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Zainab Hassan Syed

The Ghost of Slavery: A Closer Examination of Freed People in Classical Athens

Zainab Hassan Syed

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Committee:

Deborah Kamen

Catherine M. Connors

Sarah Levin-Richardson

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Abstract

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Zainab Hassan Syed

Chair of the Supervisory Committee:

Deborah Kamen

Department of Classics

Manumission is often assumed to be the absolute end point of enslavement, since the formerly enslaved are now “free” and therefore no longer subject to their enslavers. However, manumission in Classical Athens was not a clear-cut end to enslavement, and the “freedom” offered to manumitted slaves was incomplete, gradual, and perhaps not really freedom at all. Reading between the lines of courtroom speeches, wills, and manumission inscriptions, it is possible to glean a greater understanding of the obstacles freed people faced in both obtaining and maintaining their freedom within the confines of a slave society. Freed people in Athens often remained forcibly connected to their enslavers through post-manumission obligations and they continued to be treated as servile by Athenian law and society. Thus, slavery continued to “haunt” freed people long after manumission, a disruptive and violent poltergeist that tried to drag them back into a servile past while they struggled to exorcise it and assert their freedom.

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Introduction

“I got a tree on my back and a haint in my house” – Sethe (Beloved, 15)

In a documentary from 1970, directed by Peter Rodis, Nina Simone, singer, songwriter, and civil rights organizer, was asked the question “What’s freedom?” and, after a little back and forth, she finally answered, “I’ll tell you what freedom is to me. No fear. I mean really, *no fear*.” Nina Simone was a dark-skinned Black woman, born in 1933 in North Carolina, and her parents were both descended from slaves.¹ She understood intimately what it meant *not* to be free and spent most of her life, and career, fighting for the liberation of Black people in the United States.²

This thesis emerged from this question, posed to Nina Simone so many decades ago: “What’s freedom?” In the context of this project, the question emerged from looking more closely at the lives of manumitted slaves in Athens post-manumission, and what it meant for them to navigate Athens, socially and legally, as freed people. This, of course, raised the inevitable question: how “free” were they really, and was it possible for them to be *truly* freed in a slave society? That is to say, was it possible for the same people who had enslaved them to offer them a freedom that approximated their own, when a slave society relied upon the constant and consistent dehumanization of the enslaved in order to maintain control? From this question arose the further question: if freed people were *not* truly viewed as freed by their former

¹ Dave Marsh’s Introduction in Nina Simone and Stephen Cleary, *I Put a Spell on You: The Autobiography of Nina Simone* (New York, NY: Da Capo Press, 2003), v-vi.

² Simone and Cleary, *I Put a Spell on You*, 1-7.

enslavers, how did this impact their lives and their safety and what could they (and what did they) do about it?

Over the course of studying and researching the lives of freed people in Athens, it became abundantly clear that slavery had marked them irrevocably, physically and psychologically, but also socially and legally. Not only did most freed people have continued obligations to their enslavers that were enforced by the law, but even when they did not have obligations, they remained essentially servile in the eyes of their enslavers. Slavery followed them into freedom, a violent and disruptive poltergeist that threatened their already precarious status. It was this thought, this idea that slavery's residual effects in the lives of freed people could be compared to a haunting, that led to the comparative aspect of my project. In 1987, Toni Morrison wrote a novel called *Beloved* about a family who was haunted, both literally and figuratively, by the ghost of slavery. Her book, which is focused *not* on the enslavers but rather on understanding, deeply and empathetically, the experiences of the enslaved, is crucial to the analysis of this thesis.

There is very little information about the lives, feelings, and emotions of freed people in classical Athens that is not told from the perspective of freeborn enslavers (most of whom were also citizens). What little exists includes records of manumissions, the occasional mention in Attic orations, and, perhaps more famously, the words of Apollodoros, the son of a slave named Pasion who became a naturalized citizen and whose children were therefore granted citizenship as well. Because Apollodoros was a highly litigious individual, it is possible to glean some detail about the lives of freed slaves from his (many) orations.³ However, he also chose to distance

³ For a detailed biography of Apollodoros see: Jeremy Trevett, *Apollodoros, The Son of Pasion* (Oxford: Clarendon Press, 1992); Rachel Zelnick-Abramovitz, *Not Wholly Free: The Concept of Manumission and the Status of Manumitted Slaves in the Ancient Greek World* (Leiden: Brill, 2005), 328. For example see: Demosthenes, 45.1–5.

himself from slavery as much as possible, which, while an interesting point of analysis itself, means that his orations do not provide as much information as we'd like.

Thus, *Beloved*, a close analysis of a family navigating through the trauma of slavery and its continuous impact on their lives, provides a window into understanding these issues with regards to freed people in ancient Athens. It is important to note that *Beloved* is, of course, a novel about the lives of Black people in the United States. The continuing impact of race and white supremacy, which emerged from the transatlantic slave trade, cannot be applied to the ancient world and should not be. However, there are other, more universal aspects of chattel slavery that can be compared to the ancient world, as can the impact of these aspects on the lives of freed people. Moreover, *Beloved* focuses closely on the lives of a single family, providing insights into the psychological impact of slavery on individuals, which also allows for points of comparison.⁴ Without *Beloved*, this thesis would not have been possible. The great debt that Classical scholarship on slavery owes to Black writers and scholars of modern slavery should always be emphasized because, without their research, insights, and labour, our research and analysis would be much poorer and more difficult.

This thesis explores the residual effects of slavery on the lives of freed people, how it impacted their social and legal status, their mobility, their relationships, and even their descendants. But, although I treat slavery as a persistent presence, I also discuss the ways in which freed people attempted to exorcise this ghost and assert their freedom. Freed people did

⁴ It is important to mention that in the foreword of *Beloved*, Toni Morrison writes that *Beloved* emerged from a moment where she realized that she felt free, a feeling that was unfamiliar. This led her to thinking about the liberation of women and the history of Black women in the United States. She remembered, then, the true story of Margaret Garner. Margaret Garner, having escaped slavery, killed one of her children and attempted to kill the other one because she would not allow them to be returned to her enslaver's plantation, and was subsequently arrested. She never expressed remorse for her actions, and she was completely sane. *Beloved*, although fiction, is based on this story, on Margaret Garner's fervent and ferocious belief in freedom. And it was *Beloved* that came to my mind when I read a manumission inscription from Delphi that "allowed" the manumitted woman in question to raise her baby or kill it, but not to sell it (*SGDI* 2171).

resist, often in ways that were not immediately obvious. They did not accept their dehumanization but in various ways declared that they were not the living tools that their enslavers attempted to turn them into. Ultimately, this thesis posits the idea that “true” manumission, the idea that freed people could live a life with the same lack of fear (of punishment, violence, death, theft of identity and community) that freeborn people did, was not possible in Athens, nor was it offered to them. Therefore, freed people throughout their lives were locked in a constant struggle wherein they sought to assert their humanity, and Athenian society, through both overt and covert means, attempted to strip them of it.

Chapter 1: Status Blurriness and Status Precarity

In order to understand the precarious status of freed people in Athens, a broader discussion of the peculiarities of status in Athens is required. Examining the ways in which status functioned in Athens across the board is crucial to identifying the struggles faced by freed people post-enslavement. According to some scholars, from a legal standpoint, status was fairly clearly defined,⁵ and the rights afforded to citizens, metics, and slaves were sharply delineated.⁶ And it is also true that the ideology of Athenian citizen identity was expressed in direct opposition to slavery; being a citizen, part of the democracy, was ideologically connected to freedom and being freeborn.⁷

However, Athenian citizen ideology was an expression of the status quo as informed by elite (usually) citizen men, and so should not be seen as an accurate reflection of Athenian society. Moreover, a purely legalistic approach⁸ fails to take into consideration how complicated

⁵ For scholarship in line with this view see: Joshua D. Sosin, “A Metic Was a Metic.” *Historia* 65, no. 1 (2016): 2–13; Sosin, “Manumission with *Paramone*: Conditional Freedom?” *TAPA* 145, no. 2 (2015): 325–81.

⁶ For an alternate view see: Deborah Kamen, *Status in Classical Athens* (Princeton, NJ: Princeton University Press, 2013). This is the most recent comprehensive work on status in Classical Athens and the legal and social distinctions between various status groups. Kamen provides a spectrum of statuses that delves more deeply into the three traditional categories of citizen, metic, and slave and fleshes out the nuances of status within these broader categories. See also: Kostas Vlassopoulos, “Free Spaces: Identity, Experience and Democracy in Classical Athens.” *The Classical Quarterly* 57, no. 1 (May 2007): 33–52; Vlassopoulos argues that the role of shared, “free” spaces within Athens made the distinctions between citizens, metics, and slaves far less defined or clearly delineated than had been previously assumed by Classical scholarship.

⁷ Paul Cartledge, *The Greeks: A Portrait of Self and Others* (Oxford: Oxford University Press, 1993), 118; Kamen, *Status in Classical Athens*, 114; this has also been expressed by several other scholars over the years. This is also the reason why, as will be mentioned later in the chapter, associations with servility were attacks upon one’s *citizenship* (since that was synonymous with the idea of freedom). Moreover, this is why Athenians seemed anxious about the porosity of status within Athens, since it undermined a core tenet of their identity (Kamen, *Status in Classical Athens*, 111). This provides some important context for the reason for Athenian laws that express an almost paranoid concern regarding the crossing of status boundaries (e.g. Ps.-Demosthenes, 59.16).

⁸ For scholarship critical of a legalistic approach: Kostas Vlassopoulos, “Slavery, Freedom and Citizenship in Classical Athens: Beyond a Legalistic Approach.” *European Review of History: Revue européenne d’histoire* 16, no. 3 (June 2009): 347–63. See also: P. A. Davies, “Articulating Status in Ancient Greece: Status (In)consistency as a New Approach.” *The Cambridge Classical Journal* 63 (2017): 29–52. It is worth noting that Davies is actually *not* arguing against the idea that legal status was clearly defined, but rather, arguing for a multidimensional approach to status that allows for inconsistencies between a clearly defined legal status and what were perceived as “privileges”

the actual identification and indeed the maintaining of the above statuses was. Moreover, recent scholarship has shown that even within the “main” categories of citizen, metic, and slave there were distinctions and nuances.⁹ While, from an ideological perspective, the Athenian democracy strove to make the distinction between citizen and non-citizen clear, in actuality, things were not nearly so sharply defined and there is considerable evidence that people could move between various statuses in their lives (whether through actual social mobility or simply attempting to pass as a different status).¹⁰ It is also worth noting that even a legalistic approach must take into account the laws (and, subsequently, lawsuits) within Athens regarding the “false” adoption of citizen identity, instances in which freed (or otherwise protected) people were claimed as slaves, the processes by which freed people asserted their freedom in the face of re-enslavement, and cases of citizens appealing disenfranchisement.¹¹ These laws and instances indicate that there was at least a fear that people could adopt a status that was not, legally speaking, theirs or that one’s status could come under scrutiny and need to be verified. In fact, there were many lawsuits in which people’s status, citizen or otherwise, is questioned.¹² A number of such lawsuits will be considered in more detail in this chapter, with particular focus on famous legal cases such as those of Euxitheos, Pittalakos, Neaira, and Pankleon.

(see above: Kamen, *Status in Classical Athens*, ch 3 and ch 5) that people of marginalized statuses within Athens might have had. He uses the example of a banker from Athens, Pasion, who went from slave to citizen, to illustrate his point.

⁹ See footnote 6: Kamen, *Status in Classical Athens*; Edward E. Cohen, *The Athenian Nation* (Princeton, NJ: Princeton University Press, 2000).

¹⁰ Marloes Deene, “Let’s Work Together! Economic Cooperation, Social Capital, and Chances of Social Mobility in Classical Athens.” *Greece and Rome* 61, no. 2 (October 2014): 152–73; Sara Forsdyke, “Slave Agency and Citizenship in Classical Athens.” In *Symposium 2017: Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Tel Aviv, 20.–23. August 2017)*, edited by Gerhard Thür, Uri Yiftach, and Rachel Zelnick-Abramovitz (Vienna: Austrian Academy of Sciences Press, 2018), 345–354; Niall McKeown, “Slaves as Active Subjects: Collective Strategies.” In *The Oxford Handbook of Greek and Roman Slavery*, edited by Stephen Hodkinson, Marc Kleijwegt, and Kostas Vlassopoulos (online edn, Oxford Academic, Aug. 2016), 5–6.

¹¹ See: Aeschines 1: *Against Timarchos*, Ps.-Demosthenes 59: *Against Neaira*, Demosthenes 57: *Against Euboulides*, Lysias 23: *Against Pankleon*.

¹² For a discussion of these lawsuits and their role in citizen identity: Susan Lape, *Race and Citizen Identity in the Classical Athenian Democracy* (Cambridge: Cambridge University Press, 2010), 186–216.

1.1 Status in Athens

However, before getting into the question of status peculiarities in Athens, it is first important to establish how status is being defined in this chapter. The term “status” is a complicated one and can refer to a number of different things. As per the example provided by Peter Davies in his excellent article on status (in)consistency, providing a succinct definition of status would inevitably leave out important or necessary aspects of what status is or can be.¹³ Davies suggests that status be (tentatively) defined as “the relative respect and deference accorded to an individual in any given situation.”¹⁴ He elaborates slightly by adding: “[S]tatus elements, therefore, are any properties of an individual which can have an impact upon the relative respect and deference accorded to them in any given situation.”¹⁵ While this is indeed a useful definition, especially with regards to status in a social context, for the purposes of this chapter it is helpful to make some additions.

In her book *Status in Classical Athens*, Deborah Kamen provides a thorough and detailed summary of the use of terms such as “status” and “class” within Classical scholarship, and the relative strengths and weaknesses of these terms.¹⁶ She chooses to use the term “status” precisely because of its vagueness and uses “status” to encompass both legal rights and social standing.¹⁷ This use and understanding of status aligns closely with the goals of this chapter (and this thesis), and so, following her example, status will be explored in both its legal and social contexts throughout this thesis. After all, social and legal dimensions of status are difficult to separate since they reinforce and reflect one another. Finally, this thesis (and this chapter) will assess the

¹³ Davies, “Articulating Status in Ancient Greece,” 30.

¹⁴ Davies, “Articulating Status in Ancient Greece,” 30.

¹⁵ Davies, “Articulating Status in Ancient Greece,” 30.

¹⁶ Kamen, *Status in Classical Athens*, 1–7.

¹⁷ Kamen, *Status in Classical Athens*, 3.

relationship between the relative respect and deference accorded to an individual in any given situation and the (in)visibility of the legal category into which an individual is placed.¹⁸

The question of status “blurriness”¹⁹ in Athens has been approached by a number of scholars, and, while some scholars object to the language of blurriness and the idea that status in Athens was difficult to define,²⁰ most scholars agree that status was not only “blurry” but existed on a spectrum.²¹ Status in Athens could not be determined through appearance alone, and markers of wealth such as access to fine clothing or luxury items could be deceiving since there were wealthy metics and even enslaved people with independent means and, conversely, citizens who worked as labourers and merchants alongside metics and enslaved people. A contemporary source for concerns regarding status blurriness in Athens is the Old Oligarch, who is scathing in his criticism of a society where one cannot tell the difference between citizens and slaves and therefore cannot exercise corporal punishment against anyone for fear of hitting the wrong person!²² Although this account is both hyperbolic and biased, it does provide a contemporary perspective on the potential difficulties of establishing the status of the varied residents of Athens.

¹⁸ This will be illustrated in the cases of Pittalakos, Pankleon, and Neaira, wherein a proximity (or even a perceived proximity, in the case of Pankleon) to servility has a direct impact on their ability to receive justice and be protected from the violence of citizens. Moreover, in the case of Neaira specifically, it seems that she did receive a measure of respect from others while her servile status was less known and she behaved in a manner befitting a citizen woman, but this respect was immediately discounted and disregarded once her prior status as a slave became important for Apollodoros’ lawsuit. This will be discussed in more detail in the following chapter.

¹⁹ Vlassopoulos, “Free Spaces,” 2007, 34–39. It is important to note here that “blurriness” was intrinsically an *external* position. That is to say, people’s perception and (in)ability to verify the status of others was what was uncertain, and it was this external uncertainty and scrutiny that could be both helpful and harmful (as will be shown in this chapter).

²⁰ Sosin, “Manumission with Paramone,” 328. Sosin specifically objects here to what he calls “juridical monsters, half-free, half-slave.” See also: Davies, *Articulating Status in Ancient Greece*, 45.

²¹ Kamen, *Status in Classical Athens*, 4–7; Vlassopoulos, *Free Spaces*, 2007, 34–39; Kostas Vlassopoulos, *Historicising Ancient Slavery* (Edinburgh: Edinburgh University Press, 2021), 20–23, 33. Vlassopoulos provides an important history of the theory of a spectrum of statuses and its relationship to the study of slavery in particular in the introduction of this text.

²² Ps.-Xenophon, *Constitution of the Athenians*, 1.11; Vlassopoulos (*Free Spaces*, 34) makes reference to this as well in his discussion of blurring identities.

Before entering into further detail about status blurriness, it is important to discuss the means by which status was (or could be) established. Although it was certainly difficult, and by no means fool-proof, there were ways of establishing one's status. Citizen status, due to its importance, had the most comprehensive methods of verification (although even these, as will be detailed below, could fail).²³ The process, however, differed for men and women. As children, boys were assimilated into their fathers'/male relatives' phratries, and then, once they turned eighteen (and passed the *dokimasia*)²⁴ were registered with their fathers' demes.²⁵ For women, the process was different: their names were not registered with their demes nor were they enrolled within phratries.²⁶ Women's citizenship was, therefore, almost entirely reliant on the testimony of others. They required witnesses to their birth to citizen parents, their betrothals, or their marriage feasts (involving marriage exclusively to citizen men after 451/450 BCE).²⁷ However, it was not enough to merely *be* a citizen in name, particularly if you were a public or

²³ Demosthenes, *Against Euboulides*. The case of Euxitheos is one of the most important examples of citizen performance since Euxitheos has to prove his citizenship claim, and, in his case, descent is not enough. See: Josine Blok, *Citizenship in Classical Athens* (Cambridge: Cambridge University Press, 2017), 5–13; Blok discusses this case in detail in her book, including the ways in which Demosthenes connects citizenship not only to birth but to participation in political and religious activities restricted to the citizen body, making citizenship *more* than simply a matter of descent or birth.

²⁴ The word *dokimasia*, translated as “scrutiny” or even “vetting,” is attested for multiple procedures, but here it is referring to the *dokimasia* conducted by deme assemblies that young men had to undergo, which determined whether they were qualified to become citizens (usually a process in which age, birth, and descent was verified). For a closer look at this specific form of *dokimasia* and its connection to citizenship and performance see: Vincent Farenga, *Citizen and Self in the Greek City State: Individuals Performing Justice and the Law* (New York, NY: Cambridge University Press, 2006), 356–365. There was also a *dokimasia* that citizens entering political/public office had to undergo. For a discussion of this type of *dokimasia* as a means of transmitting gossip (as well as being a citizen performance) see: Virginia J. Hunter “Gossip and the Politics of Reputation in Classical Athens.” *Phoenix* 44, no. 4 (1990): 313–314. For a more specific focus on citizenship performance and this second type of *dokimasia* see: Lape, *Race and Citizen Identity*, 192–198.

²⁵ Kamen, *Status in Classical Athens*, 97–98.

²⁶ Kamen, *Status in Classical Athens*, 94–95; Hunter, “Gossip and the Politics of Reputation,” 317–318. Hunter states that it was uncertain whether women's names were recorded.

²⁷ Kamen, *Status in Classical Athens*, 95. See also: Adele C. Scafuro, “Witnessing and False Witnessing: Proving Citizenship and Kin Identity in Fourth-Century Athens.” In *Athenian Identity and Civic Ideology*, edited by Alan L. Boegehold and Adele C. Scafuro (Baltimore, MD: Johns Hopkins University Press, 1994), 156–82. Scafuro examines the use of witnesses in place of written records and also asserts that citizen identity generally (not just for women) relied upon witnesses.

political figure.²⁸ There were duties expected of both male and female citizens and neglect of those duties could cast doubt upon one's citizenship.²⁹ For female citizens, there were expectations regarding their behaviour as well as their participation in religious circles.³⁰ Their behaviour could even impact their rights as citizens, in particular, the right to bodily inviolability. Female citizens, like male citizens, were protected from assault (whether sexual or physical) but if a female citizen was a known adulteress, any Athenian had the right to assault her if she attended particular rites.³¹ For poorer female citizens, even the employment they chose could reflect on their status since certain jobs were stigmatized due to their associations with enslaved people.³² For all male citizens, obligations to one's parents and participation in cult activities was important;³³ for wealthy male citizens, the use of their wealth for the good of the city through the payment of liturgies or ransoming of other citizens.³⁴

In some ways, citizenship became a performance in which one fulfilled citizenship obligations as a means of defense in the face of potential public scrutiny, and ultimately, due to the rigorous nature of citizenship, the continuous performance of "good" citizen behavior was necessary in order to assert and maintain one's status.³⁵ Demes could also vote to strike people

²⁸ Hunter, "Gossip and the Politics of Reputation," 309–312, 323.

²⁹ As Hunter points out, in law courts, the performance of citizenship was crucial. In order to sway the jury in one's favour, citizens would enumerate the ways in which they had fulfilled various civic and religious duties, as well as the generosity they had shown to neighbours or family. Even non-citizens employed this rhetoric in order to turn a citizen jury in their favour (See: Lysias, 12: *Against Eratosthenes*). Conversely, for example in Aeschines, 1: *Against Timarchos* or Isaeus, 5: *On the Estate of Dicaeogenes*, if someone sought to discredit an opponent they would do the opposite, listing all the ways in which they *hadn't* fulfilled the obligations of a citizen, which included behaviour displayed in social settings, such as spending too much time in the company of flute girls. See: Hunter, "Gossip and the Politics of Reputation," 310, 312, 314; Blok, *Citizenship in Classical Athens*, 7.

³⁰ Kamen, *Status in Classical Athens*, 93–96; Hunter, "Gossip and the Politics of Reputation," 321.

³¹ Ps.-Demosthenes, *Against Neaira*, 59.86; Kamen, *Status in Classical Athens*, 90.

³² Demosthenes, 57.30–37, 57.40–45. Hunter, "Gossip and the Politics of Reputation," 317.

³³ Kamen, *Status in Classical Athens*, 73, 101. Hunter, "Gossip and the Politics of Reputation," 310–311, 316–317.

³⁴ Kamen, *Status in Classical Athens*, 100, 102. Hunter, "Gossip and the Politics of Reputation," 310.

³⁵ There are a number of scholars who have written on citizenship and performance: Alain Duplouy, "Citizenship as Performance," in *Defining Citizenship in Archaic Greece*, edited by Alain Duplouy and Roger Brock (New York, NY: Oxford University Press, 2018), 249–273; Simon Goldhill and Robin Osborne, eds., *Performance Culture and Athenian Democracy* (Cambridge: Cambridge University Press, 2004), a collection of essays by various scholars;

off the register and although this decision could be appealed, the consequence of failing an appeal was slavery.³⁶ A common tactic in lawsuits, particularly between political rivals, was calling into question one's opponent's citizenship.³⁷ This could be done in a number of ways: sometimes it involved questioning the citizenship of someone's mother, other times this was based on the behaviour of the person in question. While this would not necessarily lead to disenfranchisement of any kind, accusations of "bad citizen" behaviour could and did affect outcomes in lawsuits and also placed citizens under unwelcome scrutiny.³⁸ Another common tactic, related to questioning someone's citizenship but still distinct, was making accusations of servile origins.³⁹ This was perhaps in some ways a more serious accusation than merely an accusation of foreignness (although these could be related),⁴⁰ since the ideological divide between citizen and slave was stark.⁴¹ As Deborah Kamen states, slaves were the "ultimate outsiders,"⁴² so to be associated with servile origins, even in a hyperbolic and untruthful statement, could seriously prejudice juries against a speaker.

1.2 The Case of Euxitheos (Dem. 57)

Thus, establishing and maintaining one's status, even as a citizen, was not necessarily straightforward and required maintaining a lifestyle which could hold up to the scrutiny of one's

Demetra Kasimis, *The Perpetual Immigrant and the Limits of Athenian Democracy* (Cambridge: Cambridge University Press, 2018); Lape, *Race and Citizen Identity*.

³⁶ Blok, *Citizenship in Classical Athens*, 6; Kamen, *Status in Classical Athens*, 89, 102; Lape, *Race and Citizen Identity*, 199–204.

³⁷ Hunter, "Gossip and the Politics of Reputation," 317.

³⁸ As mentioned above, "bad citizen" behaviour could be classified essentially in opposition to what was the ideal of citizenship (as per Hunter, "Gossip and the Politics of Reputation," 315–316). For a detailed study regarding those who breached or did not conform to the expected duties, obligations, and behaviours of model citizens in Athens see: Matthew R. Christ, *The Bad Citizen in Classical Athens* (Cambridge: Cambridge University Press, 2006).

