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WOMEN AND CHILDREN
IN DELPHIC PARAMONĒ-CLAUSES:
RESPONSE TO LENE RUBINSTEIN

Lene Rubinstein has thoroughly examined the penalty and *paramonē*-clauses in the Delphic manumission inscriptions. This is one of the most intriguing corpora of inscriptions in the ancient Greek world and a rich (although often frustrating) source of information on manumission in its form as fictitious sale-contract or consecration of slaves to Apollo. As Rubinstein demonstrates, these inscriptions (dating from the second century BCE to the early second century CE) were summaries or versions of the original written arrangements, which were deposited in public archives and/or in private hands. This corpus has received scholarly attention for more than a century. But, as Rubinstein's paper shows, there is always something new or less explored or a new angle from which to look at a long-debated topic.

Rubinstein's paper contributes to the study of women's status and their place in legal transactions in general, and in manumission in particular—as manumitters; as spouses, mothers or daughters, consenting to manumission done by their husbands, sons or fathers; as beneficiaries of *paramonē*-obligations; and as manumitted slaves. Consequently, we also learn about women's agency in initiating, effecting and negotiating such transactions. Although some studies discuss women as manumitters¹ and as manumitted slaves,² not enough has been written on the topics offered by Rubinstein.

Rubinstein's most significant contribution is the light she casts, in the context of *paramonē*-clauses, on the condition of vulnerable persons: widows, spinsters, or small girls, but also old men, left without care or fearing such a prospect. Rubinstein highlights the little-explored topic of fending for the “weak”,³ discussed only briefly in the context of manumission despite its great social and cultural significance.⁴ Her

¹ Mainly in general studies on slavery, e.g. Cabanes 1976; Hopkins 1978; or in studies on familial property, e.g. Babakos 1962, 1964, and 1966.

² E.g. Tucker 1982; Kamen 2014a, 2014b.

³ See Finley 1981, citing (p. 167) *Ath. Pol.* 55. 2–3 on the *dokimasia* of candidates for the archonship, who were asked whether they treat their parents well, and Isaeus 4.30 on adoption as a means taken by old childless men to ensure that someone performs the funeral rites for them. See also Rubinstein (1993, esp. chap. 4) on adoption in fourth-century BCE Athens, and Rupprecht 1998, 228–229.

⁴ E.g. Hopkins, 1978, 167; Zelnick-Abramovitz 2005, 152, 158.

suggestion that the *paramonē*-clauses served as a means to secure practical and sometimes financial support for these people is persuasive and deserves further attention; and, as I will show, stipulating that manumitted slaves take care of their manumitters or other persons was quite widespread. Yet we should note that in most cases we have no information regarding the familial position of manumitters who inserted *paramonē*-clauses. Rubinstein also suggests that women who sold or consecrated their slaves to divinities, while obligating them by *paramonē*-clauses, may have been motivated by fear that their ownership might be challenged by their kin or by creditors. This seems a reasonable hypothesis, but perhaps not so in other, not “sacral”, forms of manumission involving *paramonē*.⁵

In response to Rubinstein’s paper I wish to refer to female manumitters and manumitted slaves:

1) Women’s capacity to transact on their own is testified by the high number of female owners manumitting without a *kyrios* and sometimes even without the consent of family members. Also significant is women’s consent to sales made by their kin.⁶ Evidence comes from other regions as well.⁷ Rubinstein associates women’s control over family property with their capacity to punish or delegate to others the punishment of manumitted slaves who violated their *paramonē* obligations, and correctly concludes that this capacity was not determined by gender. Comparing the Delphic evidence with other regions, it has been suggested that in some places in central and northern Greece in the Hellenistic period women enjoyed a better standing than, for instance, in Attika and Boiotia.⁸ Nevertheless, we should be cautious in inferring that the absence of *kyrieia* in many manumission inscriptions is a sure sign that women were exempted from it by law. It is possible that such cases conceal special circumstances or that the involvement of *kyrioi* or the consent clauses were, for some reason, omitted from the inscribed texts.⁹

⁵ Such as in Kalyrna and Thessaly, where Babakos 1963 (esp. 40–41, for Kalyrna) and 1966 (79–88, for Thessaly) wrongly postulates *paramonē ex lege* (see Kränzlein 1964a for criticism).

