

THE MENOPAUSE

According to Aristotle (*History of animals* 585b) most women ceased to menstruate in about their fortieth year, but some continued to be fertile up to their fiftieth birthdays, and pregnancies at this age were not unknown. There is very little discussion of the menopause in Greek literature. Perhaps, as Pomeroy (1975, p. 85) has suggested, it generated much less interest than the menarche because far fewer women lived long enough to experience it. But the low valuation placed upon non-fertile females could also have contributed to the neglect of this stage in a woman's life.

DEATH

The average life expectancy of Greek women is impossible to estimate. The age at which people died is rarely recorded on Greek tombstones, and the evidence of literature is hopelessly selective. On the basis of his study of skeletons from Classical Athens, Angel (1972, p. 94, table 28) has calculated that the median age at death (that is, the age by which fifty per cent of the population had died) was 34.6 for women and 44.5 for men. As Garland (1990, p. 245) has pointed out, the information derived from analyses of this type is far from reliable, and there may be a considerable underestimation of ages. But it does seem likely that the life expectancy of women was lower than that of men, a conclusion which is confirmed by Aristotle's statement that men naturally live longer than women because they have more heat in their bodies (*On the length and shortness of life* 466b).

II

Women in Athenian law and society

Most of our knowledge about women in Classical Greece relates to Athens, the city which has provided us with the bulk of our source material for this period. Inevitably, Athenian women occupy a large proportion of this chapter on the Classical Age. But one must be cautious about allowing the female residents of Athens to represent Greek women in general. Athens was in many ways an unusual city. It was bigger and richer and more powerful than most. It included in its population far more slaves and resident aliens than the average Greek state, and its democratic constitution, while not unique, was probably more radical and innovative than those established elsewhere. All of these factors would have affected the lives, status and images of women. It is difficult for us to know to what extent the experience of other Greek females diverged from that of their Athenian sisters, but evidence relating to Sparta and Gortyn (discussed in a later chapter) indicates that in some states at least the legal and social role accorded to women might be very different.

In this chapter, I shall be examining the position of women within Athenian society, as defined both by law and custom; while in the one that follows, I shall be attempting to look beyond this legal and normative framework and to consider the reality of Athenian women's lives. Both chapters will draw on a wide variety of source material – law-court speeches, historical writings, comic and tragic drama, philosophy, instructive treatises, inscriptions, archaeological sites and vase paintings. All of these sources present us to some extent with ideas as well as with 'facts' about women; but in two of them – drama and philosophy – the ideas are more consciously formulated and more extensively expressed than elsewhere, and therefore these literary genres will also be studied as distinct discourses in Part IV.

In separating out drama and philosophy in this way, I am not suggesting that the other sources which are being used are necessarily more objective and value-free. For example, law-court speeches, most of them composed in the fourth century BC, will provide much of the information discussed in this and the following chapter. The data

which they furnish about the content of Athenian law may be thought to be reasonably factual, but even here it must be borne in mind that the speaker's interpretation of the law will have been influenced by the need to argue his case. Even more caution must be exercised when it comes to evaluating the glimpses into women's lives which the speeches offer, for these were public utterances whose object was to convince the jurors of the respectability of the speaker and his family. They were spoken by men and addressed to male audiences; and neither party would have been free from preconceptions about women and their activities.

LEGAL STATUS

In law an Athenian woman had no independent existence. She was always assumed to be incorporated into the *oikos* which was headed by her *kyrios*, or male guardian. Until she was married, a woman came under the guardianship of her father, or male next-of-kin. On her marriage, her husband took over the role of *kyrios*: if she was subsequently divorced or widowed, and she had no sons, she returned to her original guardian. But if she was widowed and had sons who were still minors, she could choose to stay in her late husband's *oikos* under the guardianship of her sons' *kyrios*, while if her sons were already of age she could pass if she wished into their guardianship.

The function of a woman's *kyrios* was, in general, that of protection. As well as being responsible for her economic maintenance and her overall welfare, he acted as an intermediary between the private domain occupied by the woman and the public sphere from which she was excluded. This mediation would have been most frequently undertaken in dealings which had a legal significance, such as the making of contracts or the arrangement of a marriage. If any of these dealings ever necessitated a court appearance, this too would have been handled by the *kyrios*. An Athenian woman was barred from conducting legal proceedings on her own behalf, and there is reason to believe that normally she could not even give evidence in court. It seems instead to have been presented by her *kyrios*.¹

PROPERTY: DOWRY AND INHERITANCE

Athenian women could not by law enter into any contract 'beyond the value of one *medimnos* of barley' (Isaeus 10.10): a *medimnos* was a measure of grain, and its value in relation to barley was perhaps sufficient to keep a family fed for five or six days.² This amount would therefore have been large enough to account for the petty trading activities, such as selling vegetables, which we know some Athenian women engaged in; but it would certainly have ruled out any major transactions.³ Although this prohibition may not always have been observed, people were sufficiently aware of it to see it as a mark of male dominance: in Aristophanes' comic fantasy *Women in the Assembly* (1024-5), women who have just taken over the government of Athens introduce a law which reverses this situation by imposing the restriction on men instead of women.

It would be wrong, however, to assume on this basis that Athenian women were legally barred from owning property. Ownership is a complex concept; and as Foxhall (1989, p. 28) has argued, the existence of a regulation under which women were not able to dispose of property proves only that one of the several relationships which people might have with property was not available to them. Another relationship was free usage, and Athenian women do seem to have enjoyed this right within the household,

particularly in relation to slaves and moveable goods such as furniture, clothing and jewellery. In one sense, then, Athenian women can be regarded as property-owners; but they were always much more limited in the amount of control which they had over their possessions than men were. Moreover, unlike the woman herself, a woman's *kyrios* did have the right to dispose of her property, and it is doubtful whether he even needed to obtain her consent before doing so.⁴

The three principal means by which a woman might acquire rights over property were gifts, dowry and inheritance. The most significant gifts which she would have received would generally have been the *anakalupteria*, gifts to new brides from their husbands or relatives. Dowries, inheritance and the *epiklerate* (a specialised form of inheritance through the female line) will be discussed in some detail in the rest of this section.