³⁹ For a detailed study of the use of insults in orations pertaining to servile origins or ancestry: Deborah Kamen, "Servile Invective in Classical Athens." *Scripta Classica Israelica* 28 (2009): 43–56.

⁴⁰ Kamen, "Servile Invective in Classical Athens," 44.

⁴¹ Paul Cartledge, *The Greeks: A Portrait of Self and Others*, 118; Kamen, *Status in Classical Athens*, 114; this has also been expressed by several other scholars over the years.

⁴² Kamen, "Servile Invective in Classical Athens," 55.

peers. However, even this was not always enough if your parentage was seriously called into question. The case of Euxitheos (Demosthenes 57), who was stripped of citizenship by his deme in 346/345 BCE, is a particularly interesting one in this regard. The doubt as to his citizenship was centered on his parentage: both his mother and his father were accused of not being citizens. The doubt around his father centered on the fact that he spoke with a foreign accent, which Euxitheos stated was due to him having been taken captive and enslaved during the Peloponnesian War for a number of years.⁴³ The doubt upon his mother was due to the fact that she sold ribbons in the market (which Euxitheos himself did as well) and was a wet-nurse. With regards to the first statement about his mother, Euxitheos states that metics were not permitted to sell wares in the market without paying a tax and there was no evidence for her paying such a tax, and, as to the second, he states that while his father was away on military service his mother was compelled to take up wet-nursing in order to make ends meet.⁴⁴

In the course of his defence, Euxitheos condemns forcefully those who would seek to gain Athenian citizenship under false pretenses, but he also expresses concerns regarding what he perceives as the rapacious desire to disenfranchise citizens.⁴⁵ Euxitheos, over the course of his speech, essentially makes an appeal to what citizenship comes down to.⁴⁶ He repeatedly points out that he cannot be a metic since he does not do the things a metic does (e.g. he never paid a special tax in order to sell ribbons in the market) and that neither he nor his father would have

⁴³ Demosthenes, 57.18.

⁴⁴ Demosthenes, 57.34, 57.42.

⁴⁵ Demosthenes, 57.2.

⁴⁶ See footnote 23; Blok, *Citizenship in Classical Athens*, 5–13, Euxitheos makes his case by illustrating the numerous ways he was involved with the polis that were exclusive to citizens. That is to say, he is a citizen not just by his descent, but by his actions. Blok states that Demosthenes was “matching Euxitheos’ past behaviour to what the court would have expected of a citizen, and only of a citizen” (p. 6). When Euxitheos mentions that he was a candidate for a priesthood (57.47), and that his father also held office (57.25), he not only connects *himself* to the polis by doing this but strengthens the case for his descent.

had access to political or religious offices if they had been metics.⁴⁷ He also brings up the burial of his father and his relatives in the ancestral tomb as well as the fact that his father's citizenship was never questioned in his lifetime. His speech illustrates how Athens placed an emphasis on a particular performance of citizenship, a performance that was meant to reinforce descent claims, but instead had the effect of alienating working-class Athenian citizens from the elite citizen body.⁴⁸ Differences were enshrined between citizens and non-citizens based on a stereotype that associated only non-citizens with labour/commercial activities, even though this ideology was not reflective of the material circumstances of poorer/working class Athenian citizens and, as in the case of Euxitheos, actively worked against such citizens.⁴⁹

The case of Euxitheos takes into account another important aspect of citizen performance: wealth. Wealthy Athenian citizen men were able to pay for liturgies and to publicize their good citizen behaviour,⁵⁰ nor were their wives or mothers forced to work to help support the household, thereby avoiding any accusations of servility. Furthermore, wealthy citizens often owned a great deal of land, which was the ultimate mark of a citizen since metics were not permitted to own land and neither were slaves. Poor Athenian citizens not only could not afford public displays of benevolence towards the city, they also might not own much or any

⁴⁷ Kasimis, *The Perpetual Immigrant*, 145–167, discusses this case in detail and she points out that Euxitheos is criticizing stereotypical notions of what an Athenian citizen vs a metic was. He is arguing against an ideal of citizenship that punishes Athenian citizens for perceived behaviours that have been (haphazardly) assigned solely to non-citizens. For Euboulides to effectively highlight Euxitheos' foreignness, Kasimis states, "He had to organize accusations of *metoikia* around the social meanings of work" (151). See also: David Whitehead, *The Ideology of the Athenian Metic* (Cambridge: Cambridge Philological Society, 1977), 116–121, who discusses a similar ideological disdain for labourers and others who engaged in commercial activities or were employed by others, while noting that it was impossible for there *not* to be citizens among them. He makes note of the fact that this disdain likely arose out of the fact that metics had no other recourse to wealth since they were not allowed to own land; thus, being engaged in this kind of work became synonymous with a lack of land (which, of course, aligned you more closely with a metic than a citizen).

⁴⁸ Kasimis, *The Perpetual Immigrant*, 154.

⁴⁹ Kasimis, *The Perpetual Immigrant*, 151–152.

⁵⁰ Kamen, *Status in Classical Athens*, 112.

land at all, something which would make it even more difficult to differentiate between them and non-citizens, as well as making other citizens look down upon them.⁵¹

Euxitheus' appeal highlights the precarity that existed across statuses, since even citizens could not count themselves as safe in a society where the actual lines between citizen, metic, and slave were often difficult to discern.⁵² This was particularly the case because citizenship ideology demonized basic actions such as labour, which some Athenian citizens had to perform. The same suspicions that placed Euxitheus under scrutiny also, and to a far greater degree, affected Pankleon (Lysias 23), Pittalakos (Aeschines 1) and Neaira (Pseudo-Demosthenes 59).

1.3 The Case of Pankleon (Lys. 23)

The case against Pankleon is an incredibly compelling piece of oratory in which the speaker accuses a man, Pankleon, of pretending to be a Plataean and assuming a citizenship status to which he had no right.⁵³ Pankleon's case is interesting in that his identity is not made clear by the end of the speech. The only thing that seems indisputable, based on the evidence of the speaker, is that Pankleon was not a Plataean. However, Pankleon's status as a slave or metic is never really resolved.

The speaker claims that he had called Pankleon before the Polemarch (the magistrate in charge of foreigners' legal affairs), assuming him to be a metic, but Pankleon instead claimed to be a Plataean from the township of Decelea in Attica, and therefore an Athenian citizen.⁵⁴ The speaker then details his attempts to ascertain Pankleon's citizenship, stating that none of the Plataeans knew of him as a citizen, but one Plataean claimed to have a slave called Pankleon.⁵⁵

⁵¹ Kasimis, *The Perpetual Immigrant*, 156; Kamen, *Status in Classical Athens*, 99.

⁵² Kamen, *Status in Classical Athens*, 113–114; Kasimis, *The Perpetual Immigrant*, 154–55; Vlassopoulos, "Free Spaces," 34–35; Forsdyke, "Slave Agency and Citizenship," 345–347.

⁵³ Plataeans, as allies of Athens, became eligible for Athenian citizenship as a result of the Peloponnesian War because their city was besieged by Sparta and they fled to Athens as refugees.

⁵⁴ Lysias, 23.2.

⁵⁵ Lysias, 23.3–8

According to the speaker, Pankleon was being arrested as the fugitive slave of this Plataean, Nikomedes, when witnesses claimed that Pankleon's brother could attest to him being a freedman.⁵⁶ It was upon the security of this witness that Pankleon was released, yet on the following day, it was not his brother who appeared, but a woman who claimed that Pankleon was *her* slave and therefore could not be arrested by Nikomedes.⁵⁷ At this point in the narrative, the speaker makes a very strange statement: he states that due to the vehemence and violence of Pankleon's supporters, both Nikomedes and the woman were willing to let Pankleon go, with the understanding that either his freed status would be proved or someone with a superior claim to him would arrest him as their own slave.⁵⁸

Pankleon's precarity in this speech is startling. Not only is he claimed by two different people as a slave when his citizen status is disputed, but it is made clear that he was vulnerable to further such claims as well. The claimants' willingness to cede Pankleon to someone with a stronger claim indicates that neither Nikomedes nor the unnamed woman had a particularly strong or legitimate claim to Pankleon as their slave. In fact, it strongly implies that they were exploiting his uncertain status, of which they had become aware due to the inquiries of the speaker, and were reasonably confident that they could enslave him as a result. The tenuousness of their claims made little difference to their potential success and clearly superseded Pankleon's own claims to freedom. In fact, Nikomedes was in the process of arresting Pankleon as his own runaway slave. Pankleon was able to escape only through the help of his friends who, according

⁵⁶ Lysias, 23.9–10.

⁵⁷ Lysias, 23.11.

⁵⁸ Lysias, 23.11.

to the speaker, forcibly carried him off and therefore cemented his enslaved status in the speaker's eyes.⁵⁹

Although the speaker himself states that Pankleon had been brought before the Polemarch previously, evidence that indicates that he was a metic and therefore if not freeborn then at least freed, he is willing to accept the claims of two different people that Pankleon is their slave. In fact, although he states at the end of his speech that Pankleon was a metic (and therefore a free man) in Thebes, prior to that he declares that Pankleon's consciousness of his slave status prevented him from pursuing legal action.⁶⁰ Although the speaker claims that Pankleon must be a slave, it is highly possible that Pankleon was a freedman who lacked the means to vindicate himself. Similarly, Sara Forsdyke explores the possibility that Pankleon claimed Plataean citizenship because he was a freedman who sought to escape continued obligations to his former enslaver.⁶¹

In cases of wrongful or attempted re-enslavement, to "lead (*agein*) away to slavery," there is evidence of a process by which freed people (or even freeborn non-citizens) could potentially protect themselves.⁶² This process was known as *aphaeresis eis eleutherian* ("carrying off for the purpose of freedom") and required the intervention of a witness (not

⁵⁹ It is interesting to consider precisely *who* Pankleon's rescuers may have been in this case. The speaker does not specify but could it be possible that these were either freed slaves or even enslaved people? It is possible that some of them were citizens, but the speaker describes their actions as "violent," indicating that he thought they were unruly or vulgar, which could point to them at least being perceived as non-citizens. Can Pankleon's rescuers be thought of in the light of the collaborators who sought to protect their fellow freedmen from re-enslavement? This topic is addressed further in chapter 3. There is in fact evidence for enslaved/freed people building networks and communities. Some recent works that discuss these communities are: McKeown, "Slaves as Active Subjects: Collective Strategies"; Claire Taylor, "Social Networks and Social Mobility in Fourth-Century Athens." In *Communities and Networks in the Ancient Greek World*, edited by Claire Taylor and Kostas Vlassopoulos, (Oxford: Oxford University Press, 2015), 35–53; Vlassopoulos, *Historicising Ancient Slavery* and "Greek Slavery: From Domination to Property and Back Again." *The Journal of Hellenic Studies* 131 (2011): 125–126.

⁶⁰ Lysias, 23.12

⁶¹ Forsdyke, "Slave Agency and Citizenship," 356.

⁶² Zelnick-Abramovitz, 292.

necessarily a citizen) who asserted the freedom of the person involved.⁶³ It is possible that this process involved the actual physical seizure of the person but might simply have been a symbolic action.⁶⁴ However, the witness could also be accused of wrongfully carrying someone off to freedom and, if convicted, made to pay a fine both to the state and the prosecutor.⁶⁵ In spite of the existence of this process, two people with highly suspect claims still attempted to enslave Pankleon. While it would be overreaching to claim on the basis of this oration⁶⁶ that this process was ineffective, it is worth noting that fear of this process did not stop either Nikomedes or the woman. Therefore, Pankleon's reluctance to pursue legal action like the *aphairesis eis eleutherian* may be interpreted simply as a fear or a certainty that this process would not be enough to protect him.

Pankleon's case has been used by both Vlassopoulos and Forsdyke to illustrate how non-citizens, particularly freed people or even enslaved people, could exploit the blurriness of status in Athens to pass.⁶⁷ Forsdyke, as mentioned above, posits that Pankleon, and therefore potentially other freed people, used said blurriness to avoid continued obligations to enslavers.⁶⁸ Vlassopoulos states that enslaved people, freed people, and freeborn metics could have exploited such blurriness in order to gain better treatment or improve their lives in minor ways.⁶⁹ However, Pankleon not only did not escape potential obligations but was, in fact, nearly enslaved. And although his claim to citizenship is interesting and does indicate a desire to pass, it also shows an insight into the precarity of his own status. In the speech, the man whom Pankleon claims as his

⁶³ Zelnick-Abramovitz, 292.

⁶⁴ Zelnick-Abramovitz, 292.

⁶⁵ Zelnick-Abramovitz, 292.

⁶⁶ Evidence for this process exists in other orations as well, including Ps.-Demosthenes 59, mentioned later in this chapter, and in that oration, although freedom is established it is not necessarily honoured as expected.

⁶⁷ Forsdyke, "Slave Agency and Citizenship," 348; McKeown, "Slaves as Active Subjects: Collective Strategies," 5–6; Vlassopoulos, "Free Spaces," 34–35.

⁶⁸ Forsdyke, "Slave Agency and Citizenship," 356.

⁶⁹ Vlassopoulos, "Slavery, Freedom and Citizenship," 348.

father was confirmed to be a Plataean, although a man who supposedly had no children. The fact that Pankleon uses the name of an actual Plataean shows that if this *was* a pretense on his part, it was not a haphazard or a poorly planned one. It seems that he attempted to create an identity that could withhold some amount of scrutiny, even if it did not end up doing so. It also indicates that Pankleon was well aware of the precarity of his freedman status even prior to this incident.

Essentially, the same blurriness that Pankleon was using to pass was potentially the cause of the fear that resulted in him needing to do so in the first place, since his freed status was *also* unclear and potentially difficult to verify. This was a fear that was clearly not unfounded given that a single man's scrutiny into his status resulted in two claims upon his person. And the speaker himself, contradicting his own evidence as to Pankleon's metic status, asserts that Pankleon's actions implicate him as a slave.

1.4 The Case of Pittalakos (Aesch. 1)

While Pankleon's case illustrates the dangers of indeterminate status, the case of Pittalakos shows that even after manumission, and despite considerable social and financial capital, a freed slave could still be subject to brutality and violence at the hands of powerful citizens. Pittalakos' case is notable in that he is forced to assert his freedom in court when he is claimed as a private slave, despite Aeschines' assertion that he was a well-known public slave. However, the case of Pittalakos is complicated, as it is difficult to determine from Aeschines' speech whether, at the time of his case, Pittalakos was a public slave, i.e., a slave owned by the city, or a freed person.⁷⁰ It has been argued that public slaves, or *dēmosioi*, who handled many of the administrative and bureaucratic duties of the democracy, had privileges and access beyond

⁷⁰ Taylor, "Social Networks and Social Mobility," 49; Virginia J. Hunter, "Pittalacus and Eucles: Slaves in the Public Service of Athens." *Mouseion: Journal of the Classical Association of Canada* 6, no. 1 (2006): 4–8, Hunter argues that Pittalakos was a public slave; Forsdyke, "Slave Agency and Citizenship," 352, 358–360 considers him formerly enslaved/partially freed.

that of private slaves, with some having a status approximating that of a metic⁷¹ Thus, if Pittalakos was a public slave at the time of his case, the actions he took can be interpreted as those not of a freedman but of a slave with greater social and economic capital. However, despite this increased access and privilege, public slaves remained slaves and were subject and vulnerable to the violence that faced all enslaved people, as will be shown below.

Pittalakos was an avid gambler, and the owner of a gambling establishment. According to Aeschines, Pittalakos met the defendant Timarchos at a gambling establishment, fell in love with him, and “kept” him in his own house.⁷² Aeschines emphasizes Pittalakos’ wealth here and states that Timarchos prostituted himself to him for this reason. However, Timarchos eventually attracted the attention of a citizen, Hegesandros, and left Pittalakos for him. Pittalakos, Aeschines alleges, began to harass Timarchos and Hegesandros frequently.⁷³ In revenge for this harassment, they drunkenly destroyed his home, killed his quails and fighting cocks, and finally, tied him to a column and proceeded to brutally whip him.⁷⁴ The next day, Pittalakos, angry over this treatment, went and sat naked on the altar of the mother of the gods, but he was eventually convinced by Timarchos and Hegesandros to get up and leave as they claimed that they would make amends for their behaviour.⁷⁵ However, after he acquiesced to their request, they simply abandoned him. In response, Pittalakos filed lawsuits (either private suits or potentially a *graphē hubreōs*) against both Timarchos and Hegesandros.⁷⁶

⁷¹ Kamen, *Status in Classical Athens*, 25–27; Paulin Ismard, *Democracy’s Slaves: A Political History of Ancient Greece*, trans. Jane Marie Todd (Cambridge, MA: Harvard University Press, 2017), 60–63, 65–79. Ismard details the various “privileges” that public slaves were afforded that were not accessible to others. However, he notes that they were still subject to violence, and therefore, still slaves. He also disagrees with scholars who compare public slaves to metics. Also see this text for further details of the various tasks which were assigned to public slaves.

⁷² A house Pittalakos rented. Aeschines, 1.54.

⁷³ Aeschines, 1.57–58.

⁷⁴ Aeschines, 1.59.

⁷⁵ Aeschines 1.60–61.

⁷⁶ Hunter, “Pittalacus and Eucles,” 6, asserts that Pittalakos brought the suit forward himself; Kamen (*Status in Classical Athens*, 28) posits instead that somebody likely brought the suit on his behalf.

At this point, Aeschines states, Hegesandros countersued Pittalakos and claimed that he was his private slave.⁷⁷ In order to emphasize Hegesandros' gross misconduct, Aeschines emphatically states that Pittalakos was a slave that belonged to the city.⁷⁸ However, the means that Pittalakos used to prove he was not Hegesandros' slave was a procedure normally used to claim one's *freedom* in the case of attempted re-enslavement. The procedure used by Pittalakos, the *aphairesis eis eleutherian*,⁷⁹ required another person to intervene on his behalf, in this case a man named Glaukon, and assert that he was not only *not* Hegesandros' slave but, in fact, a free man.⁸⁰ Although this assertion seems to have been successful,⁸¹ Pittalakos eventually settled (or perhaps dropped) his cases with Hegesandros and Timarchos as, according to Aeschines, he no longer felt able to oppose them.⁸²

There are a number of aspects to this case that have given rise to intense speculation, not least that Glaukon testifies to having helped Pittalakos regain his freedom when Hegesandros attempts to enslave him. Firstly, the nature of Pittalakos' relationship with Timarchos is exceedingly interesting as Pittalakos, despite his lower status, "keeps" Timarchos rather than the other way around. In fact, Aeschines places emphasis on Pittalakos' servile status to indicate

⁷⁷ Aeschines, 1.62.

⁷⁸ Aeschines, 1.62.

⁷⁹ Zelnick-Abramovitz, *Not Wholly Free*, 292; Forsdyke, "Slaves and Citizen Agency," 359.

⁸⁰ Forsdyke, "Slaves and Citizen Agency," 360, asserts that Pittalakos used this suit in order to claim full freedom as he was previously partially freed. However, this is a confusing claim since the *aphairesis eis eleutherian* was meant to prevent freed people from being re-enslaved (see: Ps.-Demosthenes 59). See also: Zelnick-Abramovitz, *Not Wholly Free*, 298–299, for a discussion on Pittalakos and the *aphairesis eis eleutherian*.

⁸¹ Glaukon appears as witness to this effect, claiming that he secured Pittalakos' freedom: 1.62.

⁸² Most scholars state that Pittalakos either settled or reached some sort of agreement with Hegesandros and Timarchos, yet Aeschines' assertion that Pittalakos no longer pursued the cases due to his inability to oppose two citizen men seems to indicate that he dropped the case completely rather than Hegesandros and Timarchos having to make any kind of concessions to him. In fact, it illustrates that even if someone from a subordinate status group had access to wealth or social capital, their status remained a serious disadvantage in legal contexts, and law courts were likely hostile spaces for them. Moreover, the power and privilege held by a citizen ultimately triumphed. For other scholars in line with this view see: Taylor, "Social Networks and Social Mobility," 50; Deborah Kamen, "Varying statuses, varying rights: A case study of the *graphē hubreōs*." In *Voiceless, Invisible, and Countless: The Experience of Subordinates in Greece 800–300 BC*, edited by Samuel D. Gartland and David Tandy (Oxford: Oxford University Press, forthcoming) asserts that Pittalakos was intimidated into dropping his case.

Timarchos' "depravity" and "debased" character since he, a freeborn citizen, was the kept lover of a slave/former slave.⁸³ The rhetoric Aeschines employs contributes to the difficulty in determining whether Pittalakos was a freedman or not. When he seeks to humiliate Timarchos, he emphasizes Pittalakos' servility, and yet, when he speaks of the cruelty of Hegesandros' behaviour, he emphasizes Pittalakos' struggle to remain free.⁸⁴ Even Aeschines' mention of Pittalakos' home has given rise to speculation about his status, but since Pittalakos was definitely not a citizen, it can be assumed that he was renting, rather than owning, a space. However, the impunity with which Hegesandros and Timarchos enter this space and wreak havoc upon Pittalakos' possessions is notable. Furthermore, it is worthy of note that they feel justified in restraining and viciously assaulting Pittalakos.

The corporal punishment meted out to Pittalakos might suggest that he was a slave rather than a free man, as well as the fact that he sought protection at an altar rather than immediately seeking legal aid.⁸⁵ However, neither of these necessarily indicate that Pittalakos was enslaved. While it was a crime to hit a free man, Pittalakos' (formerly) servile status made him both more vulnerable and less likely to pursue legal action in a meaningful way.⁸⁶ Ultimately, Pittalakos

⁸³ Prostituting yourself, as a citizen, to a slave/former slave was effectively the most debasing thing you could do in the eyes of the Athenian citizen body. Aeschines also uses this to emphasize that Timarchos was solely concerned with having his pleasure-based lifestyle financed by somebody else and so gave no thought to personal honour because he was greedy and luxury-loving. Greediness and luxury were also often associated with foreignness, further reinforcing Timarchos' connection to servility.

⁸⁴ Asserting someone's servility was common legal rhetoric, so Aeschines' use of the word slave should perhaps be taken with a grain of salt. See: Kamen, "Servile Invective," 48–50.

⁸⁵ Morris Silver, "Pittalacus the Slave and the Mother of the Gods: Between the Lines of Aeschines 1.54–66." *Marburger Beiträge zur antiken Handels-, Wirtschafts- und Sozialgeschichte* 31 (2013): 99–100.

⁸⁶ It is worth noting here that the punishment for killing a metic in Athens was exile rather than death, showing that the lives of non-citizens were not considered equal to citizens (Kamen, *Status in Classical Athens*, 48); see also: Kamen, "Varying statuses, varying rights: A case study of the *graphē hubreōs*," where she notes that even though Pittalakos was wealthy and well connected, which would not have been the case for most freed or enslaved people, he was *still* intimidated into dropping his suit, indicating that legal proceedings in Athens were significantly difficult for non-citizens, especially those with a formerly servile status. She argues that subordinate status groups in Athens had less access to legal redress in cases of *hubris* (despite the law's claim that protection from *hubris* was universal) and that their lack of access only reinforced their precarious and subordinate status within Athens.

ended up dropping (or settling in some way) the cases against Hegesandros and Timarchos. Secondly, Pittalakos seeking refuge at an altar might have been for the sake of publicity, in order to gain allies, or from a desire to attempt to settle the matter outside of a court first.⁸⁷ In fact, his public display at the altar caused great distress to Timarchos and Hegesandros. Timarchos, according to Aeschines, even supplicated him in order to get him to leave. The publicity would likely have hurt their case, but, besides that, negotiating Pittalakos' claims outside of a court was less preferable to Timarchos and Hegesandros since they felt more confident in their ability to battle Pittalakos in a legal setting.⁸⁸ Finally, it is worth noting that although Pittalakos does drop the cases, he does feel entitled to pursue them in the first place.⁸⁹

Scholarly assumption of Pittalakos' enslaved status ignores the precarity and vulnerability of the formerly enslaved. Knowing that Pittalakos could bring legal action against them, Timarchos and Hegesandros destroyed his home, killed the sources of his livelihood, and then brutally assaulted him. At no point does Aeschines dispute Pittalakos' right to bring the case, he only points out that Pittalakos felt unable to continue in the face of two powerful citizens, especially since the arbitrator of the disputes, Diopeithes, was a demesman of Hegesandros. If we assume Pittalakos to be a freedman, the violence done to him indicates that neither wealth, nor social connections, nor manumission could prevent someone from treating you as a slave or attempting to re-enslave you, particularly if the person persecuting/prosecuting you was a citizen.

