

**Solon's legislation and women's
incompatibility with state ideology**

Tatiana Tsakiropoulou-Summers – University of Alabama

Deposited 02/13/2025

This is an Accepted Manuscript of a book chapter published by Routledge/CRC Press in *Women and the Ideology of Political Exclusion* on September 27, 2018, available online: <http://www.routledge.com/9780367492458>

Citation of published version:

Tsakiropoulou-Summers, T. (2018). Solon's legislation and women's incompatibility with state ideology, *Women and the Ideology of Political Exclusion*, pp. 33-56. 10.1163/1568525982611821.

Solon's legislation and women's incompatibility with state ideology

Tatiana Tsakiropoulou-Summers

Introduction

During the seventh and sixth centuries BC, Athenian society underwent a major legal, political, social, and economic transformation that eventually gave birth to democracy in the fifth century BC. A major catalyst in this process was Solon's legislation: in 594 BC, the Athenian statesman and lawmaker was appointed chief magistrate (*archon*) and was called upon to reform the Athenian political system, primarily to restore its ailing economy but also to re-establish peace between rivaling classes, aristocratic clans, political ideologies, and economic interests that **ravaged Athenian society (Blok and Lardinois 2006)**. Although his reforms initially seemed to fail, they were subsequently credited for laying the foundations for the rise of democracy and the transformation of Athenian society (Lape 2002; Ehrenberg 1990). Even in antiquity, Solon was upheld as the man who "founded democracy", in Plutarch's words.¹ Yet, while these changes helped Athenian men soar politically, women were affected negatively by Solon's legislation: his sumptuary laws, his law on dowry, and his restrictions on women's mourning customs cast women's nature in a negative light and prevented their political integration in Athenian democracy.

Solon's legislation, whether in its original form or adapted over the years, held sway in Athens for several centuries – he himself bound the Athenians to keep it in force for a hundred years (Plut., *Sol.* 25.1). In the fifth century, other states under Athenian control also adopted Solon's laws and kept them long beyond his hundred-year stipulation. As Plutarch (*Sol.* 21.5) states, most of Solon's restrictions on women were still part of the contemporary legislation in his homeland, Boeotia, in the second century ad (Garland 1981: 13; Alexiou 2002: 15). Furthermore, influence of Solon's legislation can be detected in decrees passed by various Greek communities and colonies around the Mediterranean for a period of five or six hundred years after Solon.² The longevity and geographical expanse of his legislation are indicative of its role in shaping ideas, perceptions, practices, and customs in the Greek world (Blok 2006: 212), proving particularly influential in defining female gender identity. In this essay, therefore, I will attempt to show that in the classical era the ideological perception of women as inferior to men stems to a great extent from Solon's legislation. Although the lack of detailed records and the spotty material evidence make etiological connections between laws and social trends in antiquity tenuous, in the case of Solon there are several testimonies of ancient authors commenting on the impact of his work on Greek culture. This connection highlights the fact that Solon's legislative restrictions on women are reflected in women's incompatibility with the organization of the *polis*, advanced as it is in literary, philosophical, and epigraphical sources.

¹ Plutarch, *Comparison of Solon and Publicola* 2.1.

² See below the Andanian and Gambreion decrees.

Solon was numbered among the Seven Sages of antiquity (Isocrates 15.235; Plato, *Protagoras* 343a4; *Timaeus* 20e1). He was already considered a good statesman when he was elected *archon* (high public officer) in 594 bc, but his reputation as a wise man was based mainly on the legislation he enacted and his philosophical views.³ The ancients considered Solon an exceptional thinker, whose ground-breaking legislation had no precedent. Plutarch in his *Comparison of Solon and Publicola* (3.2) explicitly describes Solon as a lone agent, who stood on the border between the old and the new era, and blazed a new trail with his monumental public legislation. Aristotle also highlights Solon's unique position in Athenian constitutional history, noting that all legislators that came after him based their work on his laws and simply tweaked his constitution to make it more democratic (*Pol.* 1274a9–10), while they themselves contributed nothing new to Solon's law code (*Athenian Constitution* 29.4.1).

The significance of Solon's legislation lay in the fact that it dissolved oligarchy and established democracy (Arist., *Pol.* 1273b35), for which he was considered "the champion of the people" (Isocrates 15.313). Xenophon characterizes Solon's laws as "excellent and influential" (*Symposium* 8.39), and admits that he himself, compelled by Solon's perception of justice, applied its principles to his own construction of household management (*Oeconomicus* 14.4). Aristotle agrees with Xenophon's assessment and points out that Solon's laws made the Athenians truly prosperous and happy (*Rhetoric* 1398b17), since his reforms helped rectify economic injustices (*Athen. Const.* 5.3.1–5), settled the social strife ravaging Athens (5.2.3), and established the people (*dēmos*) as "masters of the state" (6.23). Solon was not merely honored by the Athenians (Plato, *Symposium* 209d), but was actually loved in the words of Isocrates (15.232) for the way he arranged the social and political organization of the state, so much so that they kept it in force for centuries beyond the initial agreement. As a result, Athenians often attributed to him most of their later laws (Antiphon, fr. 15.4; Aristophanes, *Birds* 1660); and, although this was not always correct, it suggests an awareness of the transformative power of Solon's legislation on Athenian society.

To understand how deeply Solon affected Athenian attitudes, especially in regard to women, we must consider briefly the perception of women in the pre-Solonian era (eighth to sixth centuries bc), when the literary world was dominated by Homer, Hesiod, and Semonides. In the Homeric epics (eighth century bc), female characters appear both fearsome and appealing, ambivalent in their ability to cause both goodness and destruction. On the one hand, the female monsters that populate the world of the *Odyssey*, most notably the Sirens, Scylla, Charybdis, Circe, and Calypso, are clearly menacing forces, able to overwhelm and annihilate men, who were warned to be on their guard around them (Bergren 2008; Vergados, 2009: 7–20; B. Cohen, 1995; Slatkin 1992; Foley, 1984: 59–78; duBois, 1982). On the other hand, recognizing that men were bound inescapably to women for their reproductive powers, the rhetoric about the relationship between the genders encouraged (to a degree) the incorporation of women into the male world, by upholding positive female archetypes to motivate women to emulate them, while coaxing men to cultivate women's inclusion in their world. In this sense (and only in this sense), it may be said that in the pre-Solonian, archaic, era the general attitude toward women was

³ Solon would not proclaim anyone happy, unless he saw how he died; see Photius' *Lexicon*, s.b. 'm', 245.9.

‘inclusive’. For example, Arete, Nausicaa’s mother in the *Odyssey*, is a woman honored by her husband, her family, and the people of Phaeacia for her wisdom, her generosity, and her justice “as no other woman was honored on earth” (*Od.* 7.67).⁴ To Nausicaa herself, Odysseus wishes that gods grant her the blessing of a husband and “harmonious interaction” with him, for “there is nothing better or more precious than a husband and a wife communicating in harmony” (*Od.* 6.180–5). Hesiod, in the seventh century bc, despite his reputation for misogyny, complains that Zeus created women deliberately to be an evil for men, yet bound the latter to cherish and embrace the female race (*Works and Days* 58); complaints notwithstanding, good women do exist and, Hesiod admits, for men there is “nothing better than a good wife” (702–3): although the lot of marriage is tough, a good wife can “balance good with evil” (*Theogony* 608–9; Stoddard 2004: 156; Arrighetti 1998: 465). Even Semonides, in the seventh century bc, whose grotesque satire of female types is seen as the hallmark of misogyny in archaic Greece, concedes that there are also women who, like bees, “blameless in everything”, make their husband lucky with their hard work and good sense (fr. 7.82). We do not suggest here that conditions were ideal for women in the archaic era, but wish to point out that there were literary attempts to balance negative views of women with a modicum of positive rhetoric. The foundation of positive perspective in literature was bolstered to a great extent by the marital custom of *exogamy*, which made women quite valuable for their natal families in the archaic era (Seaford 1994: 206–11; Vernant 1980: 45–70). Aristocratic daughters would often be given in marriage to men outside their community (*exogamy*), helping ambitious fathers expand not only the base of their political power but also their wealth: the general custom in *exogamy* was for the groom to offer a valuable gift package (*hedna* or brideprice) to the bride’s father. In this system, the more daughters a father had, the happier he was.