Dowry

The most significant form of property acquired by a woman would have been her dowry, or *proix*, which her *kyrios* provided when she was married. He was probably not under any legal obligation to do so, but by the fifth century dowries were a well-established convention, and the moral pressure to produce one was undoubtedly very strong. Finding a husband for a woman without a dowry was, if some of the men pleading their cases in the law-courts are to be believed, a thankless business, 'for who would ever have taken a dowerless wife from a man who was penniless and in debt to the treasury?' (Demosthenes 59.8).

The dowry was usually handed over at the *engue*, or betrothal, but a later date, such as the marriage itself, could be agreed upon by the parties. Its principal component was generally a sum of money, but furniture and other moveable goods might also be included. Land might also be an element, but this would not have been common, since most men would want to keep their estates intact for their sons. Property other than money was assigned a monetary value at the time of its transfer. A large dowry, as well as being an eloquent expression of a man's wealth and social status, was undoubtedly useful in attracting eligible suitors, as had been the case with the wife of the statesman Alcibiades (Isocrates 16.31).

The proportion of the value of a man's estate represented by the dowry seems to have ranged from over 20 per cent to well under 10 per cent.⁵ In many cases it is unlikely that the income created by investing the dowry would have been enough to cover a woman's maintenance, though doubtless there were some instances where a tight-fisted man refused to spend the whole of the income from a generous dowry on his wife. Theophrastus (*Characters* 28.4) says of one such skinflint: 'His wife brought him a talent in dowry, and has borne him a son, but he only gives her a couple of coppers for treats, and makes her wash in cold water on festival days.' The dowries of poor men's daughters were sometimes supplemented by contributions from more affluent relatives, where these existed.⁶

A dowry was a woman's share of the patrimonial inheritance, received on marriage rather than on the death of her father. However, the woman herself would not have been legally capable of disposing of it, and her husband would have made all the arrangements for investing the money and for spending the major part of the income which it produced. But most husbands would have been very cautious about touching the capital sum. On divorce, a man was obliged to return the dowry to his wife's original

kyrios: if he failed to do so he had to pay interest on its value at the high rate of 18 per cent per annum, and he could be sued if he did not keep up with these payments. These regulations applied, it would appear, irrespective of which partner had initiated the divorce, and also irrespective of its grounds; it seems probable that the dowry had to be returned even if the divorce had been brought about by the wife's adultery.⁷ The dowry was also returned if the marriage was terminated by death and the couple had no children, or if a widow was left with daughters.⁸ But if there were sons, and the wife died, the husband retained control of the dowry until the sons were old enough to inherit it. If the husband died, and the wife chose to return to her natal *oikos*, she took her dowry with her; if she chose to remain in her dead husband's *oikos*, then the dowry was managed by her sons' *kyrios* until they came of age. Daughters did not, apparently, inherit their mothers' dowries.

These regulations throw an interesting light on the Athenian concept of marriage. The dowry has been described as 'a fund or an estate created by the bride's relatives to give her as it were a stake in the *oikos* to which she is by marriage transferred' (Harrison, 1968, p. 45). It constituted an element of protection for the wife, since the obligation to return the dowry would have been to some extent a safeguard against a frivolous divorce initiated by the husband, while her family's right to terminate the marriage and reclaim the dowry would have acted as a deterrent against ill-treatment. The power which a well-dowered woman might possess within the marriage is suggested by Plato's comment that, as a result of his proposed abolition of dowries, 'there would be less arrogance among women, and less servility and abasement and lack of freedom among men on account of money' (*Laws* 774c).

The dowry might with equal validity be said to provide the woman's family, rather than the woman herself, with a stake in her marriage. The father's ability to initiate a divorce and get back a dowry which could then be used as the basis for a further marriage gave him a continuing control over the woman's person. Sometimes, another marriage would seem desirable, either because it was more advantageous than the first one in terms of wealth or political connections, or because the first union had not produced any children and the woman's family needed to import a male heir. This facility will be discussed in more detail in the conclusion to this section.

Inheritance

In a society which was predominantly agricultural, inheritance was a vital issue, and would have affected members of the lower classes as well as the wealthy. A large proportion of Athenians would have owned land which had to be passed on when they died, and the stability of the state as a whole was very much bound up with the transmission of this crucial economic resource. Direct inheritance by a woman, while it was certainly possible, would have been comparatively rare. If a man had a son or sons, either natural or adopted, then they inherited his property, sharing it equally between them, and perpetuated his *oikos*. Daughters and their descendants were excluded. If a man had no sons but did have a daughter, then the property and the *oikos* were transmitted via the daughter to his grandsons: this system, known as the *epiklerate*, will be discussed below. However, in the absence of both sons and daughters, a man's property passed to a group of close relatives called the *anchisteia*, and women did feature in this, although males took precedence over them at every level.

The most probable order of succession within the *anchisteia* is as follows: brothers of the deceased and their direct descendants, without limit; sisters and their direct descend-

ants; paternal uncles and their children and grandchildren; paternal aunts and their children and grandchildren; brothers by the same mother but a different father, and their direct descendants; sisters by the same mother and their direct descendants; maternal uncles and their children and grandchildren; maternal aunts and their children and grandchildren.⁹ Thus, relatives on the mother's side were included as well as those on the father's; and among relatives on both sides women's rights to the property were among the first to be exercised: sisters, for example, got precedence over paternal uncles.