⁸⁷ For more detailed information on slaves seeking asylum see: Alex Gottesman, *Politics and the Street in Democratic Athens* (Cambridge: Cambridge University Press, 2014), 155–179. He addresses the case of Pittalakos specifically in 165–166. Gottesman highlights the importance of public actions (or “stunts”) in allowing enslaved people to create new identities and even to move from enslavement to freedom (see: 156, 163–164, 168).

⁸⁸ A confidence that was clearly not misplaced given that Pittalakos did indeed end up dropping his case. For more detail on the hostility of Athenian law courts to non-citizens see: Cynthia Patterson, “The Hospitality of Athenian Justice: The Metic in Court.” In *Law and Social Status in Classical Athens*, edited by Virginia Hunter and Jonathan Edmondson (Oxford: Oxford University Press, 2001), 93–111.

⁸⁹ That cases of *hubris* could be brought by the masters/other citizens on behalf of enslaved people, see: Kamen, *Status in Classical Athens*, 12; “Varying Statuses, varying rights,” 3.

Even if we assume Pittalakos to be a public slave, the actions of Hegesandros and Timarchos are still shocking. Hegesandros' attempts to enslave him as revenge are also deeply troubling, since Pittalakos was clearly a well-known public slave. They did not fear serious repercussions for attacking and brutalizing a man who was the property of the state and therefore afforded certain amounts of privilege that others, in private households, did not have. As Claire Taylor points out in her article on social mobility, Pittalakos had wealth, resources, and influential friends, yet the social capital of a citizen man ultimately triumphed.⁹⁰

1.5 The Case of Neaira ([Dem.] 59)

Thus far, the cases discussed have concerned men, yet one of the most famous and closely studied Attic prosecution speeches with regards to citizenship, status, and identity is *Against Neaira* (Ps.-Demosthenes 59). *Against Neaira* is dated to about 343–340 BCE and it is a speech concerning a metic woman, Neaira, who is accused of living with Stephanos, a citizen man, as his wife despite marriage between citizens and non-citizens being illegal. This speech, as Allison Glazebrook puts it, is “the most extensive narrative extant on a historical woman from the classical period.”⁹¹ Moreover, it provides important insights into the way in which gender impacted status precarity and status blurriness.⁹² As mentioned earlier, the citizenship status of women was a far more difficult thing to prove than that of men, being reliant upon the testimony of others, so women were especially vulnerable to attacks upon their status. Therefore, attacks upon prominent elite men were often conducted via attacks upon their wives or mothers.⁹³ In this speech, although Neaira is the ostensible target, it is really her partner, Stephanos, who is being

⁹⁰ Taylor, “Social Networks and Social Mobility,” 50.

⁹¹ Allison Glazebrook, “The Making of a Prostitute: Apollodoros’s Portrait of Neaira.” *Arethusa* 38, no. 2 (2005): 161.

⁹² Vlassopoulos briefly touches on this (“Free Spaces,” 35); Forsdyke, “Slave Agency and Citizenship,” 361–363.

⁹³ Hunter, “Gossip and the Politics of Reputation,” 317.

targeted through her. For the purposes of this chapter, the focus will be mainly on sections 1-50 of the speech, highlighting Neaira's early life, her changes in status, and the conditions of her manumission.

The charge was formally brought by Theomnestos on behalf of Apollodoros, but it was Apollodoros, not Theomnestos, who delivered the bulk of the speech. As noted in the Introduction of this thesis, Apollodoros was a naturalized citizen, the son of Pasion, a formerly enslaved banker who was eventually granted citizenship. Apollodoros' brutal prosecution of a formerly enslaved woman may seem strange given his own servile origins, but a number of scholars have posited that Apollodoros' attacks against those who shared his origins came from a sense of anxiety regarding the precarity of his own naturalized citizenship.⁹⁴ Apollodoros seems to have taken great pains to distance himself from servility; he settled in the countryside, performed a number of liturgies, and married a citizen woman of a wealthy family.⁹⁵ By setting himself up as a defender and protector of Athenian citizenship from "infiltrators," he reinforced the legitimacy of his own citizenship.⁹⁶ Indeed, he went so far as to mock the servile origins of his stepfather, Phormion, who inherited the banking business from Pasion.⁹⁷ Apollodoros' policing of those with servile origins indicates his awareness of the ways in which citizen performance was continuously required for naturalized citizens. In another speech, Apollodoros makes this awareness more explicit by stating that citizens by birth are able to perform liturgies

⁹⁴ Marloes Deene, "Naturalized Citizens and Social Mobility in Classical Athens: The Case of Apollodoros." *Greece and Rome* 58, no. 2 (October 2011): 159–75; Trevett, *Apollodoros*, 160, 176–178; Kamen, "Servile Invective," 50; Zelnick-Abramovitz, *Not Wholly Free*, 328; Michael J. Osborne, *Naturalization in Athens*, Vol. 3–4 (Brussels: Paleis der Academiën, 1983), 139–140, 196. While Osborne does acknowledge that Apollodoros and other naturalized citizens potentially faced difficulties due to their status, he also emphasizes that it was Apollodoros' personality that people found more objectionable than his servile origins.

⁹⁵ Zelnick-Abramovitz, *Not Wholly Free*, 328; Trevett, *Apollodoros*, 166–167.

⁹⁶ K. A. Kapparis, *Apollodoros "Against Neaira" [D.59]* (Berlin: Walter de Gruyter, 1999) 41–42; Zelnick-Abramovitz, *Not Wholly Free*, 329; Trevett, *Apollodoros*, 178.

⁹⁷ Demosthenes, 45.71–77.

as per the law, yet naturalized citizens must perform liturgies as a way of giving back thanks.⁹⁸ Although he does not say so outright, his words indicate that naturalized citizens were expected to continuously prove to the state how grateful they were for their citizenship lest their status come under scrutiny or even, perhaps, be revoked. In the same vein, his excessive emphasis on the sanctity of Athenian citizenship laws was also a performance necessary to make his case to the jury, since he, as a naturalized citizen, was conducting proceedings against a man who was a citizen by birth.

According to the speech, Apollodoros and his family had been grievously wronged by Stephanos.⁹⁹ Stephanos had previously successfully annulled a decree put forward by Apollodoros and attempted to have him disenfranchised by setting a fine that would have been impossible to fulfil.¹⁰⁰ Although the attempt at disenfranchisement was unsuccessful because the fine was reduced, Apollodoros was still forced to pay a relatively large fine, and then Stephanos unsuccessfully attempted to have him prosecuted (falsely) for homicide.¹⁰¹ Thus, in order to avenge these wrongs, Apollodoros (via Theomnestos) brought forward a suit, which, if successful, could have resulted in the disenfranchisement of Stephanos, the enslavement of his partner, and the parentage/citizenship status of his children being under suspicion.¹⁰² But, Kapparis in his commentary posits that because there were serious repercussions if the suit was unsuccessful, there were further political machinations behind this lawsuit beyond simply revenge for Stephanos' actions.¹⁰³ However, for a naturalized citizen like Apollodoros, attacks like those of Stephanos' that could result in loss of citizenship rights were far more serious than

⁹⁸ Demosthenes, 45.78; Kamen, *Status in Classical Athens*, 85.

⁹⁹ Ps.-Demosthenes, 59.1–12 for details of how Stephanos “wronged” Apollodoros.

¹⁰⁰ Kapparis, *Apollodoros “Against Neaira”*, 29; Glazebrook, “The Making of a Prostitute,” 162–163; Ps.-Demosthenes 59.6–7

¹⁰¹ Kapparis, *Apollodoros “Against Neaira”*, 29; Ps.-Demosthenes, 59.9–10

¹⁰² Kapparis, *Apollodoros “Against Neaira”*, 30–31.

¹⁰³ Kapparis, *Apollodoros “Against Neaira”*, 31.

for a citizen by birth. While it is likely that political machinations did play a role, it was also the case that Stephanos' attacks played on real fears and anxieties that Apollodoros had regarding the precariousness of his position. Apollodoros' precariousness and personal status anxiety, in turn, play an important role in the way in which he frames the issue and the rhetoric he deploys in order to sway the jury in his favour.¹⁰⁴

The speech begins with an introduction by Theomnestos in which he details his relationship to Apollodoros (his brother-in-law and his father-in-law) and he expounds upon the wrongs done by Stephanos to Apollodoros and his family.¹⁰⁵ In this introduction, he makes a point early on of mentioning how the Athenian people (including his father) saw fit to grant citizenship to Pasion and his descendants.¹⁰⁶ This early statement regarding Apollodoros' legal path to citizenship serves as an important contrast to highlight the illegality of Stephanos' and Neaira's behaviour. In fact, throughout the speech, Stephanos' and Neaira's behaviour is heartily condemned as a flagrant violation and disregard for Athenian laws and mores. Theomnestos ultimately ends his brief speech by calling Apollodoros as a *sunēgoros* (co-pleader).

Apollodoros spends a great deal of time tracing Neaira's origins in order to emphasize her alien and servile origins.¹⁰⁷ This was necessary, as the crux of Apollodoros' argument relies on painting Neaira as the opposite of a proper citizen wife.¹⁰⁸ Although Apollodoros could bring evidence regarding Neaira's metic status simply by bringing witnesses to her time as a slave (which he does do to reinforce his statements), his assertion of Neaira's status is primarily based on the ideology of Athenian citizenship, with regards to Athenian women specifically. That is to

¹⁰⁴ This is elaborated on in the third chapter

¹⁰⁵ Ps.-Demosthenes, 59.1–12.

¹⁰⁶ Ps.-Demosthenes, 59.2.

¹⁰⁷ Ps.-Demosthenes, 59.18–38.

¹⁰⁸ Glazebrook, "The Making of a Prostitute," 163–164; Cynthia Patterson, "The Case against Neaira and the Public Ideology of the Athenian Family." In *Athenian Identity and Civic Ideology*, edited by Alan L. Boegehold and Adele C. Scafuro (Baltimore, MD: The Johns Hopkins University Press, 1994), 205.

say, he asserts Neaira's alien status not solely by calling attention to the legal fact that she was a metic but rather by emphasizing that she *must* be an alien and a freed slave since no freeborn citizen woman would behave in this way.¹⁰⁹ The purpose of this was to reinforce the enormity of Stephanos' and Neaira's crime by presenting Neaira as a polluting influence on the *polis* itself.¹¹⁰ Apollodoros effectively co-opts Neaira's status for his own purposes: her status is no longer *hers* but rather a tool for Apollodoros' rhetoric.¹¹¹

Apollodoros states that Neaira was bought, as a small child, by a woman named Nikarete (herself a freed slave) and trained specifically in sex work.¹¹² He goes on to emphasize her participation in activities such as drinking and dining with men as evidence of her status as a prostitute and an alien.¹¹³ He then details her career as a prostitute in Corinth, stating that she

¹⁰⁹ Glazebrook, "The Making of a Prostitute," 164, 168–172.

¹¹⁰ Patterson, "The Case Against Neaira," 199–203. More specifically, Patterson states that it is an attack on all Athenian *oikoi* and notes that Apollodoros makes a connection between the Athenian *oikos* and the *polis* as an extension of the citizen *oikos*. She also notes that citizen women were a part of the citizen body with rules to follow and responsibilities to the *polis* (especially with regards to religious duties). Thus, Neaira's "coopting" of the role of a citizen wife is actually her infiltrating the *polis* itself through that role. Ultimately, Patterson states that the *societal* motive of this charge is "the protection of family and civil legitimacy."

¹¹¹ He is able to do so because of the contradictions between her former status (sex slave) and her current status (freed woman, seemingly respectable companion of a citizen man). That is to say, Neaira is, to the jury, an ideological "chimera": she is a freed sex slave who now occupies a space that they associate with *citizen* women, but her existence in that space is reliant on a performance that has now been dismantled by Apollodoros, who effectively imposes her former status (and all its derogatory connotations) on her current self. Apollodoros is essentially able to assign Neaira a new identity, that of a scheming slave faking citizenship, because, status-wise, she exists in a state of precarity and ambiguity. This is not dissimilar to the claim that Kasimis makes with regard to Euxitheos' case. See: Kasimis, *The Perpetual Immigrant*, 147–148, 154–158, that in the Athenian democracy's efforts to make citizenship more insular (by assigning certain traits/behaviours/lifestyles to a blood-based heritage of citizenship), they in fact made a blueprint that made passing possible for non-citizens and that, conversely, could also place citizens under scrutiny because it actually undermined their blood-based claim to citizenship. See also the point Kasimis makes about how everybody is a metic in hiding, until accused (165–166). That is to say, it is the *accusation* that makes the metic.

¹¹² Ps.-Demosthenes, 59.18

¹¹³ Ps.-Demosthenes, 59.22–24. The part of section 24, "ὡς ἂν ἑταῖρα οὖσα" (as if she were a *hetaira*), has caused some contention among scholars, some of whom believe that the "ἂν" should be omitted entirely, while others believe that it has rhetorical import. Kapparis ("Critical Notes on Ps.-Dem. 59 'Against Neaira.'" *Hermes* 123, no. 1 (1995): 21; *Apollodoros "Against Neaira"*, 221) is a proponent of the former view: he asserts that Apollodoros means to say "as" a *hetaira*, because Apollodoros knew and believed her to be one and that the tone of the passage is *not* hypothetical. Glazebrook has an alternate view ("The Making of a Prostitute," 165): she believes that Apollodoros is seeking to *prove* that Neaira was a *hetaira* and so could not outright call her one from the beginning, hence he uses a more hypothetical statement. There is a third view put forward by Jess Miner ("Courtesan, Concubine, Whore: Apollodoros' Deliberate Use of Terms for Prostitutes." *American Journal of Philology* 124, no. 1 (2003): 22–24), that Apollodoros uses this term because Neaira was a young girl and therefore, would be considered

was working openly there and was well known.¹¹⁴ Making a point of Neaira’s public reputation was yet another means of illustrating how far removed she was from a respectable citizen woman, who ideally would be unknown to the public. Allison Glazebrook notes that Apollodoros’ and Theomnestos’ repeated use of her name was also a way of emphasizing her notoriety amongst the male public.¹¹⁵ By identifying her and using her name they imply familiarity and intimacy, which, if Neaira was a respectable woman, she would not have with men who were not her kin.¹¹⁶

Apollodoros continues his narrative by describing how Neaira was bought by two men from Nikarete, and how those two men, when they were about to get married, decided that they did not want her plying her trade in Corinth any longer and would be willing to free her for a reduced price.¹¹⁷ The mention of the impending marriages of her two enslavers serves again to implicitly contrast Neaira, the foreign prostitute who drank with men, with the respectable wives that the two men planned to settle with. Apollodoros goes on to explain how Neaira managed to pay the remaining sum for her manumission by soliciting the financial aid of a number of her prior clients, including a man named Phrynion, from whom she obtained the majority of the

a *pornē* not a *hetaira*. Glazebrook, however, disagrees with the view that the word *pornē* was associated with girls (see: p.165, footnote 9).

¹¹⁴ Ps.-Demosthenes, 59.26

¹¹⁵ Glazebrook, “The Making of a Prostitute,” 167.

¹¹⁶ Glazebrook, “The Making of a Prostitute,” 166.

¹¹⁷ Ps.-Demosthenes, 59.30; Forsdyke posits that Neaira herself may have had a hand in her reduced price, see: Sara Forsdyke, *Slaves and Slavery in Ancient Greece* (Cambridge: Cambridge University Press, 2021), 151. Neaira’s collection of funds from former lovers also points, once again, to the idea raised by Taylor (“Social Networks and Social Mobility,” 40–41) that enslaved people used social networks and bonding as a means of building social capital that could then be used to their advantage. Another interesting idea was raised by a fellow graduate student, Elsie Grathwohl, in a seminar on Greek slavery at the University of Washington in Winter 2022. Grathwohl presented on the idea of “mutual aid” (a term proposed by anarchist Peter Kropotkin in a collection of essays published in 1902 titled *Mutual Aid: A Factor of Evolution*; in a modern context it is often defined as grassroots, intracommunity aid—whether financial or otherwise—for marginalized groups, usually due to lacking or even nonexistent formalized financial or social supports from state/governing bodies) within slave communities and networks as a *function* of slave communities and networks. Grathwohl raised the point that fundraising like Neaira’s, wherein she elicited financial aid from a number of wealthy men to whom she was socially connected, could be seen as an example of a call to mutual aid.

money.¹¹⁸ Interestingly, Apollodoros states here that Neaira’s freedom was bought *on the condition* that she not ply her trade in Corinth, and he makes this point again not much later when describing her limited options for travel. There are no further details as to how this agreement was formalized, which is not surprising given that manumissions were often private and could be transacted solely between enslaver and enslaved with no other parties,¹¹⁹ but Apollodoros’ making a point of this fact seems to indicate that this was a formal condition for her manumission. Furthermore, Neaira does not violate it at any point (that he mentions), indicating again the importance of this condition to her manumission. So, although Neaira was freed, her freedom was conditional and it is likely that had she broken this condition, she would have been subject to re-enslavement.¹²⁰

After she was manumitted, Apollodoros states that Phrynion took Neaira with him to Athens.¹²¹ Here, Apollodoros describes in graphic detail how Phrynion mistreated Neaira, sexually abusing her in public and bringing her with him to various drunken revels.¹²² While Apollodoros is using this narrative to shame Neaira and make explicit her distance from a citizen woman, he does seem to be condemning Phrynion’s actions here slightly as well. While he does not necessarily express sympathy, he also does not condone Phrynion’s actions and, in fact, seems highly disapproving of his behaviour. However, this disapproval of Phrynion only

¹¹⁸ Ps.-Demosthenes, 59.31; See: Deborah Kamen, “Sale for the Purpose of Freedom: Slave-Prostitutes and Manumission in Ancient Greece.” *Classical Journal* 109, no. 3 (2014): 282, 291–293, Kamen discusses how slave-prostitutes utilized a secular form of the sacral fictive sales of Delphi, in order to purchase their freedom (circumventing the legal prohibition of slaves to have their own wealth since, technically, everything they had belonged to their enslaver) and it was possible for them to do so since they had access to a number of wealthy clients. She notes that the language used in the oration to describe Neaira and Phrynion’s transaction echoes that of the inscriptions, in particular that this was a payment *for the purpose of freedom* (i.e. that Phrynion did not “buy” Neaira but was merely the fictive buyer in the same way that Apollo was for the Delphic manumission); Zelnick-Abramovitz, unlike Kamen, asserts that Neaira remained in Phrynion’s possession since he was the major financial contributor, and that, therefore, her “sale” differed from that of a sacral sale (*Not Wholly Free*, 96).

¹¹⁹ Zelnick-Abramovitz, *Not Wholly Free*, 64.

¹²⁰ For more detail on manumission conditions see: Zelnick-Abramovitz, *Not Wholly Free*, 207–247.

¹²¹ Ps.-Demosthenes, 59.32

¹²² Ps.-Demosthenes, 59.33

emphasizes Neaira's servile and non-citizen origins due to her association with him, particularly since Apollodoros indicates prior to this that Phrynion was well known for extravagant behaviour, so it was unlikely that a citizen woman would have risked public disapproval and scrutiny by associating with him.¹²³ In his disapproval, Apollodoros seems to be implying not only that no citizen woman would tolerate such abuse but that no citizen woman would be subject to such treatment in the first place since she would not make herself sexually available. Apollodoros goes on to state that on one occasion, while Neaira was intoxicated and Phrynion was asleep, a number of different men had intercourse with her, including the enslaved men of the household.¹²⁴ This statement in particular was meant to indicate how truly far removed from the ideal citizen woman Neaira was.¹²⁵ Enslavement was antithetical to citizenship and Neaira's consorting with enslaved men and having intercourse would have cemented her alien (as well as her servile) status in the eyes of a jury composed entirely of citizen men.¹²⁶

According to Apollodoros, Neaira sought to escape her mistreatment at Phrynion's hands and eventually ran away to Megara. Here Apollodoros highlights Neaira's extravagance, playing into stereotypes regarding *hetairai*.¹²⁷ He states that she took with her some of Phrynion's household goods, all the gifts he had given her, and two servants. He makes a point of mentioning that Phrynion had gifted her clothes and jewellery, since dressing in an extravagant

¹²³ Glazebrook notes that Apollodoros is expressing disgust and intending to provoke disgust in the jury at Neaira's behaviour, as well as trying to make the story as titillating as possible ("The Making of a Prostitute," 169–172). However, it is worth considering that a small expression of sympathy/disapproval would not necessarily negate his argument and that it is possible that Apollodoros *does* feel sympathy for Neaira here. His description of her treatment at the hands of Phrynion is harrowing, and as mentioned above, he does not approve of Phrynion's actions. Kapparis actually asserts that Apollodoros' speech about Neaira elicits sympathy rather than disgust (*Apollodoros "Against Neaira"*, 46–47).

¹²⁴ Ps. Demosthenes, 59.34.

¹²⁵ As mentioned in footnote 6, citizenship was defined in opposition to slavery, so Neaira "allowing" (it is evident that she was sexually assaulted) slaves to have sex with her emphasized her non-citizen status.

¹²⁶ Glazebrook, "The Making of a Prostitute," 170

¹²⁷ Ps.-Demosthenes, 59.35–36.

or luxurious fashion was associated with *hetairai*, and citizen women would have been expected to display themselves more modestly.¹²⁸ He continues in this vein by mentioning that she was accustomed to living in a lavish lifestyle and therefore was unable to maintain her household in Megara since she was not making enough money via prostitution.¹²⁹ According to Apollodoros, Stephanos first met Neaira in Megara and stayed in her home there.¹³⁰ She revealed her troubles regarding Phrynion to him and he promised to protect her and to bring her back to Athens to live with him as his wife as well as introducing her children as his own in order to make them citizens.¹³¹ According to Apollodoros, Stephanos' reasons were less than altruistic; he wanted Neaira for her beauty and for the money she would bring into the household via prostitution.¹³²

Neaira's return to Athens is a particularly crucial moment in the speech as regards her status and it indicates that freed women were particularly vulnerable to control or re-enslavement, even by those who were not their original enslavers. Apollodoros states that upon their return, Phrynion discovered that Neaira was living with Stephanos and attempted to carry her off as his slave.¹³³ However, Stephanos intervened, claiming that she was a freed woman, and subsequently sureties as to her freedom were demanded before the Polemarch, which was done

¹²⁸ Glazebrook, 170–171; Kapparis, however, feels that Apollodoros does *not* describe her as extravagant or excessively fond of wealth (*Apollodoros "Against Neaira"*, 47).

¹²⁹ Ps.-Demosthenes, 59.36.

¹³⁰ Ps.-Demosthenes, 59. 37. Here, again, Kapparis translates the passage as "since she was a courtesan" but as per Glazebrook earlier (see: footnote 113), this could potentially also be translated as "as if she were a *hetaira*."

¹³¹ Demosthenes, 59.37–38. It is unclear from the text whether she takes him as her official *prostatēs*; Kapparis translates it simply as protection (*Apollodoros "Against Neaira"*, 107) but Forsdyke ("Slave Agency and Citizenship," 362) states that he was her official *prostatēs*. There is some evidence to support this claim, beyond the use of the word itself, since it is Stephanos who is her witness when she is later claimed as a slave by Phrynion (Ps.-Demosthenes, 59.40). However, *any* citizen could have been her witness, so it might have simply been a matter of convenience and *not* that he was her official *prostatēs*.

¹³² Ps.-Demosthenes, 59.39.

¹³³ Forsdyke ("Slave Agency and Citizenship," 362) seems to think that Neaira was liable to prosecution since she had violated the terms of her partial freedom vis-à-vis Phrynion. I don't agree with this; if there had been an official agreement with Phrynion, surely Apollodoros would have made mention of it? I think it's her vulnerability that made her open to prosecution, not any violation of her terms; moreover, she adheres to the manumission conditions regarding working in Corinth placed by her two enslavers and does not violate them.

successfully.¹³⁴ Phrynion brought a countersuit against Stephanos that he had unlawfully carried her off to freedom, but both were eventually convinced to put the matter before the arbitration of their friends.¹³⁵

The arbitration of Neaira's case makes the question of her status, from a scholarly perspective, more confusing. Neaira's initial freedom, bought from her two enslavers in Corinth, was conditional, yet since she had not broken this condition, she should have been free in every other sense. However, although she was declared free and her own *kuria*,¹³⁶ she was mandated to split her time between Stephanos and Phrynion.¹³⁷ Furthermore, the two men could change or adjust this arrangement as suited them. Given that Neaira was free and her own woman, a fact that Apollodoros does not at any point dispute, this arrangement is highly troubling for its implications regarding the vulnerability of freed women.

In the case of Pittalakos, he was saved by the intervention of a citizen man and *not* enslaved by Hegesandros. There was no mention by Aeschines of any kind of further arrangement in which Pittalakos was expected to serve in Hegesandros' home for a designated amount of time. In the case of Pankleon, despite a lack of witnesses, his friends were still able to save him from enslavement (at least initially) by physically carrying him away. Yet in the case of Neaira, she is both declared free yet treated as the shared property of Phrynion and Stephanos. According to Apollodoros, she had three different citizen men attest to her freedom to the Polemarch. There was no lack of witnesses, nor was there any dispute regarding her freed status. Neaira's former servility, and perhaps the fact that Phrynion had helped pay for her

¹³⁴ Ps.-Demosthenes, 59.40.