By contrast, in the classical period, we encounter a drastically different view of women. First, *endogamy* (marriage within the community) gradually replaced *exogamy*, while brideprice was replaced by the dowry,⁵ which the father transferred to the groom on the wedding day (Seaford 1994: 209). Shifts in marriage customs are indirectly associated with Solon’s laws, to the extent they lay the foundations of democracy: political power in a democratic setting relies more on local support and votes rather than external networks. In a democratic state, a marital alliance, even with a powerful local family, could not guarantee one’s rise in the political world, which undercut significantly women’s ability to advance men’s political interests. Eventually, with Pericles’ law of 451 bc, which made citizenship a corollary to the marriage between Athenian-born individuals, endogamy became the only legal option (Patterson 1990: 40–73; Goody 1976: 20–1). The new marriage customs had fathers of daughters carve out a percentage of their estate to offer as dowry to the grooms; therefore, the more daughters a father had, the smaller the portion of his estate that would be left to his male children. Women, once instrumental in creating networks of reciprocal obligations between their natal and marital families, in the classical era were seen as economic liability and burden by both families: the natal for having to secure a sizeable dowry for their daughters and the marital for having to

⁴ Translations are the author’s unless otherwise noted.

⁵ On the dowry, see Demosthenes 47.57.

support the woman in the event of an inadequate dowry (Wilgaux 2000: 659–76; Seaford 1994: 213).

Changes in marriage practices are not the only factors in the decline of women's social value in the post-Solonian era. As we will see below, literary, philosophical, and political authorities started putting more emphasis on the idea of women's inferior nature and exclusion. We must clarify here that in this study we are focusing on the ideological exclusion of women (necessitated, as shown in the introduction, by the patriarchal framework within which democracy developed) and not on the actual conditions of their life – recent studies have shown that women were able to bypass both ideological and legal restrictions, and quietly lead an active life in public spaces (Vlassopoulos 2007: 33–52; Westgate 2007: 229–45) without, however, impacting the official ideology about them. The ideological exclusion of women can be associated in many ways with Solon's laws, which for the first time introduced peculiarly detailed and intrusive restrictions for women into state legislation, regulating among other things women's mourning practices and public appearance, even the number of dresses they could own and wear in public, which, as we will see, sent negative messages about female nature and character.

There are no direct sources of Solon's laws, but several fragments are conveyed to us through various ancient literary, philosophical, and legal works (Ruschenbusch 1966), while further details can be gleaned from later laws that were based on Solon's legislation. Modern scholars offer various explanations of Solon's motives behind the laws he drafted about women, of which Blok gives a detailed overview and bibliography (2006: 197–9). Some scholars understand his motivation as an aspiration to create an egalitarian society and balance power dynamics among social and economic classes for the sake of social peace (Garland 1985; Seaford 1994). Others detect in it the influence of a change in ancient Greek society toward a more secular approach to death and burial (Loraux 1986; Garland 1989; Sourvinou-Inwood 1995); as the state created a democratic model of a public funeral, professional women's lamentations were replaced by funeral oratory (Bennett and Tyrrell 1990: 444). In this context, some scholars see Solon's legislation as aiming at preventing women's excessive display of grief in public to protect his legislation from women's criticism (Garland 1989; Shapiro 1991; Holst-Warhaft 1992; Blok 2001; Alexiou 2002). Following this view, I will show below that Solon's restrictions inserted a wedge between men and women, intensifying their ideological differences and pushing them farther apart, especially in their relation to the state. Our discussion of Solon's laws will focus on the ideological principles they spawned regarding four aspects of women's life: dowry and marriage, female nature and character, women's conduct at Mystery cults, and funeral and mourning practices. But before we begin our discussion, we should cite the complete text of Solon's legislation regarding women, as Plutarch has it:

In all other types of marriage,⁶ Solon prohibited dowries and instructed that the bride was to bring with her three dresses, household items of small value, and nothing else. For he did not wish marriage to be a matter of trade or a source of income, but wanted the husband and his wife to live together out of favor and love for each other and

⁶ The type of marriage not included in this category is that of the *epikleros* daughter, an heiress without male siblings.

for the purpose of begetting children . . . Solon also introduced a law regulating women's conduct in their public activities, that is, in mourning and at festivals, preventing disorder (*ataktion*) and impropriety (*akolaston*). So, he forbade women to go out of doors wearing more than three garments, carrying food or drink valued at more than an obol, or bearing a basket bigger than a cubit; they were also not to travel about at night, unless they rode in a wagon with a lamp to light their way. For those in mourning, he banned self-lacerations, previously composed lamentations, and the wailing over another's dead at funerals of non-relatives. He also prohibited the sacrifice of an ox at the graveside, the interment of more than three garments together with the dead, and walking up to other people's tombs except at the time of the burial.

(Plut., *Sol.* 20.4–21.5)

Dowry and marriage

Solon is credited as the first legislator to ban dowries and replace them with a small family gift to the bride (*phernē*). As Plutarch says, Solon, “in all other types of marriage, prohibited dowries”.

Although modern scholars see in Solon's law an attempt to curb aristocratic displays of wealth (Seaford 1994: 85, 210; Alexiou 2002: 18; Leese 2017), his motive, according to Plutarch, was to raise marriage from the level of monetary transaction to a loving union for begetting children. Despite Solon's ban of the dowry, disputes over it continue to be attested in fourth-century bc court speeches, indicating that the interdiction was ignored to a great degree by social culture. Providing a good dowry to each of his daughters continued to be proof of a man's social standing in the fifth and fourth centuries bc (Seaford 1994: 209). Men were willing even to mortgage their land and go into debt to meet this expectation (Finley 1952: 81–8; Schaps 1979: 99). In case of orphaned girls, their brothers would do everything to furnish them with a decent dowry (Demosthenes, *Against Onetor* 30.12) and would never risk their reputation by defrauding a sister of hers (Dem. *Against Boeotus* 2.40.25). In some cases, the state itself provided dowries to daughters of fathers who fell at war, in order to protect their social status (Pomeroy 1982: 115–35).

Although Solon's ban on the dowry failed to translate into actual practice, it did serve as the ideological basis for bolstering the traditional hierarchy between spouses as well as between men and women as citizens of the state. Plato and Aristotle, although disagreeing on a number of issues, followed Solon and agreed in their concern about the use of dowry as a means of female empowerment to the detriment of both family and state. They both criticized Sparta for its failure to reform the dowry and inheritance system, and, as Aristotle comments in his *Politics* (350 BC), to settle “the issues regarding the women” for the benefit of the state (*Pol.* 1270a5). Plato also condemns Spartan women in his *Laws* (348 BC) for “wallowing in expensive luxury” (*Laws* 7.804e), “living in disorder” (*ataktōs*, 7.806c), and in a manner contrary to the Spartan life-style and the principles of their state (Powell 2001: 137).⁷ To substantiate his condemnation, Aristotle claims that lack of regulation on dowry and land-inheritance by women in Sparta resulted in two-fifths of the Spartan land being owned by women; this eventually impaired Spartan military power, which, Aristotle calculates, had dwindled to less than a thousand men in his time (*Pol.* 1270a23–27). Leaving aside the fact that the attribution of dowry to Spartans is erroneous, since they had no custom comparable to the Athenian dowry but their women could possess property

⁷ Although Plato was the teacher and Aristotle the student, here I look at Aristotle's statements first because his *Politics* (350 bc) were published two years before Plato's *Laws* (348 bc).

through inheritance (Hodkinson 2004: 126–9; Cartledge 2001: 119–21), Aristotle unfairly assumes that the Spartan crisis was solely the women’s fault (*aitiai*), blaming their uncooperative nature for not submitting to state regulations: although Lycurgus, the Spartan legislator, “attempted to bring the women under the laws, they resisted and he gave up the effort” (1270a5). The implication of Aristotle’s accusation is that women’s powerful influence on the legislator proved damaging for the state, a point that he used to bolster his ideological principle that the women’s judgment is impaired and unsuitable for decisions that affect the state.