However, the transmission of property through this system would have been an eventuality which most Athenian men would have wished to avoid. If a man had no children and his estate passed to the *anchisteia*, then his *oikos* died out. This was an outcome which was socially unacceptable, since it was in the interests of the Athenian state to see that the number of *oikoi* was maintained and that wealth did not become concentrated in too few hands. It would also have been unacceptable to the individual concerned: quite apart from considerations of family pride, there would also have been a strong desire to leave behind someone who would perpetuate the ancestral cult of the *oikos*, and would tend the family graves and make sacrifices on behalf of the deceased and his forebears. Wherever possible, then, a man tried to have sons; if nature failed him in this respect, then in accordance with a law introduced by Solon (see p. 75) he could make a will in which he adopted a son and heir. Through the latter, the *oikos* would be perpetuated as a distinct entity, for the adopted son was required to renounce all rights of succession within his own natal *oikos*.¹⁰

The epiklerate

If a man had no natural sons, his *oikos* could be perpetuated through a daughter. The term *epikleros* which is applied to such a woman is often translated, misleadingly, as 'heiress'. The word means literally 'with the property', and it encapsulates her status very neatly. The *epikleros* did not herself inherit the property, but at the same time she could not be separated from it: no man could take it over without first of all marrying her. There was nothing to prevent a man who had only a daughter from adopting a son, as a childless man could, but in this case the adoptee was obliged to marry the daughter. He would then become the direct heir. If there had been no adoption, then the order of succession to the daughter's hand was the one that existed among male candidates in the *anchisteia*. The property of a man with a daughter would thus follow a similar route to the property of a childless man, but in the former case the *oikos* of the deceased man was perpetuated.

If a candidate was unwilling to marry the *epikleros*, then she passed, along with the property, to the next in order of succession. Her paternal uncle would be the first who had a right to marry her: this relationship was not considered incestuous by the Athenians, and the situation would sometimes have arisen where a young girl just past puberty found herself obliged to marry a man who was more than thirty years her senior. The next in line was her paternal uncle's eldest son, and so on.¹² If the *epikleros* was already married to somebody else, and her father had not taken the precaution of adopting her husband as his heir, then a claimant could force her to divorce her existing husband, although it is possible that this only applied if she had not already produced a son.¹³ If the claimant was himself already married, then he had to divorce his existing wife or give up his claim. One such situation is described in a speech attributed to Demosthenes (57.41), where a poor man called Protomachus is said to have arranged for his wife to marry an acquaintance of his so that he himself was free to take on an *epikleros* and the large estate that went with her.

The next-of-kin who married an *epikleros* did not, however, have unconditional control over the property to which she was attached. He held it in trust until the son or sons that were born of the marriage came of age, at which point they became its owners.¹⁴ But up to this time he enjoyed the income which the estate produced, which in some cases might be considerable. The *epikleros*, then, could be a great asset to her husband. But it is clear that her true function was to supply her deceased father's *oikos* with an heir, and thus ensure its continued existence. This illuminates the rationale behind two laws introduced, according to Plutarch (*Life of Solon* 20.2–3), by Solon. These stipulated that an *epikleros*'s husband was to have sex with her at least three times a month; and that the *epikleros*, if her husband was incapable of intercourse, had the right to marry his next-of-kin. In view of the fact that the husband might be an elderly man, it was evidently thought to be necessary to safeguard against a situation where he might take the money and then fail to fulfil his marital duties.

Not surprisingly, relatives sometimes quarrelled about who was entitled to the hand of an *epikleros*. These disputed claims were referred to the courts, where, if Aristophanes is to be believed, juries might sometimes settle the woman's future in a very cavalier fashion: 'If a father dies and leaves his daughter to someone as an *epikleros*, we tell the will to get stuffed even though it's so solemnly covered in seals. We give her to whoever wins us over by his entreaties', says a jurymen in *The Wasps* (583–6). At best, an *epikleros*, in terms of the control which she had over her own life, would have been in no worse a situation than any other Athenian girl whose marriage was arranged by her father, for it would often have been the case that her husband was chosen by adoption. At its worst, she was at the mercy either of the inheritance system or of the law courts. The men who so earnestly pursue these tangled inheritance cases in the courts generally show no recognition at all of the fact that they are deciding with whom a young woman will spend the rest of her life.

Conclusions

While she herself in normal circumstances was excluded from direct inheritance, an Athenian woman could potentially play a crucial role in reinforcing patrilineal succession. Firstly, as an *epikleros* she could produce the son which her father had lacked. Secondly, even when she did not possess the status of an *epikleros*, she could supply other members of her family with adoptive sons. When a childless man adopted an heir in order to avoid the extinction of his *oikos*, he was in theory free to choose anyone he liked; but in practice he generally adopted a close relative, such as his sister's son. 'Thus the legitimate children which a woman bore even within another *oikos* created, as it were, an alternative supply of heirs for her natal *oikos* should the need arise' (Just, 1989, p. 94).

These factors help us to understand why it was in the interests of a family to retain residual rights over a woman after she was married – the right to reclaim both the woman and her dowry and to transfer them elsewhere should she become an *epikleros*, or should her existing marriage prove childless. Ideally, the line of descent was maintained through the male, but if necessary this could also be achieved through the female. Since any woman could potentially be called upon to play this role, it was important that her links with her natal *oikos* should never be completely severed. In her social function a woman can therefore be seen to be liminal, in that she straddles the social boundary which separates the *oikos* of her father from the *oikos* of her husband. The awareness of this ambiguity in status could well have reinforced the mythological concept of a woman as a boundary-crosser (see p. 19).

The important part played by Athenian wives in the transference of property can now be appreciated. Firstly, they could be employed to bridge a gap in the male line of descent. Secondly, whether supplying heirs for their father's or for their husband's *oikos*, they were responsible for conferring legitimacy, which was an essential qualification for inheritance. Finally, after 451/0, when a law was introduced which made Athenian parentage on both sides the qualification for citizenship (see pp. 120–1), they became instruments in the transmission of citizen rights; and in Athens only citizens were allowed to own land. The unease aroused by the uncertainty as to which *oikos*, father's or husband's, was the object of a woman's loyalty would have been augmented by the anxiety generated by the utter liminality of her role in the inheritance system. Though she stood at the core of the system, in terms of economic power she was marginal. As Just (1989, p. 102) has pointed out, if women had played no role at all in the transmission of property, they might have been more free from the constraints and designs of men. As it was, the essential nature of their contribution produced the need to control them.