¹³⁵ Ps.-Demosthenes, 59.45–47.

¹³⁶ This was an unusual circumstance. Although not necessarily relevant to this chapter, a compelling analysis of this term (and the term *kurios*) can be found in Naomi T. Campa, "*Kurios, Kuria* and the Status of Athenian Women." *Classical Journal* 114, no. 3 (2019): 257–79.

¹³⁷ Ps.-Demosthenes, 59.46.

manumission, meant that her freedom was nominally honoured, yet she remained in the power of a man whose violent and public abuse she had escaped.¹³⁸ Nor does it seem, at least according to Apollodoros, that she had further recourse to dispute the outcome of this arbitration.

Furthermore, although Stephanos had offered his protection, under which promise she had accompanied him to Athens, he was ultimately unable to shield her from another citizen man. Stephanos' inability to do so speaks less to Phrynion's power than it does to Neaira's *lack* of power. As in the case of Pittalakos, despite Neaira's connections and her manumission, the social capital of a citizen man was ultimately triumphant. Neaira's fear of Phrynion, which Apollodoros himself mentions earlier (59.37), is even more understandable given the outcome of the arbitration. Although Apollodoros does not mention it, it is highly possible that Neaira's reluctance to come back to Athens was specifically due to a fear of re-enslavement by Phrynion, a fear that was unfortunately justified.

While there is far more to examine within this speech, that analysis will continue in further chapters. For the purposes of this chapter, one of the final points of analysis will be Neaira's alleged status as a respectable (citizen) wife. By the time of the speech, Neaira had been living with Stephanos for approximately twenty to thirty years.¹³⁹ Given that we have no other records of accusations made towards her, nor is there mention of her in other literature prior to the trial (barring a single brief reference to a courtesan with the same name in a fragment from 370-365 BCE),¹⁴⁰ we cannot automatically assume that Apollodoros' claims as to her notoriety

¹³⁸ Some scholars have posited that Neaira was potentially in debt to Phrynion. See: Rebecca Futo Kennedy, *Immigrant Women in Athens: Gender, Ethnicity, and Citizenship in the Classical City* (New York and London: Routledge, 2014) 105; Forsdyke, "Slave Agency and Citizenship," 361–362; Kamen, "Sale for the Purpose of Freedom," 296, provides a measured discussion of the possibility that she violated some condition of her manumission or some other stipulation in the fictive sale, as well as the fact that freed people could simply be at risk of enslavement regardless of their actions.

¹³⁹ Glazebrook, "The Making of a Prostitute," 164.

¹⁴⁰ Philetairos, *Κυνάργης* (PCG frag. 9.5).

are correct.¹⁴¹ Regardless, even if she *had* been well known at an earlier stage in her life, it is highly possible that she had been living a relatively respectable life for the past few decades.¹⁴² Stephanos was a well-known elite citizen man who was clearly deeply involved in civic politics; if Neaira was as notorious as Apollodoros claims, it is suspect that there are no other mentions of her except those dated *after* the trial. Furthermore, Apollodoros states that Neaira plied her trade as a prostitute in a number of other city states, especially Corinth, so it is possible that her notoriety as a prostitute either ended or was greatly reduced once she came to Athens.¹⁴³ Apollodoros mentions later in the speech that Stephanos tried to pass off Neaira's daughter Phano as his own and had her married off twice (her first marriage ended in divorce). Leaving aside the fact that Apollodoros does not provide any proof as to Phano being Neaira's daughter,¹⁴⁴ it is highly unlikely that a woman attempting to get her daughter, or even stepdaughter, respectably married would risk behaving in ways that would reflect poorly on her daughter's reputation. Therefore, it is a possibility that Neaira was able to "pass" as a respectable citizen woman for a number of years and thereby gain the security she lacked as a freed slave. This is possible whether Stephanos and Neaira actively asserted that they were married or not. Even if she did not explicitly state that she was married, and despite the potential pitfalls of their arrangement, living in a stable relationship with a citizen man would have provided a degree of security that she might not have had otherwise.

¹⁴¹ Glazebrook, "The Making of a Prostitute," 164–165; cf. Patterson, "The Case Against Neaira," 207, where she asserts that Neaira's past was well-known in Athens.

¹⁴² Patterson, "The Case Against Neaira," 207; Forsdyke, "Slave Agency and Citizenship," 363; Kennedy, *Immigrant Women in Athens*, 104.

¹⁴³ Glazebrook, "The Making of a Prostitute," 164.

¹⁴⁴ Scholars have often taken Apollodoros' statements regarding Phano's birth at face value, e.g. Forsdyke, "Slave Agency and Citizenship," 349–350, 363. However, other scholars have challenged this view; see: Kapparis, *Apollodoros "Against Neaira"*, 34–41; Patterson, "The Case Against Neaira," 207–209; Glazebrook, "The Making of a Prostitute," 174.

Her relationship with Stephanos, a relationship which included children, whether or not they were her own, allowed her to maintain an image of respectability and made her background as a former sex slave less apparent. Phrynion, as one of her clients, was obviously aware of her status prior to her relationship with Stephanos, but she would have been less vulnerable to attacks from those who were unaware. Although Apollodoros and Theomnestos revealed her past to the Athenian public late in her life, the fact that she was a much older woman when this occurred is a testament to her ability to pass and to build a life for herself despite her precarity.¹⁴⁵ Neaira's case, more than any of the others mentioned in this chapter, is particularly illuminating with regards to the malleability of status within Athens. Neaira was a slave, then a freed woman, then treated as a personal sex slave by someone who helped her buy her freedom, and finally, accused of effectively pretending to be a citizen wife, an accusation that is almost amusing (and perhaps more damning) since it seems she was able to do so successfully for quite some time.

1.6 Conclusion

Although these cases hold a number of important differences, their commonality lies in what they highlight about status in Athens. In the cases of Neaira, Pankleon, and Pittalakos, elite citizen men were triumphant against people of uncertain or lower legal statuses, while Euxitheos' case indicates that working class or otherwise less economically stable Athenian citizens could be similarly vulnerable. In a society where citizenship was correlated to freedom, and labour was associated with servility, the status of working-class Athenians was placed in jeopardy. Laws and

¹⁴⁵ Patterson calls Neaira a survivor ("The Case Against Neaira," 207). It is important to note here that although Neaira is a survivor and indeed, her advocacy for herself is truly incredible, the circumstances of her life are still bleak. The outcome of the case is unknown to us, but there is the possibility that this older woman, who had suffered so much throughout her life, was now *once again* going to be enslaved because of a citizen man's vendetta against her partner. Moreover, her treatment at the hands of Phrynion, and the fact that she was forced to continue to spend time with him *despite* being acknowledged as her own *kuria*, is also deeply upsetting. That Neaira had to struggle her entire life for a modicum of freedom, and then in her later years to once again face the threat of enslavement, is a testament to the ways in which a slave society sought to keep freed people subjugated and under the yoke of enslavement.

processes meant to protect the Athenian citizen body from “infiltration” by outsiders created a toxic ideology in which citizens who were unable to perform their citizenship satisfactorily, due to either economic circumstances or other circumstances outside of their control, could face censure, scrutiny, and ultimately loss of citizenship altogether.

Such a sharp ideological delineation between citizen and non-citizen, in a city where the reality was that citizens, metics, and slaves were often difficult to differentiate, meant that people’s citizenship could be at risk in the face of public scrutiny. However, non-citizens, particularly freed people, were in even greater danger. In the cases of both Pittalakos and Pankleon, people with uncertain or, frankly, non-existent claims upon them exploited the vulnerability of their status to try to enslave them. Arguably, Pittalakos had a stronger claim to protection given that he was either a well-known public slave or a freedman, yet just like Pankleon, whose status was uncertain, he was vulnerable to a claim upon his person. Similarly, Neaira, who was explicitly declared both free and her own *kuria*, was effectively forced into a shared custody situation with her current partner and the abusive citizen man she had escaped. Ultimately, although the precarity and mutability of Athenian status could (at least superficially) provide some non-citizens with better treatment and more respect for their person in casual or commercial interactions, it was also an active threat to their freedom.

Chapter 2: The Afterlife of Slavery

In her 2007 book, *Lose Your Mother*, Saidiya Hartman uses the term “afterlife of slavery” in order to explain how Black people continue to suffer violence in every facet of their lives due to the transatlantic slave trade.¹⁴⁶ Although her book is focused on the continuing impact of this particular slave trade, her term is both a useful and an accurate one for better understanding how slavery continued to haunt freed people in Athens past the point of official manumission. Toni Morrison’s *Beloved*, mentioned in this thesis’ Introduction, explores similar themes to Hartman.¹⁴⁷ *Beloved* is a ghost story about slavery; it follows a family that has ostensibly escaped slavery but continues to be haunted, both literally and figuratively, by its ghosts.

2.1 Slavery as a Ghost

The literal ghost in Toni Morrison’s *Beloved* is a dead child, a two-year-old who is killed by her own mother, Sethe. In the novel, Sethe, who had escaped slavery, was living with four of her children in her mother-in-law’s home when she heard that men from the plantation she had escaped were coming to re-enslave her. Rather than risk the enslavement of her children, Sethe attempted to kill all of them but only managed to kill her two-year-old daughter before others intervened. The men who had come to take her away were shocked by her actions and left without her.

After the murder, the baby’s ghost began to haunt the house, eliciting varied reactions, from fear to fondness, from its inhabitants (Sethe, her mother-in-law, and her remaining children). Yet it is also Sethe’s grief and the weight of her decisions, decisions spurred by the

¹⁴⁶ Saidiya V. Hartman, *Lose Your Mother: A Journey along the Atlantic Slave Route* (New York, NY: Farrar, Straus & Giroux, 2008), 6.

¹⁴⁷ Toni Morrison, *Beloved* (New York, NY: Vintage International, 2004).

continuing trauma of her enslavement, that haunt her and her family. Two of Sethe's other children, her sons, eventually run away from home because they cannot stand to live in a house haunted by the violence of slavery and because they, to some extent, fear their own mother for what she would have and could have done to them. Only Sethe's youngest daughter Denver, who was a baby at the time of the murder, remains, but she, too, is haunted by what has happened. Denver's ability to build relationships with other people in the town is heavily impacted by her mother's actions, which are known to everyone, and she is effectively made a pariah by extension. Something similar occurs in Pseudo-Demosthenes 59, when Neaira's alleged daughter is publicly humiliated and denigrated by Apollodoros, specifically because of her connection to Neaira.¹⁴⁸ Denver is forced to carry her mother's ghosts, although she herself was born free, and so continues to be marked by the intergenerational trauma of slavery. *Beloved*, like *Lose Your Mother*, is specifically about the experiences of formerly enslaved Black people, but it can still provide a helpful point of comparison for understanding the continued trauma and fears of freed people in an Athenian context. Both of these texts will be used throughout this chapter for comparative analysis of the experiences of freed people in Athens post-manumission, from a legal standpoint as well as a social and a psychological one.

Freed people in ancient Greece (and Athens, specifically) had escaped slavery, but it had echoes that lingered into their present. Slavery existed like a ghost in their lives, a persistent haunting that they were unable to escape. Ghosts are a temporal anomaly: their first appearance is, in actuality, a return; they are a reminder of the past that is able to exist in the present.¹⁴⁹ Slavery continued as an unwelcome presence, a malevolent spirit, in the lives of freed people,

¹⁴⁸ Patterson, "The Case Against Neaira," 208–209.

¹⁴⁹ Jacques Derrida, *Specters of Marx: The State of the Debt, the Work of Mourning, and the New International* (New York, NY: Routledge, 2011), 10.

not only through its continued legal and social impact but also due to the trauma it inflicted upon freed people. The presence of slavery in the lives of freed people also often extended to their descendants and other relations, even those born free.

Interpreting slavery as a ghost in the lives of freed people perhaps conjures up the idea of something insubstantial, but this continued connection to servility had a tangible and material impact on their lives and posed a real threat of re-enslavement. Slavery relied (or rather, relies) upon the continued subjugation and denial of the humanity of the enslaved; the freeing of an enslaved person is an acknowledgment of their humanity and personhood, a direct threat to the ideology of slavery itself and therefore the society that relies upon it. Thus, this continued connection to servility was not simply accidental, nor just a result of the physical and psychological trauma of enslavement itself, but actively and repeatedly reinforced by Athenian law, Athenian citizen ideology, and Athenians themselves.¹⁵⁰

Freed people who chose to reside in Athens post-manumission became metics¹⁵¹ but they continued to be held as distinct from those who were freeborn: they had an extra tax beyond the *metoikion* (the regular metic tax) that they had to pay;¹⁵² unlike other resident aliens who were

¹⁵⁰ With regard to laws, for example, former enslavers could file *dikai apostasiou* against manumitted slaves for “deserting” them; for more details, see: S. C. Todd, *The Shape of Athenian Law* (Oxford: Clarendon, 2003) 102, 190, 361. Moreover, although the *aphairesis eis eleutherian* existed, enslavers could also countersue for unlawfully “leading” a slave away to freedom (Zelnick-Abramovitz, *Not Wholly Free*, 292), a measure that no doubt discouraged people from intervening in cases of wrongful enslavement unless they were certain of someone’s status. This was also reflected in philosophical texts, such as in Plato’s *Laws*, where it states that not only should all manumitted slaves (in an imagined ideal city) continue to serve their manumitters in some capacity but that, if they do not do so, they should be arrested (Plato, *Laws*, 915a). Plato’s *Laws* also advocate for harsh punishment for those who led a slave to freedom unlawfully (914–915a). Both sets of laws, real and imagined, show a deep reluctance on the part of a slave society to allow freed people to truly live a life that was free of their former enslavers’ control. For a more detailed look at the ways in which state control was exerted over the lives of freed people see: Rachel Zelnick-Abramovitz, “Freed slaves, their status and state control in Ancient Greece,” *European Review of History: Revue europeenne d’histoire* 16, no. 3 (June 2009): 303–318.

¹⁵¹ Whitehead, *Ideology of the Athenian Metic*, 16. There are scholars who disagree with this assertion and feel that the evidence for this is scanty and that they were certainly seen as *xenoi* but not necessarily metics; see: Athina Dimopoulou-Piliouni, “*Apeleutheroi*: Metics or Foreigners?” *Dike* 11 (2008): 30–35.

¹⁵² Kamen, *Status in Classical Athens*, 44.

able to choose their *prostatēs* (patron) they had to have their former enslavers as their *prostatēs*;¹⁵³ and, if they died without issue, their property was given to their former enslaver.¹⁵⁴ This distinction was not merely legal but likely social as well: people often continued to refer to them as servile despite being free and the legal distinctions made between them and freeborn metics probably also created a social gap.¹⁵⁵ This was not helped by the fact that freedmen were usually referred to by the terms *apeleutheros* or *exeleutheros*, terms which specifically denoted manumission from slavery, not simply being free; these terms also potentially carried legal distinctions.¹⁵⁶ Furthermore, since they quite literally carried the marks of their enslavement, scars and injuries from physical abuse that they had suffered while enslaved, they were also physically marked as distinct from freeborn residents of the city.¹⁵⁷ Many of them also had manumission obligations to their former enslavers that involved continued labour (on which, see further below), which further blurred the line between their former and current status since they remained in what was effectively a servile role.¹⁵⁸

Manumission-related obligations and conditions are a perfect example of the ways in which laws reinforced freed people's connection to servility, since freed people were made to

¹⁵³ Kamen, *Status in Classical Athens*, 44–45.

¹⁵⁴ Kamen, *Status in Classical Athens*, 45.

¹⁵⁵ Kamen, “Servile Invective,” 48, 51–52 and *Status in Classical Athens*, 45; Todd, *Athenian Law*, 190; Whitehead, *Ideology of the Athenian Metic*, 115–116.

¹⁵⁶ For more detail on the potential legal implications of these words see: Zelnick-Abramovitz, *Not Wholly Free*, 99–126. For a more general overview of terminologies of slavery see: Rachel Zelnick-Abramovitz, “Greek and Roman Terminologies of Slavery.” In *The Oxford Handbook of Greek and Roman Slavery*, edited by Stephen Hodkinson, Marc Kleijwegt, and Kostas Vlassopoulos (online edn, Oxford Academic, Aug. 2016).

¹⁵⁷ Page duBois, *Slaves and Other Objects* (Chicago, IL: University of Chicago Press, 2008), 106–109; Deborah Kamen, “A Corpus of Inscriptions: Representing Slave Marks in Antiquity.” *Memoirs of the American Academy in Rome* 55 (2010): 97–99.

¹⁵⁸ Zelnick-Abramovitz, *Not Wholly Free*, 222–247; Rachel Zelnick-Abramovitz, “The Status of Slaves Manumitted Under *Paramonē*: A Reappraisal.” In *Symposion 2017: Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Tel Aviv, 20.–23. August 2017)*, edited by Gerhard Thür, Uri Yiftach, and Rachel Zelnick-Abramovitz (Vienna: Austrian Academy of Sciences Press, 2018), 377–402; Deborah Kamen, “Reconsidering the status of *khōris oikountes*,” *Dike* 14 (2011): 48–49; Yvon Garlan, *Slavery in Ancient Greece*, trans. Janet Lloyd (Ithaca, NY: Cornell University Press, 1988), 77–84; Mirko Canevaro and David Lewis, “*Khōris Oikountes* and the Obligations of Freedmen in Late Classical and Early Hellenistic Athens,” *Incidenza dell'Antico* 12 (2014): 99–110

reproduce and perpetuate the conditions of slavery in order to achieve freedom. Furthermore, it has been argued that manumission legally placed them in a status between that of slave and free.¹⁵⁹ There are a number of pieces of evidence for manumission-related obligations in ancient Greece, chief among them the *paramonē* (“remaining beside”) conditions from the Delphic manumission inscriptions.¹⁶⁰ For the purposes of Athens in particular, the philosophers’ wills (themselves interpreted as examples of *paramonē* conditions within Athens)¹⁶¹ and Plato’s *Laws*¹⁶² are especially important. Zelnick-Abramovitz, in her work *Not Wholly Free* (and subsequent articles related to this work), argues that manumission obligations marked freed people as “not wholly free,” that they existed in a state of partial freedom, and that freedom was a spectrum of which manumission did not necessarily represent the end point (if there truly was an end point to the spectrum at all).¹⁶³

¹⁵⁹ Zelnick-Abramovitz, *Not Wholly Free*; cf. Sosin, “Manumission with *Paramone*: Conditional Freedom?”, 325–381.

¹⁶⁰ Zelnick-Abramovitz, *Not Wholly Free*, 3, 67, 86–87, especially section 4.2.2; it is important to note here that not all manumissions which were deferred or reliant on conditions should be deemed manumissions with *paramonē*. In *Not Wholly Free*, Zelnick-Abramovitz makes a distinction between manumissions with *paramonē* conditions and manumissions in which slaves were not immediately freed, which she refers to as “deferred manumissions” (222). She does not use the term “conditional manumissions” because she asserts that all manumissions were conditional since they were reliant on a) the consent of the manumittor and b) the financial capacity of the enslaved (manumission was a social transaction) (223); cf. Kamen, “Sale for the Purpose of Freedom,” 285–290.

¹⁶¹ Zelnick-Abramovitz, *Not Wholly Free*, 226; Canevaro and Lewis, “*Khoris Oikountes*,” 103–109. It should be noted here that the authenticity of philosophers’ wills has been doubted. H.B. Gottschalk, “Notes on the Wills of the Peripatetic Scholarchs.” *Hermes* 100, no. 3 (1972): 314–42, and more recently Canevaro and Lewis (104–106), argue in favour of the authenticity of the wills.

¹⁶² Plato, *Laws*, 915a and 915b; Zelnick-Abramovitz, *Not Wholly Free*, 223–224; see also: S.C. Todd, “Slave Manumission and *Paramonē*—Some Remaining Problems? Response to Rachel Zelnick-Abramovitz.” In *Symposion 2017: Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Tel Aviv, 20.–23. August 2017)*, edited by Gerhard Thür, Uri Yiftach, and Rachel Zelnick-Abramovitz (Vienna: Austrian Academy of Sciences Press, 2018), 404, who does not agree that Plato’s *Laws* (915b) are an example of *paramonē* obligations.

¹⁶³ See: Zelnick-Abramovitz: *Not Wholly Free* and “The Status of Slaves” mentioned above. There are some scholars, notably Joshua Sosin (see: “Manumission with *Paramone*”), who do not agree with this position and state that under *paramonē* they remain slaves. However, a purely legalistic understanding fails to take into account how freed people might be perceived in a social/cultural dimension that could and, as this chapter argues, would have had a tangible impact on their material circumstances and proximity to re-enslavement. Furthermore, since these laws were meant to protect citizens and slaveholders, it is fair to assume that they were less interested in the welfare/wellbeing of enslaved people, and so “legal” freedom is still suspect. See, for example, Saidiya Hartman, in *Lose Your Mother*, who notes that slavery continues to have an impact on the lives of Black people in the United States. She states: “[B]lack lives are still imperiled and devalued by a racial calculus and a political arithmetic that were entrenched centuries ago. This is the afterlife of slavery—skewed life chances, limited access to health and

2.2 Paramonē Obligations at Delphi

Before looking at the Athenian examples mentioned above, it is worth examining more closely the *paramonē* conditions found at Delphi. What is interesting about these manumission inscriptions (not only the ones at Delphi but in other cities as well) is the language that they employ with regards to the slave being manumitted. The *paramonē* conditions are so called because they required a slave to remain (*paramenein*) in service to their manumittor, violation of which would mean that the manumission was null and void.¹⁶⁴ This service could be anywhere from months to years, and sometimes (often!) this condition remained in place until the manumittor's death. In other situations, if the manumittor died before the stipulated period of service ended, the enslaved person had to pay a certain sum to their heirs (who had presumably "inherited" them as part of the property) in order to be relieved of these obligations.¹⁶⁵ As is obvious from these statements, despite the process of manumission, the manumittors still very much perceived these people as their property, a possession that they could seize back if they did not feel that they had received adequate compensation for granting "freedom." The fact that this manumission could be terminated at all and was essentially subject to the whims of the enslaver made it a precarious transaction for the enslaved since they remained beholden to their enslaver despite being nominally free.¹⁶⁶ The nature of the service was not always specified in these inscriptions (although it could be). Presumably it was a continuation of the services they had provided while enslaved, but it could also involve new tasks such as attending to funeral rites.¹⁶⁷

education, premature death, incarceration, and impoverishment" (6). There are scholars who take a more measured approach than Sosin. See: David Lewis, *Greek Slave Systems in their Eastern Mediterranean Context* (Oxford: Oxford University Press, 2018), 70–72, who also disagrees with Zelnick-Abramovitz's view, but notes that although he believes that they were free in a *juridical* sense, in a "non-technical" sense they could be understood as less free.

¹⁶⁴ Zelnick-Abramovitz, *Not Wholly Free*, 225.

¹⁶⁵ See, for example, the following inscriptions: *SGDI* 1867, *SGDI* 2084, *SGDI* 425.

¹⁶⁶ Zelnick-Abramovitz, *Not Wholly Free*, 228, 278.

¹⁶⁷ Zelnick-Abramovitz, *Not Wholly Free*, 228.

Thus, once the manumittor and manumitted left Delphi (assuming they were not locals), the latter would often have continued to serve their former enslavers in various ways. But would others (without the evidence of the inscription readily available) have necessarily differentiated between a freed person continuing in a servile position and a slave? This is not to discount the tremendous efforts taken by enslaved people to procure their freedom, or to imply that such efforts were wasted or worthless, but rather to highlight that the maintaining of freedom was effectively a continuous struggle in their lives.¹⁶⁸ Although, according to these inscriptions, they were protected from being seized by others as a slave, their relationship to their manumittor remained essentially servile and there did not seem to be much protection from being re-enslaved by them.¹⁶⁹

Also worth noting is that these inscriptions often mention the ability of manumittors to continue to punish manumitted slaves. Physical punishment (which was the general mode of punishment for slaves) was yet another reminder that these manumitted slaves existed in what Zelnick-Abramovitz refers to as a “quasi-servile”¹⁷⁰ state, since physically harming a free person would have been a crime. Interestingly, one inscription (*SGDI* 1714) states that the manumitted slave could be punished “as a free woman,” a statement that seems inherently contradictory: free women would not have been subject to corporal punishment because their bodies were

¹⁶⁸ Zelnick-Abramovitz points out that for many people freedom was “gradual” (265, 272, 339).