For Aristotle, the dowry is related to the issue of controlling women, the necessity of which he grounds on the essential differences between male and female nature.⁸ In his *Politics* (1259b1–1260a23), Aristotle stipulates that men and women have the same virtues (or faculties), but their virtues differ in type according to each gender’s role in the family and the state. The man who is by nature more fit to rule than the woman, must possess the full range of all virtues and faculties, while the woman must possess them to the degree they help her function properly in the family. For example, the male virtue of bravery (*andreia*) is shown in the man’s ability to rule, while female bravery is in the woman’s ability to support her husband’s rule (1260a23). Likewise, the male capacity for good judgment (*sōphrosunē*, 1260a21) is not the same as the female: a man, responsible for making executive decisions in the family, must be judicious in every respect, but the woman’s good judgment should be evident in her ability to understand that it is to her benefit to accept her husband’s decisions. According to Aristotle’s syllogism, just as it is best for the emotional part of the soul to be governed by the intellect (1254b5), so it is to a woman’s best interest to be governed by a man (1254b12), since the woman is rather emotional, whereas the man has the reasoning faculty more developed than his wife.

Based on these principles, one may conclude that for Aristotle the example of the Spartan women is intended to show that in general women ought not to make decisions that affect the state, since, lacking male-type virtues, they may prove disastrous to it. Since the state is founded on male virtues, women’s views, based on a set of principles that have a different outlook from that of men, differ also from state principles and are not in harmony with them. Therefore, any time women’s views prevail in the state it is to be expected that they will clash with state principles and cause disorder, as it happened with the Spartan women’s insistence to keep their right of land possession and dowry. The dowry is the key in this paradigm, because, as Plato shows below, it empowered women but had catastrophic results for the state.

Like Solon, Plato also banned dowries in his *Laws* (6.742c3), ostensibly to promote the creation of an equal relationship between husband and wife, on the basis of the principle that “an equal exchange consists in neither giving nor receiving any dowry” (6.774c).⁹ Since the dowry could empower the wife to treat her husband with insolence (*hubris*) and reduce him to the humiliating status of servant (*douleia tapeinē kai aneleutheros*, 6.774c), ruining the balance between spouses, he banned it. Yet the prohibition of dowry is also related to the traditional hierarchy between men and women that even the egalitarian Plato hides under the cover of equality in the *Republic* (380 bc): as Socrates suggests, female Rulers, equally educated and just

⁸ Some modern philosophers attempt to rehabilitate Aristotle and argue that the subjection of women to men was not the thrust of his work; see Dobbs (1996); Nichols (1983); and Saxonhouse (1982). This, however, has been only a recent construction of the philosopher’s views and does not concur with the received understanding of the tenor of his work since antiquity.

⁹ Translated by R. G. Bury with a minor change (*Plato in Twelve Volumes*, Vols. 10 & 11. Cambridge, Harvard University Press; London, William Heinemann Ltd. 1967 & 1968).

as well-trained as male Rulers, would never be able to prove better than (or even equal to) male Rulers in the same category of specialized knowledge and training – this, at least, is suggested by his rhetorical question: “Is there any subject of human study in which men are not superior in every respect to women?” (*Rep.* 455c). Applying this principal to the family, a wife could not be better than her husband in running the household, but a dowry might empower her to impose her views, upsetting the hierarchy between them and destabilizing their marriage.¹⁰ The dowry, therefore, was seen not as a mere financial exchange but as a means of asserting hierarchy and power – as such, it had to be controlled and minimized.

The unequivocal condemnation of Spartan women by Plato and Aristotle is an instance of ideological bias: being experts in political systems and knowing well that women in Sparta had no power to make any legal or political decisions, they should not consider them solely responsible for obstructing legislative reform (Cartledge 2001: 106–26). Had the Spartan men really wished to pass Lycurgus’ reforms regarding land redistribution and dowry or inheritance laws, they would have prevailed over the women’s objections. But Spartan men clearly stood to gain from women’s wish to thwart land reform and, as evidence suggests, even aided women’s resistance by ignoring laws intended to balance the distribution of landed property in Sparta (Cartledge 2001: 120). Yet both Plato and Aristotle focus only on women’s culpability and criticize them harshly for their intervention. For Aristotle, Lycurgus’ succumbing to female pressure empowered the women who, in turn, harmed the dignity of the Spartan state, stripping it of its authority to regulate its citizens (*Pol.* 1270a13). In terms of Athenian ideology, this example applies to all women and, as we will see below, bolsters the effect of Solon’s laws: it highlights the inferior quality of female judgment and suggests the incompatibility of women’s views with state organization and interests. Sparta’s demographic predicament served as a paradigm of what can happen to a state if women’s voice is empowered and left unregulated.

Female nature and character

Considering the purpose of Solon’s sumptuary laws, the general understanding is that it was to prevent the expensive custom of one-upmanship among wealthy families at a time of economic crisis, when everyone should live with austerity; the poor were protected from pressures by social conventions to incur debt, and the rich were prevented from provoking the poor with their extravagance (De Ste Croix 2004: 1–72, 109–28; Seaford 1994: 85; Gallant 1982: 111–24). There is, however, something strange in Plutarch’s interpretation of Solon’s motives: he makes no mention of the state of the economy. Instead, he cites Solon’s desire to “regulate women’s conduct in their public activities” and prevent disorder (*ataktion*) and excess (*akolaston*) as his motive for this law (*Sol.* 21.4). Although such conduct could be exhibited by both men and women, Plutarch associates it only with women and posits it as the justification of laws restricting women’s activities in public. The implied syllogism, that ‘should women remain unregulated, they would act disorderly and indecorously’, suggests that Solon presumed women to be by nature disorderly and indecorous, since limiting and controlling their conduct was the object of his legislation. In principle, laws regulating behavior intend to harness undesirable tendencies in society and instill self-restraint to individuals (Blok 2006: 229). Solon’s invasive regulations suggest to Plutarch that women’s tendency to act disorderly (*ataktion*) and

¹⁰ Ormand draws a connection between economic exchange and marriage stability, stating that “it is when women are most analogous to objects of economic exchange that marriage becomes least stable” (*Exchange and the Maiden: Marriage in Sophoclean Tragedy* [Austin, 1999]: 18).

licentiously (*akolaston*) constitute their ‘undesirable’ characteristics, whose public expression needs to be regulated. Therefore, Plutarch’s interpretation is indicative of the fact that Solon’s legislation was seen by the ancients as a source of society’s negative perception of women, who were theorized to be inherently flawed individuals.

Influenced by the implications of Solonian legislation about women, Plato, toward the end of his life, reaches the conclusion that female nature is incompatible with state organization, due to women’s habitual resistance to laws – they can overwhelm even a legislator with their excessive resistance to regulations and especially those introducing changes to their customary modes of life (*Laws* 781d1). Plato expressly classifies women as “hard to regulate” (*dustakton*) because of their nature: in their effort to counteract their natural weakness, women become more secretive and shrewd than men, which enables them to evade rules meant to control their behavior (781a3–5). For this reason, Plato urges legislators not to give up their effort and leave women unregulated, as Lycurgus did with the women of Sparta, because this could prove damaging for the state (781a6). For his ideal state, Plato requires that everything in it be well-regulated by laws, for if a few aspects of life are left unregulated, they can damage the social fabric:

When everything in the state is done orderly and according to the laws, then everything turns out beneficial in every respect; but when things are done contrary to the laws or are badly-ordered, they counteract the effects even of those elements that are well-ordered.

(*Laws* 780d)

Women at Mystery cults

Plutarch, in speaking of Solon’s restrictions for women, who were not allowed to wear multiple clothing items when going out of doors, carry large quantities of food or drink, or travel about the city at night unless riding in a lit wagon (*Sol.* 21.4), also informs us that in his homeland, Boeotia, most of Solon’s laws were still in force and that the people had instituted a Board of Supervisors of Women (*gynaikonomoî*) to oversee their enforcement (*Sol.* 21.5; Garland 1981: 13; Alexiou 2002: 15). The *gynaikonomos* was an elected official, charged especially with the task of checking women’s appearance and conduct, initially only during festivals and funerals, but later whenever they were in public places without their husband. A state could have one officer or a whole board of them, depending on the size of the population and the range of duties assigned to this office. The earliest records mentioning a *gynaikonomos* go back to the fourth century BC, but the spirit of the office stems from Solon’s legislation (Ogden 1996: 371).¹¹ Solon himself may have not given any practical instructions on how his laws were to be enforced, but their adoption obviously requires officers overseeing their implementation. It is possible that initially every woman’s *kurios* (legal guardian) was made responsible for the conduct of the women in his charge, ensuring they followed the laws. There is also evidence in literature that before the institution of the *gynaikonomos* various other officials could intervene occasionally to corral women in public.¹²

¹¹ The earliest epigraphic evidence for a *gynaikonomos* is found in Thasos in the 340s bc; in Athens, it appeared in the early 320s bc (Garland 1981: 87). However, Aristotle mentions in his *Politics* (published in 350 bc) the existence of *gynaikonomoî* in other states, pushing their appearance before 350 bc.