It was in the interests of the Athenian state that the individual *oikos* should be maintained as a viable economic unit, both because this ensured a continuing supply of soldiers and sailors, and because the economic self-sufficiency of the *oikos* was an important factor in keeping at bay the civil strife which increasingly racked so many other Greek states in the Classical period. It was against the background of this overall political stability that Athenian democracy was maintained and strengthened in the fifth century. Thus there was a merging of women's private and public roles: as contributors to the survival of the individual *oikos* they were central not just to the well-being of their families but also to the vitality of the democratic state. This idea is expressed quite simply by the female chorus in Aristophanes' *Lysistrata* when it states, 'I have a share in public service. For I contribute men' (651). Women's liminality can therefore be seen to encompass a political dimension. Though democracy needed them, they were excluded from its institutions; and though, after 451/0, they were given a role in the transmission of citizens' rights, they themselves did not enjoy full citizenship.

MARRIAGE

It is difficult to know whether many women remained unmarried in Classical Athens. There are very few references in literature to individual spinsters, but this could be explained by the Athenian male's lack of interest in non-reproducing females. Spinsterhood was viewed by men as a disastrous fate. According to the orator Lysias, for example, one of the evil consequences of the reign of terror instituted by the Thirty Tyrants at the end of the Peloponnesian War was that women had been robbed of potential husbands (12.21). In Aristophanes' *Lysistrata* (493), the heroine who is trying to put a stop to war expresses the sorrow she feels for 'maidens growing old in the bridal chambers'.¹⁵ An unmarried woman would have been financially dependent on her male next-of-kin, and one whose relatives were poor might have faced destitution or have been driven into prostitution (Demosthenes 59.113). Although there was some work available to women in Athens, it was probably scarce and certainly unremunerative (see p. 145).

Most Athenian girls were probably married for the first time between the ages of fourteen and eighteen. Evidence is limited, but where it exists it indicates that the younger end of the age range may have been favoured: for example, the new bride in a treatise by Xenophon is aged fourteen (*Oeconomicus* 7.5); and the sister of the orator Demosthenes was to be married at fifteen (Demosthenes 27.4 and 29.43). Most men on

the other hand probably married at about the age of thirty. The reasons for early female marriage are not at all clear. Since in normal circumstances most Greeks were probably keen to limit the size of their families (see p. 107), it seems unlikely that the motive was the maximising of breeding potential. Perhaps in general it was the perceived need to control women that was responsible for the practice. The belief that women became wild and ungovernable at puberty, the stress on premarital virginity and the fact that the girl's father (who would have been over thirty when she was born) might die in the near future, may all have made early marriage appear desirable. A husband might also prefer a young wife whom he could educate to run the household in the way that he wished (see Xenophon, *Oeconomicus* 7.4-5). The disparity in the ages of husband and wife would have helped to foster the notion of the intellectual inferiority of the female, and would have reinforced patriarchal attitudes towards women.

A woman was legally incapable of arranging her own marriage, and this responsibility normally fell to her guardian. There is scarcely any evidence to show that the woman was allowed any say in the matter.¹⁶ When, for example, a speaker in a lawsuit (Isaeus 2.3-9) is describing how Menecles, a close friend of his deceased father, asked him and his brother for the hand of their sister, he remarks: 'Knowing that our father would have given her to no-one with greater pleasure, we gave her to him in marriage.' Later on, when Menecles decided that in view of their childlessness his wife ought to be given the chance to remarry, her brothers did at least insist that she herself would have to agree to the divorce; but again there is no suggestion that she played any part in choosing her new husband.

There was, however, a good chance that the bride would at least have had some social contact with her new husband. In Classical Athens, close-kin marriages were relatively common, even when not dictated by the *epikleros* system. Marriages between first cousins appear to have been particularly favoured,¹⁷ but marriages between uncles and nieces, second cousins, cousins once removed and siblings with the same father but a different mother are also known. This tendency to look for partners within the extended family probably sprang from a traditional loyalty towards one's kinsfolk. If a man had favour to confer in the form of a daughter and her dowry, he would prefer that it went to someone to whom he was closely related, and whose character and material resources would be well known to him.

If the extended family did not yield a suitable candidate, then a woman might be offered to a close friend of her father, as in the case of Menecles' wife. But marriages to men who were unconnected with the family also occurred, and sometimes a bride may not even have set eyes on her husband-to-be prior to their betrothal. The amount of wealth available on both sides would certainly have been an important consideration when these unions were arranged, at least among the upper classes. Whether the creation of political alliances was also a factor is open to doubt: as Humphreys (1983, pp. 25-6) has suggested, the masculine network of friendships forged at drinking parties and in the gymnasium was probably more significant in this respect, and marriage ties may have functioned as declarations of political allegiance rather than as a means of establishing it.

In 451/0 Pericles introduced a law which stipulated that in order to qualify as an Athenian citizen a man had to be of Athenian parentage on both sides, and not just, as previously, on that of his father. This would have deterred the great majority of Athenians from seeking brides both in other parts of Greece and among the non-Athenian population of Athens. The citizenship law was reinstated in 403/2, having apparently fallen into disuse, and at some point in the following century it became

positively illegal for an Athenian citizen to marry a non-Athenian. From the middle of the fifth century onwards, then, Athenian society became officially endogamic, in that it was from marriages within the community that the citizen body was created. There has been much speculation about the purpose of this law. The two most favoured suggestions are that it was introduced in order to limit the influence of aristocratic families over foreign policy, by effectively preventing them from arranging dynastic marriages with powerful families in other states; or that its chief objective was the creation of an exclusive and limited citizen body at a time when citizenship carried considerable privileges within the democratic state.¹⁸ In general, the system of endogamy can be seen as contributing towards the cohesion of the Athenian state, since the exchange of women between citizens would have created a network of kinship relations binding together different *oikoi*.