⁶ E.g. *SGDI* 1855, Delphi, 176 BCE: Agēsō from Amphisssa sold a slave to Apollo (with *paramonē*), without a *kyrios* or family’s consent; *SGDI* 1836, Delphi, 170–157/6 BCE: Nikō sold to Apollo, without a *kyrios* or family’s consent, two males and one female girl (with *paramonē*); *SGDI* 2106, Delphi, 100–50 BCE: a woman sold to Apollo a female slave and a girl (mother and child?), with the consent of her daughter (no *paramonē*).

⁷ E.g. *I.Beroia* 145–146, no. 45 = *SEG* 12 314 (Beroia, 235 BCE): Attina manumitted, without a *kyrios* or consent, three slaves with their wives and children and another female slave (with *paramonē*); *I.Buthrotos* 40 = *SEG* 38.499, col. I (Bouthrotos, after 163 BCE): Aristodika manumitted alone, by consecration to Asklepios, two slaves.

⁸ See Babakos 1966 (on Thessaly); Vatin 1970, 243–252; Cabanes 1976, 408–13, and 1981 (on Epiros); Albrecht 1978, 242–244; Schaps 1979, 49–51; Stavrianopoulou 2006, 188–196 (Cyclades).

⁹ For women as manumitters see Zelnick-Abramovitz 2005, 131–135.

2) In Epiros and Thessaly women also served as witnesses to acts of manumission or as guardians (*epitropoi*) of their children.¹⁰ Antonis Babakos argues—but on the basis of only three inscriptions—that male guardians in Thessaly were usually appointed in wills, whereas women had this right *ex lege*, in addition to their legal competence to alienate property without a *kyrios*.¹¹

3) Besides manumission jointly made by spouses, collective manumissions—primarily by family groups—are attested in central, western and northern Greece.¹² Women appear as equal members in such groups, sometimes even heading them.¹³ It seems that economic and legal considerations were at play, and households acted to protect their property.¹⁴ This corroborates the conclusion that slaves were considered

¹⁰ E.g. *SGDI* 1354 (Dodona, 350–250 BCE): Pheidyla witnessed a manumission together with five men; see also Cabanes 1976, 580–581, no. 55, and Meyer 2013, 137–138, no. 2. In late third-century Phoinikē (in Epiros), three women and two men witnessed the manumission-consecration of the slave Dazos (*SEG* 23 478 = Cabanes 1976, 569–573, no. 47; Darmezín 1999, 154–155, no. 192; however, Meyer 2013, 163–164 no. 30, and Cabanes 2016, 40–43, no. 8, punctuate this text differently, thus excluding the women and men mentioned from the witnesses-list. In late first-century BCE or early first-century CE Gonnoi (Thessaly), Orthopolis daughter of Dikaiokrates acted as a co-manumittor and as the guardian of her two sons, although her husband’s brothers were still alive (*IG IX(2)* 1040 b, ll. 11–15).

¹¹ Babakos 1962, 316–319. Many Macedonian inscriptions, dating from the second to the fourth century CE, show Roman influence combined with Greek practices: Roman female manumittors, consecrating slaves to Greek gods, describe themselves as having “the right of (three) children (ἔχουσα (τριῶν) τέκνων δίκαιον)”, that is, Augustus’ *ius trium liberorum*, which gave mothers of at least three children the right to transact without a *kyrios* (e.g. *I.Beroia*, 153–6, nos. 51, 52, 53; Petsas 2000, e.g., nos. 6, 27, 52). In Leukopetra, the only occurrence of a female manumittor who is aided by a *kyrios* (Petsas, no. 51, ll. 1–5) is that of a Roman woman, who may have been too young to transact by herself (Petsas, 41, 118).

¹² Husbands and wives: e.g., *IG VII* 2228 (Thisbe), 3315 (Chaeronea); *SGDI* 1448, ll. 3–6 (Thessaly); *CIRB* 74 (Pontikapaion); Cabanes 1974, no. I, ll. 38–39 (Bouthrotos). Parents and children: e.g., *IG VII* 3330 (Chaeronea); *IG IX(1)* 36 (Stiris), 120 (Elatea), 624e (Naupaktos); *IG IX(2)* 109a, ll. 67–9 (Halos in Thessaly); *SGDI* 1359 (Dodona); Cabanes 1974, no. I, ll. 42–43 (Bouthrotos). Siblings: e.g., *SGDI* 1777 (citizens of Amphissa manumitting in Delphi); *IG VII* 3198 (Orchomenus), 3363 (Chaeronea); *CIRB* 1125 (Bosporus Kingdom). Cousins and nephews: e.g., Cabanes 1974, no. XVI, ll. 30–31 (Bouthrotos); *IG VII* 3199 (Orchomenos); *IG IX(1)* 188 (Tithora). Larger family groups: e.g., *IG IX(2)* 109a, ll. 21–22, 25–27, 109b, ll. 63–5 (Halos); Cabanes 1974, no. V, ll. 8–9; no. XIX, ll. 25–28 (Bouthrotos). Babakos 1966 argues that the participation of family members in the manumission in Thessaly was intended to ensure they waive their right to *paramonē*.