¹⁶⁹ It is important to consider that in the case of the Delphic manumissions, it might have been considered “sacrilege” to re-enslave the manumitted since now they were considered Apollo’s “property” and re-enslaving them could have “angered” the god, but this protection relied upon freed slaves’ fulfilling their contractual obligations, which was ultimately a matter of their manumittor’s opinion. So, this protection was only useful insofar as it prevented being re-enslaved by *other* people, not their manumittor, who could revoke their manumission under the claim that they had reneged on their conditions. See: Zelnick-Abramovitz, *Not Wholly Free*, 151, 233, 265, 340 and also “The Status of Slaves Manumitted under *Paramonē*,” 392. See also: Lene Rubinstein, “Penalties in Delphic *Paramonē* Clauses: A Gender Perspective.” In *Symposion 2019: Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Hamburg, 26.–28. August 2019)*, edited by Kaja Harter-Uibopuu and Werner Riess (Vienna: Austrian Academy of Sciences Press, 2021), 462–464.

¹⁷⁰ Zelnick-Abramovitz, *Not Wholly Free*, 233.

considered inviolable.¹⁷¹ Furthermore, the right to corporal punishment was not always restricted to the manumittors; sometimes others were stipulated as being allowed to do so, on behalf of the manumittor, without legal repercussions.¹⁷² As mentioned earlier, scars from physical abuse already marked (at least some) freed people as physically distinct from those who were freeborn. If a freed person had visible new wounds or injuries from physical abuse post-manumission, they were far more likely to be assumed to be a slave (and potentially open to abuse from others as well) rather than to be seen as free.

Another important aspect of *paramonē* conditions were clauses concerned with the children of enslaved women in the process of manumission with *paramonē*. At Delphi, enslaved women often paid less for their manumission than enslaved men; there were a number of reasons for this, but it is likely that one of those reasons was that slave women were able to bear children and therefore could pay less by leaving a child behind for their manumittors that would effectively replace them.¹⁷³ An inscription at Delphi from the 1st century CE (*FD* 3.6.38) states that two slaves, Epaphro and Epiphanea, were manumitted with *paramonē* until the death of their manumittor, and they were both expected to hand over infants (of varying ages and over a varying time period) to the manumittor's son and grandson, after the death of their manumittor, or pay hefty fines. Thus, despite the death of their manumittor, their bodies (and the bodies of their children—as yet unborn) were held hostage. Xenophon, in his *Oeconomicus*, at one point describes the importance of the enslaver controlling the sexual relationships of his slaves for his own benefit.¹⁷⁴ These conditions are reminiscent of that same sense of control. Such extensive

¹⁷¹ Another similar inscription is *SGDI* 2269.

¹⁷² Zelnick-Abramovitz, *Not Wholly Free*, 239; Rubinstein, “Penalties in Delphic *Paramonē* Clauses,” 460–461. E.g. *SGDI* 2066, *SGDI* 1807.

¹⁷³ Zelnick-Abramovitz, *Not Wholly Free*, 154.

¹⁷⁴ Xenophon, *Oeconomicus*, 9.5. See also: Jason Douglas Porter, “The Sexual Agency of Slaves in Classical Athens,” in *Slavery and Sexuality in Classical Antiquity*, edited by C.W. Marshall and Deborah Kamen (Madison: University of Wisconsin Press, 2021), 90–93.

control over manumitted women's reproductive labour meant that they were deeply bound to their enslavers, and there is some evidence that freed people worked to manumit children that they had to leave in slavery.¹⁷⁵ Thus, one way that enslavers maintained power over freed people, especially freed women, was through control of their families.¹⁷⁶

Another inscription from Delphi (*SGDI* 2171) is even more horrifying. In this inscription, the woman, Dioklea, is stipulated to remain with the manumittor's mother until her (the mother's) death. The inscription specifies that if Dioklea were to have any children during this time, she could kill them or raise them (as free), but she was not allowed to sell them. Although in this inscription the manumittor seems to have no interest in enslaving Dioklea's child, the options provided paint an incredibly bleak picture of the lives of slave women seeking freedom. Dioklea was probably prevented from selling her child so that she would not be able to buy her way out of her service sooner, since that would probably have been her fastest means to do so.¹⁷⁷

The fact that the inscription states that she had permission to kill her child indicates that perhaps this was not uncommon amongst enslaved women, and that they (not infrequently) took such a course of action *without* permission.¹⁷⁸ The mention of it in the inscription is probably to prevent the prosecution of Dioklea if she did so. It is hardly surprising that enslaved women would rather their child die an infant than suffer through the horrors of slavery,¹⁷⁹ but the cavalier

¹⁷⁵ Zelnick-Abramovitz, *Not Wholly Free*, 165; Kostas Vlassopoulos, "The End of Enslavement, 'Greek Style'." In *The Oxford Handbook of Greek and Roman Slavery*, edited by Stephen Hodkinson, Marc Kleijwegt, and Kostas Vlassopoulos (online edn, Oxford Academic, March 2019), 10.

¹⁷⁶ It is being suggested here that while enslavers did not recognize familial ties between slaves as legitimate (Zelnick-Abramovitz, *Not Wholly Free*, 164), that does not mean that freed people themselves didn't recognize such ties. Therefore, their connections to still-enslaved children or parents might mean that they maintained relations with their enslaver. See also: Kostas Vlassopoulos, "Hope and Slavery." In *Hope in Ancient Literature, History, and Art: Ancient Emotions I*, edited by George Kazantzidis and Dimos Spatharas (Berlin, Boston: De Gruyter, 2018), 247, 254.

¹⁷⁷ Zelnick-Abramovitz, *Not Wholly Free*, 230; Vlassopoulos, "Hope and Slavery," 255.

¹⁷⁸ Zelnick-Abramovitz, *Not Wholly Free*, 230.

¹⁷⁹ Zelnick-Abramovitz, *Not Wholly Free*, 230.

mention of it in an inscription is still devastating. In Morrison's novel, Sethe justifies her actions by saying, "I took and put my babies where they'd be safe."¹⁸⁰ When her partner, Paul D, confronts her by asking how she can see this as a success when her sons have left, her daughter Denver is deeply troubled, and her other daughter is dead, she states, "They ain't at Sweet Home. Schoolteacher ain't got em."¹⁸¹ It is not difficult to imagine that enslaved women in ancient Greece might have had a similar attitude towards their children. For enslaved women who made the choice to kill their own children, what kind of lives would they have led afterwards? How could they help but be haunted by the decisions that they had been forced to make?

And if Dioklea had a child and had chosen to keep it, there was no guarantee that her manumittor might not change their mind and seize her child anyway. Even if that hadn't happened, she was pledged to remain in service to someone until they died, impacting the time and care she would be able to give to a child, since her labour to her former enslavers would be prioritized over time she might need or want to spend with her children. In *Beloved*, Sethe mentions that she only ever saw her own mother a few times and that her mother never fixed her hair or did any of the things that mothers are expected to do for their children.¹⁸² In fact, Sethe states that she only had her mother's milk for two or three weeks before her mother was forced back to work in the fields.¹⁸³

All of the options open to Dioklea highlight how even in the process of manumission, enslavers continued to deny the enslaved (or the "quasi-free") agency over their bodies and their lives. And, in the case of enslaved women specifically, their reproductive labour was weaponized

¹⁸⁰ Morrison, *Beloved*, 164.

¹⁸¹ Morrison, *Beloved*, 165.

¹⁸² Morrison, *Beloved*, 60.

¹⁸³ Morrison, *Beloved*, 60.

against them, forcing them to make choices that would haunt them for the rest of their lives, free or not.¹⁸⁴

2.3 Paramonē Obligations at Athens: the Philosophers' Wills

Most of our evidence for post-manumission obligations and *paramonē* conditions comes from outside of Athens, given how widespread the practice seems to have been across the ancient Greek world.¹⁸⁵ However, that is not to say that *paramonē* did not exist in Athens, and, in fact, a more Athenian-specific example of *paramonē* can be found in the philosophers' wills. The philosophers' wills are six wills preserved in the writings of Diogenes Laertius: those of Plato, Epicurus, Theophrastos, Aristotle, Strato, and Lykon.¹⁸⁶ The wills of Aristotle, Theophrastos, and Lykon are the ones which are relevant for evidence of *paramonē* within Athens. The authenticity of these wills has been doubted by some scholars,¹⁸⁷ but many scholars have also used these wills as evidence for post-manumission obligations within Athens, and others have argued persuasively in favour of their authenticity.¹⁸⁸

The *paramonē* conditions in Aristotle's will are relatively simple and clearly laid out. He states that Tyche, Philo, Olympios, and Olympios' child will be freed once his daughter is married.¹⁸⁹ Interestingly, Aristotle's will specifically states that both Olympios *and* his child would be freed together, which meant that Olympios would not have had to come back and

¹⁸⁴ Vlassopoulos, "Hope and Slavery," 252–254.

¹⁸⁵ Zelnick-Abramovitz, *Not Wholly Free*, 222–247, especially 223 and 227, where she argues that, in fact, Plato's *Laws* and the wills of the philosophers are our earliest pieces of evidence for *paramonē* (despite the fact that greater evidence for *paramonē* exists outside of Athens). See also: Elizabeth Meyer, *Metics and the Athenian Phialai Inscriptions: A Study in Athenian Epigraphy and Law* (Stuttgart: Franz Steiner Verlag, 2010), 27, footnote 69, where she disputes the authenticity of the wills and states that there is "no evidence for serious *paramonē* in fourth century Athens."

¹⁸⁶ Diogenes Laertius, *Lives of Eminent Philosophers*, 3, 5.2, 5.1, 5.3, 5.4, 10.

¹⁸⁷ See above: footnote 185.

¹⁸⁸ For evidence of *paramonē*: Canevaro and Lewis, "*Khoris Oikountes*," 103–110; Zelnick-Abramovitz, *Not Wholly Free*, 226; Kamen, *Status in Classical Athens*, 38 and "The Manumission of Socrates: A Rereading of Plato's *Phaedo*," *Classical Antiquity* 32, no. 1 (April 2013): 80–81. Regarding authenticity see: footnote 161.

¹⁸⁹ Diog. Laert., 5.1.15.

potentially pay Aristotle's heirs in order to free his child. Like a *paramonē* condition, there were expressly stated terms that all of these individuals had to fulfil, and the fact that they were to be freed upon the marriage indicates that they were also not liable to being sold or otherwise seized before then, which would have been the case if they were fully enslaved. This in turn means that this was not simply delayed manumission.¹⁹⁰ Furthermore, if Olympios' child was to be freed *with* him, that means that this child was also protected from being sold off as simply a piece of property, a protection that a fully enslaved individual would not have had. However, there are no mentions of protection from physical punishment by Aristotle's daughter or his other heirs, nor is there any indication that there would have been a change in their duties. And it seems fairly clear that they were expected to remain in the household despite the verb *paramenein* not being explicitly used here.

The will goes on to state that none of the other slaves are to be sold but will remain in employment, until they reach a fit age upon which they will receive freedom if they are "deemed worthy (ἀξίαν)."¹⁹¹ Presumably, these were younger slaves (hence the reference to age) and so the idea was that eventually, once they had served for a certain amount of time, they could be freed. Once again, despite the lack of the verb *paramonein* this sounds remarkably like a number of the Delphic inscriptions that demanded a certain number of years from an enslaved individual as a condition of manumission. Furthermore, as in those inscriptions, they were protected from being sold off or seized. However, their freedom was still incredibly precarious and vulnerable since they had to be "deemed worthy" of manumission. It is clear from the will that the intent was that they *should* be freed, but this phrasing provides ample excuse for Aristotle's heirs not to honour that intent since, after all, it was up to them to decide if the manumitted slaves had

¹⁹⁰ Canevaro and Lewis, "*Khoris Oikountes*," 110.

¹⁹¹ Diog. Laert., 5.1.16

fulfilled their conditions in a satisfactory manner. Moreover, what protections did the will provide if the heirs freed them but decided later that they had not fulfilled their obligations? Like the *paramonē* conditions in the Delphic inscriptions, this was a highly precarious transaction in which one party held all the power.

In Theophrastos' will, he first makes mention of two formerly enslaved people, Pampylos and Threpta.¹⁹² He states that that they have been freed long since, but he also states that Pampylos, in accordance with a prior arrangement, should continue to tend to the temple, the monument, the garden, and the walk and should continue to exercise his duties as before.¹⁹³ This seems to indicate that Pampylos already had manumission obligations to Theophrastos upon which his freedom was contingent.¹⁹⁴ Theophrastos also states that Pampylos lives nearby, and, although it is not stated, Pampylos would probably have had to continue to do so (as seems to be the expectation in Theophrastos' phrasing) in order to keep fulfilling his obligations and not violate the terms of his manumission. Again, despite the fact that Pampylos and Threpta, by Theophrastos' own admission, are freed, they continue to be connected to the household of their enslaver, even after his death. And, furthermore, their obligations controlled where they could live. Yet again, the similarities to the *paramonē* conditions of Delphi are striking despite the verb not being explicitly used here. Theophrastos also bequeathed (or rather, returned) 200 drachmas to them, which he states came from their own earnings. This indicates that he continued to have control over their wealth, despite their freedom, and continued to profit from their labour.¹⁹⁵

¹⁹² Diog. Laert., 5.2.54.

¹⁹³ Diog. Laert., 5.2.54.

¹⁹⁴ Canevaro and Lewis, "*Khoris Oikountes*," 107.

¹⁹⁵ Canevaro and Lewis, "*Khoris Oikountes*," 107.

Theophrastos then continues on to grant three slaves their immediate freedom, but two other slaves, Manes and Kallias, had similar obligations to fulfil in order to achieve freedom.¹⁹⁶ Their freedom was conditional upon them staying and working in the garden for four years.¹⁹⁷ This is very similar to *paramonē* conditions as well, in which there was a definite end date, and here the verb *paramenein* is explicitly used when stating their obligation to remain and work there. Similar to the conditions of Aristotle's will, however, there is a moral dimension where he expects them to conduct themselves in a way that is blameless (ἀναμαρτήτους).¹⁹⁸ Again, while it is clear that he intended them to be free, this added condition is deeply troubling and even threatening. Beyond the conditions themselves, this was a way to maintain control over the enslaved because it meant that freedom could be snatched from them if they didn't satisfy the whims of their enslavers. Despite the fact that Manes and Kallias were no longer fully enslaved, they were still very much under the control of their enslaver.

Lykon's will has provisions quite similar to that of Theophrastos in that he also mentions former slaves to whom he is still connected in some way. He initially mentions two former slaves, Demetrios and Krito, to whom he returns their manumission payments as well as bequeathing further money to them.¹⁹⁹ He also mentions another former slave, Syros, to whom he also bequeaths money *and* remits any debts that Syros owes him.²⁰⁰ It is possible that this was debt incurred in order to secure his manumission and so is not dissimilar to what he did with Demetrios and Krito. He also sets free Mikros, but states that his heir, Lykon, will bring him up

¹⁹⁶ Diog. Laert., 5.2.55.

¹⁹⁷ Diog. Laert., 5.2.55.

¹⁹⁸ Diog. Laert., 5.2.55.

¹⁹⁹ Diog. Laert., 5.4.72. It would be interesting to consider if some of this extra money that is bequeathed to them is money that he had taken from them over time, during a period in which they potentially had manumission obligations to him, in the way that Theophrastos mentions regarding Pampylos and Threpta even if it's not explicitly stated.

²⁰⁰ Diog. Laert., 5.4.73.

(θρεψάτω) and educate him for the next six years.²⁰¹ He also immediately emancipated a number of other slaves, amongst them Mikros' mother.²⁰² However, there are three other slaves who have obligations placed upon their manumission: Agathon, who was to be fully free after two further years of service, and Ophelio and Poseidonios, who were obligated to provide another four years of service.²⁰³

Lykon places all of his slaves (former or otherwise) under the same umbrella.²⁰⁴ In doing so, he highlights how Athenian enslavers likely thought about their slaves, even once they were manumitted. It is clear in his will, and in the wills of the other philosophers as well, that enslavers continued to feel entitled to the labour of their former slaves. On an ideological level, their freedom was meaningless to their enslavers, who continued to view them *as slaves* despite their *legal* freedom. Both Theophrastos and Lykon state the provisions/bequests to their former and current slaves in the same part of their wills, demonstrating that despite the fact that some of these slaves are now “free,” to their enslavers they will always remain in the category “slave.”

Most importantly, in the case of the freedmen Lykon mentions, this *included* freedmen who did not seem to have any remaining manumission-related obligations and who, in the interpretation of various scholars, had achieved full manumission (i.e. they were “fully freed”). That is to say, even freedmen who did not occupy a “half-free, half-slave” state, since they did not have *any* remaining connections to their enslaver, were still viewed, on a social and cultural level, as slaves. This does not in any way negate the idea that those with manumission conditions existed in a status limbo, not quite free but not quite slave. However, it means that there must be closer examination of the spectrum of “slave” to “fully freed.” After all, if a freedman who no

²⁰¹ Diog. Laert., 5.4.72.

²⁰² Diog. Laert., 5.4.73.

²⁰³ Diog. Laert., 5.4.73–74.

²⁰⁴ Canevaro and Lewis, “*Khoris Oikountes*,” 108.

longer had manumission conditions, who had been living as a freedman for a number of years, was still placed in the same category as a slave, what did that imply about how slaveholding Athenians truly viewed manumission? And, moreover, if even that degree of freedom did not seem to meaningfully change how enslavers viewed freedmen, what did that mean for others in even more precarious positions?

Furthermore, the moral phrasing employed by Aristotle and Theophrastos, using words such as “worthy” or “blameless” with regard to the conduct of their slaves, made the situation of those with manumission obligations even more precarious, since they could still be denied manumission despite completing the remaining years of their service if their enslavers did not feel that they had “earned” the right to freedom. Despite the stated intention to free their slaves, enslavers continued to dehumanize them, treating them as unruly animals²⁰⁵ who needed to be disciplined and whose conduct needed to be carefully monitored. This insight into the perspective of an enslaver highlights the precarity of freed people, who continued to be seen as slaves despite their newfound legal status. And this social and cultural dimension had material ramifications on their lives. It made them vulnerable to the whims of their enslaver, which could mean continued abuse, poor treatment, and dehumanization, and it placed their freedom in the hands of people who would never really see them as free, an incredibly dangerous position to be in. Thus, enslaved people not only faced nearly insurmountable financial and legal hurdles to attain their freedom, but once they attained it, it was not guaranteed, nor did it mean that their status was necessarily impacted on a social level.

²⁰⁵ See: Xenophon, *Oeconomicus*, 13.9, wherein he compares enslaved people to “wild animals”; see also: 9.11 where he implies that slaves have only the base desires/instincts of animals (such as hunger, thirst, need for sleep, sex) and that one should reward a slave who is able to control these desires. See also: Aristotle, *Politics*, 1254b25–27, wherein he states that there is little difference between the usefulness of a slave and an animal. For a general study on the ways in which slaves were compared to animals in antiquity, see: Keith Bradley, “Animalizing the Slave: The Truth of Fiction.” *The Journal of Roman Studies* 90 (2000): 110–25.

2.4 Plato's Laws, 915a and 915b

While a legalistic approach is incomplete in its analysis of the material circumstances of freed people, laws (real or theoretical) provide important context for the lives of freed people post-manumission. In the case of Athens, Plato's *Laws* are an important tool for understanding the obstacles faced by freed people, on both a social and a cultural level, due to the ideologies of elite, slave-holding Athenians.²⁰⁶ Book 11, section 915a–b of Plato's *Laws* discusses what the Athenian speaker (and it can be safely assumed that this was a reflection of Plato's own views) felt ought to be the obligations of freedmen post-manumission to their former enslavers, and the ensuing punishments should those obligations not be met. However, this section does not solely discuss a freedman's obligations, but also shows the great deal of entitlement that enslavers felt over how freedmen lived their life, as well the acquisition and control of freedmen's personal wealth to which their enslavers had no legal right.

In 915a, Plato states that freedmen who do not continue to “serve” their manumitters should be liable for arrest. This theoretical law was reflected in the real obligations that were often required of freed people in order to secure their manumission, but it goes a step further in that it seems to imply that this should be the norm, i.e., that there should not be manumission without further obligations. But even though enslavers could choose to provide fixed terms of service or demand less than what Plato requires in his text (he specifies three visits a month and doesn't indicate an end), the ideology behind both is the same. It was (is) an inherent ideology of a slave society that once someone becomes a slave, they remain your possession and manumission is merely a renegotiation of that possession (a renegotiation that is always ongoing,

²⁰⁶ Because these laws reflect the ideologies and attitudes of Athenian enslavers, whether they were real laws or imaginary, makes little difference to the argument being made here.

changeable, and easily revoked at the discretion of the enslaver), since true freedom would require an acknowledgement of a slave's inherent humanity.

Furthermore, Plato specifies that freedmen not just “serve” but that they serve “satisfactorily/adequately” (ἰκανῶς). This statement provides enslavers with ample room to punish freed people, in this case with arrest, but in the cases of real-life obligations, with re-enslavement since “adequate” meant whatever enslavers decided it meant. Enslavers could arbitrarily decide what amount of service or labour was sufficient or adequate, freed people had little to no say in the matter, and it would be difficult to find people willing to defend a former slave's right to refuse labour. Moreover, the fact that the ambiguous and subjective language of “earning” or “deserving” which is present in this theoretical law is also present in the philosophers' wills (as per Aristotle's and Theophrastos' wills, 5.1.16 and 5.2.55 respectively), indicates that this belief was not uncommon amongst enslavers. It is, as mentioned above, reflective of the beliefs of a slave society, in which freed people had to “earn” their freedom for the rest of their lives or suffer the consequences.

Plato continues on to say that freed people should defer to their former enslavers in matters of marriage, and that they should not be permitted to be wealthier than their manumittor. If they have any excess of wealth, he states, that should be given over to their former enslavers (915c). Again, Plato continues to display the need for an inordinate amount of control over the lives of freedmen. This is hardly surprising, since, as has been mentioned many times before, Athenian citizens defined themselves by their freedom. The freeing of slaves made them uneasy and anxious about the porosity of status lines, which would undermine the logic that allowed a slave society to function as it did.²⁰⁷ By continuing to exercise control over their freedmen's

²⁰⁷ Kamen, “Servile Invective,” 55; Zelnick-Abramovitz, *Not Wholly Free*, 333–334

family life and wealth, Athenian slaveholders could ensure that the distinctions between themselves and the enslaved remained clear (although this was hardly the case in practice). A freedman with greater wealth than their manumittor challenged the ideology that the enslaved were somehow inferior to their enslavers, that they “benefitted” from enslavement in any way, and that they required the control and authority of an enslaver in order to live fulfilling or successful lives.²⁰⁸ But even a freedman without wealth challenged the ideology that enslaved people *needed* to be enslaved for their own “good,” in order to live fulfilling and productive lives: if slaves, generally seen as chattel, could live on their own and build their own lives, families, and community networks, then they were forcing their enslavers to acknowledge their humanity.

2.5 The Physical and Psychological Scars of Slavery

It has been mentioned a few times already that slave societies relied upon maintaining a distinction between free and enslaved as well as the consistent dehumanization of the latter. Corporal punishment was integral to this process of dehumanization. The inviolability of the body was one of the core features of the citizen in ancient Athens; the distinction between marked and unmarked bodies was part of the ideological separation between citizen and slave.²⁰⁹ This raises the important point that while corporal punishment was used in order to instill fear in the enslaved, a means of intimidating them into obedience, it also served another purpose for a slave society—physical “proof” of the difference between free and slave.

²⁰⁸ This is not at all to say that freed people who were not able to achieve this kind of wealth deserved to be enslaved but that any amount of power, no matter how small, whether it was a small amount of financial capital or even social capital, was a threat.

²⁰⁹ For more detail on the ideological separation between citizen and slave as depicted through punishment see: Virginia Hunter, “Constructing the Body of the Citizen: Corporal Punishment in Classical Athens.” *Echos du monde classique: Classical Views* 36, no. 3 (1992): 271–291.

However, marks of corporal punishment were not the only marks that slaves acquired. They could also be tattooed or branded, and these marks served a similar purpose to corporal punishment. This tattooing or branding could occur for a number of reasons: for humiliating war captives, to mark ownership, or as punishment for runaway or disobedient slaves.²¹⁰ If tattooing or branding was seen as humiliating actions for war captives made slaves,²¹¹ it follows that this practice was viewed as humiliating generally (especially since Greeks saw tattooing as barbaric)²¹² and its purpose, if it happened to “regular” slaves within a city, was to shame, humiliate, and subjugate them further.²¹³

If we understand branding and tattooing specifically as tools for humiliating the enslaved (not merely to mark ownership), it is then necessary to consider their psychological impact on the enslaved. Branding was a permanent mark of an enslaver’s control, one that could not be erased by manumission. For the enslaved this was not only a physically painful experience but also incredibly demoralizing. The practice of tattooing/branding runaway slaves with phrases such as “Catch me! I’m fleeing!” also likely had a similar psychological impact. Outside of serving the basic practical purpose of allowing enslavers to catch runaway slaves, this tattoo would be a reminder to the enslaved that even if they managed to run away and self-emancipate,

²¹⁰ Kamen, “A Corpus of Inscriptions,” 99

²¹¹ Kamen, “A Corpus of Inscriptions,” 99–100.

