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Selected papers from 'The popular in Classical Antiquity' conference

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Foreword from conference organisers

The three papers published in this special edition of *New Classicists* represent but a small percentage of those given at an international graduate student conference held at the University of Pennsylvania, Philadelphia, on April 26th, 2019. The conference, on "The Popular in Classical Antiquity" was organized with the aim of exploring popular culture in the ancient world: what is it, how can we study it, why should we study it, are theories of the popular even applicable to the ancient world? The conference offered a range of answers to these and other questions, with paper topics ranging from Thersites in Homer's *Iliad* to Late Antique animal hunts.

Many papers could not be included for publication, but nevertheless deserve some recognition given the fresh perspectives and novel ideas that they offered. We offer here only a representative sampling of the types of contributions on offer throughout the day. Julia Simons' paper, "The Vulgar Herd Gapes: Popular Appeal and Medical Maltreatment in Classical Greece," investigated the practice of public (mal)treatment of various maladies for the purposes of entertainment and popular approval rather than proper medical intervention. Though the author of *On Joints* berates these types of public spectacles, Simons demonstrated how that same author proposed the potential efficacy of these treatments in certain circumstances (if performed correctly), revealing the inherent tensions between the training of medical professionals, on the one hand, and the attitudes towards medicine of the general population, on the other. Popular spectacle was also treated in the first paper of the day, Viviana Diez's "Theater and Popular Culture in Republican Rome: Subalternity in Plautine Comedy." Diez argued for a maximalizing position regarding the "popular" nature of Plautine comedy, suggesting that Plautus' plays reveal typical attitudes towards sex, food, and communal interaction. More innovative was Diez's close analysis of the *coquus* in Plautine theater and the contexts within which the character typically appears. As Diez argued, the cook is typically associated with libidinous desires in terms of both food and sex, even though the character plays an integral role in supporting community interaction; moreover, Plautus' obsession with both sexual and actual appetite animates the tensions between community members, whose public consumption was expected to be shared in a convivial fashion.

The organizers would like to thank the departments of Classical Studies, Ancient History, Art History, Comparative Literature, and the program in Art and Archaeology of the Mediterranean World at the University of Pennsylvania for their support. This conference could not have happened without the generous help of the Graduate and Professional Student Assembly, the Graduate Student Government of the School of Arts and Sciences, and the Center for Ancient Studies at Penn. We would like to thank Penn

Museum for lending the space for the conference. We also thank Professor Jeremy Lefkowitz for delivering the keynote address.

Lastly, the conference organizers would like to dedicate this issue of *New Classicists* to our colleague and close friend, Maurice G. Harton V, whose sudden and untimely passing in March shook the academic community at Penn to its core. In memory of Maurice's brilliant insights, innovative approaches to material, and warmth of character, the paper he was to present, "The Education of Daughters at the Tomb of the Haterii," was graciously read by James Gross, a member of Maurice's graduate school cohort and close friend. That paper, along with Maurice's Master's Thesis, "An Emperor for a Master: Slaves in the Palaces of Augustus and Nero," present novel theoretical approaches to the viewing of ancient art that focuses on the intended and unintended messages that art communicated to subaltern groups. It is our intention that our conference, as well as this issue of *New Classicists*, can go some way in furthering the study of topics that Maurice held dear. More importantly, we hope that the conference and this issue act as a memorial to Maurice's generosity and kindness, as well as the indelible impact he has made on countless friends throughout his life.

Amy Lewis, Jordan Rogers, and Nikola Golubović, Conference Organizers, September 2019.

Dedicated to the Memory of Maurice Harton [1984-2019]

Introduction

Amy Lewis – University of Pennsylvania

The study of the "popular" came late to classicists and ancient historians. By way of introduction, both to the study of popular culture in the classical world, and to the papers in this special edition of *New Classicists,* I offer here a brief account of approaches past and present for engaging with the lives, cultures, and artistic outputs of ordinary and understudied people in Greco-Roman antiquity.

There are six main approaches to the subject developed by non-classical scholars. According to these theories, popular culture can be:[1]

1) quantitatively superior: the things most people like.[2]

2) qualitatively inferior: in the words of Storey, "a residual category, there to accommodate texts and practices that fail to meet the required standards to qualify as high culture. In other words, it is a definition of popular culture as inferior culture."[3]

3) mass culture: enabled by the increasing mechanization of culture, industrialization, and urbanization, this is culture imposed on the people from above.[4] It is often contrasted with:

4) a product of the 'people': arguably where study of popular culture began in the 18th century. Key scholars include Johann Herder and the Grimm brothers.[5] The

[1] The rubrics are taken from Grig 2016, 3 and Canevaro 2016, 39; they summarize the definitions put forward by Parker 2011 ("Toward a definition of popular culture"), who in turn derived them from Storey's *Cultural Theory and Popular Culture: An Introduction,* and Bennett's "Popular culture: a teaching object" (1980).
[2] See Storey 2015, 5-6; Parker 2011, 150-1 for critiques of this definition.
[3] Storey 2015, 6.
[4] On mass culture see further Strinati 2004, especially 1-45.
[5] Herder made collections of *Volkslieder* and the Grimm brothers collected folk tales. See further Grig 2016, 4.

popular culture they envisaged was largely rural, autochthonous, and ahistorical, what is sometimes referred to as "folk" culture.[6]

5) a battlefield for hegemony: derived from Gramsci's theory of hegemony, popular culture on this theory is seen as a site of exchange and negotiation between the resistance of subordinate groups and the incorporation of imposed culture in the interest of dominant groups.[7]

6) a chimera to be deconstructed by postmodernism.[8]

None of these definitions is right or wrong *per se*. Each can be useful depending on the time, place, or phenomenon being studied. In the ancient world, for example, popular culture could be critically analyzed as mass culture in a study of Athenian drama or mass-produced Egyptian ushabti figurines[9], but popular culture as a site of exchange and negotiation between elite and subordinate groups may be a more useful way of thinking about, for example, the story of the bandit-slave Drimakos, and the hero-cult named after him: Forsdyke argues that the story contains both popular and elite elements and that this "mixing" took place in the social context of mediating tensions between groups.[10]

There are, as many scholars have shown, problems with transposing these theories of popular culture developed outside the field to the study of the ancient world; not least of these is that most of the theories cited above take popular culture to be a post-industrial revolution phenomenon.[11] The result is that not only were the theories and methodologies for studying popular culture developed with a certain amount of technological advancement (e.g. printing) in mind, but they also tend to have a presentist

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[6] Storey 2015, 9. Schroeder 1980, 7 denies that folk culture is popular culture because it is "mainly governed by personal one-to-one relationships" and "contact with other cultures is restricted or almost non-existent." This stems from his own definition of popular culture before the printing press, the key features of which, for him, are "mass production, mass distribution, and mass communication."

[7] Strinati 2004, 148-63; See further Bennett 2009, 79-87; Storey 2015, 79-82; Parker 2011, 155-7.

[8] Storey 2015, 12-13 and 181-212. In the light of the problems with these six definitions, Parker offers his own redefinition of popular culture as unauthorized culture that requires little cultural capital (Parker 2011, 169-70). Canevaro's essay in *Popular Culture in the Ancient World* offers a substantial critique of Parker's definition for Classical Athens (Canevaro 2016, 39-65). See also Richlin 2017, 54-8 on the utility of Parker's definitions.

[9] On Athenian drama and mass culture see Nehamas 1988 and Parker 2011, 153; on ushabti figurines see Schroeder 1980, 4.

[10] Forsdyke 2012, 38-89 especially 47, though she does not explicitly invoke theories inspired by Gramscian hegemony, but the story of Drimakos is certainly treated as "an area of negotiation…within which…dominant, subordinate and oppositional cultural and ideological values and elements are 'mixed' in different permutations" (Bennett 2009, 85).

[11] Parker 2011, 148

bent[12] which alleviates the biggest issue facing scholars of the ancient world: the evidence.[13]

In any study of popular culture in the ancient world, two key questions must be addressed: what methodologies can we use to investigate this culture given the problematically elite biases of the evidence? And who are the *populus* whose culture we intend to study?[14] In what follows, I offer a consideration of three recent works on very different aspects of Classical popular culture, and how they deal with these questions: Mikalson's *Athenian Popular Religion* (1983), Clarke's *Art in the Lives of Ordinary Romans* (2003), and Forsdyke's *Slaves Tell Tales and Other Episodes in the Politics of Popular Culture in Ancient Greece* (2012).[15]

The "Popular" in Popular Culture

It matters who the *populus* are. The problem, in sources from the ancient world, is that we frequently only have the perspective of the elite, who often tend to treat those not in their own social circle as an undifferentiated mass. For some scholars of popular culture,

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[12] For example, the Grimm brothers wrote down tales that they heard being orally told, something impossible for classicists and ancient historians (Zipes 2002, 28). A look at several recently published books on popular culture shows the presentist inflection of popular culture studies: Hermes' *Re-reading Popular Culture* (2005) offers chapters on football and the detective novel; and Danesi's *Popular Culture: Introductory Perspectives* (2008) focuses on modern media, including print, radio, television, cinema, and advertising.

[13] Scholars from non-classical studies disciplines again led the way in developing techniques for studying popular culture in pre-modern societies, especially Bakhtin. On the influence of Bakhtin in the study of popular culture see Grig 2016, 11-13. On popular culture in pre-modern societies in general see Grig 2016, 9-14.

[14] One might also ask what is meant by the "culture" element of "popular culture". While the definition of "culture" is contested, it is not a problem unique to studies of the popular. As Grig 2016, 3 argues in the introduction to her edited volume *Popular Culture in the Ancient World*, "in the definition of *popular* culture the definition of culture itself is at stake" and she notes further that culture can be anything from "a pluralistic 'way of life' to an elitist 'high' culture." Indeed, in studies of ancient popular culture we often see re-definitions of the "culture" element. For example, in his essay in the volume, "The intellectual life of the Roman non-elite", Jerry Toner must broaden the definition of "intellectual life." Instead of considering it the books, libraries, scholars, and high-literary pursuits that characterize Rawson's 1985 book *Intellectual Life in the Late Roman Republic,* Toner defines intellectual life as comprising "those activities that involve creative or considered thought at all levels of society" and revolving around "finding solutions to more everyday problems and providing intellectual stimulation in an environment of limited resources" (Toner 2016, 167).

[15] There are many other books on ancient popular culture that I could have chosen. They include Dover's *Greek Popular Morality in the Time of Plato and Aristotle* (1994); Horsfall's *The Culture of the Roman Plebs* (2003); Toner's *Popular Culture in Ancient Rome* (2009); Kurke's *Aesopic Conversations* (2011); and Richlin's *Slave Theater in the Roman Republic: Plautus and Popular Comedy* (2017), among many others. I have selected the three above partly to reflect the topics of the papers in this volume: religion, art, and politics, and partly because each offers a diverse definition of the *populus* and an accordingly different methodology.

the *populus* is simply, as the ancient elite would have it, not the elite.[16] Both Clarke and Forsdyke utilize a version of this definition in their studies. For Clarke, the "everyday Romans" of his title comprise "the other 98% of Roman society: the freeborn working poor, slaves, former slaves, and foreigners."[17] Their art is opposed to the art of the elite (those with money, important public appointments, social prestige, and membership of an *ordo*[18]), and is art that "exalted imperial ideals."[19] Clarke emphasizes, however, that the boundaries between elite and non-elite can be fluid, and include "would-be elite on the borders between elite and non-elite society."[20] Clarke does not consider the culture ("attitudes, belief systems, and cultural practice"[21]) of all "ordinary" Romans to be identical either, noting particularly chronological differences that came about with the rise of "freedman art."[22] Clarke's methodology, which begins from the art and looks for elements that might appeal to particular non-elite people, also highlights his attempt to emphasize the diversity of the non-elite. In his chapter on the *ara pacis,* for example, he considers the monument's appeal to agricultural viewers driven from the countryside into the city by civil war[23], but in his chapter on Trajan's Column, he analyzes how foreign communities in Rome may react to the monument.[24]

Forsdyke similarly highlights the different "popular cultures" that "popular culture" implies, describing it as "a dynamic and ever-changing field of speech and action in which various groups participated to varying degrees over time."[25] The "people" of her study are farmers, slaves, craftsmen, and traders, and like Clarke she notes the fluidity of these categories and the distinct interests that could be generated by distinctions

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[16] Toner 2009, 9 begins his study of Roman popular culture with such a statement. Though he goes on to acknowledge the different social groups that comprise the non-elite ("peasants, craftsmen and artisans, labourers, healers, fortune-tellers, storytellers and entertainers, shopkeepers and traders – but also consisted of their women, their children, and the have-nots of Roman society: slaves and those who had fallen into destitution and beggary") he maintains that the culture of this group can be understood as a whole, as unofficial culture because of "the broadly similar social, economic and environmental conditions that the majority of the population of the Roman Empire faced throughout its history" (10) He calls popular culture "A mosaic of popular subcultures united by broadly similar interests, facing the same day-to-day problems of making a living, and equipped with the same tried-and-tested ways of trying to get things done in a tough, hierarchical world run by the elite for the elite" (11).

[17] Clarke 2003, 4 further defines the non-elite as someone who lacks one or more of the following: money, important public appointments, social prestige, or membership of an *ordo.* He highlights the difference between different members of the non-elite, acknowledging, for example, that "even among slaves there was a clear hierarchy of social value" (5).

[18] Clarke 2003, 4.

[19] Clarke 2003, 1.

[20] Clarke 2003, 8.

[21] Clarke 2003, 4.

[22] Clarke 2003, 7. The notion of "freedman art" has been critiqued, but Clarke's point is that in the Republic the political and cultural elite were the same, but the rise of the freedman complicated this in the Imperial period.

[23] Clarke 2003, 28.

[24] Clarke 2003, 37.

[25] Forsdyke 2012, 18.

between e.g. slave and free, citizen and non-citizen, or man and woman.[26] Unlike Clarke, however, Forsdyke argues that the "hybrid nature" of the people "does not weaken the argument for (at least in some contexts) a unified popular culture in which all groups could partake."[27] Her study is also concerned to expand the purview beyond Athens, and so necessitates a view of popular culture as in some sense a coherent phenomenon that can cross geographical, political, and temporal boundaries. Such a notion of popular culture is also implicit in her use of comparative methodologies which uses evidence from early modern Europe, contemporary Malaysian peasant communities and the antebellum American south.[28]

In contrast to Clarke and Forsdyke's notion of "popular" as "non-elite", Mikalson's *Athenian Popular Religion* offers a rather different definition. For his study, "popular" means the "religious views and attitudes that were acceptable to the *majority* of Athenians."[29] He speaks of a hypothetical "average" Athenian[30] and takes care to specify that his "popular" does not indicate a particular social class of person, nor is it being used as a pejorative term.[31] Popular, for Mikalson, is consensus.[32] But, like Forsdyke, Clarke, and many other studies of popular culture, "popular" is still contrasted with something "elite" – in this case poetic and philosophical treatments of religion. Unlike these intellectual religious discourses, Mikalson argues, popular beliefs lack "metaphysical dynamism."[33] To this we can compare Dover's assertion, in his *Greek Popular Morality,* that popular morality is "essentially unsystematic."[34] Since Mikalson's aim is to recover an average daily experience of religion, he limits his study to a narrow temporal and spatial window – Athens of the late 5th and 4th centuries – "to avoid inaccurate generalizations."[35] He chooses this time and place because there is more evidence than for other times and places, in the speeches of the Greek orators.[36] The implication of his choice is that the "popular" (as average or majority) looks different in different times and places.

There is no right or wrong way to define the "popular" in popular culture, and to a certain extent the nature of any study and the evidence available will determine whose experiences count under this rubric. But in each of the (very selective) examples given

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[26] Forsdyke 2012, 18-22.
[27] Forsdyke 2012, 30.
[28] Forsdyke 2012, 4-6.
[29] Mikalson 1983, 5. Emphasis my own.
[30] Mikalson 1983, 6.
[31] Mikalson 1983, 5.
[32] Mikalson 1983, 12. Cf. Dover 1994, 40.
[33] Mikalson 1983, ix.
[34] Dover 1994, xii.
[35] Mikalson 1983, 5.
[36] Mikalson 1983, 5.

here, there is one constant: the heuristic "popular" provides an alternative mode of examining the ancient world.

Next, we consider the evidence and methodologies used by Clarke, Forsdyke, and Mikalson in their studies of ancient popular culture.

Methodologies

Each of the three representative studies on popular culture approaches the topic in a different way, and with a different set of evidence. For Clarke's art historical study, the evidence is material: imperial monuments in Rome, wall paintings in Pompeii, and funerary monuments. Forsdyke and Mikalson both focus on literary evidence. Mikalson looks for popular religion in Greek oratory and Xenophon, as well as inscriptions,[37] rather than in the "elite" sources of philosophers and dramatists. He acknowledges that such sources can probably tell us something about popular religion, but says that it is methodologically necessary to first establish what counts as "popular" independently of such sources.[38] Forsdyke does not necessarily look for non-elite sources, but argues that elements of popular culture survive "as refracted through the writings of elites" and that we may access them by stripping away their ideological biases.[39] She also looks to literary genres that bear a generic relationship to popular non-literary forms such as iambic, comedy, satire, and the novel, and genres not derived from non-literary forms but that use material derived from them, such as Herodotus.[40] While Mikalson's approach to the evidence is relatively straightforward, Forsdyke uses a variety of methodologies to get at the popular elements in her elite sources. First, she acknowledges that popular/elite is not a hard and fast dichotomy and that popular culture and elite culture must be studied in relation to one another.[41] Popular culture, she argues, is a composite of popular and elite and we only have access to that composite in elite texts: "the trick is to recognize these appropriations [of the popular by elite texts] and decode what these images and themes would have signified to non-elite audiences."[42] One way in which Forsdyke does

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[37] Mikalson 1983, 7-11. For Mikalson, since Greek orators were pleading their cases before a jury of "ordinary" Athenians, they would surely express moral and religious views generally deemed acceptable. He considers forensic oratory the best source (8-9). Though generally attempting to avoid "elite" sources, he justifies the use of Xenophon because "his writings are sprinkled with casual and unselfconscious references to religious beliefs and preferences…which lack any hint of an innovative or polemical outlook." (11).

[38] Mikalson 1983, 10-11. Mikalson dedicated two further studies to the subject of popular religion in tragedy (1991) and popular religion in philosophy (2010).

[39] Forsdyke 2012, 7.

[40] Forsdyke 2012, 7.

[41] Forsdyke 2012, 8.