¹² Aristophanes mentions a *proboulos* in *Lysistrata* (387), a *prytanis* (*Thesmophoriazousae* 929–34), and a torchbearer as assistant (*dadouchos*, *Ar. Frogs*, 445–8); see further Garland (1981: 27–8).

The greatest need for a *gynaikonomos* appears to have been the supervision of women at Mystery cults, where the presence of men was strictly forbidden and there was no one to oversee women's conduct. The most important women-only festivals were the Skira or Skirophoria, the Thesmophoria, and the Adonia.¹³

They were organized by women's associations and usually required at least one overnight-stay at the temple precinct. They were fertility rites and, as such, included ritual acts, songs, gestures, and props of a sexual nature. The Skira, for example, was known for its license and suspension of marital bonds (Burkert 1985: 230–3). The Thesmophoria, celebrated in honor of Demeter and Persephone, required purity and sexual abstinence, but included ritual obscenities: the women engaged in indecent speech, sang licentious songs, told ribald jokes, carried around cakes of female pudenda, and baked dough phalluses for the piglet sacrifice (Goff 2004: 128; Burkert 1985: 244). The Adonia was also characterized by a seductive mood and wild lamentations for Adonis, Aphrodite's consort (Reitzammer 2016; Goff 2004: 138–144; Burkert 1985: 245). According to Goff (2004: 143), women-only festivals allowed the exploration of the contradictory roles women played within the patriarchal state: on the one hand, they served it with their reproductive powers, but, on the other, threatened it with their power to cause death and destruction. Women's festivals, therefore, provided the only venue in which women could come out of their homes, band together, express their feelings, act them out, and relieve pent-up frustrations away from male eyes and ears. The ultimate result of these rituals, according to Goff, was that they helped women find relief from oppression and, afterward, return to their communities able to accept their prescribed position within the patriarchal system (2004: 143). Yet they were a source of concern for the male population.

Not allowed to be present in these cults, men became anxious about their sexual content and tried to find ways to oversee the female participants.¹⁴ Reports about women's wild conduct during these festivals made them seem to men as “unmediated threat” not only to the men but also to the state (Goff 2004: 143). Influenced by the ideological premise that women's nature was unruly – “hard to regulate” (*dustakton*, *Laws* 781a5), as Plato described them – and incompatible with the standards of state organization, men were anxious about the possibility that women might conspire during those cults to rebel against their oppressors, encouraged by the secretive nature of the rituals and the absence of male presence. This scenario is comedically explored by Aristophanes in his *Women at the Assembly* and *Lysistrata*, where it is during certain Mystery cults that women plot to take political power in their hands and intervene in state affairs. Suspecting that women's activities at these festivals went beyond the required ritual license, men desired to observe and control what seemed to them as dissolute conduct on women's part – disorderly (*atakton*) and excessive (*akolaston*) in Plutarch's words. Therefore, the institution of *gynaikonomos* offered considerable relief to male concerns but complicated women's life.

A decree from Methymna on the island of Lesbos, dating in the 340s BC, is one of the earliest laws concerned specifically with the conduct of women at a Mystery festival in honor of Dionysus. To satisfy men's desire to place a male figure of authority on the premises of the ritual, the decree appoints a *gynaikonomos* to oversee the night-long women's ceremonies (Garland

¹³ There is little evidence of women's participation in the classical period in Maenadic rites of the type described in Euripides' *Bacchae*; see Goff (2004: 271–9); Burkert (1985: 291) citing later evidence; and Seaford (1994: 257–75).

¹⁴ In Euripides' *Bacchae*, Pentheus spies on the women's maenadic rituals.

1981: 137). The officer was to be a mature man, older than 40 years of age; he was to stand “outside the doors of the temple throughout the night rituals, ensuring that only he and no other man would enter into the temple and that nothing impious would take place”. Passing a state law to this effect was a stroke of genius for the Methymnian men, who managed not only to bypass the traditional prohibition of men’s presence at the Mystery cult but also extend male control to all women-only festivals. For the women, this constituted an intensification of male control over their lives: they no longer had a place to band together and act without inhibitions away from men’s eyes; the state monitor was present in all public places and at all public events. For the men, however, the office of *gynaikonomos* alleviated their responsibility as legal guardians for women’s conduct whenever they were in public areas and, especially, at events men could not attend.

Appointing an officer to oversee specifically women reveals how intensely mistrusted women were and how incompatible they were perceived to be with the state in their views and actions. In ancient Greek sources, the term *gynaikonomos* appears almost always in association with *paidonomos*, Supervisor of Boys, an office first instituted by Lycurgus in Sparta to oversee the conduct and military training of boys, who lived at the barracks from the age of seven and, therefore, were in need of an officer in lieu of parental control (Xenophon, *The Constitution of the Lacedaemonians* 2.2.1–8; Cartledge 2001: 83). According to Aristotle, the *gynaikonomos*, similar to the *paidonomos*, was an office instituted in prosperous states to ensure good order and decorum among women in public spaces (*Pol.* 1322b37–1323a2). The conceptual association between the offices of *gynaikonomos* and *paidonomos* explains in part why it was thought that women needed supervision in the first place. Aristotle supports this association with biological similarities he observes between women (*gynaiques*) and pre-pubescent boys (*paides*). He notes, therefore, that “a boy resembles a woman in form, while woman is like an infertile man” (*Generation of Animals* 728a17–18); furthermore, both women and boys have a full head of hair and are not bald (*History of Animals* 518a30), and both have a higher-pitched voice than men (*HA* 518b68). Aristotle’s construct of biological correspondence places women in the ideological position of permanently immature persons who are in need of supervision. In addition, the term *gynaikonomos* is particularly biased in light of the lack of a parallel term or concept of an officer specifically overseeing men – a linguistic possibility for this would have been *andronomos*, Supervisor of Men, which in terms of gender ideology constitutes an oxymoron for ancient Greek culture and does not exist in the Greek language.

Ironically, *gynaikonomos* officers were very active in the Hellenistic era, when women seemed to be more active in the public realm. It is possible, though, that this office was part of a concession made to the women’s desire to participate in economic and other public activities. Kierstead, in this volume, shows that in the Hellenistic era women’s names appear on membership inscriptions of various professional associations in greater frequency than in the classical period, when participation in those associations was used as evidence of citizenship. Women’s access to professional associations in the Hellenistic era coincided with the decline of democracy in the age of the Macedonian and Roman Empires, which means that greater access did not grant women the power or rights associations used to grant to their members in the classical era. In addition, evidence suggests that the power of the *gynaikonomos* increased significantly during the Hellenistic era: whereas Solon had regulated female conduct at festivals and funerals only, with the institution of *gynaikonomos* the policing of women in public spaces became gradually a daily occurrence (Garland 1981: 38). Harpocration (second century AD)

mentions in his lexicon (47) that women, “acting inappropriately in the streets” of Athens, were fined 1000 drachmas, indicating that the *gynaikonomos*, charged with checking dress code and female conduct in public, had power over women in public areas on a daily basis (Llewellyn-Jones 2007: 257, n. 8). At Syracuse, according to a law quoted by Athenaeus, respectable women were not allowed to venture outside their home after sunset, as this was tantamount to expressing their “intention to commit adultery” (521b).¹⁵ This law expands Solon’s restriction that women could not travel outdoors at night “unless riding in a wagon with a lamp to light their way” (Plut., *Sol.* 21.4). Even during the day, women at Syracuse had to get the *gynaikonomos*’ permission to leave home, on condition that they would be accompanied by a female slave (Athenaeus 521c). Parallel to the increase of the *gynaikonomos*’ authority in the Hellenistic era, there was an increased use of a full-face veil, documented by clay figurines from the period between the fourth and first century BC (Llewellyn-Jones 2007: 252). The veil may seem restrictive as a garment, but Llewellyn-Jones argues that it may have enabled women to move more freely in public spaces and participate in a variety of economic activities: functioning, according to Llewellyn-Jones, as an extension of their home, it afforded women both privacy and freedom (2007: 257, n. 8). While this may be so, from the perspective of ideology, the veil objectified women, rendering them invisible, impersonal, and powerless to intervene in any public affair, sealing their inferior position.