²¹² duBois, *Slaves and Other Objects*, 106–107; C.P. Jones, “Tattooing and Branding in Graeco-Roman Antiquity,” *The Journal of Roman Studies*, Vol. 77 (1987): 141, 143–145, 155

²¹³ It is, however, worth noting that while branding a freeborn man as a captive of war was seen as *hubris* and an act worthy of condemnation, the same cannot be said of a “regular” enslaver doing this to a slave since slaves were seen as inherently property (in Athens, slaves were technically protected from *hubris* but, as mentioned, this would likely not be classified as *hubris*) and, as Orlando Patterson notes, seen as without honour/dishonoured (*Slavery and Social Death: A Comparative Study* (Cambridge, MA: Harvard University Press, 1982), 13). This seems paradoxical, but a slave society is inherently paradoxical: enslavers rely on their slaves’ human ability to communicate and accomplish tasks yet persist in defining them as non-human (see: Sonia Sabnis, “Invisible Slaves, Visible Lamps,” *Arethusa* 45, no. 1 (2012): 79–108, for an excellent deconstruction of this concept; see also: Vlassopoulos, *Historicising Ancient Slavery*, 116). Because enslavers know that the enslaved are human and are able to feel shame and humiliation, they punish them in ways to break down their sense of self, yet at the same time present these acts as merely their due since they cannot be shamed or humiliated as someone freeborn would be, since they are distinctly inferior.

their body itself continued to serve their enslavers' interests, a traumatizing reminder that could act as a deterrent to pursuing freedom, whether through simply running away or perhaps even through manumission.

Brands, tattoos, and marks of whippings, beatings, and other physical abuse become defining features of the slave and, in some ways, are also presented as something inherent or natural to them.²¹⁴ A particularly illuminating example of this is a passage from Herodotus where he tells the story of Scythians returning to their homeland after decades of conquest only to find their former slaves in their place, married to their wives and fathers of a new generation.²¹⁵ The Scythians, of course, immediately wage war on these usurpers but find them surprisingly difficult to defeat until one of the Scythians advises that these slaves should not be fought with weapons as men, but rather with whips, as slaves.²¹⁶ The story concludes with the victory of the Scythians, since the former slaves are terrified into their former subjugation upon seeing the whips and flee. The truth of this story is less important than what it represents: the idea that slaves were *not* human and not to be treated as such, and that their de facto state was one of subjugation to which they could be easily led with the threat of the whip. This is also reflected linguistically, since slaves could be referred to as *mastigias*, "one who deserves a whipping."²¹⁷ Corporal punishment and slavery were deeply intertwined, a means of asserting control and emphasizing the difference between the freeborn and the enslaved, a consistent reminder, for the enslaved, of "their place" in the hierarchy.

²¹⁴ Hunter, "Constructing the Body," 277.

²¹⁵ Herodotus, *Histories*, 4.1–4.4

²¹⁶ He also states that if they keep killing them, they'll end up with fewer slaves, a mercenary view of the situation.

²¹⁷ Sometimes these words are translated as "rogue" or "rascal" but as Kamen ("Corpus of Inscriptions," 96, footnote 7) points out, these translations obscure, if not outright erase, the violence of these terms.

If physical punishment (whether that be tattooing/branding, whipping, or other abuse) was so closely entwined with the idea of the slave, the subsequent scars that resulted from such treatment must have been as well. If someone was physically scarred from slavery, even after their manumission, the scars remained a permanent connection to their servile condition, a connection that would be difficult to hide. The bodies of the enslaved continued to be haunted, in a very tangible sense, by the trauma they had endured, and it meant that others, particularly those who were slaveowners, would continue to define them by their servile past.

The idea that a person's scars, particularly a slave's, would continue to haunt them, even past death, is alluded to in works by both Plato and Aristotle. In Plato's *Gorgias*, a philosophical dialogue in which Socrates says that the body will retain in death the qualities it had in life, he states that someone who had been a *mastigias* and bore marks from whipping or other wounds on their body would continue to bear those marks in the afterlife.²¹⁸ This implies that slavery's mark (both literal and metaphorical) was inescapable. Again, while these were the views of Socrates (and Plato), that does not mean that they were not reflective of broader attitudes regarding the enslaved. It is interesting that of the examples mentioned,²¹⁹ a slave would be chosen among them to reflect how death did not change the "nature" of a body.

There is a passage by Aristotle that also speaks to this idea of the unchanging nature of the body, but it specifically pertains to children inheriting scars from their parents.²²⁰ He relates an anecdote of a man in Chalcedon who had a brand/tattoo (*stigma*) on his arm and how his child inherited this scar in the same place, albeit not as clear or detailed. While this might seem like a general observation that could apply to anyone, free or slave, the context of Aristotle's views on

²¹⁸ Plato, *Gorgias*, 524b–c.

²¹⁹ The other examples provided are of a fat man, a long-haired man, and anybody with broken or distorted limbs, all of whom would retain these qualities after death.

²²⁰ Aristotle, *Generation of Animals*, 721b 30–35.

slavery are crucial here. In his *Politics*, Aristotle makes a case for “natural slavery,” stating that some people are slaves by nature, that slavery is advantageous to such people, and that nature intended to make the bodies of the freeborn and slaves different, reflecting their roles in society.²²¹ Given the context of Aristotle’s view of slavery in his *Politics*, Aristotle’s anecdote from *Generation of Animals* takes on a different meaning. Firstly, it reinforces the idea that punishment (including acts of branding/tattooing) is seen as inherent or natural to the enslaved. Secondly, it implies that once someone was marked as a slave, they were permanently marked as a slave, whether they were manumitted or not, and that this “scar” of slavery would continue to affect their descendants.²²²

Tattoos or other marks of enslavement were also referenced by orators as a means of emphasizing their opponents’ connections to servility.²²³ Aeschines, in his speech *On the Embassy*, makes a point of stating that his rival, Demosthenes, is descended from Scythians, thereby implying that he was descended from slaves (or at least associating him with servility)²²⁴ and then goes on to say that Demosthenes was more slave (*andrapodōdēs*) than free, and finally that he was “all but branded as a runaway slave (*estigmenos automolos*).”²²⁵ Demosthenes did not in fact carry any such marks, but Aeschines’ comments reflect the idea that scars or tattoos from enslavement had a lasting impact. It is implied that although Demosthenes himself was not a slave, he was descended from slaves, and so Aeschines can use the scars and marks of a slave to insult him. Aeschines’ insults, although he is speaking figuratively, ring very similar to Aristotle’s statement that the scars of a parent could be inherited by their children. According to

²²¹ Aristotle, *Politics*, 1254b 20–40.

²²² duBois, *Slaves and Other Objects*, 109.

²²³ See: Kamen, “Servile Invective,” 43–56, for more details regarding servility-related insults in orations.

²²⁴ Aeschines, *On the Embassy*, 2.78; Kamen, “Servile Invective,” 44.

²²⁵ Aeschines, 2.79.

Aeschines, Demosthenes had effectively “inherited” the scars of his ancestors’ servility. Thus, through Aeschines’ remarks it is easy to surmise that such marks had a social longevity that could impact other people’s perceptions of freedmen, and even their freeborn descendants. That is, others might continue to perceive them as servile despite their manumission.

There is also a specific reference to the scars of a freedman in Diogenes Laertius’ account of the philosopher Bion of Borysthenes. In this narrative, Bion states that his father was a freedman, “having no face, but writing on his face, a token of the bitter temper of his master.”²²⁶ While there is no further discussion of this in Diogenes’ account, the way it is phrased is interesting in that it indicates that Bion’s father, despite being free, continued to be defined by his enslavement. The idea is that he had “no face” (and really, no identity as a freedman) but only a continuous reminder for all to see of what he had suffered as a slave. Even his own son, the philosopher Bion, is defining his father by what had happened to him as a slave, rather than any identity he might have created outside of that. And that was the purpose of such marks and scars: for the enslaved (even if they were eventually manumitted) to be continuously reminded of the fact that they were someone else’s property, and to ensure that others, who saw them, did not forget this either. These punishments, which left permanent scars on the body of the enslaved, meant that their enslavers continued to exert control over them, even in their absence. This was precisely the point.

If whip marks and scars from physical punishment were so closely connected to servility, how did this impact freedmen trying to assert their new status? In ancient Rome under Augustus, as part of the legislation of 4 BCE, freedman who had suffered specific corporal punishments (including being marked with *stigmata*) were actually given a lesser legal status.²²⁷ While there

²²⁶ Diog. Laert., 4.46.

²²⁷ Kamen, “Corpus of Inscriptions,” 104; Gaius, *Institutes of Roman Law*, 1.13, 1.15.

were no such laws in Athens, visible scars of physical punishment clearly denoted servility to others, and there was a sense that those with such marks remained essentially servile (or retained their servility). In the case of tattooing or branding that marked someone as a runaway, could this not be dangerous if they were one day able to obtain manumission? In the case of someone like Pankleon, whose precarious identity was enough to lead to potential enslavement, such tattoos probably increased the risk of enslavement, particularly if their manumission had been private or otherwise not well-documented. While it is possible that most runaway slaves or those with visible tattoos/branding that flagged them as previous runaways were not able to achieve manumission, this does not mean that it never happened. In such cases, these permanent marks could have posed a high risk of re-enslavement for them. Bion's father seems to have been such a case. Although there is no mention of re-enslavement in the account, it is clear, based on what Bion says, that he carried the social weight of those scars as a freedman.

As mentioned above, Bion's father's marks were on his face. The fact that enslavers placed tattoos and other marks on highly visible places (such as the face) that would be hard to cover up indicates that they were aware that slaves might try to hide their marks in order to pass. This is also reinforced by accounts in Greek literature of freedmen, as well as runaway slaves, attempting to cover up scars.²²⁸ There are also a number of ancient medical sources that deal with the erasing of tattoos, indicating that this was a concern, or at least a common enough request that such remedies were created.²²⁹ With such evidence, it is clear that freedmen were at least *aware* of how their scars were perceived and likely did have the desire to hide or permanently erase these scars. It is also clear that the permanence and visibility of such scars was a method of physically marking enslaved people as distinct and thereby ensuring that they could not cross

²²⁸ See: Kamen, "Corpus of Inscriptions," 104–105.

²²⁹ See: Kamen, "Corpus of Inscriptions," 106–107; Jones, "Stigma: Tattooing and Branding," 142–144

status boundaries. As Page duBois notes in her book *Slaves and Other Objects*, “the slave body, unmarked, was alarmingly similar to that of a free person.”²³⁰

It is also important to unpack the psychological impact of these scars upon freed people. The motivations of enslavers may be clear, but the trauma of freed people is less so without firsthand evidence. However, it is possible to make some educated guesses. In Athenaeus, there is an account of a slave who, while sleeping with a woman, is asked about the scars on his back.²³¹ Rather than confess to having been a slave, he lies to her and admits to an act of sacrilege instead, stating that he fell into a funeral pyre while playing with friends as a child.²³² In this account, the slave is clearly ashamed of his scars and he chooses to distance himself from what they truly represent. It is also possible that this was not merely out of shame but also, perhaps, a desire to not think about the source of his scars, which were physical evidence of the brutal violence he had suffered as a slave. It is not surprising that an enslaved man might want (or even need) to forget or distance himself from the abuse and trauma he had suffered.

In *Beloved*, Sethe has an elaborate network of scars from a severe whipping all over her back that she describes as a “tree.”²³³ Her partner, Paul D, is clearly horrified by the description, since all he can see them as are marks of brutality, but Sethe’s description is a way for her to cope with her trauma. She is aware of what they truly are, but although their origin is one of the most violent episodes of her life, they also represent the time in her life when she successfully escaped slavery while pregnant. During her escape, she met a white woman, Amy Denver, who helped her give birth and referred to her injuries as a “chokecherry tree,” and so Sethe has also

²³⁰ duBois, *Slaves and Other Objects*, 109.

²³¹ Athenaeus, 580a–b.

²³² Kamen, “Corpus of Inscriptions,” 107.

²³³ Morrison, *Beloved*, 15–16, 21.

done so ever since.²³⁴ Sethe's reframing of her scars is clearly a trauma response, but it is not solely a desire to escape her trauma but also her way of reclaiming her own body. Although the wounds were externally inflicted, by reframing them as a tree, she is making the scars her own. Paul D's response, however, provides an important counter perspective. He is only able to perceive them as reminders of violence and subjugation, he does not see any warmth or growth in them like one would from a living tree.²³⁵ For Paul D, Sethe's transformation of her scars into a tree is merely tragic and even slightly repellant.²³⁶

In the context of American slavery, it is important to note that scars were often used to identify runaway slaves in newspaper ads. There is also evidence from runaway slave notices from Greco-Roman Egypt that this was the case; there is a document from the 3rd century CE that mentions a runaway slave and states that he has "a scar on the left side of his head."²³⁷ Perhaps, then, for Paul D, Sethe's scars also represented the real danger of re-enslavement, since they could be used to identify her. For freed people in Athens, it's highly likely that scars could pose a similar danger and that was why some of them chose to hide them or cover them up.²³⁸ Others, like Paul D, perhaps perceived them as constant reminders of what they had endured and so were eager to have them removed. There is even an account from Epidaurus of a slave who miraculously managed to have the tattoo on his face entirely removed after having a vision of Asclepius in which the god told him to dedicate the band around his forehead (presumably

²³⁴ Morrison, *Beloved*, 16, 79.

²³⁵ Morrison, *Beloved*, 21

²³⁶ It is also important to note here that Paul D had been in a chain gang and suffered sexual violence at the hands of the guards there (107–108). He also has scars from enslavement, and he knows that some of Sethe's scars are also reminders of sexual violence she suffered. Paul D associates the scars and violence of slavery specifically with sexual violence and the first time he sees Sethe's scars is in an intimate, sexual context. It is possible that this context also contributes to his revulsion to the scars, since they remind him of the sexual violence he suffered.

²³⁷ P.Oxy. LI 3617; Tim G. Parkin and Arthur J. Pomeroy, *Roman Social History: A Sourcebook* (New York, NY: Routledge, 2007), 169.

²³⁸ Kamen, "Corpus of Inscriptions," 104

covering this tattoo) to the temple.²³⁹ Is it possible to read this account as evidence for slaves and freed people seeking divine help to remove their scars? Either way, the fact that there is evidence in multiple ancient medical sources of tattoo removal procedures²⁴⁰ does potentially indicate that many slaves/freed people sought to rid themselves of such reminders. In this way, both the account from Epidaurus and the ancient medical texts provide us potential insight into the agency of slaves/freed people, their awareness of the precarity of their status, and their desire to distance themselves from their servile past as best they could in order to protect themselves and make themselves feel safe.

2.6 Social Stigma and the Descendants of Freed Slaves

However, it was not only the literal scars of slavery that freed people had to contend with. Earlier in this chapter, reference was made to a remark by Aeschines to Demosthenes which implied that he was descended from slaves.²⁴¹ Now, although Demosthenes was not a slave himself (in fact, he was a freeborn citizen), he was verbally “branded” by Aeschines as equivalent to a slave (and therefore, inferior) simply due to an alleged family history. In the case of Demosthenes, no real evidence is provided as to this connection, so it is unlikely that these insults were taken particularly seriously. However, for documented or publicly known freed people, their descendants could not so easily shrug off these insults. Their lives could be and were seriously impacted by a connection to slavery, and it was a connection that would continue to haunt them throughout their lives.

Apollodoros, whose life was touched upon in the Introduction and the first chapter, is an interesting example of this. By all accounts he was a success story: despite being the son of a

²³⁹ For more information on this account see: Kamen, “Corpus of Inscriptions,” 106.

²⁴⁰ See footnotes 228 and 229.

²⁴¹ Aeschines, 2.78–2.79

freedman, he married a freeborn Athenian woman of a good family, he was a politician (albeit not a particularly successful one), and he was wealthy and well-connected.²⁴² However, in the story of Apollodoros' life, not only can we see his personal anxieties related to his direct connection to slavery,²⁴³ but there is also some evidence that freeborn Athenians were resentful of the presence of the son of slave in politics and in their citizen body generally.²⁴⁴

There is an anecdote that when a freeborn Athenian citizen named Polykles was expected to take over Apollodoros' duties as trierarch, he refused and even mocked Apollodoros by stating: "The mouse has just now tasted the pitch: for he wanted to be an Athenian."²⁴⁵ By this perhaps Polykles meant that like the mouse, Apollodoros, overstepping his boundaries as the son of a slave, had only just realized what being a citizen entailed and now could not handle it, since someone like him was not meant to become a citizen in the first place.²⁴⁶ Polykles' statements indicate not only resentment but disdain for those who had crossed status lines and were, according to him, aping their betters.²⁴⁷ Although this is the statement of only one man, it is likely indicative of how freeborn Athenians with no connections to servility themselves viewed freedmen and their descendants.²⁴⁸ As noted earlier, Apollodoros was not born a slave, as his father, a former slave, had been a metic for a number of years before his birth.²⁴⁹ However, he was still viewed as someone with servile birth, and this direct connection to servility invited

²⁴² Trevett, *Apollodoros*, 165–167, 174.

²⁴³ Trevett, *Apollodoros*, 160, 178; Osborne, *Naturalization in Athens*, 196; Zelnick-Abramovitz, *Not Wholly Free*, 328; Deene, "Naturalized Citizens and Social Mobility," 159–75.

²⁴⁴ Trevett, *Apollodoros*, 176; Kamen, "Servile Invective," 50.

²⁴⁵ Demosthenes, 50.26.

²⁴⁶ Trevett, *Apollodoros*, 177.

²⁴⁷ Kamen, "Servile Invective," 50.

²⁴⁸ Whitehead (*Ideology of the Athenian Metic*, 115) also notes that the Old Oligarch, in his statement regarding freeborn metics and freedmen (Ps. Xen. *Ath. Pol.* 1.11), makes a point of naming these as two distinct groups despite Athenian freedmen being metics. Thus, there was clearly a social distinction between being a freeborn metic vs a freedman metic, with later facing stigma due to their servile roots.

²⁴⁹ Trevett, *Apollodoros*, 2.

contempt from others who were not so situated. Jeremy Trevett even posits that it was the circumstances of Apollodoros' parentage that impacted his ability to be successful as a politician.²⁵⁰

Another important example is that of Phano, Neaira's alleged "daughter."²⁵¹ Whether Phano was Neaira's biological daughter or not is less important than the fact that her association with Neaira caused real consequences in her life. Although our knowledge of Phano comes from Apollodoros and therefore should be treated with caution, that does not mean that it is completely untrue, nor is it unhelpful for understanding the impact of slavery on the descendants of freedmen.

In *Against Neaira*, Apollodoros makes a case against Phano, alleging that she is Neaira's biological daughter, attempting to be passed off as a citizen woman. Apollodoros' "proof" of Phano's foreignness and his evidence for her being Neaira's daughter is very similar to how he "proves" Neaira's servile origins and alien status.²⁵² That is to say, he essentially juxtaposes her with the ideals of a citizen daughter and citizen womanhood. Apollodoros, very deliberately, sets up Phano and Neaira as a duplicitous mother-daughter duo, superimposing Neaira's life as a sex slave over Phano's, making them indistinguishable from one another in their behaviours and temperament.²⁵³ Assuming that Phano was not Neaira's biological daughter, her character assassination by Apollodoros is a striking example of how even a non-biological association with servility could be used against someone. This was perhaps particularly the case with women, whose citizenship, as mentioned earlier, was much harder to prove. Although Apollodoros'

²⁵⁰ Trevett, *Apollodoros*, 154.

²⁵¹ See: footnote 144 for scholarship about Phano's parentage.

²⁵² Glazebrook, "The Making of a Prostitute," 174–181.

²⁵³ Patterson, "The Case Against Neaira," 208, states that Apollodoros created "a fictional two-headed monster from the combined personae of Neaira and Phano."

accusations are specific, the facts they are based upon are rather vague,²⁵⁴ and yet he still felt confident attacking a citizen woman on the basis of her close relationship to a freedwoman who had been a maternal figure in her life.

Over the course of Apollodoros' speech, it is revealed that Phano was married, and subsequently divorced, twice. Phano's first marriage was to a man named Phrastor, to whom she was married for a relatively short time, after which they divorced.²⁵⁵ Apollodoros sets them up as inherently incompatible: Phano is described as indolent and luxury-loving like the slave-prostitute Neaira, a contrast to her austere and strict Athenian citizen husband, and he claims that Phrastor divorced Phano since he was suspicious of her status.²⁵⁶ He even states that Phano's son with Phrastor, whom Phrastor was, according to Apollodoros, coerced into acknowledging,²⁵⁷ had suspect status due to the fact that Phano was not a citizen.²⁵⁸ Phrastor's son did come under scrutiny from the *genos* when he was introduced, but, although Apollodoros brings witnesses to testify to the fact that his entry to the *genos* was initially blocked, he conveniently leaves out the result of the subsequent arbitration that occurred.²⁵⁹ It is likely that the matter was resolved in favour of Phano and Phrastor's son since if it hadn't been, Apollodoros would surely have

²⁵⁴ Kapparis, *Apollodoros "Against Neaira"*, 34, 36, 39; Patterson, "The Case Against Neaira," 208.

²⁵⁵ For the purposes of this chapter, the focus will be on Phano's first marriage, although it is important to note that Phano was married (and divorced) twice, and the second time to a man who was appointed the *archon basileus* (see: Ps.-Dem., 59.72; Kapparis, *Apollodoros "Against Neaira"*, 38) which meant that she, as his wife, conducted an important civic ritual. Kapparis notes that this, if nothing else, makes it clear that Phano was a citizen, and therefore Stephanos' "legitimate" daughter (*Apollodoros "Against Neaira"*, 38–39). Apollodoros claims that this man, Theogenes, divorced Phano because the Areopagus Council found out that she was Neaira's daughter (59.80–59.83). However, Kapparis argues that if this was the case, the Areopagus would have imposed a far harsher punishment; that is, they would not simply have fined Theogenes since these were *serious* violations (*Apollodoros "Against Neaira"*, 39). He asserts that the Areopagus fined Theogenes not because Phano was a metic and the daughter of a former slave but because this was her second marriage, not her first, and the wife of the *archon basileus* was meant to be a woman in her first marriage (39). Essentially, all Phano can be substantively accused of is not being the virgin she was presented as in her second marriage.

²⁵⁶ Ps.-Demosthenes, 59.50–52; Kapparis, *Apollodoros "Against Neaira"*, 34–35

²⁵⁷ Ps.-Demosthenes, 59.56; Kapparis, *Apollodoros "Against Neaira"*, disputes this (35)

²⁵⁸ Ps.-Demosthenes, 59.59–60; Kapparis, *Apollodoros "Against Neaira"*, 35.

²⁵⁹ Kapparis, *Apollodoros "Against Neaira"*, 35–36.

mentioned it.²⁶⁰ That being said, it is interesting that this was a concern at all and illustrates how a connection to servility had a lasting impact. Not just Phano but her son as well were placed under scrutiny due to the fact that she had a relationship to Neaira. The intergenerational impacts of slavery can thus be seen in the account of Phano and her son, two people who were both born free yet treated with suspicion and hostility and who suffered unnecessary scrutiny into their lives and status due to a link to servility.²⁶¹

Neaira's impact on Phano's life is not dissimilar to Sethe's impact on Denver's life. In the first few pages of *Beloved*, it is established that all the townsfolk actively avoid the house, sensing the presence of the ghost in it.²⁶² However, a few pages later when Denver states: "Nobody speaks to us. Nobody comes by. Boys don't like me. Girls don't either," and her mother attempts to blame the haunted house for this circumstance, Denver rebukes her and states that it is not the house but rather her mother that is to blame.²⁶³ And Denver's statement, although harsh, is true. Sethe's murder of her own baby is what really keeps the townsfolk away from the home; they are disgusted by her actions and actively avoid her. The town's judgment of her mother encompasses Denver too, and she suffers from isolation as a result. She only attends school for a year, and the other children avoid her until one of them confronts her about her mother's actions, saying, "Didn't your mother get locked away for murder? Wasn't you in there with her when she went?"²⁶⁴ When her mother is sent to jail, although Denver is just a baby, she is placed in the cell with her mother, punished for a crime she did not commit and marked by

²⁶⁰ Kapparis, *Apollodoros "Against Neaira"*, 36.

²⁶¹ Kennedy, *Immigrant Women*, 98, notes how vulnerable Phano's situation was; see also: Patterson, "The Case Against Neaira," 208.

²⁶² Morrison, *Beloved*, 2.

²⁶³ Morrison, *Beloved*, 14.