[42] Forsdyke 2012, 9. See also 11.

this is to identify incongruous elements in elite texts, which reflect the imperfect adaptation of the popular to its new context.[43] She proposes a different methodology for texts that were written by elites but for a mixed audience (e.g. drama, oratory). In this case, she suggests, one should consider the differences between how an elite audience member may react differently from a non-elite audience member. Clarke uses a similar methodology in the first part of his book, which deals with how the non-elite may have viewed elite, imperial monuments. This is, he admits "an exercise in historical imagination, but one that emphasizes in a new way the non-elites living in Rome." As well as imagining how non-elites may react to the available evidence, Forsdyke has also employed comparative evidence from medieval popular culture (such as images of the grotesque body); slave tales of trickster animals from the antebellum South; and landlord/peasant interactions in Malaysia. She highlights the potential problems of using such evidence: one must take care not to claim that such societies were socially or politically equal to ancient societies in any way, but it should rather be used to construct models to understand ancient evidence and to provide texture for cultural practices only hinted at in the sources. As an example of the first usage of comparative evidence, Forsdyke compares revelry involving role reversal and transgression in ancient Megara and early modern Europe, arguing that such occasions were "an important medium for the negotiation of relations between elites and masses"[44] and that using the comparison we can see a broad pattern indicating that changes in economic relations between rich and poor are the material causes of peasant resistance.[45] As an example of using more recent evidence to fill out the texture of ancient evidence, Forsdyke compares ancient festivals like the Kronia to early modern English rituals such as molly-dancing or plough Monday.[46]

In addition to looking at old evidence in new ways, Clarke and other scholars of popular culture turn to evidence that scholarship – particularly literary scholarship – has tended to underappreciate or dismiss material culture evidence, and especially the decoration of ordinary houses. Other studies in popular culture likewise turn to non-literary evidence as a way to get beyond the elite. Grey, in his *Constructing Communities in the Late Roman Countryside* uses the evidence of Egyptian papyri[47] and letters.[48] Toner also

[43] See for example, Forsdyke's chapter "Pigs, asses, and swine: obscenity and the popular imagination in ancient Sicyon" (90-116) where she argues that Herodotus' account of the Sicyonian tyrant Cleisthenes' reforms derives from a fifth-century popular tradition of folk humor.
[44] Forsdyke 2012, 118.
[45] Forsdyke 2012, 142.
[46] Forsdyke 2012, 124-9.
[47] Grey 2011, 4-5; 114; 222.
[48] Grey 2011, 9-10; 30-31.

uses papyri, alongside oracles, joke books, curses, graffiti, inscriptions, law-codes, and archaeological artifacts.[49]

This is by no means been an exhaustive examination of the evidence and methodologies that scholars of the ancient world have used to "excavate" popular culture. But it has, hopefully, provided a representative sample of approaches useful for future scholars who hope to take the study of ancient popular culture further.

New Studies in Popular Culture

Each of the papers in this volume has its own approach to the concept of the popular. In her paper "Boundaries, Magic, and Popular Religion in Two Mosaics from Ancient Thysdrus," Porstner uses an analysis of two mosaics – the *Owl Mosaic* from the Baths of the Owl, and the *January* panel from the *Mosaic of the Months* – as a snapshot to problematize a strong conceptual distinction between "popular" and "elite." In studies of ancient religion, the popular-elite divide is often construed as unauthorized magic vs. official religion. Porstner argues, however, that in the *Owl Mosaic* we can detect evidence of an elite African *sodalitas* (the Telegenii) using a magically inflected mosaic to avert the evil eye, and perhaps inflict it upon rival *sodalitates*. She proposes that the Telegenii themselves were probably members of the provincial elite and suggests that the toga the anthropomorphized owl is wearing is a senatorial or priestly *toga praetexta* rather than the *angusticlavia* worn by equestrians.

In "Cityscapes in Roman Painting: The Amphitheater Riot Fresco as a Piece of 'Popular Art,'" Lee undertakes a thorough examination of the Pompeii riot fresco, an ancient artwork usually designated "popular" due to the nature of the house in which it was discovered, its style, and its content. Lee contrasts the cityscape of the riot fresco with other contemporary "elite" cityscapes, including the *Città Dipinta* discovered beneath the Baths of Trajan in Rome, a harborscape from Stabiae, and a mythical cityscape that forms the backdrop in the *Trojan Horse* fresco from the House of the Menander. He also considers several other mythical cityscapes from the houses of the well-to-do non-elite of Pompeii who imitate elite artistic preferences. By contrasting these cityscapes, Lee identifies an elite preference for well-ordered, harmonious, and idealistic cityscapes. The *Trojan Horse* from the House of the Menander, which focuses on the human rather than the architectural, is an exception, but its mythic distance renders the violence depicted in it different from the local scenes of violence in the riot fresco. Ultimately Lee concludes that the riot fresco splits the difference between these elite tendencies, "fully integrating

[49] Toner 2009,19.

figures, architecture, and natural elements into the city." The riot fresco represents and celebrates both the exuberant violence of urban life as well as the city's more peaceful, contemplative potential.

While each of these papers offer analyses of material culture through the lens of the popular, Huang analyzes literary representations of the Athenian people as democratic agents. In her paper, "'Solon' and his People: The Afterlife of an Archaic Political Personage in Late Democratic Athens," Huang discusses the discrepancy between Solon's hostility towards the people, whom he views as a source of civil strife, and his reputation in the popular oratory of the 4th century BCE as the founding-father of democracy. She argues that Aeschines and Demosthenes reformulate Solon's negative view of the people as a locus of power, into a positive, democratic assertion of the people's sovereign capabilities. In Solon's poetry, according to Huang, there is a consistent dichotomizing of aristocracy and δῆμος (in Solon explicitly referring to the lower classes). In Solon 4 the dichotomy is collapsed, as Solon blames not just the poor masses, but the entire population for civil corruption, outlining parallel sufferings for each social class. Aeschines and Demosthenes, however, in their reception of Solon, shift the focus to a different binary also present in Solonian fragments: the public and the private. By re-orienting the emphasis, Huang argues, the orators highlight Solon's concern for private morals and their parallel effect on public life to re-present to the people of Athens a Solon who sees individuals as capable of private morality, and these individuals as the lynchpin of good, democratic, popular politics.

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Boundaries, Magic, and Popular Religion in two Mosaics from Ancient Thysdrus (El Jem in Tunisia)

Laurie Porstner - Rutgers, the State University of New Jersey

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Illustration 1: *Owl Mosaic,* late 3rd century CE. Threshold mosaic from the Baths of the Owl in Thysdrus, El Jem Museum, El Jem, Tunisia. Author's own photograph, June 2014

Illustration 2: *January* from the *Mosaic of the Months,* late 2nd/ early 3rd century CE from room 6, the House of the Months in Thysdrus, Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

This paper demonstrates how two mosaics from Thysdrus (modern El Jem in Tunisia): the *Owl Mosaic* of the late third century CE [illustration 1], a threshold mosaic from the Baths of the Owl and the *January* panel of *The Mosaic of the Months* from the House of the Months [illustration 2], dating to the late second-early third century CE, may be

viewed through the lenses of the materiality of magic[50] and lived ancient religion[51] for highlighting intersections among boundaries, magic, and what has been considered popular religious practices.

Jerry Toner defines popular culture as "the culture of the non-elite" that was "the unofficial and subordinate culture of Roman society."[52] Toner's "non-elite" were employed in various professions: "peasants, craftsmen and artisans, labourers, healers, fortune-tellers, storytellers and entertainers, shopkeepers and traders," as well as "women, their children," slaves, and the poor.[53] Other terms for non-elite or popular culture include "the culture of the Roman plebs,"[54] that of "ordinary Romans,"[55] and that of "sub-elites."[56] According to Clarke, the ability to be esteemed was what divided the "elite" from the "non-elite."[57]

Domestic religious practices have been discussed in terms of popular religion, religious aspects of popular culture,[58] but Romans of all classes participated in the domestic cult. Likewise, belief in the power of magic was not limited to the non-elite,[59] even if an elite author scorned a specific magical rite or practitioner.

There is, however, no universal definition for magic. Scholarship has been divided between the emic (the insider) and the etic (the outsider) interpretations based on terms developed by Kenneth Pike in 1967. Magic may be interpreted as a divide between one group and another where magic is an unauthorized practice conducted by the other group, eventually entering into a discussion between what belongs to the one group and

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[50] Studies of ancient magic have largely been the focus of philologists focusing on the "text" of textual sources such as papyri and inscribed objects like lead curse tablets. In recent years, there have been more publications focusing on the material aspects of magic due toward what Bremmer, 2015, p.9 calls the "material turn" that developed from the "cultural turn" which began in the 1980s and 1990s. Examples of these include Boschung and Bremmer, 2015, Houlbrook and Armitage, 2015, Wilburn, 2016, and Parker and McKie, 2018.

[51] Lived ancient religion, the theory proposed by Rüpke, 2011, arose from lived religion which focuses on "what people actually do" Rüpke, 2019.

[52] Toner, 2009, p.1

[53] Toner, 2009, p.1

[54] Horsfall, 2012

[55] Clarke, 2003. Clarke's Introduction, with a reference to Géza Alföldy's *A Social History of Rome*, provides a discussion of the "four prerequisites" for membership among the "elite" of Roman society- "money, important public appointments, social prestige, and a membership in an *ordo*. (The *ordines* are those of senator, decurion, and equestrian.)" Clarke, 2003, p.4 Additional studies of non-elite Roman culture can be found in Orr, 1980, Dorcey, 1992, Santrot et al., 2007, De Angelis et al., 2012, Joshel and Petersen, 2015, Houlbrook and Armitage, 2015, Petersen, 2015b, Petersen, 2015a, Teixidor, 2015, Grig, 2016b, Perry, 2016, Flower, 2017, and Richlin, 2017. Croom, 2010, p.33 states that in the first century CE, 1,000,000 *sesterces* were required for a senator and 400,000 *sesterces* for an equestrian.

[56] Perry, 2016

[57] Clarke, 2003, p.5

[58] Bodel, 2008, p.251 and Orr, 1980. In conjunction with "popular medicine" see Harris, 2016 and Draycott, 2017. For connections between popular religious practices and that of the Roman state see Alvar Nuño, 2011.

[59] Toner p. 40 cites Libanius' discovery of magic having been employed against him in Libanius, *Orations* I.249. Denzey Lewis, 2015, p.259 addresses magic not being limited to a certain social class in Late Antiquity, especially in regard to early Christianity.

what belongs to the other.[60] This other can co-exist alongside what has been classified as official practices, and may even be recognized as beneficial for carrying out certain purposes.[61]

Determining what is the other may be a manner of perception. Emphasizing foreign origins for magical rites, such as those performed by Circe and Medea, infamous mythological witches, may have allowed Romans to overlook similarities between magic and the official state religion.[62] Recently, David Frankfurter has proposed that the terms "magic" or "magical" can serve as a quality of certain practices and materials that highlights for our scholarly scrutiny features of materiality, potency, or verbal or ritual performance we might not otherwise appreciate as part of a culture's religious world, or aspects of the social location of ritual practices we might not otherwise appreciate. "Magic"- the category- becomes thus a heuristic tool rather than a second-order (etic) classification.[63]

Magical intent can be gleaned through objects themselves, such as how they were handled, where they were placed or oriented, who they were directed towards, and by whom. These material aspects may be gathered to analyze how magic and religion might have overlapped, existed simultaneously, or clashed. This is in keeping with the theory of lived ancient religion, where the emphasis is not on a prescribed set of beliefs, but on the religious actions carried out in the course of everyday life.[64] Within lived ancient religion, there does not need to be a divide between magic and religion, but a flexibility depending upon particular situations. In the case of the mosaics from Thysdrus, the objects demonstrate magic, or at least elements of magic such as the warding off of evil, transcending social class within a North African town.

Thysdrus (modern El Jem)[65] was located in the province of Africa Proconsularis[66] about half-way between the modern cities of Sousse and Sfax, laying on a plateau slightly over 550 feet (168m) high.[67] Thysdrus' designation as a "free town" (*oppida libera*) resulted in its growth into a trading center, a crossroads between the coastal cities and

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[60] Frankfurter, 2019, p.5
[61] Frankfurter, 2019, p.5
[62] Alvar Nuño, 2011, pp.123–124
[63] Frankfurter, 2019, pp.13–14
[64] Raja and Rüpke, 2015, p.4
[65] Thysdrus is the most commonly used form for the ancient name of the town (a convention I follow) although other forms include Thysdra and Tisdra. According to a label in the El Jem Museum, the name Thysdrus, which is of Berber origin, might mean "the passage."
[66] Augustus combined *Africa vetus*, "old Africa," which became a province after the end of the Punic Wars, with *Africa nova*, "new Africa," which included former Numidian territory, to form *Africa Proconsularis*. After Diocletian divided *Africa Proconsularis* into three sub-divisions, Thysdrus became part of the province of *Byzacena*. For more on the history of Thysdrus see Slim and Rebourg, 1995, Slim, 1996, Eastman, 1996, and Guizani, 2013.
[67] Slim, 1996, p.8

settlements further inland.[68] During the late second and early third centuries CE, Thysdrus became one of the most prosperous towns in Africa largely due to its olive oil industry.[69] In 238 CE, Thysdrus was the site of a riot that resulted in Gordian I being proclaimed emperor. The site is best known today for its large Roman amphitheatre,[70] and as a UNESCO World Heritage site. Thysdrus also possessed a circus for chariot races that was nearly the size of the Circus of Maxentius in Rome; with its circus and two amphitheatres, Thysdrus was an entertainment capital for the region. Elaborate mosaics decorated the floors of many of Thysdrus's buildings, attesting to the wealth of the town. The mosaics of Thysdrus are among the most important in North Africa due to their large, polychrome compositions of various subjects.[71] They also attest to the town's workshops which served Thysdrus and its surrounding areas.[72]

Aicha Ben Abed Ben Khader describes Roman Africa as "the archetypal land of magic, people feared evil spells, the occult power of magicians, and the "negative energy" radiated by the malevolent eye of the jealous."[73] The evil eye, (*oculi maligni*), or the power of the malicious gaze of the envious, was a real fear in antiquity (and in some Mediterranean countries today), not just among pagans.[74] John H. Elliott asks: "Who and what attracts the Evil Eye and envy?" [75] The answer is simply "anyone and anything of value," yet certain persons, including children, attractive young adults, and pregnant women were more at risk than others.[76] Passage from one important stage of life to another could also draw the attention of the evil eye.[77] Likewise, boundaries, such as property lines and the intersections of streets within towns, were both dangerous and sacred. They presented weakened points in the lines of defense that could be penetrated

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[68] Slim, 1996, pp.14–16

[69] Olive tree groves can still be seen in the countryside surrounding El Jem; many more may have existed in antiquity when the climate was not as arid as it is today. According to a December 2017 *Reuters* article, olive oil is still a major industry in Tunisia, with 80% of almost 280 million tons exported. https://www.reuters.com/article/tunisia-economy/tunisia-expects-surge-in-olive-oil-production-in-fillip-to-battered-economy-idUSL8N1OI3B9

[70]The Large Amphitheatre of Thysdrus held 35,000 spectators; only the Colosseum and amphitheatre of Capua in Italian Campania were larger. The first amphitheatre of Thysdrus was built (ca. first century CE) underneath where the Small Amphitheatre, (early Flavian period, ca. 70-90 CE) can be found today, a short walk from the museum and the visible large houses of the south-west quarter such as the *Sollertiana Domus* and the House of the Peacock. For more on the amphitheatres of Thysdrus see Slim, 1986.

[71] Figural subjects include the realm of Bacchus/ Dionysos (god, fauns/ satyrs, maenads, etc.), illustration of myths, the amphitheatre (wild animal hunts and the symbols of the factions who were in charge of staging the games), the Four Seasons, etc. geometric (black and white and polychrome) designs and vegetal scrolls are also significant non-figural subjects. These mosaics are housed in museums across Tunisia including the National Bardo Museum in Tunis, the Sousse Museum, and the El Jem Museum.

[72] For more on the mosaic workshops of Thysdrus see Eastman, 1996, p.24, 2001, p.184

[73] Ben Khader, 2006, p.59. This statement is not surprising; the North African town of Sabratha was where Apuleius was brought up on charges for allegedly using magic in order to marry a wealthy woman in 158 CE. For more on Apuleius' trial, see Bradley, 1997.

[74] Donceel-Voûte, 2018, p.47 states that two of the ceiling tiles from the third century CE Jewish synagogue at Dura-Europos were of images of the evil eye being attacked. Early Christians also believed in the power of the evil eye.

[75] Elliott, 2016, p.143

[76] Elliott, 2016, pp.143–144

[77] Elliott, 2016, p.144

by the evil eye both physically and spiritually. These weak points would often need to be secured, especially by supernatural means, that is, through the use of magic.

Wielders of the evil eye did not just dislike their targets; they hated them and actively wished them harm.[78] Envy (*invidia* in Latin or *pthonos*, φθόνοσ, in Greek) was often the cause for such hatred. Yet, damage brought upon by the evil eye could even be unintentional.[79] Wind chimes, often in the form of an erect phallus (*tintinnabula*) with bells attached by chains, were hung in Roman domestic spaces to avert the evil eye. The purpose of the phallus, a powerful symbol of male fertility, and its bells were to distract malicious forces and to be humorous[80] because laughter could break the gaze of the person casting the evil eye.[81] The gaze was the means by which the evil eye could do its harm. Even the Latin word for Envy (*invidia*), coming from the verb *invideo*, has the power of the gaze at its core.[82]

Tintinnabulae were not the only means of dispelling the evil eye. Elliott lists other methods (*apotropaica*): "powerful words, sayings, incantations, curses, manual gestures, and actions such as spitting, affixing plaques and protective devices to houses and shops, placing mosaics at house thresholds, and the wearing and employing of amulets of various kinds and sizes."[83] Several of these *apotropaica* operate through *mimesis*, or imitation, where an image of something may be embedded with "the power of or over that object," which is based upon the idea of "like influences like (*simila similibus*),"[84] or sympathetic magic. In Elliott's words, "the power that harms, is the same that can protect."[85] Such is the case of the apotropaic phallic images, which do not function as fertility symbols, but deflect the malice of the evil eye backward upon the one wielding it. The Roman pantheon also consisted of several deities whose powers could be invoked when faced with a boundary and its dangers including the *Lares Compitales* (gods of the crossroads), the dual-faced Janus, and even Fascinus. Fascinus was the embodiment of an erect phallus, described by Pliny the Elder[86] as a protector of both babies and triumphant generals, whose worship was presided over by the Vestal Virgins, indicating the incorporation of his cult into the official state religion.[87] Like

[78] Dunbabin and Dickie, 1983, p.10

[79] Dasen, 2015, p.181; Bailliot, 2019, pp.181–182 cite Plutarch *Moralia Table-Talk* 682A, where children can become the accidental victims of even their own father's gaze. This emphasizes the need for the protection of children against the evil eye.

[80] Clarke, 2007, p.69. For more information on *tintinnabulae* see Martínez, 2011; Alvar Nuño, 2012; Berriola, 2016; and Parker, 2018.

[81] Bond, 2015 and Clarke, 2007, p.69

[82] Bailliot, 2019, p.180 note # 26, citing Ernout and Meillet, 1951, p.494

[83] Elliott, 2016, pp.158–159. Dasen, 2015, p.181 references Plutarch *Moralia Table-Talk* 681E-682A, where amulets (*probaskania*) are described as wearable forms of protection, whose strange appearance were designed as traps for the evil eye. Bailliot, 2019, p.182 states that amulets with the shape of phalloi and eyes were among the most common types. For more on phallic amulets see Alvar Nuño, 2012; Whitmore, 2018.

[84] Elliott, 2016, p.159

[85] Elliott, 2016, p.162

[86] Pliny, *Natural History*, XXVIII.39. Alvar Nuño, 2011, p.113 states that Pliny is the sole text that refers to Fascinus.

[87] Alvar Nuño, 2011, pp.113–114 and Bailliot, 2019, p.182

tintinnabulae and amulets possessing a phallic shape, the form of Fascinus, repelled envy and the evil eye.