The effect of Solon’s sumptuary laws on the perception of women is evidenced also in a decree from Andania, dating likely to the second century ad,¹⁶ that recalls Solon’s sumptuary restrictions on women’s dress: the Andanian law is concerned with setting detailed price-caps on the value of women’s dress at the local Mysteries in honor of Demeter and Persephone (Garland 1981: 141–9). Solon’s legislation continued influencing laws regulating women’s appearance at festivals even during the Hellenistic era, but this decree took his regulations several steps farther, restricting women’s dress in minute ways. The Andanian decree places the following price limits to the dress of female participants: for officiating women, it permits a maximum allowance of two minas (about 140 drachmas); for the daughters of the officiating women and for common women 100 drachmas; for the daughters of the common women one mina (about 70 drachmas); and for the servants of common women 50 drachmas. It further regulates how the different groups of women are to be identified visually for ceremonial purposes through specific distinguishing marks on their dresses, the dress material, the style of dress, the type of headdress, and the material of their shoes. Regulations determining dress code and distinguishing marks for ritual purposes are understandable, but the decree divides the women into social classes on the basis of the value and quality of their dress, separating them into free and slave-women, married and unmarried, officiates and initiates. Dress value, having nothing to do with religious practices or the piety of the wearer, indicates a different function for the regulation, to which we shall return.

In addition to dress limitations, the Andanian decree appoints a *gynaikonomos* at the Mystery to oversee women’s observance of the dress code and punish offenders. What is astonishing about this particular law is that it expands the role of *gynaikonomos* from civic to religious, including this officer in the group of men officiating in the ritual and vesting him with

¹⁵ Translated by C. D. Yonge (1854) with a few changes.

¹⁶ Ogden (1996: 368) dates this decree to 146 bc, Garland (1981: 141–9) to 92/1 bc; for further discussion, see O. Kern, *Die Religion der Griechen* (Berlin, 1963): 3.188–90; E. Sauppe, *Die Mysterieninschrift aus Andania* (Gottingen, 1860); and C. T. Newton, *Essays on Art and Archaeology* (London, 1880): 177–84.

religious powers: the *gynaikonomos* is sworn in by the hierophants with a special oath, promising to ensure that during the Mystery “the regulations concerning the dress and the rest of the things that were placed in [his] charge by the decree” are done properly. This means that the *gynaikonomos* has the power to expel from the ritual anyone dressed contrary to the decree regulations, confiscate forbidden items, and punish the offending party in humiliating ways, as suggested by the verb *lumainesthai* (maltreat) in this context. The decree also specifies that the *gynaikonomos* is to choose by lot the marching order of the female hierophants and the maidens, and make certain this order is strictly followed. To top it all, he is to participate in the ritual procession himself, “leading the sacrificial victims” in honor of the gods and even “performing the sacrifices”. The expanded powers of the *gynaikonomos* suggest an intensified effort to control women’s expenses, possibly to counteract the economic power they had started gaining in the marketplace.

The Andanian decree is 195 lines long; of these, 18 lines are dedicated to women’s dress, while only one refers to male attire. The only restriction placed on men is that “those performing the Mysteries are to wear white clothing and no shoes” – nothing else is said of the men in this context, and no price ranges or limits or distinguishing markers are specified. The stark contrast between regulations for men and women reveals a perception of women as very immature beings: they were not trusted to show good judgment, common sense, self-control, or a sincere willingness to obey laws, which recalls Plato’s observation that women often found ways to evade legal restrictions (*Laws* 781a3–4). As a result, the legislator of the Andanian decree is extremely detailed in the regulations he sets, as if trying to close all possible loopholes that women could exploit. In addition, serious punishments are spelled out in the Andanian law but only for women – there is no punishment specified for men. In particular, the use of the verb *lumainesthai* to describe the type of punishments that might be imposed on disobedient women is indicative of state attitudes toward them. *Lumainesthai* means “to maltreat, damage, or inflict indignities upon someone” and in the context of punishment refers to the undignified treatment to which a man may subject his opponent, when he takes justice into his own hands (Dem. 23.32–33); this verb, however, is never used to describe the punishment meted by laws or by a jury. A *gynaikonomos*, being a state representative elected by the people, should impose legal punishments (*dikēn*) and not indignities; therefore, the use of *lumainesthai* in the decree suggests a certain animosity toward women who could not (or would not) follow rules and needed to be shamed into obeying them. However, one wonders whether it was even possible for the women to follow the extremely detailed regulations of this law with any accuracy. By contrast, lack of any punishments for men in this decree may relate to the fact that the rules imposed on them are minimal and easy to follow; yet it also carries the ideological implication that men were trusted to show self-control and good judgment in dressing according to the solemn spirit of the Mysteries and did not need comprehensive laws spelling everything out in detail. The Andanian sumptuary law on women’s dress, inspired by Solon’s legislation, reveals his influence on the perception of women as immature, unruly, and incompatible with state organization. However, the assumption about men’s ability to self-regulate and women’s inability to do so, due to their unruly nature, is underpinned by the Aristotelian principle of gender hierarchy: “the natural relation of male to female is for the former to be superior (*kreitton*) and the latter inferior (*kheiron*)” (*Pol.* 1254b13–14). This principle justifies the patriarchal hierarchy of genders, where men are always the rulers and women the ruled ones.

Funeral laws and mourning practices

Solon's funeral legislation changed radically the funeral culture in ancient Greece (Blok 2006: 200–10). In the pre-Solonian (archaic) era, male and female socio-political interests used to converge at funerals, where both men and women were interested in mourning and burying the dead in the traditional manner, giving them their due but also empowering the family clan against claims to power by competing clans. Therefore, when one of the clan members was killed unjustly, the women's call for justice and revenge at the funeral was reciprocated by the men who were motivated to act and avenge the wrongful death of their relative. However, when the *polis* (citystate) organization started forming, the dynamics between men and women changed, influenced by the shifting of their roles as citizens of the state. Intensified separation of the genders in the public realm and divergence of views on issues that affected women and devalued their role caused a rift between the genders. With Solon's laws, the organization of the state was pushed farther toward democratization, making men its primary stakeholders and motivating them to take a more communal stance toward the state. A new ideology was developed, stressing that a prosperous state has prosperous citizens (Arist., *Pol.* 1253a19; *Rhet.* 1398b17) to encourage citizen dedication to it. Inspired by its message, men were willing to subject to the state the interests of the individual and the family, and to do everything for its benefit. They even saw fit that death and the manner of mourning the dead should become subject to the *polis* ideology: the dead who fell in combat on behalf of the fatherland were to be praised and not lamented. Extolling their death encouraged the dedication of soldiers to the state, but also served the practical matter of recruiting new fighters. Demosthenes distills the *polis* ideology with these words: "those who overcome the natural love of life and prefer to die well rather than see Greece fall into misfortune, leave behind them a legacy that words cannot describe" (60.1). Women, however, seemed to object to the official ideology about death and mourning, for they continued to value the family and their sons above the state. They were invested, of course, in the state as wives and mothers of citizens, but remained loyal to the family interests (Aristophanes, *Lysistrata* 651): although they agreed to send their husbands and sons to war for the state, they also wished to save their lives (Aristophanes, *Ecclesiazousae* 233–34); and, although they accepted the death of their husbands and sons at war, they were not willing to give them up to the state to bury, as it saw fit. Women were attached to tradition and the ancient practices (*archaios nomos*, Aristophanes, *Eccl.* 216) and wished to continue mourning and expressing their pain the way women had always done in the past, in communal laments, where relief could come from wailing, moaning, singing, crying, even tearing their clothes and lacerating their cheeks (Loraux 1989: 10). Given their different perspectives, it is not surprising that men and women found themselves on opposite sides of the funeral ritual in the classical era, after the changes that Solon's laws introduced.

Solon's funeral laws expressly forbade all these modes of mourning, changing drastically not only the traditional funeral practices but also the state ideology about death and mourning. As men embraced the vision of the *polis*, they viewed the state as a more appropriate organization for burying the war dead, and started perceiving the traditional modes of mourning as distasteful, excessive, even barbaric. As a result, they agreed to replace the female lament in public funerals with the funeral oration, a speech delivered by a state representative. This was a radical concept not just for Athenian women but for the rest of the Greeks as well: Demosthenes remarks that only Athenians see fit to deliver funeral orations for their war dead (*Against Leptines* 20.141).¹⁷

¹⁷ Cicero also observes that in Athens after Solon "no one was allowed to speak in praise of the dead except at public funerals" (*De Legibus* 2.65).