The seriousness with which men viewed the rights and responsibilities exercised by women as conferrers of citizenship is illustrated by the famous case against Neaera, which was heard in the Athenian courts in about 340 BC. In a speech attributed to Demosthenes, two men are prosecuting Neaera, a Corinthian courtesan, for living with an Athenian citizen Stephanus as his wife, contrary to the laws of Athens. One of the chief accusations which is made in the course of this case is that Stephanus had passed off Neaera's alien children as his own by a former marriage, and had twice given her daughter in marriage to Athenian citizens: any children born as a result would have fraudulently exercised the rights of citizenship.

In this passionate oration, citizenship is viewed as a precious gift which has been cheapened by men like Stephanus, who has subverted the laws which are the basis of the state's integrity. Interestingly, women are singled out as the members of society most threatened by his actions: the sacred duties of citizen women are debased when an alien and a prostitute is allowed to share in them, and if men believe that they can live with women like Neaera with impunity, then poor Athenian women will be unable to find husbands. 'I want each one of you to bear in mind that you are casting your vote, partly in the interests of your wife, partly in the interests of your daughter, partly in the interests of your mother, and partly in the interests of the state and of the laws and of religion, so that women such as these should not appear to be held in the same esteem as a prostitute, and that those who have been brought up by their relatives with great care and in the utmost modesty, and have been given in marriage in accordance with the laws, should not appear to be sharing their privileges with someone who in so many obscene ways has consorted so many times a day with so many men...' (Demosthenes 59.114). Clearly, an appeal to the popular view that women were in need of the state's protection was likely to prove effective in the Athenian courts.

Was love never a motive for marriage in Classical Athens? Dover (1973, p. 69) has suggested that, while love-matches may not have existed among the upper classes, lower down the social scale segregation of the sexes would not have been feasible, and young people must sometimes have met and had love affairs. However, there is only one reference to such an affair in Classical literature, in a comedy of Aristophanes in which a young woman waits to welcome her lover while her mother is out (*Women in the Assembly* 920). There is no suggestion at all that this is expected to lead to marriage.

Certainly, there seems to have been little room for the concept of love in the official ideology surrounding marital relations in Athens. When the speaker in the case against Neaera tells his listeners 'We have courtesans (*heterae*) for pleasure, concubines to take care of our day-to-day bodily needs, and wives to bear us legitimate children and to be

the loyal guardians of our households' (Demosthenes 59.122), his object is to distinguish between the various types of sexual relationship which an Athenian male might enter into; but at the same time he gives voice to a strictly utilitarian view of the purpose of marriage, one with which he would presumably have expected his audience to sympathise. 'Love and marriage' is a scenario which is largely absent from the imaginative literature of the Classical period. Yet, in the early Hellenistic Age, the comic playwright Menander wrote plays in which young men fell in love and were anxious to marry the objects of their affection. This was undoubtedly new as a theme, and its appearance in the theatre is indicative of the growing acceptability of privatised aspirations. It is, on the other hand, hard to believe that the experience itself was an entirely novel one. However, the fact that Menander's plots focus on the removal of the seemingly insuperable social obstacles standing in the way of wedded bliss suggests that love and marriage may not have been viewed as natural partners. Whether in the Classical Age this had led to a great deal of frustration it is impossible to say: there is certainly no indication of this in the sources for the period.

The legal definition of marriage in Athens is unclear, but it seems likely, as Patterson (1991, p. 60) has argued, that it should 'be understood not as a simple legal event but as a composite process', involving a number of actions or events. One of these was certainly the procedure known as *engue*, which is often translated as betrothal. It consisted of a private verbal contract made between the bride's *kyrios* and the groom (or the groom's *kyrios*, if the groom himself was not yet of age). Proof of *engue* was vital if the legitimacy of one's children was ever called into question, so that it was advisable to perform it in front of witnesses. The agreement was probably sealed by the traditional formula, 'I hand over this woman to you for the ploughing of legitimate children' (Menander, frag. 720, Kock), a phrase which seems to echo one used when agricultural land was leased, but which also makes use of a common metaphorical association between women and the earth.¹⁹ Normally the dowry would have been transferred at the *engue*, and its monetary value agreed upon. In most cases the cohabitation of the couple probably commenced shortly afterwards, but in some situations there might be a considerable interval: Demosthenes' sister, for example, was betrothed at the age of five when her father was on his deathbed (Demosthenes 28.15). *Engue* was not apparently a legally binding contract, since the groom could withdraw at any point prior to cohabitation, on condition that the dowry was repaid.

Apart from *engue*, the wedding celebration (*gamos*), cohabitation (*sunoikein*), and the production of children may all have been regarded as indicators of the existence of a marriage. None of the sources provides us with a complete description of the *gamos*, the set of rituals which accompanied the handing over (*ekdosis*, literally, 'giving out') of the bride to the groom: the account which follows has been pieced together from various visual and literary texts.

At some point prior to the ceremony, a sacrifice was performed by the bride's father, and it may have been at this stage in the proceedings that the bride cut off her hair, and removed and consecrated to a goddess such as Artemis or Athena the girdle which she had worn since puberty. Both these actions were symbolic of her imminent transfer to a new status. She was then given a ritual bath in water that had been drawn from a sacred spring and carried in a special vessel known as a *loutrophoros*: if a girl died unmarried, one of these pots was often buried with her, and was sometimes represented on her tombstone. The public part of the ceremony began with a wedding feast in the house of the bride's father. At nightfall, the partially veiled bride, the groom and the groom's best

friend were carried to the couple's future home in a nuptial chariot drawn by mules, accompanied by a torchlit procession of friends and relatives singing nuptial hymns (Fig. 20).