Illustration 3: *Threshold Mosaic* from a Roman house in modern Moknine, Tunisia, Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

Images of the phallus could also appear in mosaics. Several threshold mosaics are in the collection of the Sousse Museum.[88] A fragmentary threshold mosaic from modern Moknine, located between Sousse (ancient Hadrume(n)tum) and El Jem (ancient Thysdrus), depicts a fish-shaped phallus with an eye above a representation of an open human eye enclosed by snakes.[89] [illustration 3] The inclusion of the evil eye affirms the mosaic's magical intent. A Roman house in Thysdrus, itself, contained a mosaic with an

[88] See Foucher, 1957 for more information on the apotropaic mosaics in the Sousse Museum and Alvar Nuño, 2012, pp.172–174 for North Africa in general, including those from Sousse.

[89] Elliott, 2016, p.202 suggests that the fish-phallus is ejaculating into the eye, combing the powers of the phallus with "spitting." Greek tragedy connects snakes with the evil eye: Aeschylus, *Persians* 81-82 and Euripides *Orestes* 479-480. For more on snakes and the evil eye see Elliott, 2016, p.140

erect phallus and two bulls.[90] Mosaics, such as these with phalloi work as apotropaia to keep the destructive force of the evil eye from entering a building.[91]

Ben Khader's statement about magic rings true not just for North Africa, but for much of the Roman world. However, it might have special significance for Thysdrus. There is epigraphic evidence on a fragment of terracotta from a cemetery south of modern El Jem (Thysdrus) for a "magic shop" (*officina magica*) belonging to a magician/potter named Donatus.[92] According to Louis Foucher, inscriptions on pottery related to magic are uncommon.[93] Foucher asks several questions including whether the reason why we do not have more evidence for Donatus' work is because the excavations of Thysdrus have produced so few cemeteries, and what other goods Donatus might have produced.[94]

Cemeteries are significant because they have yielded evidence for magic in the form of curse tablets (*defixiones*). *Defixiones* were usually inscribed on lead tablets and involved the invocation of (usually) spirits of the underworld, followed by the burial of the tablet near its intended victim. They were used in various situations, including attending or participating in the games in the circus or amphitheatre. Based on surviving evidence, it was more common for curses to have been used in the circus.[95] At the end of the 19th century, about forty curse tablets were discovered in cemeteries located near Hadrume(n)tum (modern Sousse),[96] which have been dated to the second- third centuries CE. based upon the dating of the cemeteries.[97] This is the same time period as the *Owl Mosaic* and the *Mosaic of the Months*, and even in antiquity, Hadrume(n)tum was not a great distance from Thysdrus. The material from Sousse is also significant because there was also a magician's kit, an undecorated container for curse tablets with an inscribed (although incredibly worn) single, broken tablet and the stylus used to make the inscription placed inside the box.[98] According to Michael D'Amato, magic was a

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[90] Alvar Nuño, 2012, p.172

[91] According to Dunbabin, 1979, p.162 the room that the threshold mosaic of the fish-phallus opened onto contained a mosaic with a gorgoneion, another apotropaic image. This would have ensured extra protection. One apotropaic image would not cancel out another, rather it would have added even more reinforcement.

[92] Foucher, 2000b, pp.57–58. "*ECXOFICINAMAGICA, DONATVSTISOCTIBIOTAMVS, TEBIDERE*." which Foucher has amended to *"Ecx of(f)icina magica Donatus t(u)is (h)oc tibi o(p)tamus te bidere (= videre)"* Foucher, 2000b, pp.58–59.

[93] Foucher, 2000b, p.59

[94] Foucher, 2000b, p.59

[95] Zaleski, 2014, p.599 cites the burial of curses within a cemetery near the circus of Carthage and Le Glay, 1990, p.222 and Zaleski, 2014, p.599 cite a curse from the amphitheatre of Carthage that wishes for the death and destruction of a hunter named Gallicus. For more on *defixiones* and their role in the games see Heintz, 1998 and Gómez-Pantoja Fernández-Salguero, 2007.

[96] Németh, 2011, p.96. The curse tablets from Hadrume(n)tum were first published by Auguste Audollent in the early 20th century.

[97] Németh, 2013, p.204

[98] Németh, 2013, pp.203–205. Németh, 2013, p.203 concluded that the kit, which had also been previously identified with a Carthaginian provenance, was indeed from Hadrume(n)tum. According to Németh, 2011, p.96, the *charakteres,* or magical symbols, are unique to Hadrume(n)tum.

serious business in Hadrume(n)tum, where evidence points toward two different magicians, whom he calls "ritual experts," producing objects for profit.[99]

As both a craftsman and a magician, Donatus was not a member of the elite. He might not have been the only magician working in the vicinity of Thysdrus at a particular time, as seen by the presence of magicians in Hadrume(n)tum. When the games were in session, Thysdrus's population swelled. This would have been an opportunity for increased revenue for businesses housing and feeding the crowds coming to watch the games. Likewise, the influx of visitors may have also included traveling magicians or even those from nearby Hadrume(n)tum, eager for their share of the profits and to fulfill the populace's needs for ensuring a favorite's success in the arena or debilitating certain opponents by means of *defixiones*. With competition among magicians, or each specializing in different types of magic, Donatus would have had a need to advertise his services.

The provincial elite of Thysdrus may have accumulated their wealth from the entertainments in the amphitheatre or the exportation of olive oil, but local architectural (and environmental - due to availability of water) preferences meant that many of even the largest of Thysdrus' houses were built without baths; most of the town's residents would have frequented public baths.[100] As in Pompeii, there were several public bath complexes distributed through the town. The Baths of the Owl was a small facility located in the south-east quarter of Thysdrus.[101] [illustration 4] The *Owl Mosaic*, the namesake of the baths, [illustration 1] was from the threshold of the *frigidarium*, or cold pool.[102]

[99] In November 2019, Michael D'Amato of the University of California at Riverside presented his unpublished paper, The Economy of Magic in Roman Hadrumetum at the Columbia University Ancient Mediterranean Graduate Student Conference, The World Upside Down.

[100] Eastman, 1996, p.19. Foucher, 1961, p.37 records a private bath in the First House in Terrain Jilani Guirat.

[101] Vismara, 2007, p.112. Thébert, 2003's entry for Thysdrus contains only the Great Baths. Foucher, 1961 contains the excavation report for the Small Baths.

[102] Vismara, 2007, p.112 and Bustamante, 2012, p.124

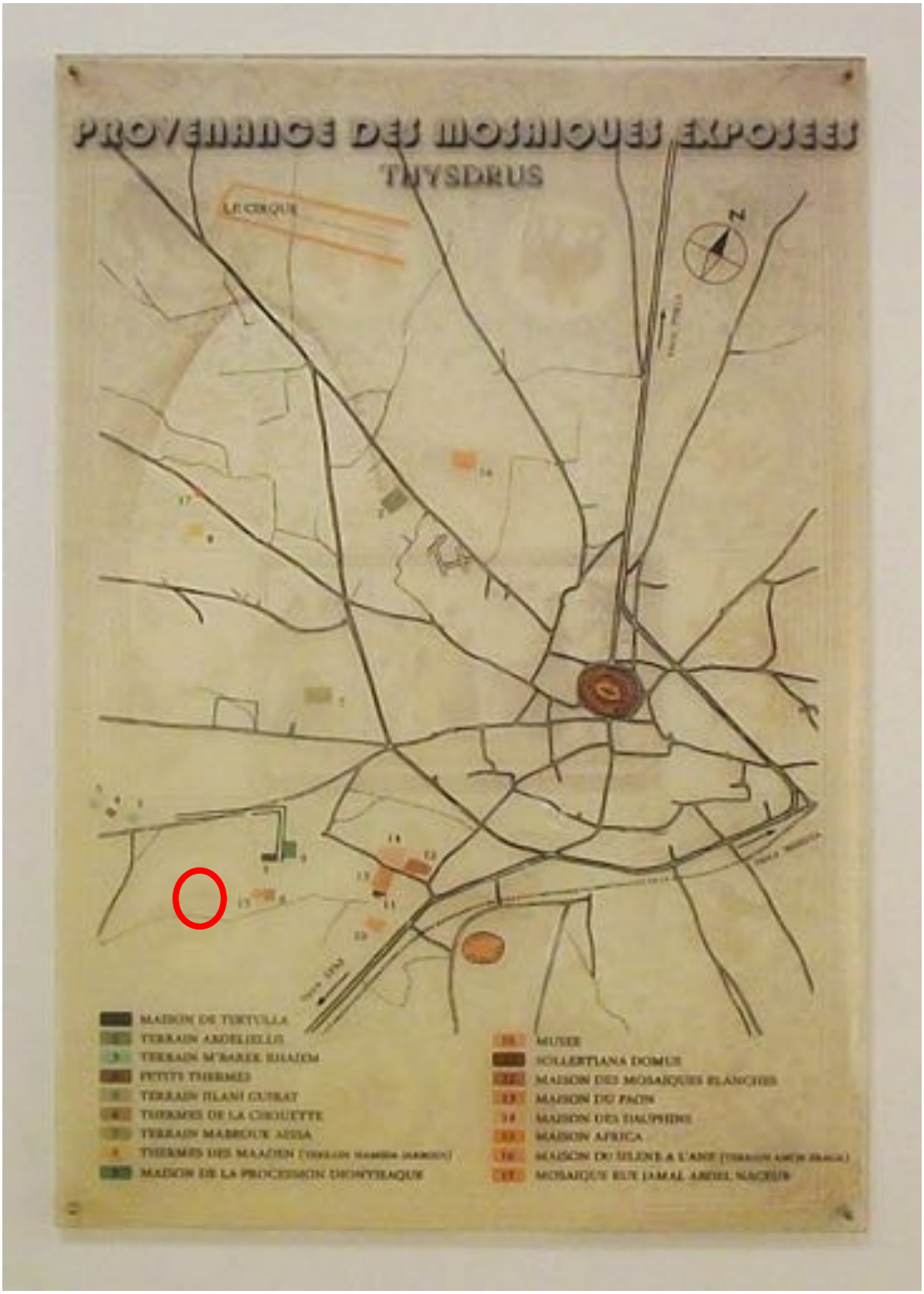

Illustration 4: Plan of Thysdrus showing the locations of the mosaics in the El Jem Museum (the Baths of the Owl are circled), El Jem Museum, El Jem, Tunisia. Author's own photograph, June 2014

The mosaic measures almost two feet (60 cm) long by a little over one and one-quarter feet (40 cm) wide.[103] It contains a large, over-life-size, almost anthropomorphic, clothed owl standing in the center[104] whose gaze is frontal, although its body is in three-quarter view,[105] surrounded by several other birds that are smaller in scale.[106] Magali Baillot has even seen the tip of the left wing of the owl as giving "the middle finger" (*medius impudicus*) to the other birds.[107] Naturalism has yielded to abstraction in the mosaicist's use of hierarchical perspective; the owl is the largest and the most important element (although the degree of abstraction makes identifying a particular species of owl difficult), but all of the birds are enlarged, with some about a third of the size of the two trees that flank the owl. These trees appear to be olive trees,[108] which might not reach great heights, but should be quite a bit larger than songbirds and owls. To the opposite side of each tree are pillars between what looks like an American football goalpost (although with a more rounded top) [illustration 11], symbols that will be discussed below. Even more enigmatic are the two "leaves" that are falling along with the songbirds, on either side of the owl [illustration 5], which will also be discussed more fully.

[103] Bustamante, 2012, p.123

[104] The owl is not seated or enthroned as Ben Khader stated, 2006, p.59; there is no throne, chair, or stool and the owl's feet are touching the ground.

[105] Vismara, 2007, p.112; Bustamante, 2012, p.130

[106] Bustamante, 2012, p.130 describes the other birds as "gravitating" toward the owl. Hegelbach, 2018, pp.357–358 interprets the positioning of the other birds around the owl as a form of "mobbing." Hegelbach's study is from an ornithological perspective.

[107] Bailliot, 2019, p.183. This gesture, where the middle finger is extended and the other fingers are retracted, makes the hand resemble an erect phallus.

[108] Bustamante, 2012, p.130 describes the trees as olive trees without question, while Vismara, 2007, p.113 comments on the twisted form of the trees which may allow them to be identified as olive trees.

Illustration 5: *Owl Mosaic,* late 3rd century CE (detail). Threshold mosaic from the Baths of the Owl in Thysdrus, El Jem Museum, El Jem, Tunisia. Author's own photograph, June 2014

The figural elements are enclosed by a decorative geometric border with zigzags of black and multi-colored tiles surrounded on each side by a thin black border. Above the geometric border is a Latin inscription[109] set in black tiles on a white ground that extends around the perimeter of the rectangle containing both the geometric border and the figures. The inscription, itself, will be returned to. The mosaic was restored in antiquity.[110] Restoration implies that the work was valued long after its completion. Above the inscription is an ivy-leaf scroll [illustration 1], which is continuous, forming what seems to be a border for a larger composition that has not been preserved. Another indication that there once was more to the mosaic is the slight extension of the thin black border at the upper left. The original composition of the *Owl Mosaic* may have resembled

[109] *AE* 1995, 1643

[110] Vismara, 2007, p.113. However, Vismara gives no further information as to what was restored or when. There are two areas at the bottom of the mosaic where tiles appear to have been reset. A few other places where damage may have occurred are where beige tiles have been used rather than white near some of the birds, a few lost tiles at the top of the tree on the right, and a crack above the tree on the left.

something like the threshold mosaic component[111] of the contemporary *Lod Mosaic* from Israel, with a thick decorative border followed by the main panel (*emblema*) contained within a thin black border, and flanked by a field of predominately white tiles on either side.

Pauline Donceel-Voûte has referred to thresholds as "checkpoints," where they "stop the 'enemy outside' from becoming the most unwanted 'enemy inside'."[112] Petronius' *Satyricon* provides evidence for Romans considering the left unlucky and thresholds needing to be crossed by first using the right foot.[113] In many parts of the Roman world, thresholds may have been marked by mosaics, including the evil eye and fish-phallus mosaic from Moknine [illustration 3] already mentioned, the *in-situ* black and white geometric example from Thysdrus [illustration 6], and the *Owl Mosaic*. [illustration 1] Threshold mosaics delineate the transition from one space into another, i.e. the crossing of a boundary. Sarah Bond has likened threshold mosaics to modern welcome mats.[114] Welcome mats have both decorative and practical purposes; they keep grime from the outdoors from entering the indoors. Yet, the modern welcome mat largely lacks the threshold mosaic's ability to keep evil forces at bay through its images and inscriptions.

[111] The section with the display vessels made of precious metals. For the *Lod Mosaic,* see Lightfoot, 2010 and Avni et al., 2015. Lightfoot, 2010 points out similarities with North African mosaics including African wild animals such as the giraffe and rhinoceros.
[112] Donceel-Voûte, 2018, p.37
[113] Petronius, *Satyricon* 30. Stumbling over a threshold was considered bad luck. Ogle, 1911, p.253 explains the origin of a bride being carried over the threshold of her husband's house as to avoid an inauspicious start to the marriage.
[114] Bond, 2015

Illustration 6: *In-situ* Threshold Mosaic from Anteroom XXVIII of the *Sollertiana Domus,* 2nd century/ early 3rd century, El Jem, Tunisia. Author's own photograph, June 2014

Metaphysical protection could also be obtained through threshold deposits, which have a long history in the ancient Mediterranean. Five terracotta dogs in the British Museum, each originally painted a solid shade of white, black, red, or blue, were discovered beneath the threshold of an entrance to the palace of the Assyrian king Ashurbanipal (668-627 BCE) at Nineveh.[115] Each figurine was paired with another in the same color[116] and inscribed with incantations in cuneiform. When the spell was cast, the figurine became embodied with the power of the figure it represented.[117] Like the massive, hybrid guardian figures (*lamassu*) flanking doorways in Assyrian palaces, these figurines had an apotropaic function.[118] The *lamassu* were minor divinities, intimidating visitors through their size and the ferocity of the lions and bulls, animals whose lower bodies they possessed, while the terracotta dogs were invisible protectors. Although the dogs

[115] Faraone, 1992, pp.23–24; Wilburn, 2018, p.109. For more on Assyrian terracotta figurine deposits, see Nakamura, 2004. For the objects, themselves, see the British Museum's website: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=388873&partId=1

[116] These are now lost, but each would have been buried on the opposite side of the doorway. See Faraone, 1992, p.23

[117] Nakamura, 2004, p.17

[118] Faraone, 1992, p.23

were magical agents just like the *lamassu*, they were hidden representations of real animals, watchdogs, that might have lived in the palace.

Dogs appeared as protectors in the Greco-Roman world as well. According to J.M.C. Toynbee, Molossian hounds made good guard dogs.[119] In Book VII of the *Odyssey,* the craftsman god Hephaestus is the creator of ancient robots, gold and silver animated statues of dogs guarding the palace of Alcinous, king of the Phaeacians.[120] In Pompeii, dogs in mosaics guard the entrance to the House of the Tragic Poet (VI.8.5) with its "beware of the dog" (*cave canem*) inscription[121] and the entrance to the House of Paquius Proculus (I.7.1). A later, North African threshold mosaic from the mid-second century CE of a greyhound from Hadrume(n)tum (modern Sousse in Tunisia),[122] [illustration 7] emphasizes the animal's role as a hunter, and attests to continuity in the use of these mosaics and their spread beyond the Italian peninsula. As with the Assyrian figurines, the mosaic dogs might embody actual animals belonging to the house's owner. Because the Pompeian mosaics were visible from the streets, they might have served to discourage theft, suggesting that a robber would have to contend with a watchdog, whether or not a real dog was present.[123] The fictional Trimalchio's house was watched over by the dog Scylax,[124] and featured a wall painting of a dog that startled the narrator who mistook it for the real thing. The House of Orpheus in Pompeii (VI.14.20), revealed the remains of a dog chained inside the entrance in combination with a dog mosaic, uniting the powers of the animal and its image.

[119] Toynbee, 1996, p.107
[120] Homer, *Odyssey,* VII.91-.94
[121] *CIL* V 877. For more on the magical function of the dog mosaic from the House of the Tragic Poet, see Wilburn, 2018, p.108
[122] Now in the Sousse Museum but originally from a threshold in a Roman house, according to the museum's wall label. Bustamante, 2012, p.135 states that the "Sloughi" (a type of greyhound) were necessary for successful hunts. In the Bardo Museum, there is a third century CE mosaic from Thysdrus of a hare hunt with hunters (on horseback and on foot) using dogs to track and chase their prey. Some of these dogs resemble greyhounds, such as in the threshold mosaic from Sousse.
[123] Wilburn, 2018, p.108 provides a summary of the views held by various scholars regarding the dog mosaic from the House of the Tragic Poet.
[124] Petronius, *Satyricon* 64

Illustration 7: Fragment of a *Hunting Scene: Slender Greyhound with Erect Ears and Open Mouth,* mid-2nd century CE*,* threshold mosaic from a Roman house in Hadrume(n)tum (Sousse), Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

Other animals could be magical agents. In northern Spain and southern France, bird deposits have been discovered inside terracotta vases buried beneath doorways in villas, residences of the elite, or buried in a series.[125] At the Villa of Tolegassos in Ampurias (Catalonia), for example, one or two eggs, or an egg accompanied by the head of a chicken or rooster, were placed on top of avian bones inside the vases.[126] Other sites in the Pyrenees, such as Pla de l'Aïgo near Caramany, France, have produced similar finds, most dating to the second to early third centuries CE. From excavations conducted up until the early 1990s, bird bones (primarily chicken) consisted of 35% of the animal remains found in Roman graves in the West, but only 2% of those found in settlement

[125] Bowes, 2015, p.216. For more information on the "bird deposits" see Marí and Mascort, 1988, Casas and Arbulo, 1997, and Fabre et al., 1999. Deposits of faunal remains in domestic contexts appear to have been an Iberian practice during the Iron Age in what is now north-eastern Catalonia. Belarte and Valenzuela-Lamas, 2013 studies 15 sites near modern Barcelona where animal deposits (primarily sheep and goats but also pigs, poultry, and dogs) were found. Belarte and Valenzuela-Lamas, 2013, p.177 states that in the Roman period, the deposits were mainly of poultry combined with eggs that were placed inside clay pots. The earlier Iberian deposits did not include the eggs or the pottery. Roman deposits, such as at the Villa of Tolegassos, might reflect the effect of Romanization upon native religious beliefs. See Ogle, 1911 for literary evidence of Roman threshold deposits.