But the *polis* ideology justified the change by constructing a new identity for its heroes: the glory of those who died for the state raised them beyond the reach of death and immortalized them (Thucydides 2.44; Lysias 77.80; Holst-Warhaft 1995: 120).

Women, by contrast, having several issues with the *polis* ideology, not just with funerals,¹⁸ did not adopt willingly the moderate mourning imposed by Solon. The only way to make women comply with the new funeral modes that the city found appropriate was to issue more state laws, further restricting women's mourning. In the end, these laws regulated the funeral customs not only for the war dead but for all funerals, whether private or public. When Solon reformed women's mourning, as we will see below, he restricted significantly their role in funerals, forcing them to take second stage: he limited their lamentations, excluded them from all funerals except those of close relatives, and even prohibited them from parts of the cemetery that did not belong to their relatives. These harsh exclusions and restrictions on the women were justified by the political ideology and the philosophical discourse: a civilized society is not compatible with the old, "barbaric" funeral rites, but needs a more restrained, moderate mode of mourning (*kosmiōs*, Plut., *Consolation to His Wife* 4.1). With the institution of *gynaikonomos* around the middle of the fourth century BC, an officer was appointed at all funerals to ensure compliance with the laws and punish offenders for excessive lamentation, even men who adopted "unmanly and women-like manners in their mourning" (Plut., *Sol.* 21.4).

The rift between men and women widened as the women's practices were labeled barbaric (*barbarikon*), harsh (*sklēron*), unruly (*ataktion*), and excessive (*akolaston*) (Plut. *Sol.* 12.5). Unable to relate to the new state ideology about death, women could not see themselves or their family men as an interchangeable group, distinguished only for their dedication to the state (Tyrrell and Bennett 2008: 2). Women could not see death as Archilochus did, following the state ideology: a fate that "now visits this person and now another" (fr. 13). For women, death, especially the death of their sons, was a personal assault that caused extreme pain and turned their sorrow into "black wrath" (Loraux 1989: 45). However, for men, some of them at least, death became an exercise in self-control: "the insatiable desire for mourning, leading to excessive lamentations and wailing, is no less shameful than lack of self-control in enjoying lustful pleasures" (Plut., *Consolation to His Wife* 4.2).

Their different views on death and mourning engendered men's and women's different approaches to the state. Articulating the divide between them, Archilochus urged his comrades to act like men in the face of death: "take heart and push aside womanly mourning" (fr. 13); he justifies this by claiming that the men they lost in battle were heroic, deserving a state celebration for their sacrifice from the *polis*, with all the citizens (*astōn*) present, rather than "womanly laments" that might sully their memory. The idea of citizen interchangeability permeated Athenian ideology and underpinned the hierarchy between the genders: Plato calls for total social control, so that every citizen could dedicate his or her talents to the benefit of the state (*Laws* 959e), while Aristotle equates the prosperity of the state with the happiness of its citizens (*Rhetoric* 1398b17), which he defines as the ultimate good for human beings (*Ethics* 1177a12, 1214a8) and predicates upon the woman's subjection to the man and, by extension, to the state (*Rhet.* 1361a11). Solon's funeral laws exacerbated the divide between men and women, making the latter seem incompatible with the new state identity; as the *polis* was heading toward democratization, its ideology excluded women from most aspects of public life, even state

¹⁸ See, for example, the discussion on the dowry above.

funerals to a degree (Loraux 1989: 15). Instructive is the contrast provided by the paradigm of Spartan women: contrary to Athenian women who refused to embrace state ideology, Spartan women adopted it and supported the militarization of their state and its citizens (Plutarch, *Moralia: Sayings of Spartan Women* 240c; Hodkinson 2004: 127). In return for their loyalty to the state and its ideology, they were never silenced, restricted, pegged by Spartan ideology as inferior, or excluded from public spaces. In particular, when a Spartan king died, the law required that all men and women gather together to mourn and lament for him, even in the traditional manner that was considered excessive and barbaric by the Athenians (Herodotus 6.58).

Funeral customs before Solon have been closely studied by various scholars (Garland 1985: 26–34; Sourvinou-Inwood 1983: 36–43; Shapiro 1991: 630–1); here we will briefly refer to them in as much as they bring out the contrast between the pre- and post-Solonian eras, showing the value of women’s role and the significance of the customs themselves for the community before classical ideology cast them as barbaric and excessive. The Homeric epics, along with other literary, archeological, and epigraphic evidence, show that women played a prominent role in funerals, preparing the body for the wake, singing the ritual lament (*goos*) for the dead, following the deceased to his last abode, and keeping the memory of the dead alive with commemorative feasts and repeated mourning.¹⁹ Vase paintings of the geometric and archaic periods show the kinswomen surrounding the bier and lamenting with expressive gestures. These paintings, depicting the mourning women beating their heads or pulling their hair in unison, suggest that the funeral gestures were orchestrated by a head mourner; as such, they were part of the ritual lament and, although extremely evocative, were not expressions of uncontrolled grief (Alexiou 2002: 6; Finkenstaedt 1973: 39–43.). Therefore, women’s traditional lamentation (*thrēnos*) was understood by the ancients to be, not an impromptu expression of grief, but a controlled ritual, carefully orchestrated to achieve maximum effect in the purpose it served (Alexiou 2002: 4; Holst-Warhaft 1995: 113–4). Laments clearly aimed at attracting attention to the concerns women expressed in their mourning, but Alexiou, in her study of funerary customs, observes that the attention they attracted “might amount to a social menace, not only indecent but dangerous” (2002: 21). Yet the ancient manner of mourning was not considered “indecent” in the Archaic Era, but was deemed appropriate to be performed even by heroes, as Achilles did for Patroclus.²⁰ Attitudes, however, changed when Solon’s legal restrictions on mourning shed a negative light on traditional modes, portraying them as effeminate, excessive, and barbaric (Holst-Warhaft 1995: 98–108).

In a society without courts of law, the attention women attracted during funeral laments served an important purpose: with their laments, women aimed at communicating to male relatives and friends the course of action necessary to restore justice for the dead (Alexiou 2002: 14–17). Tragedies offer vivid examples of how women could potentially wield power over men through their lament and urge them to avenge a wrongful death or seek social justice. In Aeschylus’ *Libation Bearers*, the female chorus of mourners starts the lament calling for the “murder to be repaid by murder” (312–313); then, they weave an antiphonal song with Electra and Orestes who respond to their prompting. As Papazoglou shows in this volume, when Electra

¹⁹ Alexiou (2002: 21, n. 107) notes that women sang the laments unless there was none present, in which case the men would perform this task. Phemio and Demodocos (*Iliad* 24) were male composers and singers of such laments.

²⁰ In the *Iliad*, the mourning pattern of Achilles over the death of Patroclus includes a mourning fast (*Iliad* 24.128), refusal to wash (23.39–47), preparation of a funeral feast (23.48), and lamentation in antiphonal manner between Achilles and the Greeks who responded to his song (24.153).

reaches a point of emotional frenzy, she wails like a “savage wolf” (421) and demands the death of her mother (430–433) as retribution for murdering her father. Orestes, who is in full agreement with the women’s call for revenge (383–384), at first bulks at the thought of killing his mother (434), but is immediately resolved to submit to the necessity of the action demanded of him (435–8), as the chorus of mourners goads him on, urging him to show “merciless wrath” (455). In this elaborate lament, the women’s powerful demand for violent action (no less against the rulers of the state), mobilizing the man to undertake it, is truly formidable (Nooter 2011: 399–417). All this was changed by Solonian legislation that required the following:

For those in mourning, Solon banned self-lacerations, previously composed lamentations, and the wailing over another’s dead at funerals of non-relatives. He also prohibited the sacrifice of an ox at the graveside, the interment of more than three garments together with the dead, and walking up to other people’s tombs except at the time of the burial.