¹³ Cabanes 1976, 409–410; 1981, 79–82.

¹⁴ See Humphreys 2019, 168: “The frequency of joint manumission, noticeable even in Athens ... may be partly due to this tendency to leave it unclear whether divisions of property were provisional or final. The freedman or freedwoman would prefer to be sure that all possible claimants had committed themselves to the manumission.” For other

an important part of the patrimony and that safeguards were taken to forestall challenges by heirs or—as Rubinstein persuasively argues—by creditors.

4) As for the manumitted slaves, note that *korasion*, *paidiske*, *paidarion*, *paidiskon* etc. do not necessarily describe children. For instance, an inscription from Susa, of the first half of the second century BCE (*SEG* 7 15), records the manumission by consecration to the goddess Nanaia of the female slave Mikra. According to Louis Robert’s emendations, Mikra was “about 30 years old” ([ὥ]ς ἐτῶν τριάκοντα, l. 8), although she is described as *paidiske*.¹⁵ Yet, the low prices paid by Kallō (*SGDI* 2269), by Sōphrona (*SGDI* 1714), and by Philokrateia (*SGDI* 1751)—cases discussed by Rubinstein—may indicate that these *korasia* indeed were little girls.¹⁶

5) It seems that many of the children manumitted in Delphi (especially those described as *oikogeneis*, home-born) were their male owners’ biological children, or were raised as such (as *threptoi*). Many were adopted or recognized as heirs. For instance, in Delphi, in 172 BCE, Nikōn manumitted his slave girl (*koridion*) Hēdyla and stipulated that she be considered the daughter of Dōrēma and do for her all that is customary to do for parents (*SGDI* 1803, ll. 3–5). In 157 BCE, Dōrēma sold to Apollo a slave girl, with the consent of Hēdyla, here described as her *daughter* (*FD* III 3.8). The inscription that records Hēdyla’s manumission (*SGDI* 1803) also contains the manumission of the woman Iōnis (ll. 1–3), with no *paramonē*-clause; possibly, Iōnis was Hēdyla’s mother and Nikōn her father.¹⁷ Very probably, Dōrēma

interpretations of joint manumissions and consent by family members, see Cromme 1962; Kränzlein 1964b.

¹⁵ Robert 1969, 1216–1227. The slave’s name, Mikra (“small”) was probably given to her when she was small, or was she of a small stature? In *SGDI* 1954 (Delphi, 156–151 BCE), a man sells to Apollo, with the consent of his four sons, a female slave and also “her small suckling (ὑποτιτθίδιον) boy” (ll. 6–7); here the description of the *paidarion* as ὑποτιτθίδιον reveals his age. Another *korasion*, manumitted at Beroia (*I.Beroia*, 153–154, no. 51), was also “about 30 years old”. In *FD* III 6.137 (Delphi, end of the second century CE) the age of the *korasion* has not been preserved (ὡς ἐτῶν...).

¹⁶ On lower prices paid by children see Hopkins 1978, 159.

¹⁷ For *SGDI* 1803 see Hopkins 1978, 167–168; Tucker 1982, 230; Zelnick-Abramovitz 2005, 162. See also *FD* III 3.333 (Delphi, undated): Kleomantis son of Diōn releases from *paramonē* his former female Eisias, adopts the son born to her while in *paramonē* and gives him his name; *SGDI* 1348, Dodona, 237–234 or 297–232 BCE (= Cabanes 1976, 464, and see now Meyer 2013, 149–151, no. 15): the manumitted slave Kanthara is to be considered the daughter of Krateros, in all probability the manumittor. In Epiros, manumitted female slaves often entered the familial group and appeared later as manumitting together with their manumittors; Cabanes 1976, 411, suggests that these cases indicate adoption. Also, manumittors in Bouthrotos, described as “childless” (ἄτεκνοι), seem to have acted to ensure that someone to performs the funeral rites for them (Cabanes 1974, 201). In *SGDI* 1723 (Delphi, 170–157/6 BCE), the *paramonē*-clause requires the manumitted slave to fend for the old man (γηροτροφεῖν), who paid the slave’s female-owner for his manumission (ll. 5–10). Cf. *SGDI* 1803 (ὅσα νομίζεται τοῖς γονέοις), 1806 (ποιέουσιν ὡς πατέρι): manumitted children are required to do what