[126] Fabre et al., 1999, p.290

sites.[127] The bird bones from the cemeteries have been interpreted as actual or symbolic food offerings for the deceased.[128] The connection between birds and Roman funerary ritual has also been pointed out by Kim Bowes, who observed that the bird deposits of the Pyrenees were not meant for the dead, but living Romans.[129] She states, "these deposits seem to be manning the boundaries of the living, calling upon the apotropaic power of both living and unborn birds to protect the homes of humans."[130] The presence of the bird deposits within villas, properties owned by the wealthy, attest to magic as not just a popular act for the non-elite.

Elite Romans, and wealthy freedmen like Trimalchio, consumed a wide variety of birds. Quails, partridges, thrushes, and turtledoves destined for the dinner plates of the wealthy were raised and fattened in the aviaries of Thysdrus.[131] Varro mentions that an aviary (*ornithon*) belonging to one Italian villa produced 5,000 thrushes in the course of a year, which were sold for 3 *denarii* each, for a profit of 60,000 *sesterces*.[132] One of the ancient aviaries of Thysdrus has been preserved near the Museum of El Jem and it constitutes a rare Roman building type.[133]

[127] Lauwerier, 1993, p.79. The highest percentage of animal bones found in Roman cemeteries come from pigs; poultry comes in second. Lauwerier does warn that the numbers might be skewed because larger portions of beef could have been cut away from the animals' bones without having to transport the bones to the cemetery for disposal, accounting for the smaller percentage recovered.
[128] Lauwerier, 1993, p.81
[129] Bowes, 2015, p.216
[130] Bowes, 2015, p.216
[131] Slim and Rebourg, 1995, p.60
[132]Varro, *De Re Rustica* 3.2.15 in Littlewood, 1987, p.14
[133] Slim and Rebourg, 1995, p.60

Illustration 8: Threshold (?) mosaic from Hadrume(n)tum (Sousse), Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

The songbirds depicted in the *Owl Mosaic* resemble forms of thrushes.[134] Two thrushes flanking a basket, pecking at its contents are depicted in a mosaic from Hadrume(n)tum in the Sousse Museum.[135] [illustration 8] The Romans may not have drawn a distinction between songbirds such as thrushes and the chicken/ rooster remains in the Spanish and French bird deposits. The *Owl Mosaic* and (most likely) the threshold mosaic with the thrushes were inserted into thresholds, serving a protective function like the bird deposits, except it is the image of the birds, rather than the remains of birds that are the magical agents.

Owls were not quite like other members of the avian family. In the fable attributed to Aesop of the Owl and the Birds there is a distinction between the owl and the other birds. The owl offers advice in regard to avoiding mistletoe (used in create a sticky substance

[134] Vismara, 2007, p.113

[135] The museum label describes the basket filled with olives and olive tree leaves. The coloration of the tiles, a brownish-red and a greenish-yellow suggests that the basket could contain olives or grapes; the presence of the leaves/ greenery, however, suggests a floral arrangement. It is unclear whether the birds stand upon the ground or on some type of stepped platform. There are also enigmatic forms, resembling doorways with slightly projecting awnings or post and lintel constructions, which the museum label does not mention. This mosaic does not seem to come from a securely excavated context, as the label gives its date only as "Roman era," its origin from Sousse (ancient Hadrume(n)tum), and its possible placement in a threshold, "threshold mosaic?"

for trapping birds), flax (used to make nets for capturing birds), and a human archer (in search of feathers for making arrows that can reach speeds that surpass that of the birds), but the other birds ignore the warnings, resulting in their own detriment. The fable casts the owl as wise and the other birds, who are only described as not being owls, as foolish.[136]

The *Owl Mosaic's* inscription[137] [illustration 5], like the fable and the image in the mosaic, itself, isolates the owl from the other birds. The inscription also reveals an apotropaic function: "The birds are bursting with envy and the owl does not give a damn," *invidia rumpuntur aves neque noctua curat*. The inscription, which is in hexameter, appears to be a reference to an epigram by Martial:[138]

> *Rumpitur invidia quidam, carissime Iuli,*
> *quod me Roma legit, rumpitur invidia.*
> *rumpitur invidia quod turba semper in omni*
> *monstramur digito, rumpitur invidia.*
> *rumpitur invidia tribuit quod Caesar uterque*
> *ius mihi natorum, rumpitur invidia.*
> *rumpitur invidia quod rus mihi dulce sub urbe est*
> *parvaque in urbe domus, rumpitur invidia.*
> *rumpitur invidia quod sum iucundus amicis,*
> *quod conviva frequens, rumpitur invidia.*
> *rumpitur invidia quod amamur quodque probamur:*
> *rumpatur quisquis rumpitur invidia.*

which D. R. Shackleton Bailey has translated as:

> A certain person, dearest Julius, is bursting with envy because Rome reads me—bursting with envy. He is bursting with envy because fingers always point me out in every crowd—bursting with envy. He is bursting with envy because both Caesars gave me the Right of Children—bursting with envy. He is bursting with envy because I have a pleasant country place near Rome and a small house in the city—bursting with envy. He is bursting with envy because my friends enjoy my company and I am

[136] For more on the fable see Hegelbach, 2018, pp.355–356. For other references to owls in ancient literary sources see Alvar Nuño, 2009
[137] *AE* 1995, 1643
[138] Martial, *Epigrams,* IX.97

> often asked out to dinner—bursting with envy. He
> is bursting with envy because I am liked and
> approved of. Whosoever is bursting with envy, let
> him burst.[139]

The phrase "bursting with envy" is repeated throughout Martial's poem, like the chorus of a song. Martial uses *invidia* (envy) more times within epigram IX.97 than he does in any of his other poems.[140] This would imply that the artist and/ or patron of the *Owl Mosaic* either knew this poem, or that it was recognized as a part of a corpus bringing "bursting" and "envy" together. While the former is possible (albeit difficult to prove), the latter appears to be the case.

The poems of Martial are not alone.[141] An inscription composed in elegiac couplets[142] appears on a late fourth or early 5th century CE mosaic from Ain Temouchent near Sétif (ancient *Sitifis*), Algeria:

> *inuida sidereo rumpantur pectora uisu*
> *cedat et in nostris lingua proterua locis*
> *hoc studio superamus auo gratumque renidet*
> *aedibus in nostris summus apex operis.*
> *Feliciter*.[143]

which Gaston Boissier and Arabella Ward have translated as:

> At this divine spectacle, may envy burst from spite,
> and may insolent tongues cease to murmur.
> In the love of the arts we surpass our fathers.
> It is a joy to see this marvellous work shining in our homes.[144]

This mosaic, now in the Archaeological Museum of Sétif, features a giant head of the sea god Oceanus surrounded by Nereids riding hippocamps and dolphins.[145] Katherine Dunbabin calls attention to the use of "*sidereo visu*" in the inscription, connecting it with the frontal, overly large eyes of Oceanus as a device like a mask, designed to stop evil,

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[139] Martial, 1993, pp.314–317
[140] Six additional epigrams by Martial contain the word "*invidia."*
[141] Vismara, 2007, p.113 and Beschaouch, 2017, p.1338 have found use of "*rumpor"* and "*invideo*" in Ovid, *Heroides*, XVI. 223
[142] Vismara, 2007, p.113
[143] *CIL* VIII, 8509 = *ILS*, 6041 = *CLE*, 883
[144] Boissier, 1899, p.236
[145] Dunbabin, 1999, p.151 and Thébert, 2003, pp.500–501

and likens the staring image of a deity to the later Byzantine images of Christ as pantokrator.[146]

Illustration 9: Mosaic from private bath complex in El-Haouaria in Sidi Ali Nasrallah, near Kairoun, Tunisia, late 4th century CE. Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

Further evidence for envy being invoked in an inscription comes from a late fourth century CE mosaic [illustration 9] from a private bath complex in El-Haouaria in Sidi Ali Nasrallah, south-west of Kairouan, which has a figural composition in the center panel (*emblema*) with polychrome designs (perhaps stylized fish and tendrils terminating into triskeles, all converging at a central, stylized *pelta*) in the form of semi-circles on either side of the *emblema*, and with an inscription[147] [illustration 10] directly above the *emblema* in the position of a threshold mosaic. The central *emblema* is identified as

[146] Dunbabin, 1999, p.152
[147] *Inscriptions latines de la Tunisie*, # 279 = *CIL* VIII, 23131, cited in Beschaouch, 2007, pp.197–198

Minerva and Neptune's contest for the patronage of Athens, with a winged Victory between them.[148] The inscription spans five lines in what the museum label calls a "magical inscription against envy"[149]:

> *Invide livide, titula ta-*
> *nta, quem (= quae) adsevera-*
> *bas fieri, non posse, perfec*
> *(= perfecta) sunt; DD.NN.SS. mi-*
> *nima ne contemnas*[150]

which Azedine Beschaouch has translated as:

> Hey! Hateful envy!
> These dedications of important buildings,
> which according to your insistence could not see the light of day,
> here they are led to completion![151]

through the magic of the written word that can be summed up as "take that, envy! You have no power here." The El-Haouaria mosaic also provides a North African context how the *Owl Mosaic* (from a threshold like the inscription from the El-Haouaria mosaic) might have interacted with other decoration within the same room, like the *Lod Mosaic* from Israel mentioned earlier. By the late third century CE, "bursting with envy" may have become an idiomatic expression, as "green with envy" is today.

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[148] Sousse Museum label
[149] Sousse Museum label
[150] Beschaouch, 2007, p.198
[151] Beschaouch, 2007, p.198: "Hé ! l'Envieux livide! Ces dédicaces d'édifices si considérables, qui, selon tes assertions, ne pouvaient voir le jour, les voilà menées à leur achèvement !...

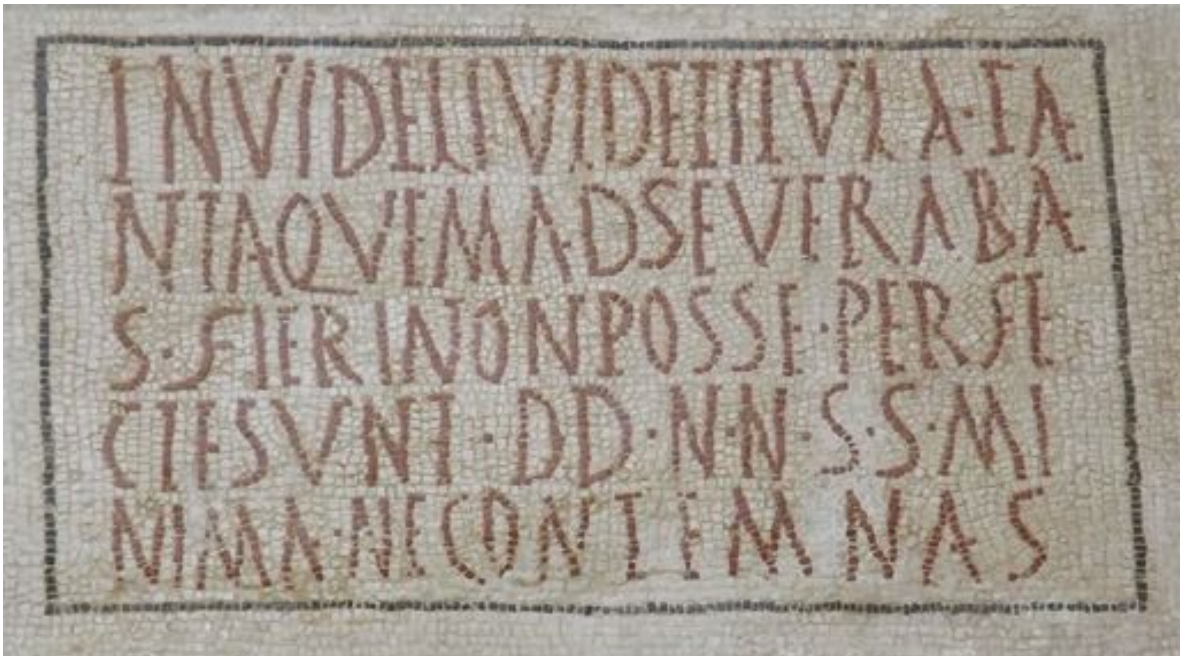

Illustration 10: Mosaic from private bath complex in El-Haouaria in Sidi Ali Nasrallah, near Kairoun, Tunisia, late 4th century CE. Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

In the El-Haouaria mosaic, envy is being confronted and vanquished from the baths

A circular, lead amulet from Haidra (ancient Ammaedara) in western Tunisia features a frontal-facing owl with its body in three-quarter view on one side, and an inscription on the other:

NVIDIA INVIZIOS
À NGEL TIBI
AD ANIMA
PVRA ET
MVNDA[152]

[152] *Invidia invidiosa! Nihil tibi ad anima pura et munda* from Merlin, 1940, p.489

which John H. Elliott has translated as:

> Envious Envy, there is nothing for you to do against a soul
> that is pure and unstained.[153]

Here, as in other amulets found in Carthage (including one from the Antonine Baths) and from other Tunisian provenances, the image of the owl is coupled with an incantation against envy.[154] The amulet from Carthage, although its inscription has largely worn away,[155] presents the unification of text and image in the context of a Roman bath, much like that of the *Owl Mosaic*.

Although owls could appear on amulets, they are rarely depicted in Hellenistic Greek and early Roman mosaics[156] as well as in the later mosaics of North Africa.[157] This is likely because owls, through the power of their gazes, were associated with being able to cast the evil eye,[158] hence the owl in the *Owl Mosaic's* apotropaic function. A fragment of an early fourth century CE mosaic from Oderzo (ancient Opitergium) near Venice[159] displays a non-anthropomorphic frontal-gazing owl on a perch with several birds flying in its direction. Yet, this mosaic is very different than the *Owl Mosaic*. It belongs to a larger scene of hunting and rustic life, much like the *Small Hunt* mosaic from the Villa Romana del Casale near Piazza Armerina in Sicily.[160] Although the owl from Oderzo still faces the viewer, the effect is quite ordinary, lacking the apotropaic power of the *Owl Mosaic*.

The Oderzo mosaic seems a more likely candidate for a depiction of the mobbing phenomenon, a coordinated effort of various birds of different species to come together to attack an owl described by Johann Hegelbach,[161] than the *Owl Mosaic* of Thysdrus because the placement of the Odzero owl on a perch suggests that it is domesticated and is being used as a lure.[162] According to Hegelbach, it is not envy that motivates the mobbing birds to attack, but a sense of cowardice, that it is only through their greater numbers that they can over-power the owl.[163] Although Hegelbach does not discuss the

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[153] Elliott, 2016, pp.259–260.
[154] For more on these amulets see Merlin, 1940
[155] Merlin, 1940, p.488
[156] Owls appear only twice in Hellenistic and Augustan-period mosaics according to Tammisto, 1997, p.133. One is a mosaic from Delos, Greece, where the goddess Athena holds an owl of the Little Owl type. The other is an owl perched on top of a vase in the scroll border of the *Fish Mosaic* from the House of the Faun in Pompeii; this border also contains other types of birds.
[157] Foucher, 1957, pp.177–178
[158] Elliott, 2016, p.140 references the story of the owl made by the 5th century BCE Greek architect Iktinos, that was able to attract and destroy other birds in Ausonius, *Mosella*, 308–310
[159] Now in the Museo Civico Archeologico 'Eno Bellis' in Oderzo (Treviso), Italy
[160] See Braconi, 2016 and http://tess.beniculturali.unipd.it/web/scheda/?recid=6311
[161] See Hegelbach, 2018
[162] Hegelbach, 2018, p.366 states that owls of the Little Owl variety were tamed in antiquity.
[163] Hegelbach, 2018, p.353

Oderzo mosaic, many of his examples of works of art[164] utilize artistic license in depicting the species of birds mobbing the owl, substituting bigger and more colorful varieties of birds for those that would actually engage in the practice.[165]

A panel (*emblema*) of another non-anthropomorphic, frontal-gazing owl composed of grayish tiles comes from the *Mosaic of the Birds* in the *House of the Birds* in ancient Italica, near Seville, in Spain.[166] This panel is one part of a whole composition of *emblemata,* each focusing on different varieties of birds for what appears to be decorative purposes, framing a courtyard. Like the Oderzo owl, it lacks apotropaic power. Nor are the other birds "mobbing" the owl, but each are placed in their own panels (*emblemata*).

The closest parallel to the *Owl Mosaic* is the Mosaic from the *Basilica Hiliariana* on the Caelian Hill in Rome. The *Basilica Hilariana* was built in the mid-second century CE by Manius Publicus Hilarus, a pearl-seller, for the *Dendrophori*, a private club (*collegium*) dedicated to worshipping Attis and Cybele. While admittance to the building may have been limited to members of the *collegium*, it, like the Baths of the Owl in Thysdrus, was a space designed to accommodate an assembly of people. The mosaic, in black and white tiles, reveals the open evil eye in the center, pierced by a long spear, with animals[167] forming a radial composition, including a frontal-gazing owl perched atop the evil eye. The owl here, like the one in the *Owl Mosaic,* is apotropaic, warding off the power of the evil eye. This is without question due to the owl's placement. The inscription above the figural composition,[168] inside a rectangular plaque with a projecting triangular shape on each of its short sides (*tabula ansata*), not only provides the name of the building, but it invokes the blessing of the gods to counteract the malice of the evil eye. The "authority" implied by a *tabula ansata* was also a form of protection.[169]

The evil eye attacked is the subject of other Roman mosaics, namely the second century CE *Evil Eye Mosaic* from Antioch-on-the-Orontes near the Turkish-Syrian border.[170] Here, many of the symbols already discussed including a figure (a dwarf) with a large phallus, a dog, and a bird, along with others, with a trident and sword in place of the

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[164] Although apart from the *Owl Mosaic* and a painted stele from Paestum, Hegelbach's examples are works with Renaissance or later dates.
[165] Hegelbach, 2018, pp.366–367
[166] The *House of the Birds* was constructed in the Hadrianic period (117 -138 CE) and it was occupied until Late Antiquity. For more information see García Bellido, 1960 and http://www.museosdeandalucia.es/web/conjuntoarqueologicodeitalica/espacios-singulares
[167] The animals, apart from the owl are a large bird, a crow or raven in a tree, a stag, a tiger, a goat, a dog, a bull, a scorpion, and a snake. For more information about this mosaic see Blake, 1936, p.158, Salvetti et al., 2004, Alvar Nuño, 2009, p.196 and http://tess.beniculturali.unipd.it/web/scheda/?recid=3597
[168] *CIL* VI. 30973, Translated by Caroline Lawrence as "May the gods be favourable to those who enter here as well as to the Basilica Hilariana."
[169] Bond, 2015
[170] Hatay Archaeological Museum in Antakya, Turkey # 1024

spear in the *Basilica Hilariana* mosaic, battle the evil eye made visible.[171] The owl, however, is missing from the Antioch mosaic. An inscription in Greek, και συ, (*kai su*), meaning "and you" confirms the magical intent, directing evil forces back upon the one casting them. Another mosaic from the third century CE from the Roman villa near Skala on the island of Kephallonia (Kefalonia), Greece, shows a personified version of Envy (*Pthonos*) strangling himself and being attacked by animals.[172] Like the *Basilica Hilariana* mosaic, each of these examples as well as the *Owl Mosaic* combine visual images with written words for reinforced protection from the evil eye.