(Plut., *Sol.* 21.5)

To get a complete picture of the legislation, we should also refer to the citation of the law in a court speech by Demosthenes (341 BC) which is extensively discussed by Scafuro (2011: 123–41):

The deceased is to be laid out for viewing (*prothesis*) inside the house in any way desirable. He is to be carried out for burial (*ekphora*) before sunrise on the day following the *prothesis*. During the funeral procession (*ekphora*), men are to walk in front, women in the back. No woman under the age of sixty is to enter the house of the deceased or follow the deceased when carried to the cemetery, except those within the degree of daughters of first cousins. Also, no woman is to enter the house of the deceased after the dead has been carried out, except those within the degree of daughters of first cousins.

(*Against Macartatus* 43.62)

The ongoing scholarly debate which is discussed by Blok (2006: 197–9), shows how varied is the current understanding of Solon’s objectives for the restrictions he introduced to women’s mourning. More relevant to our point, however, is the ancient discourse on Solon’s objectives, which they understood as aiming at “forbidding the disorder and excess” women caused at funerals (Plut., *Sol.* 21.4–5). To curb this effect, Solon prohibited “harsh (*sklēron*) and barbaric (*barbarikon*) practices” at funerals (*Sol.* 12.5) by introducing a number of restrictions. The first measure he took was to make the viewing of the dead (*prothesis*) private, moving it indoors and allowing the deceased to remain in the house only one day; in the past, the deceased was laid outside (*pro tōn thurōn*), in a public place, and was kept there for two to three days (Thucydides 2.34) for the news to spread and the community to join the mourning of the dead (Ahleberg-Cornell 1971: 292; Johnston 1999: 40; Garland 1985: 23; Toohey 2010: 364). With Solon’s law, the publicity of the death was curbed considerably and the number of people joining in the funeral was limited. His restrictions effectively stripped mourning women of the ability to communicate their feelings and concerns to the community. Furthermore, women were no longer allowed to lacerate their cheeks and move themselves to tears, sharing in the pain of the dead (*homopatheia*, Athenaeus 675a); they could not hire professional singers to assist them in their lament and in expressing coherently the litany of their sorrows; they could not share their concerns with the society at large, since the limited space of the house, where the wake was held, did not allow for a large crowd to congregate; and they were not allowed enough time to go through the stages of mourning – limiting the viewing to a single day rushed women to prepare

the body for burial and left them stunned by the shock of death, robbed of the time needed to comprehend the extent of their loss and lament effectively.

Furthermore, in the pre-Solonian era, political commentary and criticism of political actions and decisions that affected women had been an important aspect of women's lament. As Suter argues (2003: 19), Euripides in his *Trojan Women* uses the foreign women's lament to criticize indirectly the hubris of the Sicilian expedition and suggest that all Athenians risked perishing – not just those who supported it. Women had no authority to deliver political criticism in public, yet their voice, rising in public lament, drew men's attention (Suter 2003: 21), which is one of the reasons behind successive legislation in the fifth century BC, limiting women's ability to raise a successful lament. As Foley shows (2001: 54, 158), these changes and the evolving Athenian attitudes toward female lamentations are reflected in the course of classical tragedies: in the earlier plays, women are allowed to lament and mobilize the men around them to act, take revenge, or stand up for their just claims in opposition to authority; later plays, however, in their majority marginalize women's lament or curb its effectiveness, reflecting contemporary social practices. Yet, one anomaly in this layout, pointed out by Suter (2003: 23), indicates women's resistance to legal restrictions on mourning practices: Euripides' *Trojan Women*, a late play (415 BC), includes powerful traditional laments that impact male political authority. Whether women were actually able to deliver social and political commentary at funerals, despite legal restrictions, is a tantalizing question. That women were able to do so is suggested not only by Euripides' play but also by the Athenians' repeated efforts during the fourth century BC to revise Solon's legislation and tighten its control on women's public activities (Blok 2006: 210). However, persistent and punitive legislation managed to change funeral customs in later periods and achieve to a great extent women's compliance with state laws. Plutarch (second century ad), in a letter to his wife, consoling her for the death of their daughter, praises her for the manner she handled the funeral; although he was away, she did everything "decorously and in silence", restraining herself from putting on mourning clothes, lamenting excessively, disfiguring herself or her maids, going into extravagant expenses for the funeral, or including anyone in the event beyond close relatives (*Consolation to His Wife* 4.2).

Solon introduced drastic changes also to the second stage of the funeral, the procession (*ekphora*), which brought the dead and the mourners out of the house and into the public realm (Garland 1985: 31–7). Before Solon, the procession went through the city early in the morning and the lamentation continued all the way to the cemetery. Accompanied by the shrill sounds of a reed pipe, the women, walking directly behind the bier, wailed, lamented, and tore their clothes (Alexiou 2002: 7). Solon's laws prohibited all this and required that the procession go through the city in the dark, before sunrise, that the women walk behind the men at the back of the procession, and their numbers be limited: no woman under the age of sixty could attend a funeral unless closely related to the dead. By contrast, no law ever restricted the number of men attending funerals. Two subsequent laws, dating to the end of the fifth century BC, one at Delphi (Garland 1981: 83) and another at Keos (Garland 1981: 81), took Solon's restrictions one step farther, imposing total silence on the funeral procession. In addition, the Keos decree forced the women to leave the grave area before the men and return home accompanied only by a limited number of close female relatives and friends. The length of mourning was also a concern, and, so, a decree from Gambreion (third century bc) placed time limits on mourning: four months for men and five for women (Garland 1981: 92–3; 1989: 1–15). The effect of the funeral laws was to diminish the noise, the crowd, and the pitiful spectacle of lamenting women processing through

the city. These changes were necessary for the men: to keep their composure and abide by the new mode of modest mourning, they needed to shield themselves from the emotional effect of women's laments. As Plutarch admits in his letter to his wife, if she becomes excessively upset about their daughter's death, he will also be affected, for he is not "born of a tree or a stone", without feelings (*Consol.* 2.1). To shield themselves from the effect of the women's laments, men moved to central stage during the public part of the funeral and displaced the women, moving them not only to the back of the procession but to the margins of the whole event. Moderation prevailed at the expense of the women who were demoted, marginalized, rushed, muted, and excluded from their traditional place behind the bier.

Conclusion

Solon's restrictions on women may seem reasonable to an extent, in the context of legislation aiming at resolving a social and economic crisis. Yet his regulations specifically about women remained in force for several centuries, even after the crisis in Athens was settled. Their enforcement, though, beyond the context of a pressing necessity became a source of negative impressions about women: in particular, controlling women's dowries and expenses by state law, during the flourishing Athenian economy in the classical era, suggested that women were a liability to the family and by extension the state. In addition, the difference in the outlook of legislation regarding men and women implicates it in the development of a negative ideology about latter: On the one hand, Solon empowered Athenian men, liberated them from enslavement due to debt, endowed them with freedom of speech, and elevated them from former slaves to "masters of the state" (Arist., *Athen. Const.* 9.1.8; Harris 2002: 415–430; 1997: 55–60); on the other hand, his laws sought to curb Athenian women's economic power by banning the dowry, and restricted what little influence women had before in public lamentations by muting their voices. The obvious difference in the legislative perspective toward male and female Athenians was not lost on the male citizens – even Plutarch observes that Solon's laws regarding women were "absurd" (*Sol.* 20.2 and 23.1). Their effects were devastating for women, who not only were excluded from the political life of the democratic state but were also viewed as incompatible with it; as a result, they were closely controlled and restricted at public events, in which they had a central role before. Solonian legislation, therefore, established the legal framework for women's exclusion from public life, first granting unlimited participation to men and then regulating women's participation in all public activities, which became the blueprint of male and female social and political roles for many centuries.

References

- Ahleberg-Cornell, Gudrun (1971) *Prothesis and Ekphora in Greek Geometric Art*. Goteborg: Astrom.
- Alexiou, Margaret (2002) *The Ritual Lament in Greek Tradition*. Second edition. Revised by Dimitrios Yatromanolakis and Panagiotis Roilos. Lanham, MD: Rowman and Littlefield Publishers.
- Arrighetti, Graziano (1998) *Esiodo, Opere*. Turin: Einaudi-Gallimard.
- Bennett, L. J. and Wm. Blake Tyrrell (1990) "Sophocles' Antigone and Funeral Oratory". *The American Journal of Philology* 111.4: 441–56.

