁴⁶ If this (probably generalized) account of Strabo is valid in the case of Paul, then we can have a third assumption concerning the motivation of his Arabian journey. If we are right in being doubtful about both the missionary theory (claiming that Paul went to Arabia to preach the gospel) and the contemplation theory (claiming that Paul was preparing in prayer to his career as a preacher of the gospel), then we can presume that he went to Arabia since it provided Hellenized surroundings that Paul had been accustomed to in Tarsus. What he exactly did there is of course impossible to tell, yet the remark of Strabo (“natives ... travel abroad to complete their studies”) can support the assumption that Paul continued his studies there. This may be another factor that accounts for the change of his attitude towards Judaism.⁴⁷ He does not consider the religious laws and traditions valid any more: nobody is justified by the work of the Jewish law but only by believing in Christ.⁴⁸ Arabia may well be the place where Paul recognized this message.

⁴⁵ Str., *Geogr.* XIV.5.13: “Τοσαύτη δὲ τοῖς ἐνθάδε ἀνθρώποις σπουδὴ πρὸς τε φιλοσοφίαν καὶ τὴν ἄλλην παιδείαν ἐγκύκλιον ἅπασαν γέγονεν ὥσθ' ὑπερβέβληνται καὶ Ἀθήνας καὶ Ἀλεξάνδρειαν καὶ εἴ τινα ἄλλον τόπον δυνατὸν εἰπεῖν, ἐν ᾧ σχολαὶ καὶ διατριβαὶ ἰφιλοσόφων γεγόνασιν. διαφέρει δὲ τοσοῦτον ὅτι ἐνταῦθα μὲν οἱ φιλομαθοῦντες ἐπιχώριοι πάντες εἰσὶ, ξένοι δ' οὐκ ἐπιδημοῦσι ῥαδίως· οὐδ' αὐτοὶ οὗτοι μένουσιν αὐτόθι, ἀλλὰ καὶ τελειοῦνται ἐκδημήσαντες καὶ τελειωθέντες ξενιτεύουσιν ἠδέως, κατέρχονται δ' ὀλίγοι.”

⁴⁶ Cf. *Act.* 22:3.

⁴⁷ This essential change in the world view of Paul is highlighted in *D. Boyarin, A radical Jew. Paul and the Politics of Identity.* Berkeley 1994, 31.

⁴⁸ Cf. n. 3.

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FATHER OR MOTHER? STORIES OF MALE PREGNANCIES IN PHLEGON'S *DE MIRABILIBUS*

BY DÓRA PATARICZA

Abstract: Phlegon was a representative of the genre „paradoxography”, telling stories about marvellous, interesting and fabulous events and phenomena. Frequently he is looked at as a pure fictionist without any real background and relevance from the point of view of historic research. However a comparative analysis of his stories and our recent knowledge in natural sciences indicate the feasibility of the background of his „tales”. Accordingly even such fantastic topics like male pregnancy and parturition may potentially have a core of truth.

Key- words: Phlegon, paradoxography, male pregnancy and parturition, intersexuality.

The following sensational title appeared in a newspaper article published about a year ago: “Pregnant man gives birth to baby girl.”¹ However, a very similar text was created already 2000 years ago by Phlegon. He is probably the only ancient author who wrote about male parturition.

Sensational news is always looked at by readers and critics as something suspicious in content and unethical in writing, making it questionable, whether they may have any value or even whether they consist simply of a collection of flat lies. It is easy to cross-check the truth of a story in contemporary times, as even a simple reader has access to a tremendous variety of alternate, independent information sources.

However, checking the truth content of stories told by ancient writers is fundamentally different from that of actual boulevard journalism, as for such old findings only information fragments are available as a basis for comparison. Moreover, even if there are other relevant sources about a particular subject available, these pieces of information may be distorted by the very nature of information dissemination in the ancient world.

One of the most important ways to check the authenticity of a finding is to examine its core subject from the point of view of scientific feasibility, thus bringing a scientific proof evaluating whether the event described could have

¹ <http://www.guardian.co.uk/world/2008/jul/04/usa.gender>. July 4, 2008. Written by James Orr.

happen at all. This way, it is worth evaluating even the most sensational tales from a scientific point of view. Although some exaggeration is a joint characteristic of both old and brand new texts, even Phlegon's text might originate from a real background – as the above article has a truth core.