A different interpretation of the *Owl Mosaic* has been proposed by Mehmet and N. Ipek Kobaner: the mosaic is a representation of the effects of extreme heat, malaria, yellow fever, or West Nile virus based upon what could make birds fall in mid-flight as well as malaria epidemics recorded in the Roman empire in the 4th century CE.[173] However, this hypothesis does not consider the inscription nor commonly held beliefs in magic, and assumes a literal reading, that the mosaic documents an epidemic, which is highly unlikely; disease is not a common subject in Roman mosaics.[174] Kobaner and Kobaner also mention "military signs represent Roman sovereignty and military power,"[175] yet they do not explain what those signs are in the mosaic.[176] They call the dying songbirds "rebels"[177] but, again, there is no explanation why. Finally, their interpretation does not consider the way in which the songbirds have been afflicted (just that they -are- afflicted), which points to the workings of the evil eye and envy.

Some of the birds surrounding the owl in the *Owl Mosaic* are in the process of flying and are seemingly struck by a force that causes them to drop from the sky, with two already on the ground [illustration 5]. Romans were accustomed to their priests watching birds fly in the religious practice of augury, which determined the favor of the gods. As explained by the inscription, this force is jealousy, although no bird is depicted as literally "bursting" or exploding into pieces. Two of the birds appear to be caught on the branches of each tree; they are not perched, as their feet do not make contact with the branches. These are the birds that Vismara describes as "hanging by the neck" on the lower branches of the trees.[178]

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[171] For more information see Levi, 1971, pp.28–34, 1941

[172] For more information see Dunbabin and Dickie, 1983 and Dunbabin, 1999, pp.312–313

[173] Kobaner and Kobaner, 2012, pp.29–30. The authors have medical training and their article is very brief at only two pages.

[174] When one encounters a misshapen figure, such as the hunchback from second century CE *Lucky Hunchback Mosaic* from Antioch, Hatay Archaeological Museum in Antakya, Turkey, #1026/a, it is largely for apotropaic purposes.

[175] Kobaner and Kobaner, 2012, p.30

[176] Could Kobaner and Kobaner be referring to the three pillars on either side of the trees in the *Owl Mosaic*? [illustration 13] These are the symbol of the Telegenii, which will be discussed more fully.

[177] Kobaner and Kobaner, 2012, p.30

[178] Vismara, 2007, p.113

Death by "hanging by the neck" may be associated with suicide: the tightening of a rope around the neck leads to the inability to breathe, and eventual death by suffocation. Another of Martial's epigrams, VIII.61, addresses envy, but chooses a form[179] of the verb *liveo* (to envy or to be jealous of) instead of the noun *invidia* in its first line:

livet Charinus, rumpitur, furit, plorat

Here, Dunbabin and Dickie explain that "Martial's success so affects Charinus with *livor* that the emotion fills him to the point of bursting, drives him to a frenzy, makes him weak, and look for a high branch from which to hang himself."[180] Charinus' envy must have been considerable to have produced such a reaction. But even in less severe instances, the envious may be seen as literally choking when faced with the good fortune of others.[181]

Death awaits the personification of Envy (*Pthonos*) in the mosaic from Kephallonia (Kefalonia) either through suicide as a result of self-strangulation, or from being mauled by the attacking animals. Visual representations of suicide by hanging include the suicide of Judas on an early fifth century CE Christian ivory casket with one of the earliest images of the Crucifixion in the British Museum.[182] Although the casket belongs to the century after the *Owl Mosaic,* close to when paganism is being outlawed, by illustrating a scene from the Gospels, it equates suicide by hanging with a death suited for a villain. The tree branch depicted on the casket, which features a bird feeding its young in a nest in the foliage at the top, buckles with the weight of Judas' body, pulling it downward, but the trees in the *Owl Mosaic* [illustration 5] are not affected by the suicidal songbirds: the *Owl Mosaic* birds are over-sized, but their weight is inconsequential. More importantly, like in the case of Charinus, it is envying the fortunate circumstances of others that have made the person doing the envying miserable and depressed.[183] Envy, therefore, is a cause of suicide, for only death can release the person doing the envying from the pain envy has brought.[184] The songbirds in the *Owl Mosaic*, even those who have not decided to take their own lives, are suffocating, or bursting from within. This leads one to wonder whose good fortune they are envious of.

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[179] third person singular, present active indicative
[180] Dunbabin and Dickie, 1983, p.12
[181] Dunbabin and Dickie, 1983, p.12 and for more examples where the envious choke or are led to burst
[182] British Museum # 1856,0623.5
https://research.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=60937&partId=1
[183] Dunbabin and Dickie, 1983, p.11
[184] Dunbabin and Dickie, 1983, p.11. Dunbabin and Dickie cite Libanius *Declamatio* 30 and Ovid Metamorphoses 2.812 as sources for jealousy of another's situation so severe that it leads one to want to commit suicide.

Illustration 11: *Owl Mosaic,* (detail- Telegenii symbol), late 3rd century CE. Threshold mosaic from the Baths of the Owl in Thysdrus, El Jem Museum, El Jem, Tunisia. Author's own photograph, June 2014

The Telegenii are the ones who are being envied in the *Owl Mosaic*. The number III with the center Roman numeral in the form of a crescent on a pole, the primary symbol of the Telegenii, is found on either side of the *Owl Mosaic,* nestled between each tree and the zig-zag border. [illustration 11] The Telegenii were members of a private club (*sodalitas*) in North Africa dedicated to organizing, financing, and performing wild beast hunts (*venationes*) in the amphitheatre. The *Oxford Classical Dictionary* notes that the use of *sodalitas* over *collegium* had "private and religious overtones."[185] There were several of these North African *sodalitates*, which, like the Telegenii, had heraldic symbols identifying them.[186] Beschaouch, an expert on the *sodalitates* of North Africa, breaks these symbols into two parts, the number and what he calls the emblem.[187] When more than one of the *sodalitates* used the same emblem, it was in conjunction with a different

[185] *Oxford Classical Dictionary* online, https://oxfordre.com/view/10.1093/acrefore/9780199381135.001.0001/acrefore-9780199381135-e-1695

[186] Adezine Beschaouch has published widely on the *sodalitates* of North Africa. See: Beschaouch, 1966, 1977, 2006a, 2006c, 2007, 2011, 1979, 2006b, 2012, 2017.

[187] Beschaouch, 2011, p.316. These symbols would have been immediately recognizable, much like the logos of major corporations today. The examples Beschaouch, 2011, pp.316–317 provides are of the Leonti = the image of a lion, the Taurisci= a bull, the Ostraci= a shell, and the Rosari = roses.

Roman numeral.[188] Each of the *sodalitates* competed against each other, not just in the games, but in a visual battle for support among the populace through slogans, such as *Telegeni nika*![189] and advertisements.[190] They also functioned as a burial club and were engaged in commerce. Although their primary role was as promoters of the games, the Telegenii were exporters of olive oil, evidenced by an amphora found in Thaenae (Thina) with their symbol.[191] The number of mosaics and inscriptions referring to the Telegenii suggest they were among the most successful of the factions.[192]

If Gilbert Charles-Picard is correct in connecting the *sodalitas* of the Telegenii to a passage in the *Life of Claudius*,[193] the Telegenii might be the oldest of these factions, with a presence in Rome in the first century CE, which, at that time, was not viewed in a positive manner.[194] This early, negative view of the Telegenii may not have extended to those on North African soil. As the Empire progressed, the popularity of the animal hunts in the African provinces increased, as did the prosperity of olive-producing towns like Thrysdrus. In this way, the Telegenii, or certain members among the group, may have become members of the provincial elite. The power and wealth of the Telegenii would have been admired by their supporters and detested by their detractors. Envy of the success of the Telegenii is what the inscription in the *Owl Mosaic* points to.

The sites of Bulla Regia, Timgad, and Thyveste contain evidence for the Telegenii's fondness of gathering in baths, where they may have conducted ritual purifications[195] perhaps as part of the association's religious functions. The *Owl Mosaic* might mark such a gathering place for the Telegenii in the Baths of the Owl of Thysdrus, or perhaps the building was built as their headquarters.[196] The Telegenii were not the only faction in Thysdrus that favored meeting in the baths. Another bath complex, the Small Baths,[197] located in the southern part of Terrain M'Barek Rhaiem, contained a mosaic with the

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[188] Beschaouch, 2011, p.317

[189] Beschaouch, 2017, p.1335

[190] Beschaouch, 2011, p.317. The competition, however, was not always friendly. Elliott, 2016, p.202 cites a representation of a phallus on the amphitheatre of Nimes, France, illustrating a need for protection.

[191] Bomgardner, 2009, p.170 and Gonzalez, 2018, pp.230–231. Charles-Picard, 1993, p.90 suggests that the connection between the *sodalitates* and trade began with transporting the wild animals used in the hunts, and then expanded into the exporting of agricultural products, like the olive oil that Thysdrus was known for.

[192] Slim, 2004, p.112; Charles-Picard, 1993, p.84. Animal hunts were more popular than man-to-man gladiatorial combat in North Africa. According to Bustamante, 2012, p.134, the factions' hunts resulted in extinction of the North African lion.

[193] Suetonius *Life of Claudius*, 40.6, *Quid, ego tibi Telegenius videor,* cited in Charles-Picard, 1993, p.83

[194] Charles-Picard, 1993, p.91. Charles-Picard, 1993, p.91 believes that a mosaic in the House of the Peacock in Thysdrus that depicts the symbol of the Telegenii may date to the first century CE, rather than the second century CE date allocated to it by Louis Foucher, and therefore, it would be the earliest evidence for the Telegenii in North Africa.

[195] Gonzalez, 2018, p.231

[196] Slim, 1995, p.270 and Bustamante, 2012, p.137. Vismara, 2007, p.113, however, points out that the ivy-scroll border complicates the theory that the Telegenii were the owners of the Baths of the Owl. Ivy was associated with other *sodalitates*: the Crescentii, the Perexii, the Quintasii, and the Taurisci. Vismara, 2007, p.113. Ivy is also associated with the god Dionysos / Bacchus, who figures prominently within the mosaics of Thysdrus. It is possible that the ivy border might just be decorative.

[197] See Foucher, 1961, pp.34–36

symbol of the Pentasi, another *sodalitas,* in room 2.[198] There was much concern for the workings of the evil eye while frequenting the public baths.[199] A Roman's first stop inside a bath, after leaving the changing room where he or she would be exposed, was the *frigidarium*; it was here where supernatural protection needed to be invoked.[200] An early third century CE threshold mosaic of a merchant ship from the *frigidarium* of the Baths of Themetra near Sousse has been described by the museum as having a bird's head on its bow[201] [illustration 12] The figurehead is fairly abstract and may not necessarily represent an avian, although birds were used as a symbol by at least one of the *sodalitates*.[202] This mosaic might refer to one of the *sodalitates*, since it came from the entrance to a *frigidarium,* like the *Owl Mosaic*. Several of the apotropaic mosaics already discussed come from *frigidaria*.

Illustration 12: Threshold mosaic of a merchant ship from the *frigidarium* of Baths of Themetra in Themetra (modern Chott Meriam), early third century CE, Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

[198] Slim, 1995, p.270. The symbol of the Pentasi was fish with the number V. The mosaic in room 2 of the Small Baths, features five roundels, each containing a fish with the Roman numeral rendered this way: IIIII. Foucher, 1961, p.34 recognizes the symbolic value of the five fish depicted in the Small Bath's mosaic, but enough work on the *sodalitates* had not been completed at the time of his writing the excavation report.

[199] Curse tablets, such as the 130 found at the sanctuary of Sulis-Minerva at Bath in England mentioned in Fagan, 2002, p.37, provide evidence for magic in Roman baths. Much of the cursing is directed at thieves who have stolen the clothing of bath-goers or petitioning the gods to punish the offenders. Fagan, 2002, p.37. For more on magic at the baths see Dunbabin, 1989; Clarke, 2007, pp.74–75; and Wilburn, 2018.

[200] Bustamante, 2012, p.131

[201] Sousse Museum label. Foucher, 1967 focuses on another mosaic from ancient Themetra with a sailboat as the central *emblema* surrounded by still life (*xenia*) motifs

[202] The Aucupi use dead birds as their symbol. See Beschaouch, 2017.

In the case of the *Owl Mosaic*, the owl might have been taken over as another emblem of the Telegenii, and because owls are natural predators of smaller birds, it emphasizes the superiority of the Telegenii over other *sodalitates* in Thysdrus.[203] If the two trees in the *Owl Mosaic* represent olive trees [illustration 5], they may be a way of indicating that the scene is taking place in Thysdrus, a town where olives were an important source of its wealth, and therefore, it could be a reference to the Telegenii of Thysdrus.[204] The symbol of the Telegenii [illustration 11] can also be found in the threshold decoration of houses, or in the *oecus,* or *triclinium*, the main dining and entertaining spaces within Roman homes.[205] In Thysdrus, it occurs 7 times[206] including in the mosaic from room 2 of the *House of the Months,* the residence where the calendar mosaic containing the January panel [illustration 2] was discovered. This might suggest that the owner of the house was a member of the Telegenii or a devoted fan.

The *Owl Mosaic* has been viewed in light of the competition of the various *sodalitates* in Thysdrus.[207] In his most recent publication, Beschaouch has begun to unravel whose envy the owl "does not give a damn about." He has recognized the symbol of another *sodalitas*, the Aucupi, in the *Owl Mosaic* in the form of the dead/ dying songbirds, and the five ivy leaves in the border above the figural component.[208] [illustrations 1 and 5] The Aucupi were a faction dedicated to hunting birds who were associated with the Roman numeral V, and whose name is a play on the Latin word for birds (*aves*).[209] The word *aves* also appears in the mosaic's inscription, where the literal word and its image below are working in concert.[210] If Beschaouch is correct, the mosaic declares the Aucupi as possessors of the evil eye against the Telegenii, and that the Telegenii have deflected malice back onto the Aucupi.

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[203] Bustamante, 2012, p.137

[204] Bustamante, 2012, p.140 is convinced that the trees are olive trees and that they are, indeed, direct references to the Telegenii of Thysdrus

[205] Gonzalez, 2018, p.231

[206] Gonzalez, 2018, p.232

[207] Vismara, 2007 and Bustamante, 2012. Vismara's and Bustamante's contributions have not received the attention they deserve in the more recent conversations in English about the mosaic.

[208] Beschaouch, 2017, p.1336

[209] Beschaouch, 2017, p.1336. Beschaouch, 2017, p.1336 also cites a gravestone from Hadrume(n)tum now in the Bardo Museum, as the source for the name of the Aucupi and their symbol: *CIL*, VIII, 22992 = *ILTun.,* 177 from modern Sousse: *D(is) m(anibus) s(acrum)/ C. Volumnius Faustinus v(bcit)a(nnis) XXVII/die I. C. Volumnius Saturninus pa(tri) piissimo/ AVCVPI.*

[210] Beschaouch, 2017, pp.1336–1337

Illustration 13: *"Chessboard" Mosaic* (Detail- "Aucupi" group of 5 dead birds). Mosaic from Thysdrus in the Bardo Museum, Tunis, Tunisia. Author's own photograph, June 2014

Beschaouch has counted five of the songbirds on either side of the owl.[211] His number of five counts the bird above the owl twice: once for the group on the left, and again for the group on the right. It leads one to wonder whether the artist conceived of the composition as divided, where one bird could be counted twice to make a grouping of five on either side. There are only nine songbirds in all, not ten. His count of five ivy leaves in the border is also somewhat problematic, as the leaf on the far left is cropped and the thin black border extends slightly, suggesting that there would have been more than what currently survives. The ivy may have continued into this now-missing space.

[211] Beschaouch, 2017, p.1336

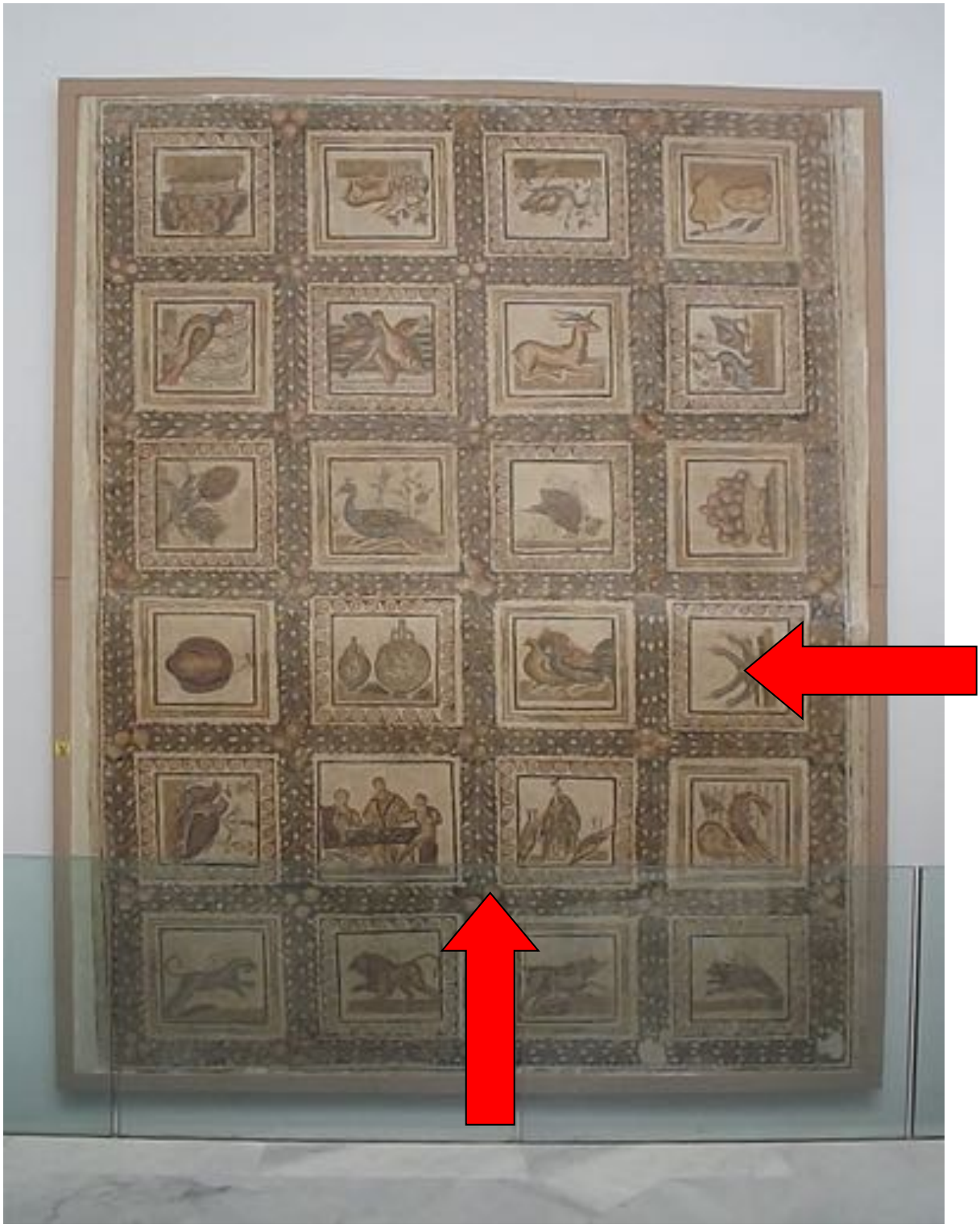

Illustration 14: *"Chessboard" Mosaic* (Entire mosaic with locations of the Aucupi and Mensuri panels). Mosaic from Thysdrus in the Bardo Museum, Tunis, Tunisia. Author's own photograph, June 2014

Beschaouch has identified a panel of a mosaic from Thysdrus now in the Bardo Museum, a square from a grid composition that he calls a "chessboard," with the symbol of the Aucupi: five dead birds.[212] [illustrations 13 and 14] Without Beschaouch's interpretation, the panel appears to be just a straightforward depiction, as one would expect to find in North African still-life (*xenia*) mosaics.[213] *Xenia* mosaics have been interpreted as images of hospitality, which greet visitors to the spaces they decorate by visually offering them various types of food and drink.[214] Rooms used for dining (*triclinia*) and entertaining are where these *xenia* mosaics are commonly found.[215] Dead birds appear in Roman wall paintings from the Vesuvian region such as the four dead thrushes bound together over a plate of eggs in the *Still Life* from the tablinum of the Praedia of Julia Felix (II.4.10) and the three dead thrushes in the *Still Life with Thrushes and Mushrooms* from Herculaneum.**[216]** These earlier paintings operate like the *xenia* mosaics, where the dead birds appear alongside other forms of food.