At their destination the bride was greeted by her mother-in-law, who was carrying torches, and was formally conducted to the hearth, the focal point of her new home. Meanwhile, bride and groom were showered with nuts and dried fruits, emblems of fertility and prosperity, and a boy crowned with a wreath of thorns and acorns circulated among the guests distributing bread from a basket shaped like a winnowing fan. The presence of this child, who had to have both parents still living, signified that the proper end of the couple's union was the birth of children; but at the same time the acorns, the bread and the words that he spoke – 'I escaped the bad, I found the better' – were symbolic of a prehistoric transition from a raw to a domesticated diet, and were suggestive of the dual role played by agriculture and marriage in the progress from savagery to civilisation (see p. 42). The climax of the proceedings came when the bride was led by the groom towards the bridal chamber, while a wedding hymn was sung by the guests. It may have been at this point that she removed her veil with a ritual gesture. On the following day, which was called the *epaulia*, gifts were presented to the couple by the bride's father and other relatives; they were carried in procession to the house, and included many items – a wool-basket, pots, furniture, jewellery, fine garments, combs, perfume – which alluded either to the domestic role or to the sexual identity of the new wife.

These ceremonies emphasised the fundamental nature of the transition in which the bride was involved. One obvious motif was that of alienation: by being veiled, the bride was converted into a non-person in her old home so that she could be reborn as a married woman in the new one. There were also suggestions of a theme of abduction: at the start of the wedding procession the bride was lifted on to the chariot by the groom; and as she was led towards her new home, and again when she was conducted around the hearth, the groom held her by the wrist, a gesture indicating control and possession. Jenkins (1983, pp. 139–40), citing the work of several anthropologists, argues that the mock abduction represented a ritualisation of the family's resistance to the idea of giving up the bride, and of the bride's own feelings of grief caused by the separation and her imminent loss of virginity. It also expressed the passive status of the bride, who in this transfer was powerless to decide her own destiny.²⁰

Several writers have noted that many of the rituals performed at weddings – such as the purification and adornment of the bride, the cutting of the hair, and the procession accompanied by song – were paralleled by ones that took place both at funerals and at sacrifices.²¹ The equation between marriage and death is also to be found in literature. It stands at the core of the story of the rape of Persephone, and is frequently encountered in tragedy: when, for example, Antigone goes to her grave, her lament includes the exclamation 'I shall be married to the lord of Acheron (river of the Underworld)', and 'Oh tomb, oh bridal-chamber' (Sophocles *Antigone* 816, 891). The identification of the bride as victim, or corpse, underlined not just the critical nature of the transformation, but also the themes of loss, sorrow and helplessness. Although in the course of the ceremony the bride was pronounced 'blessed' by the assembled company, the occasion was hardly viewed, in ritual terms, as 'the happiest day of her life'. Nor, in all likelihood, would she have experienced it as such. The idea of rebirth and renewal, which was a vital element in sacrifice, was present also in a marriage, but the bride herself may not have been particularly conscious of it.

A marriage did not bring about any change in the legal or political status of the bride: she merely passed from the control of one male to that of another. Nonetheless, symbolically, socially and emotionally, this was the most important transition which she would ever undergo. She was passing from childhood into adulthood, from virginity into wifedom, and from the *oikos* in which she had grown up to the one in which she was to spend the rest of her life. The occasion may also have involved her transference from one community to another, if, as Osborne (1985) has suggested, there were as many marriages between couples from different *demes* (local communities) as there were between those belonging to the same *deme*. It would not be surprising if the experience were a traumatic one, especially since it preceded the loss of her virginity to an older man who may have been almost a complete stranger to her. Sophocles, in a fragment from one of his plays, has probably captured her feelings very well:

It is my belief that young women in their fathers' homes lead the sweetest lives of all. For ignorance always keeps children secure and happy. But when we reach womanhood and gain some understanding, we are thrust out and sold away from our ancestral gods and our parents. Some go to live with strangers, some with foreigners, some go to joyless homes, some to unfriendly ones. And all these things, once a single night has yoked us to our husbands, we are obliged to praise, and consider a happy outcome.

(frag. 524, Nauck)

CONCUBINES

The variety and hierarchical nature of the sexual relationships available to an Athenian man are revealed by the maxim about courtesans, concubines and wives already quoted (pp. 121–2). In Classical Athens, the term concubine (or *pallake*) was applied to any woman living with a man on a more or less permanent basis who had not been given to him by the process of *engue*. Among the upper classes, the practice of keeping a concubine appears to have been relatively common. Normally these women would have been slaves or foreigners, but it seems that some of them were free-born Athenians, who had been handed over to their partners in a semi-formal manner: 'even those men who give their women as concubines first come to some agreement about what benefits the concubines are to enjoy' (Isaeus 3.39). Most probably, the women who ended up in this position were ones whose families were poor and could not afford a dowry. There was some recognition of their status in law, since they came under their partners' guardianship, and were included in the list of women with whom it was illegal for another man to have sex (see p. 125).

Generally concubines were set up in separate establishments, but in some cases they may have lived alongside a man's legitimate wife as part of a *menage à trois*. As Humphreys has pointed out (1983, p. 63), there are a number of fifth-century tragedies in which this situation occurs, and these may well have had a contemporary relevance. It can be easily imagined that the antagonism attributed to the female characters involved in these arrangements would also have arisen in real life. Deianeira, the wife in Sophocles' *Women of Trachis*, expresses her feelings in this way: 'But share the house with her, and share the husband – / It's more than any woman can do . . . I know, / I see how it is: the one with youthful beauty / Ripening to its prime, the other falling away' (545–8).²²

The status of the children who were born as a result of these relationships has been much discussed. It seems likely that in the Classical period they were barred from

inheriting their father's estate, and could only receive what was referred to as an 'illegitimate portion'. In normal circumstances they may also, as illegitimates, have been excluded from citizenship. There is some evidence to suggest that during the temporary emergency of the Peloponnesian War a law was passed which gave citizen rights to the children of concubines. But this does not prove, as some have maintained, that during this time bigamy was legalised in Athens. Unions with concubines could have acquired a more formal status without being recognised as marriages.²³

ADULTERY

The Greek word which is normally translated as adultery is *moicheia*, a term which in fact had a much wider meaning. It signified unauthorised sex with any Athenian woman who came under the guardianship of another Athenian citizen, and who was not working as a prostitute. *Moicheia* was a punishable offence, and this meant that it was illegal for a man to have sex with another Athenian's wife, widowed mother, unmarried daughter or sister or with his concubine. Where relations with Athenian women were concerned, he was therefore limited to his own wife or concubine, or to prostitutes.