herself was Nikōn's daughter, for the female manumittor in SGDI 1945 (150–140 BCE) is called Dōrēma daughter of Nikōn. These examples, I suggest, show a motivation analogous to that attributed by Rubinstein to *paramonē*-clauses made to the benefit of vulnerable persons. One such motivation may perhaps be inferred from SGDI 1751 (discussed by Rubinstein), where Philōn sells to Apollo the *korasion* Philokrateia. I fully agree with Rubinstein's *caveat* about arguing *ex silentio*; yet the girl's name might suggest that she was Philōn's daughter—which, if true, may explain why she is not obligated by a *paramonē*-clause. Moreover, some eighteen or twenty-eight years later, between 150 and 140 BCE, a woman named Leaina sold to Apollo a female slave with the consent of her *daughter* Philokrateia (SGDI 2021, 150–140 BCE, ll. 5–6); there is no *paramonē*-clause. Again, speculations are dangerous; but it is very tempting to surmise that these are Leaina and Philokrateia of SGDI 1751 and 1801. And if I am not too wide off the mark, such relationship can also explain Leaina's *apolyxis*: as the mother of his daughter, Leaina was granted by Philōn full freedom, and we note that no payment is required of her. Later, Leaina herself became a slave-owner and, having no kin except her daughter Philokrateia, had to attain the latter's consent to a manumission act. Another hint is found in these texts: Leaina was sold to Apollo for the relatively high price of five mnae; her *paramonē* agreement (SGDI 1801) obligates her to stay with Philōn for the rest of his life and work and obey him (ἐργαζομένα καὶ ἀκούουσα Φίλωνος). In her *apolyxis* document (SGDI 1751), Leaina is released from the *paramonē* and from "work" (ἐργασίας). It has been argued that the verb ἐργάζομαι and the noun ἐργασία, especially in connection to wool-work, were used euphemistically for prostitution,¹⁸ and a link between prostitution and manumission has been suggested by some scholars.¹⁹ Whether Leaina was a prostitute or a professional wool-worker, this may explain the high price she paid for her freedom.

6) Finally, the fact that small children were manumitted under the condition of *paramonē* helps accentuate an important issue: being minors and often lacking family, the obligation to further serve the beneficiaries meant that they had to stay at the latter's homes. This is also true of adults: in SGDI 1807, 2085, and 1801, Histiō and Leaina are required to crown Philōn's statue twice a month and their choice of residence is restricted—a stipulation also found elsewhere.²⁰ In fact, the very order

children properly do for their parents. See also FD 6:38 (20–46 CE): two manumitted female slaves are obligated by *paramonē* to their female manumittor for as long as she lives, and required to give her son and grandson(?) little children when she dies; cf. FD III 6:57. On adoption in Kalymna see Babakos 1963.

¹⁸ Kamen 2014a on Delphi; and cf. FD III 2.169, ll. 23–25. Kamen (2014a, 151) points out that Leaina was a common name of *hetairai*.

¹⁹ E.g. Ed Cohen 2006, and Wrenhaven 2009, on Athens.

²⁰ Cf. SGDI 1718 (170–157/6 BCE), where the manumittor, a man from Lilaia, forbids his manumitted slave Asia (of Syrian origin) to live anywhere outside Lilaia for the rest of her life (ll. 10–11: μὴ οἰκησάτω δὲ Ἀσία ἔξω Λιλαίας μηδὲ πολιτευσάτω ἄνευ τᾶς Ἐπιχαρίδα γνώμας). This inscription has no explicit *paramonē*-clause.

to παραμείνειν (“to stay by the side of, or with someone”) denied freedom of movement despite manumission. The recurrent phrase, which gave manumitted slaves the right to go wherever they wished, was meant to be implemented only after the end of the *paramonē*, and sometimes not even then. This point cannot be overstated, seeing that it has been argued that slaves manumitted with *paramonē* obligations were free both *de jure* and *de facto*.²¹

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²¹ E.g. Canevaro and Lewis 2014, 109; Lewis 2018, 71–72.

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