Phlegon was born in Asia Minor, in Tralleis and he was a freedman of emperor Hadrian.² His book entitled *Book of Marvels* (*Περὶ θαυμασίων*) is a prominent example of paradoxography, the genre dealing with wondrous or inexplicable phenomena. His book contains altogether 35 stories covering different tale-like topics – revenants and ghosts, intersexual people, findings of giant bones, monstrous births etc. – out of which two inform us about male individuals allegedly giving birth.

Although Phlegon is considered as a representative of the genre 'paradoxography' and thus being similar to a pure fictionist storyteller who creates fabulous and interesting stories with no intention of telling the truth, I still believe that there must be some real basis for his stories. While other authors – the most prominent of whom is Pliny the Elder – are considered as a forerunner of anthropology,³ Phlegon who wrote about very similar topics is still thought to be an author of pure fiction solely because of being labelled as a paradoxographer. However the difference between them lies in their degree of exaggeration and not in the choice of topics.

Phlegon should not be regarded as the author of fairy tales for adults. His popularity indicates a wide audience of adults who – similarly to people nowadays – were interested in and fascinated by seemingly true stories more than in obviously fictitious ones. Thus Phlegon's aim was to engage these people's interest by creating stories around some real kernel of truth and scaling it up to make it even more interesting.

He wrote about so-called sex-changers as well – usually young girls who allegedly changed sex at a certain point in their lives. There are six stories, two of which describe the sex changes of mythological people, Teiresias and Kainis. However these are not addressed here, as these cases can be deduced to other medical problems if they have a real background, at all.

I assume that his stories about male pregnancies were not entirely imaginary. His description reads as follows:

² Phlegon's detailed biography in: *K. Brodersen* (ed.), *Phlegon von Tralleis – Das Buch der Wunder*. Darmstadt 2002, 9-15; *W. Hansen* (ed.), *Phlegon of Tralles' Book of Marvels*. Exeter 1996, 1-22.

³ *H. Schipperges*, *Zur Anthropologie des Plinius*. In: *C. Plinius Secundus: Naturkunde*. Buch VII: *Anthropologie*. Ed. and transl. by *R. König-G. Winkler*. München 1975, 301.

(26.) A Homosexual

The doctor Dorotheos⁴ says in his Reminiscences that in Egyptian Alexandria a male homosexual⁵ gave birth, and that because of the marvel the newborn infant was embalmed and is still preserved.⁶

(27.) A Slave

The same thing occurred in Germany in the Roman army, which was under the command of Titus Curtilius Mancias: a male slave⁷ of a soldier gave birth. This happened while Konon was archon in Athens and Quintus Volusius Saturninus and Publius Cornelius Scipio⁸ were consuls in Rome.⁹

Male pregnancy was a popular topic in the Greek mythology. Zeus swallowed the pregnant Metis and later Athene burst out of his father's forehead (Fig. 1.) according to a version transmitted by Hesiod,¹⁰ Dionysos was carried to term in his father's thigh. Kronos too swallowed down his children and carried them until Zeus made him disgorge his siblings.¹¹ It seems that in mythology the same topic can be found in other cultural surroundings as well, e.g. in Hurrite mythology: The Hurrian god Kumarbi bit off the genitals of his father,

⁴ His works have not survived. Different references suggest that he must have lived before 1st century AD, thus this particular case can be assumed to be about that time (cf. Hansen, op. cit. [note 2] 159).

⁵ The word Hansen translates with the term homosexual is in the Greek original text *κίναϊδος* of the exact meaning 'lewd fellow' according to the LSJ, but in this context it must refer to the passive (also called the *ἐρώμενος*) partner in a homosexual intercourse. Winkler states that the *κίναϊδος* was by no means a homosexual but rather „a man socially deviant in his entire being, principally observable in behavior that flagrantly violated or contravened the dominant social definition of masculinity“, „a man who likes to lose... The kinaidos simply and directly desires to be mastered.“ (J.J. Winkler, *The constraints of desire. The anthropology of sex and gender in ancient Greece*. New York-London 1990, 45-46. and 54) Fisher however describes *κίναϊδοι* as men who preferred forms of sex more appropriate for women or slaves and also feminine styles in dress, hair etc. (N. Fisher, Introduction. In: N. Fisher, *Aeschines: Against Timarchos*. Oxford 2001, 48).