²⁶⁴ Morrison, *Beloved*, 104.

association.²⁶⁵ Sethe and Denver are a duo, like Phano and Neaira, a “two-headed monster” created from the shared trauma of slavery.

However, it is important to note that Sethe herself is scarred by her *own* mother’s experiences of enslavement. Sethe’s mother was only pointed out to her a few times, and she only had one conversation with her, before her mother was hanged for an unknown reason. Another slave at the plantation, Nan, relayed to Sethe, when she was a child, that her mother was raped several times by the white crew of the slave ship and also by other white men.²⁶⁶ She told Sethe that her mother “threw away” all the babies she conceived from rape and that the only baby she ever kept was Sethe, who was conceived when she had sex with a Black man.²⁶⁷ The trauma of the sexual violence her mother suffered lives on in Sethe, who faces sexual violence herself. Moreover, as noted above, Sethe was only allowed to take her mother’s milk for a few weeks before she was nursed by a different woman because her mother was forced back to the fields. Thus, Sethe experienced both firsthand and through her mother the trauma of slavery. She witnessed how slavery tore families apart, since she had no connection to her mother, and she would not allow her children to suffer the fates of herself or their maternal grandmother. The ghost of her mother haunts Sethe too and informs the choices that she makes to protect her children. In the scene where she remembers this conversation with Nan, Sethe states that as a child she was unimpressed by her mother’s decision to keep her, and as an adult, she’s angry but she isn’t sure at what.²⁶⁸ There is a hint here that Sethe is not only angry at what happened to her mother, but also that her mother chose to keep her and that she should be expected to feel grateful for that when she was condemned to a life of slavery. Sethe, whose mother chose to keep

²⁶⁵ Morrison, *Beloved*, 42, 177.

²⁶⁶ Morrison, *Beloved*, 62.

²⁶⁷ Morrison, *Beloved*, 62.

²⁶⁸ Morrison, *Beloved*, 62.

her alive, suffered a great deal as a result and so she does the opposite of her mother. Denver is haunted, therefore, not just by her mother's actions, but her grandmother's too, a grandmother she never knew and whom her mother almost never speaks of, yet the impact of her grandmother's actions echoes in her own life.

2.7 Conclusion

Freed people's connection to slavery did not end at the point of manumission. In fact, it seems that it never ended at all in many cases. Not only did slavery leave physical and psychological scars, but freed people also remained marked socially and legally by their enslavement, distinguished even in freedom by the language used to describe them.²⁶⁹ Even for those who were freed immediately, without conditions, it is evident that their enslavers still viewed them as essentially servile.²⁷⁰ Moreover, even a man like Apollodoros, who had attained citizenship, and who wholly invested himself into assimilating into elite citizen society ("more Athenian than the Athenians"), was still mocked due to his *father's* formerly servile status (not even his own, since he was born after his father was freed).²⁷¹ Consider too Neaira, who at fifty years old had her servile past raked up and weaponized against her. In the law courts, she was no longer Stephanos' respectable companion, who had helped him raise his children, but a sex slave once again, unceremoniously ejected from the role she had occupied for the last twenty to thirty years because she had once been a slave.

It was mentioned in the introduction of this chapter that ghosts are a temporal anomaly, a constant reminder of the past that exists in the present. Freed people themselves can also be thought of as a temporal anomaly, as they existed on two timelines at once. Although they were

²⁶⁹ See: footnotes 155 and 156.

²⁷⁰ Zelnick-Abramovitz, *Not Wholly Free*, 337–338, 343–344.

²⁷¹ Demosthenes, 50.26.

now free, the elite Athenian public looked at them and not only saw their past but *imposed* their past on them, an act of temporal alienation. Moreover, their own bodies, marked and scarred by slavery, were also constant reminders of what they had undergone. That is to say, although freed people were haunted by slavery, it was an *embodied* haunting, of which they themselves were the focal point and in some ways the source.²⁷² This temporal displacement is well represented in the structure of *Beloved*, which moves between timelines suddenly and without warning, providing no segues. The characters in *Beloved* move through time all at once, in a non-linear fashion. Sethe herself describes the feeling in the beginning of the novel, and berates herself for it, since she often ends up “seeing”²⁷³ the plantation and the violence she escaped. It is not difficult to imagine that freed people in Athens may have found themselves in the same position. Even if their temporal displacement was not externally imposed (by laws or social stigma), it could be an internal response, like Sethe’s, of the trauma they had endured that continued to live on inside them, long after they were no longer enslaved.

²⁷² To be clear, not the source as in they were the *cause*; slavery was a condition imposed on them but in that they had been slaves and therefore, they were marked by slavery.

²⁷³ Strictly speaking she is remembering, but in the novel Morrison simply describes the scene rather than necessarily marking it as a memory. This is important because it emulates what such trauma flashbacks feel like to Sethe: she is displaced/disassociated in that moment, her mind seeing something that no longer exists, from a time that is many years past while her body remains in the present.

Chapter 3: Asserting Freedom and Reclaiming Humanity

As will be demonstrated below, freed people in Athens had to struggle and fight for their freedom, even post-manumission, and it was a struggle that continued to define their lives, long after they had ostensibly been “freed.” Manumission, even the kind without obligations, did not necessarily mean that freed slaves were seen as free in a meaningful way, nor did it necessarily protect them from re-enslavement in a society that could not allow them to be seen as free. This does not mean that the struggles of freed people were meaningless; rather, it highlights more clearly the power and resilience of freed people in the face of a hostile society that continued to try to dominate them. Freed people did not simply accept that this was their fate. In fact, there is a great deal of evidence to suggest that were fully cognizant of the precarity of their status and therefore took numerous measures to assert their freedom and actively resist subjugation and the annihilation of their humanity. However, these measures were not solely about protection but also a means of finding joy and companionship amidst hardship. This chapter will examine the means by which freed people asserted their freedom, resisted the annihilation and domination of slavery, and built communities and networks to sustain themselves and to protect themselves from re-enslavement.

3.1 The Performance of Freedom

It has been argued that status in Athens was both concrete and clearly demarcated (and defined) by the law,²⁷⁴ but such an analysis fails to take into account that laws are not created in a vacuum. Not only do they *reflect* the values of the society from which they emerge, but they also reinforce those values and are in turn impacted by them. Thus, while the legal aspect of status is

²⁷⁴ See: Sosin, “A Metic Was a Metic.”

important, it is also important not to discount how social perception, especially in a city like Athens where gossip had a tangible impact,²⁷⁵ could have impacted (and, indeed, did impact) one's status. It has been noted by scholars that performance was important to various aspects of citizen and non-citizen identity in Athens.²⁷⁶ As detailed in the first chapter, for citizen men and women this involved different kinds of participation in public life, expectations of public conduct, as well as certain obligations to family and neighbours that reflected on one's status as a "good" or "bad" citizen.²⁷⁷ It was no different for non-citizens: consider Apollodoros, who claimed that naturalized citizens had to consistently show their gratitude to the *polis* for the honour that had been conferred upon them,²⁷⁸ or Lysias, in his famous speech *Against Eratosthenes*, when he detailed the blameless lives of his family as "model" metics²⁷⁹ who paid for liturgies, ransomed Athenians during times of war, paid their taxes on time, and never got in trouble with the law.²⁸⁰ Both citizens and non-citizens seemed cognizant of the fact that one's behaviours and actions could and did reflect on one's status in Athens.

There is even a strange anecdote from Plutarch that takes the correlation between status and performance very literally. Plutarch states that the Athenian general Nicias had a slave who was playing the role of the god Dionysus in a choral performance, during which Nicias stood up and freed his slave on the spot since he felt that it was not appropriate for a man being referred to by the name of a god to be enslaved.²⁸¹ That is, it was the slave's literal performance as a god (a being of an infinitely high status) that effectively "signalled" his freedom to his enslaver and led

²⁷⁵ See: Hunter, "Gossip and the Politics of Reputation."

²⁷⁶ See: footnote 35.

²⁷⁷ See: footnotes 29, 35, and 38.

²⁷⁸ Demosthenes, 45.78.

²⁷⁹ Geoff Bakewell, "Lysias 12 and Lysias 31: Metics and Athenian Citizenship in the Aftermath of the Thirty," *Greek, Roman, and Byzantine Studies* 40 (1999): 6–9; these pages are particularly relevant here but the whole article is incredibly fascinating in its analysis of non-citizen performance and its relationship to ideals of citizenship.

²⁸⁰ Lysias, *Against Eratosthenes*, 12.4, 12.20.

²⁸¹ Zelnick-Abramovitz, *Not Wholly Free*, 66; Plutarch, *Life of Nicias*, 3.3.

to his immediate manumission. The truth of this anecdote is suspect, but what it signifies with regards to the relationship between servile status and the performance of servile behaviour is important. And just as slaves were recognized by their “performance” of servitude, freed people had to perform their freedom constantly in order to be seen as free by the rest of Athenian society. However, this performance might have been not solely for others, but also a means of reassurance for freed people themselves. In fact, this chapter asserts that it is possible to analyze different types of evidence and anecdotes in the light of status performance, and ultimately to see status performance as an assertion of freedom.

So, *how* did freed people “signal” their freed status to the public? One could interpret the infamous statement by the Old Oligarch, in which he complains that it is impossible to tell freedmen, citizens, metics, and slaves apart in Athens,²⁸² as indicative of freed slaves’ performance of freedom. Although this statement is obviously hyperbolic, it does potentially point to the fact that freed people sought to make their freed status clear by using clothing or other visual markers of wealth, or perhaps even trying to emulate the behaviour or demeanour of citizens to indicate a higher status,²⁸³ such as participating in activities or entering spaces that they had been banned from while enslaved or possibly even participating in civic/political life to the extent which non-citizens were allowed to,²⁸⁴ essentially assimilating their lifestyle and appearance to that of citizens or freeborn metics. There are helpful Roman comparisons with

²⁸² Ps.-Xenophon, *Ath. Pol.* 1.11.

²⁸³ It would be interesting to consider if non-Greek slaves (who were not Greek speakers by birth) perhaps attempted to disguise accents and adopt an Athenian accent instead. After all, the accents of enslaved people were mocked as indicating their servile status (Demosthenes, 45.30), so perhaps this was something they sought to hide once freed. Apollodoros makes a curious statement about himself in Demosthenes 45: he states that he walks too fast and has a loud voice which is unappealing to others (77). Trevett notes that talking loudly and walking fast *were* considered undesirable or even boorish traits (*Apollodoros*, 170–171). So, perhaps freed people in Athens adjusted their speech and even their gait, in an attempt to seem more refined and to align themselves more closely with citizens.

²⁸⁴ Although Vlassopoulos (“Free Spaces,” 40–47) asserts that enslaved people *did* participate in the civic life of the city in “free spaces” such as the *agora*.

regards to this, although some of them were more formalized, such as the *pilleus*, a pointed cap that slaves wore on the day they were manumitted, as well as having their heads shaved.²⁸⁵ Although it did mark them specifically as freed *slaves*, thereby revealing their formerly servile status, it also served as a visual reminder that they were now afforded the protections of freedom. There is no such equivalent in Athens, yet it is likely that the display of visual markers of wealth and status, such as finer clothes or even jewellery if it was within one's means, was an aspect of asserting one's new status. Another interesting Roman comparison comes from an epigram of Martial about a freedman trying to pass as freeborn. Martial notes that the man was attempting to present himself as freeborn since he was wearing new, expensive clothes and jewels, was drenched in perfume, and was sitting in theatre seats reserved for senators.²⁸⁶ Interestingly, he had also covered a scar or a tattoo (a glaring reminder of his servile status) with bandages.²⁸⁷ While this is making mockery of a freedman, it is an important point of reference for the ways in which freed people performed their new status, and it is possible to imagine similar circumstances within Athens.

Apollodoros, mentioned many times throughout this thesis, was born a metic, but as noted above, his father was previously enslaved and so he was perceived as someone of servile origin. It is unlikely that Apollodoros had any real fears of re-enslavement, but his commitment to being the most Athenian citizen of all Athenian citizens points to real anxieties about the precarity of his status.²⁸⁸ And although Apollodoros, highly litigious and publicly contemptuous

²⁸⁵ Jonathan Edmondson, "Public Dress and Social Control in Rome." In *Roman Dress and The Fabrics of Roman Culture*, edited by Jonathan Edmondson and Alison Keith (Toronto: University of Toronto Press, 2008), 27. Edmondson also notes that the *pilleus* eventually became a general symbol of freedom or liberation that even freeborn citizens donned or utilized (30).

²⁸⁶ Martial, 2.29; Kamen, "Corpus of Inscriptions," 104.

²⁸⁷ Martial, 2.29.9–10; Kamen, "Corpus of Inscriptions," 104–106.

²⁸⁸ See: footnote 94.

of formerly enslaved people,²⁸⁹ was not simply a freedman metic but a naturalized citizen, that does not mean he did not share the struggles of other freed people with regards to public perception. Apollodoros' performance of citizenship was not like the performance of those who were citizens from birth; it was one that involved a constant awareness (which he himself admits to)²⁹⁰ of the fact that his citizenship was a privilege and not a right. So, it was not just that he had to be a good citizen, but that he had to be even better than other citizens in order to be deserving of what had been given to him. Ultimately, because of his birth, Apollodoros' performance of citizenship was also a performance of freedom. He actively and continuously distanced himself from servility by making mockery of other enslaved people, like his stepfather Phormio or Neaira, and also fervently defended the insular and xenophobic citizenship laws of the city, aligning himself with the interests of those who looked down upon him.²⁹¹ Moreover, he wrapped himself in the trappings of an established freeborn citizen. Firstly, he lived primarily in the countryside, an act which was clearly meant to mark the fact that he was a part of the *landed* gentry since only citizens were allowed to own land (and so landowning itself became symbolic of citizenship).²⁹² For Apollodoros, moving away from commercial centers (i.e. places where metics and slaves plied their trade) to the country was a way for him to physically put distance between himself and his past while also signalling his citizen status.²⁹³ He also married an Athenian woman from a good family, and performed many liturgies. Like the man in Martial's epigram, he adorned himself as a freeborn man by assuming all the social finery required for that

²⁸⁹ See: Ps.-Demosthenes, 59 and his lengthy diatribe against Phormion, his stepfather, in Demosthenes, 45.71–77.

²⁹⁰ Demosthenes, 45.78.

²⁹¹ Trevett, *Apollodoros*, 81, 174–176. Trevett notes that Apollodoros seems to show *enthusiasm* for demanding that slaves be tortured for the purpose of providing testimony (175). For examples of Apollodoros' fervor for Athenian laws and punishing "outsiders" see: Ps. Demosthenes, 59.43–44, 59.52, 59.72–78, 59.88–93. While there are many more instances, they are similar to the ones mentioned here, and the examples provided are sufficient to prove how invested Apollodoros was in displaying himself as a citizen who valued all things Athenian.

²⁹² Trevett, *Apollodoros*, 167.

²⁹³ Trevett, *Apollodoros*, 167.

role and ensuring that he went above and beyond to fulfil the obligations and duties of an ideal citizen. For Apollodoros, this was about ensuring that nobody (even if they knew his past) could possibly connect him with servility based on his actions and appearance.

The example of Apollodoros is one of a man with a great deal of wealth and social capital (earned by his father), but there are also examples of people who were not elite, with much less power and influence. Neaira, whom Apollodoros harmed in the process of asserting his own freedom, is an example of someone without a great deal of personal wealth and little social capital. Post-manumission, Neaira settled down with an Athenian citizen man, and it seems that until the lawsuit she lived the life of a good Athenian wife. She helped to raise Stephanos' children and led a relatively unremarkable existence. Although Apollodoros implies that Neaira's "scandalous" behaviour continued after her settling down with Stephanos, his evidence seems scanty and contrived, especially since it did not have a significant impact on her stepdaughter's ability to get married.²⁹⁴ Instead, it seems that Neaira was able to "pass" as a respectable woman for several years and it is likely that her reasons for attempting to do so had everything to do with her servile past. That is to say, the comfortably settled and stable relationship she had with Stephanos, in which she occupied a socially recognized and respected maternal role for his children, was the furthest thing possible from her life as a sex slave.²⁹⁵ Neaira's post-manumission behaviour was an abrupt departure from the life she had previously led, and when Apollodoros was attempting to display examples of her behaviour that connected her to servility, he inadvertently revealed ways in which she asserted her freedom.

²⁹⁴ Phano was able to get married, not once but *twice* to wealthy Athenian men, one of whom even became the *archon basileus*. Regardless of how these marriages ended, clearly Phano (and her family) presented a respectable enough appearance to her suitors.

²⁹⁵ This is not to assume that women who were sex slaves did *not* have children but this was a maternal role that was neither recognized nor respected.

After she was freed, she was abused and poorly treated by Phrynion, her former client who helped her pay the cost of her freedom. However, Neaira openly objected to being humiliated and treated like an object by Phrynion, and not only left him but complained about his behaviour to another citizen man, thereby obtaining a powerful ally. She took a number of actions to avoid Phrynion and did not accept being treated as servile rather than free. Eventually, she was even declared her own *kuria*. Although that assertion was not necessarily honoured as one would expect, since she was still expected to spend time with Phrynion, it does not in any way invalidate *her* efforts to have her freedom recognized; the injustice of the system does not mean that this was not an assertion of freedom on her part. She *did* attempt to save herself from being treated as Phrynion's property, and her freedom was asserted through legal arbitration. Even the process of arbitration can potentially be seen as part of Neaira's performance of freedom, especially when we consider that Athenian courts often depended on a successful performance to sway a jury in one's favour.²⁹⁶ This was a private arbitration, one presided over by friends of the two parties, but it would still involve producing evidence and witnesses. Whether Neaira was successful or not is less important than the fact that there is clear evidence that she fought to maintain her freedom in the face of a serious risk of re-enslavement, that she was clearly cognizant of the risks she faced and tried to build as secure a life as she could to

²⁹⁶ There has been a great deal of research done on the lawcourts as performative spaces, as well as the relationship between oratory and performance. Hunter, "Gossip and the Politics of Reputation" has been mentioned several times in this thesis, but some other examples are Edith Hall, "Lawcourt Dramas: The Power of Performance in Greek Forensic Oratory." *Bulletin of the Institute of Classical Studies* 40 (1995): 39–58, and *The Theatrical Cast of Athens: Interactions between Ancient Greek Drama and Society* (Oxford: Oxford University Press, 2006); Sally Humphreys, "Social Relations on Stage: Witnesses in Classical Athens," *History and Anthropology* 1, no. 2, 313–369; S. Goldhill, "The Audience of Athenian Tragedy," in: *The Cambridge Companion to Greek Tragedy*, edited by P. E. Easterling (Cambridge: Cambridge University Press), 54–68; Angelos Chaniotis, "Theatricality Beyond the Theater. Staging Public Life in the Hellenistic World." *Pallas* 47 (1997): 219–59; Andreas Serafim, *Attic Oratory and Performance* (New York: Routledge, 2017); *Comic Invective in Ancient Greek and Roman Oratory*, edited by Sophia Papaioannou and Andreas Serafim (Berlin: De Gruyter, 2021).

protect herself, and that she knew a stable domestic situation would improve her public perception and reinforce her status as a freed woman.²⁹⁷

Beloved provides another parallel of freed slaves asserting their freedom through performance. Baby Suggs, Sethe's mother-in-law, whose manumission was paid for by her son, changes her name immediately upon manumission. She was referred to as "Jenny" by her enslavers, since that was the name on her sales ticket, but instead chooses to take the name "Baby Suggs" because "Suggs" was her husband's last name and "Baby" was what he called her. Her former enslaver tries to dissuade her from changing her name, since he says that Baby Suggs is a foolish name, but she does it anyway.²⁹⁸ Baby Suggs' name is *hers*, composed of aspects of her life that were private and her own, something nobody else could possess. "Jenny" was a name imposed upon her, part of her enslavement, yet another way in which her own identity was taken from her. Her actual name, Baby Suggs, is one that she chooses, and therefore, when she uses it, she is divesting from her slave identity and instead reasserting her humanity and her freedom and signalling to the world that she is her own person.

Even Sethe's actions can be interpreted as a performance of her freedom, despite how tragic they are. When Sethe murders her baby, she is asserting that she is a free woman and that nothing can be taken from her anymore, that she is no longer a possession to be used, to be stripped of her humanity, to be continuously stolen from. Moreover, she shows that she is no longer under the control of her enslavers, that her decisions are her own now. And, ultimately, Sethe's actions *work*. The men who come to re-enslave her leave, without taking her *or* her

²⁹⁷ See: Kennedy, *Immigrant Women in Classical Athens*, 104, 112, 114.

²⁹⁸ For an analysis on slave names in Athens see: Kostas Vlassopoulos, "Plotting Strategies, Networks, and Communities in Classical Athens: The Evidence of Slave Names," in *Communities and Networks in the Ancient Greek World*, edited by Claire Taylor and Kostas Vlassopoulos (Oxford: Oxford University Press, 2015), 101–127 and "Athenian Slave Names and Athenian Social History." *Zeitschrift Für Papyrologie Und Epigraphik* 175 (2010): 113–44.

children, even the ones left alive. They are repulsed but also afraid of Sethe after her display of her freedom and immediately renounce their claim on her as a result of this act. Sethe's assertion of her freedom, although more violent than that of Baby Suggs, should not be seen as less significant. Sethe's actions are also reflective of how manumission could be a traumatic process. Freedom was not easily won, and for both Sethe and enslaved people in ancient Athens, it required a great deal of sacrifice not only to achieve but also to maintain.

Returning again to Athens, actual performances, such as plays or choral performances, were also opportunities for freed people to make their status known. It was not uncommon for heralds to announce manumissions in the theatre. According to Aeschines, such proclamations became so popular and frequent that eventually they were banned outright (along with other proclamations).²⁹⁹ There are a number of reasons why theatres were useful spaces in which to make such announcements.

Firstly, and most obviously, the large number of people present would provide the greatest number of witnesses to the manumission. Aeschines himself makes note of this fact, stating that these proclamations made "all Greeks" witnesses to the manumission. His mention of the popularity of this method, coupled with his statement regarding how such proclamations made all Greeks witnesses, implies that publicity was an important aspect of manumissions, and this is not surprising.³⁰⁰ The more witnesses to the fact of someone's manumission, the less likely they could be wrongfully enslaved. The *aphairesis eis eleutherian* was mentioned in the first chapter as a safeguard in the case of wrongful enslavement. A public proclamation meant that there were multiple people that could potentially aid a freed person should they need to be rescued from someone's false claims.

²⁹⁹ Zelnick-Abramovitz, *Not Wholly Free*, 71-72.

³⁰⁰ Zelnick-Abramovitz, *Not Wholly Free*, 71.

The second reason that theatres were useful sites for manumission is that the witnesses were not solely members of the elite class, but also lower-class citizens and other freed people, and even slaves. While it was important that there be elite citizen witnesses to a manumission, since their testimony was seen as more reliable and trustworthy, it is worth noting that as freeborn slaveowners,³⁰¹ they would likely never recognize the full humanity of freed people (as noted in the previous chapter), nor did their interests, as the beneficiaries of a slave society, align fully with that of freed people. The importance of community and networks of support will be elaborated on below, but it is sufficient here to note that it was important for freed people to have witnesses who understood the need for asserting one's freedom and who did not perceive them as inferior. Furthermore, with regards to wrongful enslavement, it is possible that such people, their fellow freed slaves, would have been more sympathetic to their circumstances and perhaps more invested in intervening than a freeborn citizen.³⁰² In *Beloved*, in the first few days of her freedom, Sethe mentions that her process of "claiming" herself was a community effort, that she was taught by other freed people how to do so once she had freed herself.³⁰³ It is easy to imagine that freed people in Athens looked to other freed people in a similar way, as peers and community members who could help bolster their claim to freedom.

3.2 Building Community and Social Networks

In that vein, it is important to discuss the role of community in freed people's struggle to assert and maintain their freedom. One of our major sources of evidence for community or social

³⁰¹ It is important to note here that there were citizens who were not freeborn slaveowners, such as Pasion and Phormion (who had themselves been slaves), but they were an extreme exception to the general demographic makeup of citizens.

³⁰² It is important to note that most (if not all) the examples we have in orations of people intervening in this regard are actually elite citizen men. While this is likely partially due to the evidence we have, which is from elite citizen men, it also indicates that freed people built community and networks with people across status lines (see: Vlassopoulos, *Historicising Ancient Slavery*, 142-143) and that too is significant, indicating, once again the status porosity of a place like Athens.