From the same "chessboard" mosaic, Beschaouch has identified a symbol of yet another *sodalitas*, in the form of African locust tree pods, or carob pods (*siliqua*), as a symbol of the Mensuri.[217] [illustrations 14 and 15] He has demonstrated that the *Mosaic from Chlef*, now in the Antiquities Museum of Algiers, depicts hunters from the Caprasi *sodalitas,* symbolized by the wild boar with the three stalks of millet, and those from the Mensuri *sodalitas,* symbolized by the carob pods and the inscription, which appears just above the pods, beginning with "*siliqua,*" which according to Pliny the Elder could refer to carob pods, and mean "measure," which is also the translation of Mensuri.[218]

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[212] Beschaouch, 2017, p.1336

[213] With the exception of the single *emblema* containing three men playing a game of dice. Dunbabin, 1979, p.125 calls this *emblema* "unusual" in regard to *xenia* mosaics. At the time of her book's writing, the symbolic representations for the *sodalitates* had not been unraveled to the extent that they are now. Dunbabin, 1979, p.125 proposes that the panels with the animals in the mosaic "seem to be yet more examples of the mysterious emblematic or symbolic use of various amphitheatre animals." As we now know that the *emblema* with the lion, for example, is associated with the Leonti.

[214] Dunbabin, 1979, p.124

[215] Dunbabin, 1979, p.124

[216] Naples Museum # 8647, Jashemski and Meyer, 2002, p.128. See Jashemski and Meyer, 2002, pp.398–399 for more images of thrushes, alive and dead, in Roman painting.

[217] Beschaouch, 2006a, p.1499

[218] Beschaouch, 2006a, pp.1492–1498

Illustration 15: *"Chessboard" Mosaic* (Detail- "Mensuri" carob pod). Mosaic from Thysdrus in the Bardo Museum, Tunis, Tunisia. Author's own photograph, June 2014

It is surprising that Beschaouch, himself, has not recognized the carob pods, the symbol of the Mensuri, in the *Owl Mosaic* in the form of the falling "leaves" that are not, in fact, leaves. Many descriptions of the *Owl Mosaic* have even bypassed their presence.[219] Like the carob pods in the "checkerboard" mosaic from Thysdrus [illustration 15], the carob pods in the *Owl Mosaic* are also largely green [illustration 5] and of a similar shape, although the ones in the *Owl Mosaic* are more abstract. As the pods in the *Owl Mosaic* are falling alongside the songbirds, it seems plausible to include the members of the Mensuri *sodalitas* among those who are envious of the Telegenii. Thus, the *Owl Mosaic* may be read as a statement that the Telegenii are immune to the envy of not just any of the other factions active in Thysdrus, but especially that of the Mensuri and Aucupi.

The figure of the owl, itself, has been interpreted as a reference to Minerva, one of the most important gods of Thysdrus,[220] but Bacchus/ Dionysos was the patron god of the Telegenii. Bustamante has described the frontal gaze of the owl like a mask and akin to

[219] When the preliminary version of this paper was delivered at the University of Pennsylvania's Department of Classical Studies' Graduate Student Conference: The Popular in Classical Antiquity, I had not yet realized what the pods were. My primary impression was that they looked like green jalepeno peppers, but because those are a New World food, they would have been unknown to the Romans; therefore, I decided that they must have been "leaves" until reading Beschaouch, 2006a.

[220] Slim, 2004, p.112; Vismara, 2007, p.113; Bustamante, 2012, p.137

the powers of Medusa in order to dispel evil, [illustration 5] but also having the power of Bacchus / Dionysos: *mania*, the ability to induce madness.[221] Beschaouch has reconciled the connection of the owl and Minerva with the name of the Telegenii; he believes that the owl represents Minerva, the *genius* of Thysdrus, and that the name of the Telegenii (the Greek τῆλε tele + *genius*) is that of the *genius* from a distance.[222] This symbolism would have made an even deeper connection for the Telegenii of Thysdrus.

The owl is wearing a *toga contabulata,* the form of the *toga* with a wide band that was popular in the later Roman Empire.[223] However, the tunic usually worn under the *toga* is absent. During the late third-early fourth centuries CE, wearing two tunics beneath the *toga* came into fashion.[224] It seems significant that the owl is shown without a tunic, especially since the style when the mosaic was made was for two tunics to be worn. The *toga* and other features of the owl, such as the rounded eyes, represent the owl's humanity.[225] The owl may be interpreted as a Roman member of the elite whose frontal gaze is able to repel the power of the evil eye, unlike the other birds who are its victims.[226] Bustamante interprets the *toga* the owl wears as a *toga angusticlavia,* known for having more narrow "purple" stripes, and as the dress of the equestrian class.[227] However, the "purple" of the *clavus* in the owl's *toga* is rather wide, more like a *toga praetexta*, with its Tyrian purple (maroon or dark reddish-brown) stripe, indicating that he is of senatorial or priestly rank. The *toga* was the official dress for sacrifice in Roman religion.

The togate owl in the mosaic from Thysdrus might be a representation of a member of the elite, or possibly a freedman. A terracotta statuette of a Roman male in a *toga praetexta* from ancient Murecine (modern Moregine) near Pompeii has been suggested as an image of one of the *vicomagistri* due to its crude rendering and the conditions of its discovery[228] during salvage excavations in association with a wall painting of a sacrificial scene from a second-story of a building, likely an inn.[229] The *vicomagistri* were freedmen priests of the cult of the *Lares Compitales*, gods of the crossroads, who conducted sacrifices at crossroad shrines (*compitae*) during *Compitalia,* the crossroads

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[221] Bustamante, 2012, p.136. Bacchus / Dionysos was another important god for the Romans of Thysdrus; Slim, 2004, p.107 recalls many mosaics from the town have Dionysiac themes. Mercury, god of commerce, was the third important god of Thysdrus, presiding over commerce.
[222] Beschaouch, 2017, p.1337
[223] Vismara, 2007, p.112
[224] Croom, 2010, p.39. Croom gives the example of the *opus sectile* composition from Rome of Junius Bassus in a chariot, ca. 330-350 CE
[225] Bustamante, 2012, p.137
[226] Slim, 2004, p.112; Ben Khader, 2006, p.59; Bustamante, 2012, p.136; Bond, 2015; and Kruschwitz, 2015
[227] Bustamante, 2012, p.137
[228] For more on the terracotta see Guzzo, 2003 and Roberts, 2013.
[229] Guzzo, 2003, p.464). For more on the wall painting and the building's reconstruction, see Guzzo, 2003, Torelli, 2006, and Abate et al., 2011.

festival held in January.[230] *Vicomagistri* were in charge of neighbourhood policing and fire-fighting; in return for their services, they were allowed to wear the *toga praetexta* during the festival. There is evidence for *Compitalia* (listed as *ludi* or games) in the *Codex-Calendar of 354*,[231] but aspects of the holiday may have already been absorbed into the New Year's festival, the *Kalends* of January,[232] and freedman status only lasted for one generation- the children of freedmen are free. Regardless of the owl's class, it stands for a Roman citizen, one of the Telegenii, who is unconcerned with the jealousy of others, specifically, the Aucupi's and Mensuri's. The *toga* as the owl's form of dress refers to the religious aspects of belonging to a *sodalitas* and the mosaic's placement in the threshold of the bath keeps that jealousy at bay by not allowing evil to pass.

Most of the mosaic production in North Africa was intended for domestic spaces.[233] According to Ben Khader, the domestic sphere in Roman Africa is where "more than anywhere, mosaics expressed the tastes of the owners and thus reflect the trends of the period."[234] The third century CE was the height of mosaic production, with most examples coming from private homes.[235] Figural mosaics were typically found in the more important rooms of a residence, with the lesser rooms receiving geometric decoration.[236]

The houses of the non-elite of Thysdrus were located closer to the center of town, measuring from 130 to 160 square meters, and consisting of four to eight rooms around a central courtyard.[237] These houses were small and of modest decoration, with shards of pottery laid in mortar as the main form of flooring.[238] Rooms that faced out onto the streets, but also connected with the rest of the house, have been interpreted as shops or workshops.[239] A cistern in the courtyard was the house's water source, and if one room was larger than the others and with better quality floor decoration, it has been

[230] For more on the *vicomagistri* see Clarke, 2003, Stek, 2009, Lott, 2011, and Flower, 2017. The *Vicomagistri Relief* in the Musei Vaticani is one of the most famous depictions of *vicomagistri*.
[231] This manuscript belongs to the Christian period and was commissioned by a Christian, Furius Dionysius Filocalus as a gift for another Christian, Valentinus. Salzman, 1990, pp.17–19 like Stern, 1981 before her, does not consider the *Calendar of 354* to be a pagan anachronism, but a record of the official state cults of Rome, from its pagan festivals to the imperial cult. Salzman, 1990, p.21 likens the manuscript to the *Projecta Casket* from the Esquiline Treasure in the British Museum, where pagan imagery has been employed for a Christian.
[232] Meslin, 1970 was the first to suggest a connection with the *Kalends* of January. Grig, 2016a, p.240 states that by Late Antiquity, *Compitalia* had lost its importance, and that it was the *Kalends* of January that would rival Saturnalia.
[233] Ben Khader, 2006, p.19
[234] Ben Khader, 2006, p.19
[235] Ben Khader 2006a: 19
[236] Ben Khader 2006a: 20
[237] House of Africa label, El Jem and Slim, 1996, p.66
[238] House of Africa label, El Jem
[239] House of Africa label, El Jem and Slim, 1996, p.66

interpreted as a reception room.[240] In this way, a house of a slightly better-off member of the non-elite mimicked that of the upper class.

Illustration 16: The House of Africa, ca. 170 century CE. Full-scale reconstruction, El Jem, Tunisia. Author's own photograph, June 2014

[240] House of Africa label, El Jem

Illustration 17: *Mosaic of the Months,* late 2nd/ early 3rd century CE. (Entire mosaic with the location of the *January* panel) from room 6, the House of the Months in Thysdrus, Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

The largest houses of Thysdrus were found more towards the outskirts, where there was room to build dwellings reaching from 1120 to over 3000 square meters,[241] such as the ones preserved behind the El Jem Museum that were constructed during the height of the town's prosperity, the second and third centuries CE. The late second century CE House of Africa [illustration 16], now fully reconstructed near its original site[242] allows visitors to experience one of the homes of the town's elite as it would have appeared in antiquity. Like the smaller, more modest houses, these were arranged around an open

[241] House of Africa label, El Jem and Slim, 1996, p.68
[242] The original site of the House of Africa was next to the Baths of the Owl. See [illustration 4].

space, a garden, usually in the center, but the garden was surrounded by a peristyle.[243] Rooms that have traditionally been associated with entertaining and dining (*oeci, triclinia*), and sleeping (*cubicula*) have been identified, usually oriented toward the north and west, while service areas and secondary apartments were usually toward the south.[244] Shrines to the household gods (*lararia*) were placed in small rooms that were located off of the peristyle.[245]

The Mosaic of the Months [illustration 17] was discovered in room 6, a probable *cubiculum*, in the west wing of the House of the Months by Foucher in 1961.[246] The house was part of a larger, although only partially excavated complex near the Great Baths, built around a garden or central courtyard. The House of the Months possessed other rooms with mosaic floors, including a lavish one (room 3) depicting the Nine Muses, a dining room (*triclinium*) with a variation of the *Unswept Floor Mosaic* (*asarotos oikos*), and one (room 2) with "cushions" decoration and the symbol of the Telegenii.[247] Foucher dated the house to either the end of the second century CE or the beginning of the third century CE.[248] Lamps, or fragments of lamps, that were found beneath rooms 2 and 3 of the house may be dated stylistically up to the early third century CE.[249] This indicates that these rooms might have been the result of a later redecoration.

The *Unswept Floor Mosaic* in the House of the Months provides evidence for intervention between the house's residents and supernatural forces.[250] According to Pliny the Elder,[251] the original Hellenistic mosaic by Sosos of Pergamon depicted bits of food that had fallen from the dinner table as if they were purposefully left upon the floor. It was considered bad luck to remove the remains once they had fallen because what no longer belonged to a banquet for the living belonged to that of the dead.[252] The mosaic provided a way in which the dead could continue to receive their offerings via the pictorial symbols, since the mosaic covered the floor of the house, and the ground was the boundary between the world of the living and the underworld.[253] Here, we are met with another case of "like influencing like", where the images of the discarded food stand as replacements for the real things.

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[243] Slim, 1995, p.260
[244] Slim, 1996, pp.69–70
[245] Slim, 1995, p.260 and Slim, 1996, p.70
[246] Foucher, 1963, p.28
[247] Foucher, 1963, pp.27–28; Dunbabin, 1979, pp.124–125
[248] Foucher & Institut d'Archeologie Tunis 1963: 28 and Foucher, 2000: 65–66
[249] Dunbabin, 1979, p.31 and Foucher, 1963, pp.51–53
[250] Bailliot, 2019, p.184
[251] Pliny, *Natural History,* XXXVI.184. Dunbabin, 1999, p.270 notes that Sosos is the only mosaicist who Pliny names; nor does any other ancient author name artists working in mosaics. According to Dunbabin, this is because the medium was held in less esteem than painting and sculpture.
[252] Bailliot, 2019, p.184 citing Renard, 1954, pp.35–38; Deonna and Renard, 1961, pp.50–55
[253] Bailliot, 2019, p.184

The Mosaic of the Months [illustration 17] is the oldest surviving Roman illustrated calendar with a complete set of the months.[254] Although the portion of the mosaic containing the months is intact, there once was much more of the composition as indicated by the column of squares on the right, each containing non-figural designs, and the truncated second column of squares, where it is no longer possible to tell what was within each of the squares. The now-lost area may have originally contained illustrations of the labors of the months or signs of the zodiac, which may have been paired with the months. The preserved portion of the mosaic has an appearance much like a Persian carpet, with each square surrounded by lush vegetal design. The *Mosaic of the Months* was produced in a local workshop.[255] The hands of two craftsmen have been identified, with the so-called "apprentice" responsible for the panels (*emblemata*) of several months including *January*.[256] [illustration 2] It is the "apprentice's" more abstract style that has led to difficulties in this panel's interpretation.[257]

Most *emblemata* of the *Mosaic of the Months* depict religious scenes tied to festivals that characterized a typical Roman year, which began in January.[258] In the *January* panel, two men wearing hooded cloaks are embracing. [illustration 2] Foucher described the short white garment with a thin purple border that the men are wearing underneath the cloaks as the *angusticlavia,* which was associated with the equestrian or merchant class.[259] Both men are also wearing boots. What appears to be the bare legs of the two men was interpreted by Foucher as "beige stockings."[260] Yet, there is no differentiation between the flesh tones of the men's exposed body parts and their legs. The man on the left has darker hair and is wearing a reddish-colored cloak. The man on the right has lighter hair and is wearing a black cloak with a more brownish color on its underside. Because of their positioning, only one hand belonging to each figure can be seen.

Eithne Mary Eastman concluded that the man on the left is younger based on more gray tiles in the hair of the man on the right, the presence of "bushy eyebrows" in the same figure and a more "youthful" clean-shaven profile of the figure on the left.[261] However, it is unclear whether the supposed older figure is bearded because there is only a slight differentiation within the color of the tiles on the upper portion, which have a few more in the yellow-range, versus the lower portion of his face, which seem just a little more

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[254] Eastman, 2001, p.183. The mosaic from the House of the Calendar at Antioch is the oldest surviving calendar mosaic, dating to the second century CE, but it is now missing several months.
[255] Eastman, 1996, p.24, 2001, p.184
[256] Eastman, 2001, p.184
[257] Eastman, 2001, p.184
[258] The months of January and February were added by king Numa Pompilius to the Roman calendar that was believed to have been established by Romulus. Romulus' calendar began in March, at the start of spring. Remnants of this can be seen in the zodiac, which begins with Aries in late March. For more on the early calendar see Forsythe, 2012
[259] Foucher, 2000a, p.71
[260] Foucher, 2000a, p.71
[261] Eastman, 1996, p.193

gray. The difference in the ages of the figures might imply a father-son relationship or that of a patron-client.[262] Because the panel is only labeled with the name of the month, *Januarius,* it is unclear whether the figures' embrace is in celebration of the *Kalends* of January (the New Year) or *Compitalia*, the month's major holidays. Eastman states that two figures are expressing "New Year's good wishes," which will result in the younger figure kissing the older.[263]

If the holiday depicted within the panel is *Compitalia,* then there is a link to Fascinus, the divine phallus. The founding of *Compitalia* has been attributed to one of the kings of Rome from the sixth century BCE, Servius Tullius.[264] A version of the myth of the birth of Servius Tullius recorded by Pliny the Elder[265] describes the image of a phallus (Fascinus) suddenly appearing in the ashes of a hearth and then impregnating Ocrisia, the slave of Tanaquil, queen and wife of king Tarquinius Priscus. The story continues that after Servius Tullius' birth, a flame could be witnessed flickering around the child's head while he was sleeping, which was interpreted that Servius Tullius was fathered by a *Lar familiaris*. Pliny concludes that it was because of this that Servius Tullius instituted the games for *Compitalia* in honor of the *Lares* when he became king. Pliny's account equates Fascinus with that of the *Lares,* and the phallus, Fascinus' image, whose function is to protect and ward off evil, is welcome within the home.[266] Although the myth of Servius Tullius was set deep in Rome's past, the apotropaic power of the phallus did not lose its potency in the Late Empire.