- Bergren, Ann L. (2008) *Weaving Truth: Essays on Language and the Female in Greek Thought*. Cambridge: Cambridge University Press.
- Blok, Josine (2001) "Virtual Voices", *Making Silence Speak*, eds A. Lardinois and L. McLure. Princeton, N.J.: Princeton University Press, 95–116.
- Blok, Josine (2006) "Solon's Funerary Laws: Questions of Authenticity and Function", *Solon of Athens: New Historical and Philological Approaches*, eds J. Blok and A. P. M. H. Lardinois. Leiden & Boston: Brill, 197–247.
- Blok, Josine and A. P. M. H. Lardinois, eds (2006) *Solon of Athens: New Historical and Philological Approaches*. Leiden; Boston: Brill.
- Burkert, W. (1985) *Greek Religion*. Harvard: Harvard University Press. Cartledge, Paul (2001) "Spartan Wives: Liberation or License", *Spartan Reflections*. Berkeley & Los Angeles: University of California Press, 106–26.
- Cohen, Beth, ed. (1995) *The Distaff Side: Representing the Female in Homer's Odyssey*. Oxford: Oxford University Press.
- De Ste Croix, G. (2004) *Athenian Democratic Origins and Other Essays*, eds D. Harvey and R. Parker. Oxford: Oxford University Press.
- Dobbs, D. (1996) "Aristotle's Appreciation of Women and the Plural Structure of Society". *The American Political Science Review* 90.1: 74–89.
- duBois, Page (1982) *Centaurs and Amazons: Women and the Pre-History of the Great Chain of Being*. Ann Arbor: University of Michigan Press.
- Ehrenberg, Victor (1990) *From Solon to Socrates*. London: Routledge.
- Finkenstaedt, E. (1973) "Mycenaean Mourning Customs in Greek Painting". *The Bulletin of the Cleveland Museum of Art* 60.2: 39–43.
- Finley, M. I. (1952) *Studies in Land and Credit in Ancient Athens 500–200 B.C.* New Brunswick: Rutgers University Press.
- Foley, Helen P. (1984) "Reverse Similes and Sex Roles in the *Odyssey*", *Women in the Ancient World*, eds John Peradotto and J. P. Sullivan. Albany: State University of New York Press, 59–78.
- Foley, Helen P. (2001) *Female Acts in Greek Tragedy*. Princeton: Princeton University Press.
- Gallant, T. (1982) "Agricultural Systems, Land Tenure, and the Reforms of Solon". *The Annual of the British School at Athens* 77: 111–24.
- Garland, B. J. (1981) "Gynaikonomoi: An Investigation of Greek Censors of Women". Diss. Johns Hopkins University.
- Garland, Robert (1985) *The Greek Way of Death*. Cornell University Press.
- Garland, Robert (1989) "The Well-Ordered Corpse: An Investigation into the Motives behind Greek Funerary Legislation". *BICS* 36: 1–15.

- Goff, Barbara (1985) *The Greek Way of Death*. Ithaca: Cornell University Press.
- Goff, Barbara (2004) *Citizen Bacchae. Women ' s Ritual Practice in Ancient Greece*. Berkeley: University of California Press.
- Goody, J. (1976) *Production and Reproduction: A Comparative Study of the Domestic Domain*. Cambridge: Cambridge University Press.
- Harris, E. M. (1997) "A New Solution to the Riddle of the Seisachtheia", *The Development of the Polis in Archaic Greece*, eds L. Mitchell and P. Rhodes. London: Routledge, 55–60.
- Harris, E. M. (2002) "Did Solon Abolish Debt-Bondage?" *The Classical Quarterly* 52.2: 415–30.
- Hodkinson, Stephen (2004) "Female Property Ownership and Empowerment in Classical and Hellenistic Sparta", *Spartan Society*, ed. Thomas J. Figueira. Swansea: The Classical Press of Wales, 103–36.
- Holst-Warhaft, Gail (1995) *Dangerous Voices: Women ' s Laments and Greek Literature*. London: Routledge.
- Johnston, Sarah I. (1999) *Restless Dead: Encounters Between the Living and the Dead in Ancient Greece*. Berkeley: University of California Press.
- Lape, S. (2002) "Solon and the Institution of the 'Democratic' Family". *The Classical Journal* 98.2: 117–39.
- Leese, M. (2017) "An Economic Perspective on Marriage Alliances in Ancient Greece", *Ancient Law, Ancient Society*, eds T. A. J. McGinn and D. P. Kehos. Ann Arbor: University of Michigan Press, 32–45.
- Loraux, Nicole (1986) *The Invention of Athens: The Funeral Oration in the Classical City*. Cambridge: Harvard University Press.
- Loraux, Nicole (1989) *Mothers in Mourning*. Ithaca: Cornell University Press.
- Llewellyn-Jones, L. (2007) "House and Veil in Ancient Greece". *British School at Athens Studies* 15: 251–8.
- Nichols, M. (1983) "Women in Western Political Thought". *Political Science Reviewer* 13: 241–60.
- Nooter, S. (2011) "Language, Lamentation, and Power in Sophocles' 'Electra'". *The Classical World* 104.4: 399–417.
- Ogden, D. (1996) *Greek Bastardy in the Classical and Hellenistic Periods*. Oxford: Oxford University Press.
- Patterson, Cynthia B. (1990) "Those Athenian Bastards". *Classical Antiquity* 9.1: 40–73.
- Pomeroy, S. B. (1982) "Charities for Greek Women". *Mnemosyne* 35.1: 115–35.
- Powell, Anton (2001) *Athens and Sparta: Constructing Greek Political and Social History from 478 bc*. 2nd ed. London: Routledge.

- Reitzammer, Laurialan (2016) *The Athenian Adonia in Context*. Madison: The University of Wisconsin Press.
- Ruschenbusch, Eberhard (1966) *Solonos Nomoi. Die Fragmente des Solonischen Gesetzwerkes mit einer Text- und Überlieferungsgeschichte*. Wiesbaden: F. Steiner.
- Saxonhouse, A. W. (1982) "Family, Polity, and Unity: Aristotle on Socrates' Community of Wives". *Polity* 15: 202–19.
- Scafuro, A. C., ed. (2011) *Demosthenes, Speeches 39–49*. Austin: University of Texas Press.
- Schaps, David M. (1979) *Economic Rights of Women in Ancient Greece*. Edinburgh: Edinburgh University Press.
- Seaford, R. (1994) *Reciprocity and Ritual*. Oxford: Oxford University Press.
- Shapiro, H. A. (1991) "The Iconography of Mourning in Athenian Art". *AJA* 95: 629–56.
- Slatkin, Laura M. (1992) *The Power of Thetis*. Berkeley: University of California Press.
- Sourvinou-Inwood, C. (1983) "A Trauma in Flux: Death in the 8th Century and After", *The Greek Renaissance of the Eighth Century bc: Tradition and Innovation*, ed. R. Hagg. Stockholm: Astroms, 33–48.
- Sourvinou-Inwood, C. (1995) "Reading" *Greek Death: To the End of the Classical Period*. Oxford: Clarendon Press.
- Stoddard, Kathryn (2004) *The Narrative Voice in the Theogony of Hesiod*. Leiden; Boston: Brill.
- Suter, A. (2003) "Lament in Euripides' 'Trojan Women'". *Mnemosyne* 56.1: 1–28.
- Toohy, P. (2010) "Death and Burial in the Ancient World", *The Oxford Encyclopedia of Ancient Greece and Rome*, ed. Michael Gagarin. Vol. 1. Oxford: Oxford University Press.
- Tyrrell, Wm. Blake and Larry J. Bennett (2008) "Sophocles's Enemy Sisters: Antigone and Ismene". *Contagion: Journal of Violence, Mimesis, and Culture* 15/16: 1–18.
- Vergados, A. (2009) "Penelope's Fat Hand Reconsidered (Odyssey 21, 6)". *Wiener Studien* 122: 7–20.
- Vernant, Jean Pierre (1980) *Myth and Society in Ancient Greece*. Sussex: Harvester Press.
- Vlassopoulos, K. (2007) "Free Spaces: Identity, Experience and Democracy in Classical Athens". *The Classical Quarterly* n.s. 57: 33–52.
- Westgate, R. (2007) "The Greek House and the Ideology of Citizenship". *World Archaeology* 39.2: 229–45.
- Wilgaux, J. (2000) "Entre inceste et échange. Reflexions sur le modele matrimonial athenien". *L'homme* 154–155: 659–76.