Any citizen who caught a man in the act of having sex with a woman under his guardianship had the right to kill him on the spot. Alternatively, he could accept financial compensation from him, holding him prisoner until he could provide sureties for the sum agreed upon; or he could subject him to various bodily humiliations, including, it seems, what Aristophanes refers to as 'radishment' – that is, having a large radish stuffed up his anus.²⁴ If the guardian had not succeeded in catching the couple *in flagrante*, or if he had decided not to take matters into his own hands, he could prosecute the man either for seduction or for rape. The maximum penalty for both offences was probably death, but a fine might be imposed as an alternative.

A man who killed a seducer on the spot ran a great risk, since he might subsequently be prosecuted for homicide by the man's family. This is the background to a speech by Lysias (1: *On the murder of Eratosthenes*) written for an Athenian named Euphiletus who, having killed a young man whom he had allegedly caught in his wife's bed, was later prosecuted by the man's relatives. It seems likely that by the Classical period very few men were willing to take the chance that Euphiletus did, and that instead they had recourse to compensation or the courts.

The penalties inflicted on the woman involved in a love affair were less severe than those which the man suffered, but they might nonetheless have a devastating effect on her life. A law which allowed a man who caught his daughter or sister *in flagrante* to sell her into slavery (see p. 70) had probably by now fallen into disuse. But the husband of an adulterous wife was legally bound to divorce her, on pain of the suspension of his citizen rights, and she was henceforth barred from participation in all the religious activities of the state, which meant that she was cut off from the one form of public involvement available to women in Athens. Any man who met her at a public religious rite could tear off her clothes and beat her, although he must stop short of killing her: 'the lawgiver seeks to disgrace such a woman and make her life intolerable' (Aeschines 1.183).

One revealing aspect of these regulations lies in the fact that any Athenian citizen, and not just the woman's guardian, could prosecute a seducer or a rapist. The offences, in other words, were treated as public ones, a good indication that the protection of the integrity of the *oikos* was considered to be in the interests of the community as a whole. Any male child which a married Athenian woman gave birth to would eventually

receive the benefits not just of inheritance, but also of Athenian citizenship. A woman's chastity was therefore the concern not just of herself and her family, but also of the state.

It is in this context that the moral outrage aroused in particular by the crime of seduction has to be viewed. Lysias (1.33) tells us that 'the lawgiver prescribes death for adultery . . . because the man who gains his end by persuasion in this way corrupts the mind as well as the body of the woman . . . and gains access to all a man's possessions and casts doubts on his children's parentage'. The activities of the seducer were seen to be more dangerous than those of the rapist, firstly because he won the wife's confidence and could steal the household goods which she protected; and secondly because a seduced woman was more likely than a raped one to pass off the adulterer's child as her husband's. If she was detected, the parentage of all her children would be in doubt, and claims both to inheritance and to citizenship would be thrown into confusion. Euphiletus, it is worth noting, is careful to make the point that his wife's alleged affair with Eratosthenes had only begun after the birth of their son (Lysias 1.6-8). It goes without saying that the sufferings of a raped woman were legally of no concern. But on the level of personal morality a rape may have been viewed with more disgust, and a playwright like Euripides could be sensitive to the wrongs which the woman had suffered even when her attacker was the god Apollo (*Ion* 941-4).

Whatever the rationale behind them, the effect of the Athenian regulations on adultery was to give official sanction to double standards of sexual morality. An Athenian man was certainly not free to make love wherever he might, but there was no legal or apparently moral bar on sexual relations with concubines, prostitutes, slaves or resident aliens. An Athenian woman, on the other hand, was in theory confined for the whole of her life to relations with a husband. It is impossible to know how often women were involved in illicit love affairs, but it seems unlikely that they were very common, if only because women had so few opportunities for meeting men outside the family circle. In the only detailed account which we have of an (alleged) adulterous relationship, the wife of Euphiletus is said to have been seen for the first time by her future lover Eratosthenes at the funeral of Euphiletus's mother, which suggests that a religious ritual was one of the rare occasions when a woman might encounter other men. The circumstances, as we can readily imagine, were not particularly conducive to seduction. Eratosthenes is said to have approached the wife indirectly, using as a go-between the household's slave girl, whom he met on her way to market. Eventually he began coming to the house when the husband was away at his country estate (Lysias 1.8-20).

Some of Aristophanes' female characters, however, refer to women's extramarital affairs as though they were a regular occurrence. In *Women in the Assembly*, for example, Praxinoa when extolling the traditional values of women says: 'They bake cakes, as they've always done. They annoy their husbands, as they've always done. They hide lovers in the house, as they've always done' (223-5). These allusions seem to stem from a male fantasy about the female sexual appetite, and can be located within an ideology which pictured women as wild, instinctive and in need of male control. But they inevitably create a doubt as to whether Athenian women in reality always maintained the rigid chastity which Athenian sexual mores sought to impose. Speakers in the law courts who refer to the modesty and dignity of Athenian women (see, for example, p. 135) are not necessarily any more reliable than a comic fantasist as witnesses for real-life behaviour of citizen wives. At the end of the day, only Athenian women knew which of these two discourses was closer to the truth; and not only do they not speak to modern readers, but they were of course unlikely to speak to their husbands about such matters.²⁵

DIVORCE

Divorce was a relatively easy matter in ancient Athens. It could be achieved by mutual agreement, or it could be initiated either by the husband, or by the wife or her family. When the husband was the instigator, it seems that he was required to do nothing other than dismiss his wife from the house: divorce was established by the fact of separation rather than by any legal process. He was, however, obliged to repay the dowry (see p. 115-6). The regulations concerning divorces initiated by the wife or her family are not very clear. It seems almost certain that a father had the right to terminate his daughter's marriage against her wishes;²⁶ but even where the woman herself wanted a divorce she may always have had to rely on members of her family to act on her behalf. Again, it was the woman's removal from the home of her husband that was the decisive element; but it seems that divorces initiated on the wife's side also had to be registered with the Archon, the chief magistrate. He does not appear, however, to have had any power of decision in the matter.