³⁰³ Morrison, *Beloved*, 95.

networks amongst freed slaves (or even enslaved people) is epigraphy, especially religious dedications.³⁰⁴ An excellent example is the dedication at the Cave of Pan at Vari (in Attica), which was dedicated by a group of worshippers who were likely either slaves or freed people, based on their names.³⁰⁵ It is proof that a group of people chose to gather together and pool their funds to make an expensive dedication in their name, an important example of community collaboration.³⁰⁶ Moreover, if they chose to do this, it is likely that they already had pre-established community ties based around shared religious practices.³⁰⁷ And this is not the only such inscription; there are a number of others,³⁰⁸ all of which serve as evidence that freed/enslaved people built community relationships—not solely with other freed/enslaved people, in fact, but with metics and citizens as well³⁰⁹—and left visible and public proof of these relationships. After all, social alienation was a defining aspect of slavery, with the “social death” and dishonour of slavery³¹⁰ meant to prevent the enslaved from forming community. It is therefore important to see the building of community as active resistance to the alienation imposed by enslavement, and ultimately, as a sign of freed slaves’ humanity.³¹¹

Inscriptions are not our only evidence of community networks among the freed. There are also orations that allude to this phenomenon, with references to interventions on behalf of freed people/slaves by others (slaves, metics, and citizens) to save them from wrongful enslavement or violence.³¹² There are also mentions of the spaces in which slaves built and found community

³⁰⁴ Taylor, “Social Networks,” 35–49; Vlassopoulos, *Historicising Ancient Slavery*, 134–146.

³⁰⁵ See: Vlassopoulos, “Plotting Strategies,” 101–127 and “Athenian Slave Names and Athenian Social History,” 113–44; David Lewis, “Notes on Slave Names, Ethnicity, and Identity in Classical and Hellenistic Greece.” *Studia Źródłoznawcze. U Schyłku Starożytności* 16 (2017) 169–99.

³⁰⁶ Taylor, “Social Networks,” 35–36, 46.

³⁰⁷ Taylor, “Social Networks,” 40–41.

³⁰⁸ E.g. *IG II² 2934*, *IG II² 2354*, *IG II² 2940*

³⁰⁹ Taylor, “Social Networks,” 42.

³¹⁰ Patterson, *Slavery and Social Death*, 13.

³¹¹ Taylor, “Social Networks,” 47

³¹² Demosthenes 59, Aeschines 1, Lysias 1.

and friendship.³¹³ These references clearly indicate that at least some freed people had built strong community support and connections, which provided them with much-needed security in their lives post-manumission and also served as a reminder to them that their connections to community were *not* simply their connections to former enslavers. Also, these relationships were not merely for security but also, as mentioned above, a way of exercising resistance to the alienation imposed by slavery and of improving one's life by building relationships that brought joy or comfort.

It is worth bringing up again the case of Pankleon, whose indeterminate status placed him at serious risk of enslavement by multiple people. In this oration, the speaker mentions that Pankleon was “taken away” by a group of his friends when he was in the process of being arrested.³¹⁴ And, when he refers to Pankleon being “taken away,” he specifically uses a form of *aphaireō*, which brings to mind the process of *aphairesis eis eleutherian*.³¹⁵ The rapid intervention of a large group of people on Pankleon's behalf illustrates that freed/enslaved people knew that community support was necessary in situations where their freedom was at risk.

Although Pankleon's rescue by his friends was not necessarily the formal process of *aphairesis eis eleutherian*, they did indeed take him away to freedom, protecting him from the claims of two elite citizens. The intervention of Pankleon's friends on his behalf highlights the importance of community in ensuring the continued safety of freed people. In *Beloved*, when Sethe's former enslaver is able to find her and arrive at her home without her being warned beforehand, Baby Suggs sees it as a failure of the community to protect her. It is in fact a

³¹³ Demosthenes 47, Lysias 1, see also Vlassopoulos, “Freed Spaces,” and Taylor, “Social Networks,” 49-50.

³¹⁴ The speaker refers to Pankleon's rescuers as “those present.” This does not convey much but does potentially indicate that the speaker thought they were beneath him and also points to some kind of public or community intervention (since it happened in a public space). See also: Kostas Vlassopoulos, “Two Images of Ancient Slavery: the ‘Living Tool’ and the *koinonia*,” in *Sklaverei und Zwangsarbeit zwischen Akzeptanz und Widerstand*, edited by E. Herrmann-Otto (Hildesheim: Olms Verlag, 2011), 472–473.

³¹⁵ Zelnick-Abramovitz, *Not Wholly Free*, 292–300, especially 296–298.

network of freed slaves that allows for Sethe to run away in the first place and eventually helps her find Baby Suggs. There is even a poignant scene where an older Black man orders a young Black boy to give his jacket to Sethe so that she can wrap her baby in it. Without the support of her community, Sethe would never have survived, and when that community network breaks down, Sethe is forced to commit murder in order to protect her children. Although no such tragedy befell Pankleon (that we know of), without those who intervened and took him away to freedom, he would have been arrested and eventually enslaved. Furthermore, this episode shows that Pankleon had built strong community ties with others. Despite the speaker's dismissive claims regarding Pankleon's connection to the citizen community, Pankleon did have community, at least among the marginalized, and although his friends were likely not elite and were probably freed (or even enslaved) people, their collective power was formidable.

There is also evidence in a number of orations of the capacity of slaves for gossip and the sharing of information.³¹⁶ Although these are references to slaves, not freed people, there is no reason to assume that relationships built while enslaved would have been immediately abandoned post-manumission, and, in fact, it is more likely that such relationships continued. Regardless, these references serve as important evidence of the means by which the freed/enslaved built community and shared information along networks for security or mutual benefit.

Many freed people, while enslaved, had domestic chores that involved a great deal of interaction with the public, such as doing the household shopping or carrying messages. In the course of these tasks, it is not unreasonable to assume that they met with other enslaved people,

³¹⁶ See: Virginia J. Hunter, *Policing Athens: Social Control in the Attic Lawsuits, 420–320 B.C.* (Princeton, NJ: Princeton University Press, 1994), 71–75, 83–84, 100.

as well as with working-class citizens and metics,³¹⁷ and spent time sharing information or engaging with them socially.³¹⁸ In Lysias 1, in which the speaker Euphiletos defends his murder of Eratosthenes on the grounds that Eratosthenes had committed adultery with his wife, Euphiletos states that his wife's personal maid was the go-between for Eratosthenes and his wife.³¹⁹ He elaborates that Eratosthenes specifically sought out this slave girl, who went to the market for the household, and convinced her to help him gain access to Euphiletos' wife.³²⁰ This oration is revealing in that it reaffirms the idea that the *agora* was a social space not just for citizens and metics but also for the enslaved, even whilst they were going about their duties. After all, it is with the express purpose of striking up a relationship with this slave girl that Eratosthenes approaches her in the market, implying that it was not uncommon for people, even slaves, to meet and get to know people in this public space, thereby building social relationships.

For freed people who had been in public-facing positions while enslaved, such as in banking, mercantile activities, or even bureaucratic positions, this was likely also the case since they were constantly interacting with the public across class and status lines.³²¹ Consider Pittalakos, the well-known public slave discussed in chapter 1. It is his friendship with an elite citizen man that prevents his wrongful enslavement. Aeschines himself expresses a great deal of sympathy for the brutal treatment Pittalakos suffers and uses him as an example of Timarchos' wrongdoing and poor behaviour. Pittalakos also owned a gambling establishment that was frequented by elite citizen men. Through his time as a public slave, and as someone who ran a gambling house, Pittalacus met and built relationships with people with a great deal of social

³¹⁷ See: the discussion of the *agora* as a "free space" in Vlassopoulos, "Free Spaces," 39–47.

³¹⁸ Hunter, *Policing Athens*, 78.

³¹⁹ Lysias, 1.20.

³²⁰ Lysias, 1.8.

³²¹ For example, relationships built with elite citizen men through such a position were probably crucial to Pasion's rise through statuses, since he had friends/acquaintances to vouch for him.

capital and wealth. Although he suffered a great deal at the hands of two citizen men, it is notable that other citizen men clearly had sympathy for him and attempted to protect him and intervene on his behalf, presumably on the basis of relationships/friendships he had built with them.

In Demosthenes 47, an unknown speaker is describing how his property (including his slaves) was unfairly and unlawfully seized by Theophemus and Evergus, and he also states that they brutally beat an elderly former nurse of his, whom his father had manumitted.³²² He mentions that in response to the tumult of this assault and his slaves running away to avoid seizure, the slaves of the neighbours attempted to alert others as to what was occurring by shouting from the rooftops and running into the streets to find help.³²³ Ultimately, they convinced a citizen man to intervene in the situation.³²⁴ While this is told from the perspective of an enslaver, it is evidence of strong relationships between the enslaved people in this neighborhood, as they attempted to protect a formerly enslaved woman (whom they had likely befriended while she was still enslaved) from a violent assault at the hands of citizen men, as well as the other slaves who were attempting to run away from the same treatment. In this oration, it is clear that the enslaved in this neighborhood had a strong sense of community and responsibility to one another, and that this did not end with manumission, since they immediately intervened to help this elderly woman although she was no longer a slave. This is an illuminating example of not only how the enslaved built communities and social networks, but also how they sought to protect their community in dangerous situations, despite their marginalized status.³²⁵

³²² Demosthenes, 47.58–59.

³²³ Demosthenes, 47.60.

³²⁴ Demosthenes, 47.60.

³²⁵ The enslaved people in this episode show solidarity, as well as courage, in intervening in a situation that could have had violent, even fatal, repercussions for them. That being said, even in this case, an appeal is made to a citizen man. This indicates an awareness on the part of enslaved people of precisely how powerful citizen men could be as allies. Moreover, it indicates that relationships with citizen men were important to the safety of slave communities and networks. This does not undermine the work of freed/enslaved people, but rather illustrates their savviness with

However, despite public announcements and strong community networks and relationships with others, freed people could *still* be at serious risk of enslavement. Thus, another important method of asserting one's freedom and providing tangible proof of one's status was through inscriptions. We have ample evidence of manumission inscriptions throughout the ancient Greek world, with the Delphic manumission inscriptions being perhaps the most famous.³²⁶ While these inscriptions are most often studied as simply records of manumission, which of course they were, it is important to consider *why* so many records existed and what made an inscription on stone as proof of one's manumission so much more appealing than private announcements with few witnesses, public announcements with several strangers as witness, or wills. That is to say, what does an inscription provide that these other methods do not?

Most importantly, an inscription, once set in stone, is not reliant on the future testimony of other people, especially that of the manumittors themselves (although it presumably involved the manumittor at the time it was written, and often other witnesses as well—which is noted in some inscriptions). Even a public announcement, which might be considered more reliable than a more private act of manumission with a small number of witnesses present, meant that confirmation of one's manumission was reliant on the testimony of those present, not to mention the willingness of those people to provide said testimony. By contrast, once an inscription was made, short of being destroyed, it served as its own proof. Thus, inscriptions should be seen not only as a simple record of manumission, but specifically as another means by which freed people ensured that their status would be respected and protected. It is important to see inscriptions as a

regards to the social structure of the city and their resourcefulness in recruiting those with more power and social capital to aid them.

³²⁶ See: Zelnick-Abramovitz, *Not Wholly Free, and Taxing Freedom in Thessalian Manumission Inscriptions* (Leiden: Brill Publishers, 2013) for more detailed information on various manumission inscriptions.

means of resistance to re-enslavement, since the sheer number of them, across many periods of time and various city states, indicates that enslaved people were highly aware of the importance of such a record, one that ensured that there would be proof of what they had sought with such difficulty to obtain.

3.3 Attic Manumissions and the phialai exeleutherikai Inscriptions

This argument is further reinforced by the existence of the *phialai exeleutherikai* (bowls of freedmen) inscriptions found in Athens, which are dated to the 4th century BCE, with one section from 333-317 BCE, and the other section from 334-320 BCE.³²⁷ They are called the *phialai exeleutherikai* inscriptions³²⁸ since they include a list of names of people (more than 300), most likely freed slaves, who dedicated silver bowls (*phialai*) weighing 100 drachmae to the goddess Athena.³²⁹ There is general scholarly consensus that these dedications are records of the results of trials called *dikai apostasiou*.³³⁰

Before proceeding further regarding these inscriptions, it is important to first provide an explanation of the *dikē apostasiou*. Our evidence for the *dikē apostasiou* is hardly extensive: barring a few brief references to it, such as in Demosthenes 35 and in Aristotle's *Athēnaiōn Politeia*,³³¹ our most detailed definition comes from Harpocration, a lexicographer many centuries later, who states that it was a private lawsuit which manumittors could bring against

³²⁷ David M. Lewis, "Dedications of Phialai at Athens." *Hesperia: The Journal of the American School of Classical Studies at Athens* 37, no. 4 (1968): 368–80 and "Attic Manumissions." *Hesperia: The Journal of the American School of Classical Studies at Athens* 28, no. 3 (1959): 208–38; Zelnick-Abramovitz, *Not Wholly Free*, 84, 282–292.

³²⁸ Meyer, *Metics and the Athenian Phialai Inscriptions*, 17, who explains that this term was applied to these bowls because, in 1878, Wilhelm Koehler made a connection between these *phialai* and the *phialai exeleutherikai* listed in two Acropolis inventory lists.

³²⁹ Zelnick-Abramovitz, *Not Wholly Free*, 282.

³³⁰ In *Metics and the Athenian Phialai Inscriptions*, Meyer strongly contests this view and asserts that they are actually records of fines paid by prosecutors who failed to convict *metics* in *graphai apostasiou*. She also asserts that if these inscriptions are "reassigned" (10) the evidence for manumission in Athens is revealed as scanty and problematic, especially the evidence for manumission-based obligations and *paramonē* conditions.

³³¹ Demosthenes, 35.47–49, Aristotle, *Athēnaiōn Politeia* 58.3.

manumitted slaves if they left them, registered another *prostatēs*, and did not do “what the laws require.”³³² He states that those who were convicted were re-enslaved and those who were acquitted no longer had any remaining obligations to their manumittor.

Returning to the *phialai* inscriptions, the formulas of the inscriptions themselves have caused confusion amongst scholars.³³³ Most of the inscriptions follow this formula: name of the freed person (nominative case), their occupation, deme of residence, the verb ἀποφεύγω in various forms (which, in a legal context, meant acquittal), name of the prosecutor (accusative case), their patronymic and deme, and, with the exception of the earliest of these inscriptions, the fact that a silver bowl weighing 100 drachmae was dedicated to Athena.³³⁴ However, some of the inscriptions follow a different formula: name of the prosecutor (nominative case), patronymic and deme, name of freed person (accusative case), their deme of residence, their occupation, and the note regarding the silver bowl.³³⁵ This second formula does not contain the verb ἀποφεύγω, which has led some scholars to believe that these inscriptions were examples of freed people successfully convicted in a *dikē apostasiou*.³³⁶ Others have asserted that the difference in formulas was merely a difference in style and did not represent any such thing.³³⁷

There are also a number of scholars who believe that these were, in fact, fictitious trials and simply a means of recording manumissions, while others, most notably Zelnick-Abramovitz, have argued that these were real *dikai apostasiou* and therefore that these were real outcomes

³³² These “laws” are not specified, the Greek is incredibly vague, and so we do not know which “laws” are being referred to here.

³³³ Zelnick-Abramovitz, *Not Wholly Free*, 282–283.

³³⁴ Zelnick-Abramovitz, *Not Wholly Free*, 282–283.

³³⁵ Zelnick-Abramovitz, *Not Wholly Free*, 283.

³³⁶ Zelnick-Abramovitz, *Not Wholly Free*, 283.

³³⁷ Zelnick-Abramovitz, *Not Wholly Free*, 283.

depicted in the inscriptions.³³⁸ Zelnick-Abramovitz points out that it would be strange if the Athenians allowed their legal system to be used for hosting fictitious trials (i.e., for non-judicial purposes), and, moreover, that if these trials involved freed people who no longer had any obligations to their former enslaver, a fictitious/collusive version of the trial would mean that hundreds of enslavers had willingly forfeited their continued claim on a freed person's labour, which seems highly unlikely.³³⁹ However, for the purposes of this chapter, whether these inscriptions recorded real or fictitious trials is less important than what they represented and their importance in the lives of freed people, which was similar in either case.

If the inscriptions represented fictitious trials, they were a means of freed people publicizing that they no longer had any connections to their former enslaver, and it meant that the enforcing or relieving of their manumission conditions was no longer subject to the whims of their enslavers. In chapter two, references were made to a number of manumission conditions that seemed deliberately vague or relied entirely on highly subjective moral judgments by an enslaver. In those cases, it seemed that an enslaver could one day say that their freedman had “fulfilled” those obligations but potentially take that back whenever they chose. In the case of Athens, even if the *dikai apostasiou* recorded in these inscriptions were fictitious trials, they were definitive proof that those obligations *had* been fulfilled and that the enslaver could not change their mind if they decided that they wanted to continue to exploit their freed slave's labour. Moreover, even a fictitious legal aspect would carry with it the weight of the authority of the polis itself. That is to say, like the Delphic manumission inscriptions which invoked the authority of a god, these inscriptions invoked the authority of the polis, reinforced by the fact that

³³⁸ Zelnick-Abramovitz, *Not Wholly Free*, 285; see also: 283–285 where she discusses the theory that these trials were fictitious and also challenges the arguments put forward by scholars who are proponents of that view. See also: Lewis, “Attic Manumissions,” 237, who believed that these trials were fictitious.

³³⁹ Zelnick-Abramovitz, *Not Wholly Free*, 284.

these bowls were dedications to Athena, its patron goddess. Thus, these inscriptions represent how freed people in Athens utilized the authority of the polis, the same authority which worked to subjugate them, in their favour.

If these trials were indeed real, all the things mentioned above continue to apply, but there is more to be said. Zelnick-Abramovitz asserts that the uniformity of the dedication likely meant a publication fee for recording the outcome and this seems highly plausible,³⁴⁰ but it should not be viewed solely as a publication fee. The inscriptions can be interpreted not only as the desire for the freed to have concrete proof of their freedom, in order to prevent future lawsuits or attempts at re-enslavement, but also as a declaration of what they had achieved. The dedicatory nature of the *phialai* and their significant cost (especially given that these were freed people) point to the commemorating of something *important*, not simply a mere recording of what occurred. That is, freed people not only wanted a record of what had happened, but they wanted to highlight its importance by marking their victory with a dedication to a divine representation of the polis itself. As mentioned in the paragraph above, but even more so in the case of real lawsuits, freed people utilized laws meant to benefit enslavers, and weaponized them in their favour. After all, the *dikē apostasiou* was *meant* to punish freed people, in that it provided a means for enslavers to pursue freed people if they felt that they were no longer receiving adequate service and labour from them, despite the fact that they were “freed.”

It is worth considering if freed people who knew they had a strong case ever attempted to “bait” or incite their enslavers into filing this suit in order to free themselves of unfair obligations. There is no evidence to indicate this was so, but it is an interesting possibility, and not as unlikely as it may seem since clearly many freed people had enough support from other

³⁴⁰ Zelnick-Abramovitz, *Not Wholly Free*, 201.

people (as demonstrated above) to win cases against their enslavers. In this way, the *phialai* inscriptions may be a testament to freed people's knowledge and understanding of the legal system that defined their lives. Ultimately, these inscriptions, and the trials (whether real or fictitious) underlying them, were a means for freed people to hold the polis and its laws accountable for their safety and the protection of their freedom. They were also a declaration of freed people reclaiming their humanity and full ownership of themselves and thus became, in a way, a public performance of their freedom.

3.4 Conclusion

Although evidence of resistance from freed people is difficult to find, it is possible to read between the lines,³⁴¹ not only of inscriptions, but also orations written and delivered by elite slaveowners, and discover the myriad ways in which freed people in Athens fought to maintain their freedom. It is equally as important to study the resistance of freed people as it is to study the obstacles they encountered: not only is it crucial to a true understanding of their lives, but it is also crucial as an acknowledgment of their humanity. Treating enslaved people as passive recipients of suffering is a regurgitation of pro-slavery propaganda, which depicts enslaved people as helpless and inherently incapable of having ownership over their life.

Quite the contrary: freed people, like Neaira or any of the freed people mentioned in the *phialai* bowls, even utilized the systems that treated them unfairly as a means of asserting their freedom. This applied to social contexts as well: cognizant of the fact that elite citizen men had more social capital (and usually more financial capital), freed people built relationships with them in order to make their status more secure and ensure that they had someone who could

³⁴¹ For more on "reading between the lines" see: Forsdyke, *Slaves and Slavery in Ancient Greece*, 207–210, for her discussion of the "hidden transcript." Although she is discussing slaves sharing stories or fables, her discussion is still helpful here since it points out the importance of finding evidence for slave resistance within elite narratives.

vouch for them in a case of wrongful enslavement.³⁴² In addition, formerly enslaved people, whether enslaved by the city or enslaved in a household, all had numerous social interactions and developed friendships and strong relationships with others, both while enslaved and after, despite their marginalized positions. These relationships often served to protect them or otherwise benefit them in difficult situations. However, these networks and communities were also a response to the social alienation imposed on them by their enslavers.³⁴³ Social interaction, friendship, connection: these are the bedrock of human existence, and so these networks and communities were also, for freed people, a reminder to themselves and a declaration to others of their humanity in the face of a hostile society.

³⁴² The cases of Neaira (Demosthenes 59) and Pittalakos (Aeschines 1) are excellent examples of freed people utilizing their relationships with elite citizen men in order to protect themselves.

³⁴³ See: Vlassopoulos, *Historicising Ancient Slavery*, 134–146 and “Two Images of Slavery,” 467–472.

Epilogue

In this thesis, I have tried to illustrate the numerous ways in which enslavers continued to exert control over the lives of freed people, aided and abetted by Athenian laws and society. The “freedom” offered to enslaved people by Athens was a poor shadow of that which freeborn Athenians enjoyed, and that was not a coincidence. Athenian democracy ran on slave labour, slaves were present in every facet of Athenian life and society, and offering them “true” manumission, a life without fear, required an acknowledgment of their humanity. Yet this acknowledgement was antithetical to the ideology of a slave society, and therefore, impossible. Moreover, enslaved people often had to make terrible and tragic choices in order to be freed at all, choices that continued to haunt them for the rest of their lives. This, too, was not accidental, as psychological terror was an important weapon in the arsenal of enslavers. Where Athenian law and society could not succeed, the trauma that freed people had suffered would, marking the course of their lives and affecting many of their decisions. And so, freed people were haunted by a ghost that rattled the foundations of their new life, a ghost that tethered them to the past while they sought to escape into the future.

This analysis, however, is not meant to discount the struggles that freed people went through in order to obtain their freedom or to imply that their resistance was futile. The intention of this thesis was to identify more precisely the obstacles freed people faced, to indicate more fully the depth and bravery of their resistance and to identify and re-examine old evidence (like the *phialai* inscriptions) specifically *as* strategies of resistance to the dangers that freed people faced. As a matter of fact, the fear and paranoia that underlie Athenian laws targeting freed slaves, or even laws that generally prohibited or sought to circumvent the crossing of status

boundaries, indicate that freed people's assertions of freedom and their resistance to the annihilation of their humanity were a source of anxiety for enslavers.

However, my study of the conditions of freed people has also resulted in questioning the language we use to talk about freed people's status and the reality of their "freed" condition. Although many scholars agree that freedom is a spectrum, and that many "freed" people existed somewhere along this spectrum, what they mean when they say "freedom" or even "spectrum" varies. That is to say, when scholars discuss the relative freedom or lack of freedom of manumitted slaves in Athens, it is not always clear whether they mean to say that freed people were more or less free in relation to their prior enslaved status, or within the spectrum of subordinated statuses in Athens, or if they mean to say that they were more or less free in relation to freeborn Athenian citizens. Terminology such as "fully freed" only serves to make this discussion *more* confusing: what does "fully freed" mean? Does it mean free of obligations or is it meant to indicate a freed person who was no longer marked as servile? To that end, I suggest getting rid of terminology like this altogether, since it more often than not obfuscates rather than clarifies. Moreover, this terminology is very subjective, dependent entirely on the reference points that the scholar is utilizing, making it effectively meaningless.

In analyzing the conditions of freed people in this thesis, the reference point I have used for "freedom" is that of freeborn Athenian citizens. Although that might seem extreme, or even unrealistic, I have found that it is the definition of freedom that is most revealing in understanding the ways in which a slave society functioned.³⁴⁴ If we begin with a concession to the ideology of a slave society—that is, that *of course* freed people could not approximate a

³⁴⁴ One might say that by my definition of freedom, even freeborn metics in Athens were not free, and I would not disagree. In fact, I do not believe that freeborn metics were free in the sense that freeborn Athenians were, since their lives were also undervalued in Athens and they were often at risk of enslavement.

status similar to that of freeborn people and therefore we should examine their freedom as relative to other marginalized statuses with Athens—then our analysis and our understanding of the lives and material conditions of freed people will always be incomplete. What we need to do instead is move beyond an ideology that is ultimately rooted in the very prejudices of the system we seek to interrogate. Uncovering, or perhaps unmasking, the ways in which a slave society functions requires us to question *why* freed people could not approximate or even achieve the status of freeborn Athenians.