As the myth of the birth of Servius Tullius demonstrates, Roman domestic spaces, as pointed out by Joanne Berry, were not "neutral or passive."[267] The threshold (*limen*) and the door (*ianua*) physically separated a house from the street in the same manner that fortifications defined the limits of a settlement. Thresholds, as already demonstrated, were important boundaries physically and spiritually. Pompeii provides evidence for locks and keys that might have been utilized at night even if the front doors were opened during the day; many Pompeian houses also had secondary doors in the entrance that that would have limited access to the house.[268] Shelley Hales has described the doors of Pompeian houses in terms of their ability to express the identity of the owner:

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[262] Eastman, 1996, p.193
[263] Eastman, 1996, p.192
[264] Dionysius of Halicarnassus 4.14.2-4. More solid evidence for the celebration of *Compitalia* comes from the middle of the first century BCE, embroiled within the political turmoil of the Late Republic.
[265] Pliny, *Natural History*, XXXVI.70 also recounted in Alvar Nuño, 2011, p.117. Waites, 1920, p.247 records a similar variant from Plutarch where the mother of Romulus was a servant who is bedded by the "phallic Lar" in place of the king's daughter.
[266] Alvar Nuño, 2011, pp.117–118
[267] Berry, 2016, p.129. In addition to Berry's important article, other studies on boundaries in Roman (primarily domestic) architectural space include Grahame, 1999, Grahame, 2002, Platt, 2002, Lauritsen, 2011, Proudfoot, 2011, Proudfoot, 2013, and Stevens, 2017.
[268] Berry, 2016, p.131. For secondary doors see Proudfoot, 2013

For the homeowner, there appears to have been only one acceptable place for self-promotion in his façade. The door, as the only possible method of direct ingress, was the one component of the exterior façade that could be seen by passers-by as linking with the interior. This was the only spot in the house boundary where it was evident that there was a house behind. Every time the door opened, it afforded a glimpse into the homeowner's domestic world. The door was, therefore, an indisputable part of that world and an opportunity to impress. That Pompeians took this opportunity is easy to discern; enormous doorways were hung with great wooden doors fitted with bronze bolts, locks, and insignia. The threshold to the private was marked with great pomp in the realm of the public.[269]

In Thysdrus, even some of the smallest houses may have had more than one entrance.[270] The larger houses had their main entrance face the street, with a "first vestibule" that could flank street-facing shops that did not connect with the rest of the house.[271] Slim describes the "second vestibule" as the real place in the elite residences where the transition between the outside and inside occurred.[272] Unlike the Pompeian desire for a viewer on the street or at the threshold to see inside a well-appointed home when the door was open, those of Thysdrus were more closed off, with the "second vestibule" limiting what could be seen. Although Slim makes no mention of the reason for this architectural design, limiting the view of others would have been a preventative measure in keeping the envy and jealousy of the less fortunate from affecting the residents of the wealthy home.

The name for a door (*ianua*) is connected to Janus.[273] Janus was an Italic deity depicted with two faces, although rare examples with two heads exist; one face is more youthful and is associated with beginnings, while the other depicts old age and is associated with endings.[274] Like Janus, a door has two faces or sides: one looks outward to the street, and the other looks inward to the interior. As a god of beginnings, Janus was first among deities to receive prayers.[275] Ovid's *Fasti* opens with an invocation to Janus on the first (*Kalends*) of January, where the god likens himself to a house's door, where the outward

[269] Hales, 2003, p.104. Further discussion of the issues embedded within the terms "public" and "private" can be found in works including Wallace-Hadrill 1988, Wallace-Hadrill 1994, Laurence / Wallace-Hadrill 1997, Riggsby 1997, Treggiari 1998, Zanker 2001, Cooper 2007, Gazda / Haeckl 2010, Bowes 2011, Anguissola 2012, Bowes 2015, Joshel / Petersen 2015, Parker 2015, Tuori et al. 2015, and Schörner 2017.
[270] Slim, 1996, p.66
[271] Slim, 1995, p.260
[272] Slim, 1995, p.260
[273] Mahon, 2003, p.59
[274] Mahon, 2003, p.58
[275] Mahon, 2003, p.58

face is described as looking towards the people, and the inward face is looking towards the *Lar,* one of the household gods.[276]

A slave (*ianitor*) could also exert control over who had the right to pass through a door of a house.[277] Here, the slave's door-keeping function is named after Janus, and in the *Fasti*, the god calls himself the door-keeper of the heavenly court (*caelestis ianitor aulae*.)[278] The fresco of *Orpheus and Eurydice in the Underworld* from Tomb 33 (the *Columbarium of Decimus Folius Mela)* of Ostia's Porta Laurentina necropolis, now in the Musei Vaticani, features a seated figure labeled "*iani*" for *ianitor*.[279] The artist has decided the *ianitor* is necessary for guarding the exit of the underworld, even though the watchdog Cerberus is still at his post, appearing to the left of the *ianitor*. If the homes of the elite had use of such slaves, why would one be denied Pluto, the lord of the dead, who was more concerned with his subjects attempting to escape rather than visitors entering his domain?[280] In the entrance (*fauces* or *vestibulum*) of a house [or second entrance in the case of Thysdrus], the powers of Janus met those of the *Lar familiaris*, the household god.

At the left in the *January* panel, is a table with offerings of foliage and fruit [illustration 18] supported by a base with a sculpted figure that has been identified by Eastman as one of the *Lares*[281] most likely due to the wreath on the figure's head and the positioning of its arms, which resemble the type of *Lar* called the Dancing *Lar*. The *Lares* were usually depicted as a pair of young men wearing short belted tunics and high boots,[282] often carrying an offering dish (*patera*) in one hand and a ritual vessel used for pouring liquid (*rhyton*) in the other. The Dancing *Lares* are always depicted as youths; one is not older than the other when they appear as pairs. This Dancing *Lares* type is associated with images of the *Lares Compitales* as well as the *Lares* of individual households. Context is, perhaps, one of the best ways that these two types of *Lares* can be distinguished in the statuettes.

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[276] Ovid, *Fasti* I.135-136. For Janus in the *Fasti* see Hardie, 1991

[277] Berry, 2016, pp.137–138 cites two inscriptions recording *ianitores* from Pompeii: *CIL* IV.1894 and *CIL* IV.1921 as well as from other sites.

[278] Ovid, *Fasti* I.139

[279] See Donati, 1998, p.61, Casagrande-Kim, 2012, pp.219, 322, and Ostia Antica,org's webpage: https://www.ostia-antica.org/dict/plnec/plnec.htm for more information and illustrations of this wall painting.

[280] In this wall painting, the still-alive Orpheus has already used his musical gifts to charm both Cerberus and the *ianitor* to enter the underworld in order to bring back his deceased wife Eurydice. It will be Orpheus' own undoing, not the fault of the guards, that will prevent Eurydice's return. The presence of the figure of Ocnus on the far right might be a reference to Polygnotos' painting of the underworld from the Lesche of the Knidians at Delphi, or another indication, along with Cerberus, Pluto, and Proserpina, that the scene is occurring in the realm of the dead.

[281] Eastman, 2001, p.184

[282] Sofroniew 2015: 35–37 describes the boots of the *Lares* as a typically South Italian style, which, along with the drinking equipment, she equates with a possible connection to Bacchus / Dionysos through South Italian connections, but she also does not rule out Etruscan influence.

Illustration 18: *January* from the *Mosaic of the Months,* late 2nd/ early 3rd century CE. (Detail- *monopodium*) from room 6, the House of the Months in Thysdrus, Sousse Museum, Sousse, Tunisia. Author's own photograph, June 2014

The relatively small size of the figure and the lack of details in the mosaic makes it difficult to determine if it is a *Lar*. The foliage is said to be from a laurel,[283] which furthers connections to *Compitalia*, for laurel is part of the iconography for the *Lares Compitales*, but the branches are too abstracted to conclude that they are anything more than generic

[283] Eastman, 1996, p.192

tree branches. The table, however, can be matched with single-footed marble tables (*monopodia*)[284] that were used as display pieces within the atrium of a *domus*, such as in Pompeii and Herculaneum, and may have held offerings for the household gods. Even if these tables might have been part of household cult, they usually do not depict the *Lares*, themselves. However, the imagery of Dancing *Lares* combined with tables (although not *monopodia*) can be found in some of the earliest material evidence for *Compitalia*: Republican-period wall paintings from Delos.[285] [illustrations 19 and 20]

Illustration 19: Wall painting from Delos with "Dancing *Lares*". Archaeological Museum of Delos, Delos, Greece. Author's own photograph, May 2014

[284] There are many examples of this type of table from the Vesuvian region as well as Gaul, Greece, and Asia Minor. *Monopodia* continue to be produced into the Christian period. For more on *monopodia* see Moss, 1988 and Feuser, 2013. For *trapezophora* and other tables in Greece and Rome, see Gill, 1974, Stephanidou-Tiveriou et al., 1985, Stephanidou-Tiveriou, 1993, and Cohon, 1995.
[285] Especially Delos Museum # B.17629 and # B.17626. For more on the paintings of Delos see Bulard, 1908, Hasenohr, 2003, and Flower, 2017.

Illustration 20: Wall painting from Delos with “Dancing *Lares*” (Detail: Offering Table). Archaeological Museum of Delos, Delos, Greece. Author’s own photograph, May 2014

Compitalia also featured the hanging of dolls made of wool for the free and balls of wool for slaves on doors and cross-roads shrines as offerings to the *Lares Compitales*. Wool, although a common material in antiquity, was considered lucky.[286] These offerings may have been in exchange for human sacrifices in the early history of the festival, or in other words, a form of magic to trick the deity into accepting the effigy rather than a human being. Like the *apotropaica* of the threshold mosaics discussed at the start of this paper, this is an illustration of the principal of "like influencing like." However, the *Lares* are benevolent, so there are problems with this theory.

Tiny "rag dolls" from the site of Karanis in Egypt are enigmatic artifacts that might have connections to magical or religious practices such as those during *Compitalia*. These "rag dolls" date to the 2nd-4th century CE and are composed of scraps of fabric pulled into a loop and then tied with a string.[287] One, nick-named "Scary Hair,"[288] has human hair

[286] Holland, 1937, p.435. Because wool is a perishable organic material, its survival rate is low, yet, wool was one of the most accessible fibers for textile production. Ancient domestic spaces were populated with objects composed of materials that would have been prevalent in antiquity, such as wool and other natural fibers, wood, and basketry.

[287] For information on Karanis see Gazda, 1983 and Wilburn, 2018. More specifically about these "dolls": Thomas, 2001, pp.25–26, Johnson, 2003, Davis, 2015, and Roberts and Batkin-Hall, 2016. Johnson, 2003 is the most comprehensive, cataloguing the 19 examples of the "rag dolls" from the site.

[288] Kelsey Museum # AD. KM 7512

applied to it in addition to the wool and mud. Another,[289] has papyrus sheets underneath the cloth.[290] Only four "rag dolls" came from houses; the others were discovered in streets or away from architecture.[291] The one called "Scary Hair" was discovered in a house in association with other objects: ivory dice, a "doll" made of wood, and a terracotta figurine of Isis and her son Harpokrates.[292]

More recent work presents questions about "Scary Hair," including whether it and the others are actually dolls, whose hair was used to make it, or perhaps if it was a magical artifact, such as used in cursing.[293] After micro-CT scanning of several of the Karanis "rag dolls", it was revealed that one,[294]contained a bone 'head' decorated with eyes and eyebrows, animal fiber at the top of the bone 'head' (perhaps in imitation of hair), and linen wrapping.[295] The micro-CT scan confirmed that inside the linen wrapping was some other material, stated as possibly being wood, where incisions had been made.[296] Binding and cutting are ritual actions.

At the 2018 Archaeological Institute of America's Annual Meeting, Shannon Ness, a doctoral student at the University of Michigan at Ann Arbor, presented her unpublished paper, Karanis “Rag Dolls”: A New Interpretation. Ness believes that the "rag dolls" are "soothers," ancient pacifiers for infants and toddlers. According to Ness, as the child aged, the "soother" would have been kept as a memento and might have been personalized, such as in the case of "Scary Hair" where she suggests that the human hair could have been applied after the "doll"/ "soother" was no longer needed to be placed in the child's mouth to prevent crying or to relieve discomfort from teething. Citing 'rag bags' used in Russia, Ness described an example where a child was left with the "soother" in its mouth so long that it became moldy. I am in agreement with Ness that it seems doubtful that the Karanis "dolls" were toys, which, according to Ness, is how they are displayed in the Kelsey Museum. With the lack of inscriptions to assist in the interpretation of these artifacts, Ness' interpretation may be possible, but I believe it is more likely that these objects are religious in nature, either for magical purposes or as part of a ritual, such as in *Compitalia* or the *Argei*.[297]

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[289] Kelsey Museum # 26413
[290] Johnson, 2003
[291] Johnson, 2003
[292] Johnson, 2003. With a niche in an adjacent room to where # 7512 was found, Johnson may accept an interpretation as a toy or an object used in domestic rituals, but she posits that the Karanis "dolls" were used as amulets.
[293] Davis, 2015
[294] #1966.901.113
[295] Roberts and Batkin-Hall, 2016
[296] Roberts and Batkin-Hall, 2016.
[297] For more about the *Argei* see Clerici, 1942 and Graf 2000.

Conclusion

Although the *Mosaic of the Months* is older than the *Owl Mosaic*, the two are more than just floor decorations. It is highly likely that the Telegenii of Thysdrus commissioned the *Owl Mosaic*, but it is unclear whether the owner of the House of the Months was a member of the Telegenii or one of their fans despite the faction's symbol appearing in one room, and the House of the Months' location near the Great Baths. We do not know if the owner of the House of the Months even cared about what images were on his floors.[298] However, if the mosaic with the symbol of the Telegenii [illustration 11] in room 2 of the House of the Months was, in fact, a later addition to the house in the third century CE, it is possible that an original owner redecorated to reflect his allegiance to a *sodalitas* that was on the rise, or that it suggests a second owner who found expressing his loyalty to the Telegenii appropriate for making his own mark on the House of the Months. Placing room 2's mosaic in the House of the Months as a later addition more closely aligns it with the *Owl Mosaic*. Regardless of the date of room 2, the *Mosaic of the Months* remained in room 6, uncovered by later decoration, implying that it either suited the taste of a resident in the third century, or it was not worth the effort to remove. A version of the *Unswept Floor Mosaic* in a dining room, where images of discarded food serve to placate denizens of the underworld using the "like influencing like" magical paradigm is further proof of meaning beyond decoration in the House of the Months. In terms of its size and the lavishness of its mosaics, the House of the Months was a residence capable of attracting the envy of others.

January is just one of the twelve months that comprise the *Mosaic of the Months*, but January lies at the crossroads, a dangerous and magical place, between the old and new year, and the festivals for the month, *Compitalia* and the *Kalends* of January were considered popular. The *Lares*, themselves, bridged the boundaries between humanity and the "high" gods of state ritual, while the wool dolls offered to the *Lares Compitales* for *Compitalia* recall magical practices of substituting an image of something for the real thing, another instance of "like influences like." For the *Owl Mosaic*, the Telegenii might have been looked down upon by the imperial court in their early history, but by the third century CE, they transformed into a provincial elite, capable of attracting the evil eye, but also of turning that destructive power back upon their rivals. Both the *Owl Mosaic* and the January panel question our own conceptions of popular religion in the Roman Empire, or at least this one town in North Africa by examining the roles of religion,

[298] Eastman, 1996, p.24

magic, boundaries, and the social classes of those performing magical rites and/or popular religious practices.

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Cityscapes in Roman Painting:
The Amphitheater Riot Fresco as a Piece of "Popular Art"

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Fig. 1. The Amphitheater Riot Fresco from House I.3.23, now in the Museo Archeologico Nazionale in Naples, inv. 112222 (Image in the public domain, available on Wikimedia Commons)

In 1869 excavators of House I.3.23 at Pompeii unearthed the Amphitheater Riot Fresco (Fig. 1).[299] Giulio de Petra and the elder Friedrich Matz, authors of the first reports, commented on both its detailed depiction of southeastern Pompeii and its illustration of the AD59 brawl between rival Pompeians and Nucerians known from Tacitus.[300] While Matz thought the fresco's intersection with history more remarkable than its topographical correspondence,[301] de Petra emphasized the piece's "fidelity" to the real urban setting.[302] To my knowledge de Petra's observation is relatively unexplored. The fresco has often been studied as a social document revealing either aspects of "popular" art or the patron's identity and attitudes.[303] I aim to unite the two by first examining the Riot Fresco as a cityscape that suggests the patron's perception of his city, then comparing it to painted cityscapes from contexts across the Roman status spectrum.

I have divided this article into three sections. The first defines the core terms: popular, elite, non-elite, and cityscape. The second studies the Riot Fresco as a cityscape. It compares the depicted space to its real-life counterpart, then reflects on the relationship established between the setting and the figural groups. The third section surveys Roman cityscapes painted between AD59 and 79. It will answer the following questions: What relationships do they establish between architecture, human figures, and nature? Do they present patterns the Riot Fresco departs from? The article concludes with a discussion of different attitudes patrons may have held towards depicting cities on walls and their connection to social status. We will see that Roman

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[300] Tacitus, *Annals* 14.17

[301] Matz 1869, 241

[302] De Petra 1869, 185

[303] Clarke 2003, 154

patrons and painters centered cityscapes either around architecture to convey an ideal, or human figures to portray the drama of life.

Prolegomena to Cityscapes as Social Documents

A welcome aspect of "The Popular in Classical Antiquity" conference was the organizers' invitation to reflect critically on the meaning of the terms "popular", "elite", and "non-elite." Bianchi Bandinelli classed the Riot Fresco, on stylistic grounds, as "popular art" in his well-known division between Greek-inspired aristocratic art and "popular" art animated by native Italic traditions.[304] While this framework's fortunes fell with those of its Marxist premises, consideration of the fresco's relationship to Roman society runs straight into presently popular nomenclature: elite and non-elite.[305] "Popular" and "non-elite," while related, are not coterminous. "Popular" has two senses: something with mass appeal, and something associated with the masses. The Riot Fresco is decidedly not the former, its subject having no traction outside House I.3.23. It is popular in the second sense, however, if scholars are correct in positing from its content, style, and unimpressive house[306] a patron from the vast social mass that Imperial literary sources dub the *plebs*. House size and decorative quality are not foolproof identifiers of social standing, but likely reflect it often enough to furnish a useful heuristic. Acknowledging the tentativeness, this article assumes that, in the main, the owner of a small, sparsely decorated house is lower down the social ladder than that of a small well-appointed house, and both are non-elite relative to the owner of a large, lavishly decorated *domus*. In this sense "popular" and "non-elite" are synonymous and we may study the fresco as popular art commissioned by a non-elite.