There were three situations in which a husband was obliged by statute to divorce his wife: if she had committed adultery; if she had become an *epikleros* and had to be married to the next-of-kin; and (from the fourth century BC onwards) if he had discovered subsequent to the marriage that she was an alien. Otherwise, the most common motive for divorce was probably childlessness: according to Aristotle, 'Children . . . are a bond between parents, which is why childless marriages break up more quickly' (*Nicomachean Ethics* 1162a). The desire for children would undoubtedly for many men have been linked to considerations of inheritance.

In one very unusual situation, the reason for an attempted divorce was the husband's behaviour. Hipparete, the wife of the general Alcibiades, grew tired of her husband's habit of bringing courtesans home with him, and took herself off to the house of her brother Callias. Later she tried to register the divorce with the Archon, but for some reason her brother was not present. Alcibiades appeared, picked her up, and carried her off through the agora to his house. The unfortunate Hipparete continued as Alcibiades' wife, but died not very long afterwards (Plutarch *Life of Alcibiades* 8, and Andocides 4).

A woman's family may sometimes have been motivated by the prospect of a more profitable match. In a fourth- or third-century comedy by an unknown author, one woman begs her father not to see this as a reason for ending her marriage:

If (my husband) has offended against me, I should take note of it. But I know nothing of it; perhaps I am stupid, I couldn't deny that. Yet, father, even if a woman is a silly creature when it comes to judging other matters, about her own affairs perhaps she has some sense. Explain to me how by whatever he has done he has done me wrong. There is a covenant between man and wife; he must love her, always, until the end, and she must never cease to do what gives her husband pleasure. He was all that I wished with regard to me, and my pleasure is his pleasure, father. But suppose he is satisfactory as far as I am concerned but is bankrupt, and you, as you say, now want to give me to a rich man to save me from living out my life in distress. Where does so much money exist, father, that having it can give me more pleasure than my husband can? How can it be just or honourable that I should take a share in any good things he has, but takes no share in his poverty? Tell me, if the man you now want me to marry . . . in turn loses his property, will you give me to another husband? How long will you go on tempting fortune in the matter of my life, father? . . . So in the name of

Hestia don't rob me of the husband to whom you have married me; the favour that I ask of you is just and humane. If you refuse it, you will be enforcing your will and I shall try to bear my fate properly and avoid disgrace.

(GLP 185-7)²⁷

The provisions of the law relating to the children of divorced parents are obscure, but in most circumstances they probably remained with the father. Remarriage for a divorced wife (or a widow) who was not past child-bearing age appears to have been quite normal, for divorce did not apparently carry any stigma.

POLITICAL STATUS

Athenian women were not considered to be *politai* – a word which is normally translated as 'citizens', but which more specifically signifies citizens with full political rights, who were always male. Instead, the word *astai* was applied to women, and this can be taken as referring to their possession of civil rights. We are often forced, for lack of a corresponding term in our own language, to translate *astai* as 'citizens'; but it must be borne in mind that for Athenian women 'citizenship' meant only that they had a share in the religious, legal and economic order of the Athenian community.

No Greek state ever enfranchised women. In Athens, they could not attend or vote at meetings of the Assembly, sit on juries, or serve as Council members, magistrates or generals. Their exclusion from the political arena extended even to public speech: although collectively women were often made the basis of emotional appeals in law-court orations, there was a great reluctance to mention respectable upper-class females by name, even in speeches where their activities were of considerable relevance. Instead, they were specified in terms of their relationship with a male – they were generally someone's wife, daughter, sister or mother.²⁸ A similar taboo is reflected in the famous pronouncement with which Thucydides (2.46) rounds off the funeral speech attributed to Pericles: 'the greatest glory of a woman is to be least talked about among men, whether in praise or blame'.

There are some indications in law-court orations that women might exercise an influence over the public decision-making of their menfolk. For example, at the end of the speech against Neaera, the speaker imagines what will happen if the jurymen acquit her and are later questioned about the case by their female relatives: 'And the women, when they have heard your account, will say, "Well, what did you do?" And you will say, "We acquitted her". At this point the most virtuous of women will be angry at you ...' (Demosthenes 59.111). But references such as this amount to little more than emotional reminders of men's duties as protectors of women. In Aristophanes' *Lysistrata* (518-20), the heroine comments forcefully on her total lack of influence over her husband in political matters: 'And if I so much as said, "Darling, why are you carrying on with this silly policy?" he would glare at me and say, "Back to your weaving, woman, or you'll have a headache for a month."' ²⁹ A husband named Critobulus tells Socrates that there are few people to whom he talks less than he does to his wife (Xenophon, *Oeconomicus* 3.11).

But if some women did manage to exert pressure on their husbands, this should probably not be interpreted as 'power behind the throne', because, as Just has said (1989, p. 22), in a democracy 'there were no thrones from behind which women could rule ...'. In Classical Athens, power had been officially transferred from the individual to the

collective. It has already been suggested that the development of democracy in Athens may have been a parallel phenomenon to the subordination of women, in that both were linked in some degree to the emphasis placed on the economic independence of the *oikoi* (see p. 118). Democracy might also be said in a very real sense to have robbed some women – those belonging to aristocratic families – of the influence which they had exercised in former times. More pervasively, since democracy created a growing dichotomy between activities which were public and collective, and those which were private and individual, it accentuated the disparity between males and females. Increasingly, men in the democratic state were defined by their active involvement in political life, and women were defined by their exclusion from that sphere.

This is not to say that there were no distinctions between Athenian women and the other excluded groups – slaves and resident aliens. Socially, the difference would in many cases have been very great. After the introduction of Pericles' citizenship law, there would also have been a considerable difference in the way in which Athenian women, as distinct from alien women, were viewed by men. Athenian women became important as channels through which political as well as economic rights were transmitted to the next generation of citizens.