⁶ The text's reference to the baby „The infant was embalmed“ means that the child was either born dead, or died shortly after birth or was killed in order to put it on display as something extraordinary. This was very common in ancient times, we have reports on different (once) animate and inanimate items that were shown in public or private collections (cf. Hansen, op. cit. [note 2], 170-176).

⁷ It was certainly the male slave who played the passive role during intercourse in the second case, which is underpinned by his subordinate social role of a slave. I assume that the slave might have been either an intersexual person with predominantly female characteristics or a masculine woman or perhaps even a girl disguised as a male for some reason.

⁸ The event can be dated to 56 AD. As Phlegon always groups his stories of similar topics in chronological order, it can be assumed that the second story (27) happened later than the first one (26).

⁹ Transl. by Hansen, op. cit. (note 2).

¹⁰ Hesiod, *Theogony* 886-929.

¹¹ Hesiod, *Theogony* 161-210, 453-500.

An(ush) and he became impregnated with three children who were delivered through his different body openings.¹²

However, the Phlegonian stories differ from the above scheme: heterosexual male gods deliver children in the Greek mythology that were conceived in female divinities. The only function of these gods is to carry the embryo. On the other hand Phlegon writes about homosexual males who became pregnant and were later able to carry the child of two men.

I assume that one of the possible explanations is that they were seemingly intersexual women having functioning wombs but regarded as men due to their masculinized genitals. Such genitals can vary on a wide range: clitoris hypertrophy, phallus-like clitoris (micropenis), scrotum like labia majora, or seemingly masculine penises with a void scrotum.¹³

Maybe these people were born as intersexuals originally of masculine features but at a certain point female secondary sex characteristics started to dominate. Thus it is only a question of viewpoint if society regards these people as males or females. Several cases are documented in which intersexual or pseudo-intersexual people gave birth.¹⁴

The most probable option is that the stories are about people with *pseudo-hermaphroditismus femininus* with functioning ovaries and uteri, who have masculine external genitals. Prenatal virilization might be due to placental hormone disorders in the female embryo as a consequence of which masculinization takes place during the sexual differentiation.¹⁵ In the case of the mother, certain diseases with androgene overproduction (e.g. because of tumors in the organs producing androgene) may cause virilisation in the embryo. The most common cause for this disease is a hereditary enzyme defect of the adrenal glands in the fetus.¹⁶ This disease might appear relatively widespread even in ancient times. Although fertility is rare for people of intersexual gender, pregnancy might still have occurred in certain cases.

Another, more straightforward explanation of these stories would be assuming masculine women as subjects of them. As nowadays, although certainly sporadically, even in ancient times it could have happened that a woman of masculine appearance was thought to be a man. Rarely not only men but women too were classified into two groups, namely manly women and femi-

¹² S. Trzaskoma–R. Scott Smith–S. Brunet (eds.), *Anthology of Classical Myth: Primary Sources in Translation*. Indianapolis 2004, 130.

¹³ Z. Papp (ed.), *A szülészet-nőgyógyászat tankönyve* [Course book on Gynecology-Obstetrics]. Budapest 2007, 98.

¹⁴ G. M. Gould – W. L. Pyle, *Anomalies and Curiosities of Medicine*. New York 1964, 207-212.

¹⁵ Papp, op. cit. (note 13), 99.

¹⁶ Papp, op. cit. (note 13), 98-100.

nine women. Aristotle calls dark-skinned women masculine and light-skinned women as feminine.¹⁷ The *Diseases of Women* which is a part of the Hippocratic Corpus (1.6.) supposes that man-like women are healthier, and less given over to maternity and conception,¹⁸ which does not contradict my supposition since there might be exceptions to it.

Apparently all the stories told by Phlegon are proven to be feasible in terms of medical science. However, we cannot prove that they actually did happen only that the sensational stories may have some core of truth. The interesting consequence can be drawn that extraordinary events were of a similar interest to the public as nowadays. The other straightforward conclusion is that Phlegon followed the very same way in creating his stories of extraordinary events as the creators of Greek mythology: something beyond everyday experience as a starting point and creating a human context in order to make it simultaneously sensational but believable.



Fig. 1.: Birth of Athena out of the forehead of his father Zeus
(black-figured amphora, 550-525 BC, Louvre, Paris.)

¹⁷ GA 728^a 3-5

¹⁸ J.J. Winkler, op. cit. (note 5), 50.

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