This raises further questions of definition. What is "non-elite" or "elite" in the Roman world? The Romans of the Riot Fresco's day had a clear sense of who their elites were: the emperor and his house, and families currently in the Senatorial, Equestrian, and Decurial *ordines*.[307] We might call this an aristocracy. This ties eliteness primarily to social esteem, yet "elite" inescapably connotes for us the ability to greatly influence society's course, regardless of how (dis)respected one is. This is important when considering Roman painting, as similar high-caliber decorative programs are found in

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[304] Bianchi Bandinelli 1970, 64-66

[305] For the origins and current applications of elite theory see the pieces collected in Best and Higley 2018.

[306] De Petra (ibid.) characterized the house as "a crummy inhabitation," and neither he nor Matz had much to say about the décor other than the Riot Fresco. For the house, see Sampaolo 1990a, 77-79 and figs. 1-5.

[307] Clarke 2003, 4-7.

the houses of grandees and former slaves alike, as the Houses of the Menander and the Vettii demonstrate. As such, I define the Roman "elite" as those who possesses:

> *influence* exerted across a broad social stage, at minimum a city. While this includes politics, we are more interested in artistic influence: patronizing a particular image that inspires imitation or rejection.
>
> *esteem*, the respect their comportment affords from social superiors. Conferred honors such as adlection to the Senate suggest this.
>
> *affluence*, income from properties and appropriately contracted trade. Large, lavishly decorated houses and villas indicate this.

Each elite possesses individually varying combinations of the above. Juvenal's freedman who lives like an Equestrian on rental income[308] has (3) and may parlay that into (1), but definitely lacks (2). "Elite" then can be a broader term than aristocracy, as it includes disdained Imperial slaves and wealthy ex-slaves who were still movers and shakers in Roman society.[309]

"Non-elite," as the negation of "elite," covers both those who lack the above and those who possess them at lower orders of magnitude. It includes the truly indigent, the aspirers, and all in between. A non-elite's influence and esteem may not extend beyond neighborhood, *collegium*, or friend group. His income may be comfortable, but not enough to move mountains. Regarding House I.3.23's owner, scholars – judging from his house's size and the subject of his fresco – have proposed various unsavory characters. Fiorelli and della Corte posited a gladiator while Fröhlich and Clarke see a local partisan celebrating the riot.[310] Such a person potentially enjoyed a handsome income yet would not have merited esteem from those above him nor exercise broad influence. He certainly fell far short of his near neighbors who owned the opulent House of the Menander (I.10.4). Since the Riot Fresco's cityscape contrasts with the usual ways Roman frescoists depicted urban expanses in houses across the social spectrum, it may shed light on different attitudes towards cities across social strata.

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[308] Juvenal, *Satires* 1.102-106

[309] My thanks to Prof. Rabun Taylor for this suggestion.

[310] Fiorelli 1875, 56; della Corte 1965, 267-268; Fröhlich 1991, 247; Clarke 2003, 157-158. More recently, Torelli (2012, 64) proposed the patron was a *lanista*, a trainer of gladiators.

Fig. 2. Depictions of cities on the Peutinger map. Left to right: personifications of Constantinople and Antioch, metonym of Ravenna (Images in the public domain, available on Wikimedia Commons)

First, we must contextualize and define "cityscape." Cityscapes form a subset of what I call "depictions of cities," a broader universe that includes personifications and metonyms.[311] The Peutinger map, a medieval copy of a Roman original dated between the third and fifth centuries AD, furnishes examples (Fig. 2).[312] Three of the Empire's greatest cities – Constantinople, Antioch, and Rome – are personified as enthroned goddesses, while turreted walls enclosing smatterings of buildings denote six others. Personifications may express the highest urban ideal of antiquity by divinizing the embodied city,[313] while metonyms quickly impress the idea of "city" on the viewer. We would not call these cityscapes: personifications are too human, metonyms too small.

Cityscapes are distinguished by architectural focus and breadth. They are the metonyms' more detailed relatives. Had the Peutinger mapmaker "blown up" Ravenna to depict a host of intramural buildings, as the mosaicists behind the sixth-century AD Madaba Mosaic Map portrayed Jerusalem (Fig. 3), he would have crafted a cityscape. As such, I define "cityscape" as a broad vista in which architecture is arranged in an urban manner.[314]

[311] Favro 2006, 23-30
[312] Talbert 2010, 117-119 and 124
[313] Gardner 1888
[314] Cf. the broader definition given by de Vries (2003) for "Townscape" in Grove Art Online.

Fig. 3. Bird's-eye view of Jerusalem on the mosaic map laid c. AD542-570 on the floor of the Church of St. George in Madaba, in modern-day Jordan (Image in the public domain, available on Wikimedia Commons).

I have identified three ways Roman artists arranged architecture urbanistically (Fig. 4). One is a simple concentration of buildings. The famed architectural prospects in *cubiculum* M from the Villa of Publius Fannius Synistor[315] are the poster children, with their carefully arranged groupings of balconies, towers, and porticoes. Yet density alone is ambiguous, as Lehmann's strongly argued objections to the urban character of these frescoes demonstrate.[316]

The second method depicts a city wall in conjunction with buildings. Where density alone is insufficient, a tower-studded circuit is virtually incontestable.[317] Artists achieved this in at least two ways. The sculptor of Scene XXXIII on Trajan's Column took a frontal approach, depicting the walls head-on with buildings poking up behind.[318] By contrast the carver of the Augustan-era Iliac tablet now in the Capitoline

[315] Beyen 1938, 149-179 esp. 149-162 and *Tafelband* 23 pls. 60, 61a-c, and 62a-c; Lehmann 1953, 82-87, 90-92, 192-204 and pls. 11-17; Peters 1963, 15-19 and pl. 2 fig. 7; Engemann 1967, 126-134 and pls 37 and 38.1; Bergmann 2010, 30-32
[316] Lehmann 1953, 90-114. For responses, Beyen (1957) and his student Peters (1963, 15-19 esp. 18-19).
[317] Literary attestations from all periods prove the Romans understood a very close relationship between cities and walls. It is no accident that Livy (1.7.3) has the fortification of the Palatine be Romulus' first action as Rome's founder. At the opposite end of Roman history, St. Isidore of Seville (*Etymologies* 25.2.1) wrote that cities were identified with their walls.
[318] Wolfram Thill 2010, 38-39; Stefan 2015, 121-122 and 142

Museums employed a bird's-eye perspective to depict more of the city of Troy within its walls.[319]

Fig. 4. Methods Roman artists employed to create cityscapes. Left: One of the four near-mirror architectural prospects (c. 50-40BC) from *cubiculum* M of the Villa of Publius Fannius Synistor near Boscoreale, now in the Metropolitan Museum of Art in New York, no. 03.14.13 (Image in the public domain, courtesy of the Metropolitan Museum of Art). Top right: Part of Scene XXXIII on the Column of Trajan at Rome, dedicated AD112 (Image provided by and used with the gracious permission of Prof. Roger B. Ulrich). Middle right: A portion of the sack of Troy on the *Tabula Iliaca Capitolina* (1st century BC) now in the Musei Capitolini in Rome, inv. MC 0316 (Image in the public domain, available on Wikimedia Commons). Bottom right: Excerpt from the Forum Cycle (c. AD62-79) from the atrium of the Praedia of Julia Felix at Pompeii, now in the Museo Archeologico Nazionale in Naples, inv. 9062 (Image in the public domain, available on Wikimedia Commons).

This second method achieves a cityscape yet separates the viewer from the urban space; he is either stranded outside the walls or surveying the city like a distant god. The third method places him inside. Though related to the simple concentration of buildings, it avoids the ambiguity by depicting an obviously urban locale such as a forum, as in the Forum Cycle from the Praedia of Julia Felix at Pompeii.[320] The painter of the

[319] For the most recent scholarly study of the Iliac tables, see the comprehensive reappraisal in Squire 2011.
[320] Sampaolo 1991a, 248, 249 and figs. 108-109, 252-257 and figs. 113-124; Clarke 2003, 96-98; see also Olivito 2013

Amphitheater Riot Fresco interestingly combined the second and third methods, depicting southeastern Pompeii from the air, yet from *within* the walls. Let us now turn to this piece in earnest.

Fig. 5. Top: Riot Fresco (Image in the public domain, available on Wikimedia Commons). Bottom: southeastern Pompeii as seen in Google Earth (Screencapture the author's own).

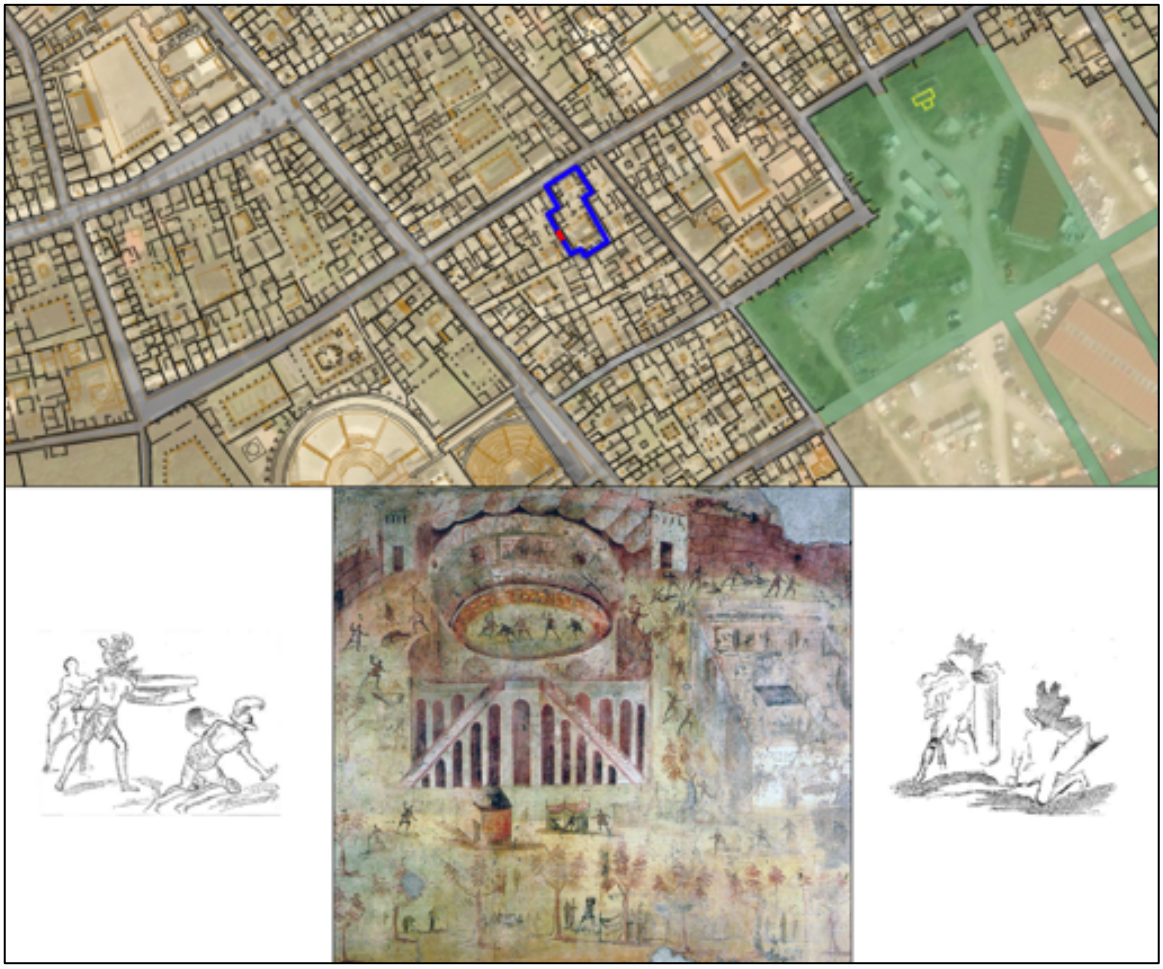

Fig. 6. Top: House I.3.23 within the urban fabric of Pompeii. The house is outlined in blue, and the location of the fresco and its pendants in red (Map ©Pompeii Bibliography and Mapping Project, used with permission of Prof. Eric Poehler. Highlights are the author's own). Bottom: Author's reconstruction of the original arrangement of the Riot Fresco and its pendants. Individual elements not to scale (Images of the pendants courtesy of Prof. John R. Clarke).

Framing a Riot: The Amphitheater Riot Fresco as a Cityscape

The Riot Fresco dominated House I.3.23's garden. Along with flanking paintings of gladiators it filled a good portion of the wall overlooking the garden (Fig. 6). [321] Clarke posits this was the house's main entertaining space, and as such the fresco was the preserve of the patron and his friends who could gather to reminisce and celebrate the riot's brief overturning of the social order.[322] I think this is only one potential. As the

[321] Sogliano 1873, 138 nos. 665 and 666; Clarke 2003, 154-155 and figs. 91-92
[322] Clarke 2003, 157-159

main circulation space, the garden and fresco intersected with the life of the entire household. The fresco would be the patron's conversation piece, the companion of the slave drawing water from the well, and the plaything of children as they imagined stories around the gladiators and figures clashing in a setting they knew.[323] The Riot Fresco represented the city to a slice of its people, and each would receive it in his or her own way. To understand how the patron and artist may have intended it, we will first compare its reproduction of southeastern Pompeii to the real place. Second, we will characterize the relationship the artist established between urban space and human figures.

The frescoist is faithful to the setting's topographical outlines while taking a freer hand towards details. Comparing the fresco with a Google Earth screenshot (Fig. 5) we see the same urban structure: tree-lined open space before the neighboring Amphitheater and Palaestra, all embraced by the curving wall.[324] Yet the screenshot shows more. To achieve the fresco's vantage, we are posted above the Praedia of Julia Felix (II.4.6). Portions of the four semi-rural blocks north of the Via di Castriccio become visible below the tree line.[325] While the trees in the fresco may remind us of these properties, direct representation of them is suppressed. The artist has also occluded the extramural cemeteries behind an impenetrable cloud of color. He excludes extraneous detail to focus us on the Amphitheater and environs. This has the same effect as the Praedia's Forum Cycle, zeroing viewers in on a specific setting and events in it.

The Palaestra further exemplifies the artist's fidelity to outlines and conditional attitude towards details. He preserved the structure – porticus, pool, campus – but omitted the latter's trees,[326] saving himself work while emphasizing the open space. He portrayed a taller Amphitheater-facing façade than actually exists and reduced the entrances from five to two, omitting their pediments and columnar frames.[327] However, he painted them as arches, highlighting a distinct feature of their real-life counterparts easily obscured by their handsome framing. On the north wall he faithfully reproduced the pediment-crowned entrances visitors encounter today. The white coloration reproduces the original stucco, a graffiti-laden portion of which was preserved on the

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[323] Though we cannot know for certain if the patron had slaves or children, the number of rooms in the house and the presence of a second story raises the probability of this being a family home. Another possibility, not explored in this article, is that it was an older home repurposed as a clubhouse.

[324] Archaeological investigation has also recovered the root cavities of the plane trees depicted in the fresco, including two between the Amphitheater and Palaestra, just as depicted in the Riot Fresco. See Sampaolo 1990a, 81. The umbrella pines that today shade this widening of the Via di Castriccio recreate the effect.

[325] From left to right/east to west, the great intramural vineyard still occasionally called the Foro Boario, the Praedia of Julia Felix, the gardens south of the House of Venus in the Shell, and below the Palaestra's westernmost edge the long palaestra-esque garden of the town villa of Decimus Octavius Quartio.

[326] Zanker 1998, 114-116

[327] It is possible that this reflects the Palaestra's appearance prior to the AD62 earthquake. For damage sustained by the Palaestra in that event see Bragantini 1991, 311-312.

north wall.[328] Perhaps the fresco's painted inscriptions pithily hailing the Satrii Valentes[329] monumentalize real messages the patron and his friends scrawled on this wall for their favorite *editores*.

Monuments alone do not make a cityscape, still less a complete city. For that one needs people and nature.[330] While some aforementioned cityscapes blocked or omitted views of inhabitants or trees, the Riot Fresco is replete with both. In establishing the relationship between the rioters, nature, and monuments the artist again departed from strict fidelity to the setting, shaping urban space to frame the rioters and set different moods. Let us examine this through three figural groups (Fig. 7).

Our first group consists of seven figures left of the Amphitheater (Fig. 7, top left). They brawl in a spacious interstice running up to the tower and apparently continuing around the back of the Amphitheater. No such space actually exists, as the Amphitheater directly abuts the wall. There is in reality, however, a shark's fin-shaped spit below the Amphitheater's northeastern curve that rises to meet Tower VI, partially visible in figure 5.[331] The artist has evidently depicted this space, yet imaginatively expanded it to better accommodate the action. As he suppresses the spaces beyond the riot, so he blows up the engulfed area for emphasis.

[328] Bragantini 1991, 312 and fig. 1
[329] *CIL* IV 2993x and y. For transcription and context, see de Petra 1869, 185-186; Matz 1869, 241; Sampaolo 1990a, 80-81. For the Satrii Valentes as givers of games, see Sabbatini Tumolesi 1980, 27-32.
[330] We must remember that from the air ancient Pompeii would present quite a green profile, with many gardens of varying sizes and functions. See Jashemski 2009.
[331] See also van der Graaf 2013, fig. 87

Fig. 7. Groupings of figures in the Amphitheater Riot Fresco. Top left: Rioters between Amphitheater and wall. Top right: Rioters between Palaestra and wall. Bottom: Rioters above the trees and non-rioters among them (Excerpts from image in the public domain, available on Wikimedia Commons).

He achieves a similar effect with the group of rioters above the Palaestra. This is his most brutal scene, with assailants pulverizing prone figures while others heckle and cheer from the Amphitheater's parapet and the city wall. All attention is focused on a slender space corresponding to the real alley between the Palaestra and wall. The frescoist nonetheless expands it by bowing the wall outwards, as if the energy of the riot thrusts it back. Simultaneously the wall embraces the rioters framed by it and the Palaestra. This repeats the architectural framing achieved for the first group by the Amphitheater and wall. The artist uses the real arrangement of monuments as a base around which to mold the urban space like clay, stretching and warping it to create specific fields for action.

Our third group reveals the artist and patron's interests beyond the riot. At left we see two juxtaposed figures by a tree. One dashes towards the low-slung brick building. The other, closer to the tree, has his back turned to the riot. He outlines the tawny ground with a long tool, evidently marking furrows for a garden or temporary stall. His peaceful activity is repeated among the trees below. Here we see figures strolling or

gathering in small groups. All poses suggest untroubled calm.[332] The artist sets aside this strip of curated nature to create a contrasting mood with the riot-engulfed interstices around the monuments. Notably, another park-like space – the Palaestra's *campus* – is spared, its lawns empty in contrast with the Amphitheater's arena where rioters supplant gladiators. In the Riot Fresco trees are not infallibly connected with serenity, as the two between Amphitheater and Palaestra frame rioters apparently beating down the latter's doors. Overall, however, as trees multiply the mood calms. The fresco's division into chaotic and quiescent spaces produces a dynamic tension: are the greenway and *campus* safe, or will they be engulfed next? While the answer is lost to us, the choice of this particular moment suggests an interest in the city as more than a flexible container for local upheaval. It is also a container of contrasts, of the active and passive, passionate and dispassionate, violence and peace. The Riot Fresco potentially generated deeper conversation than simple reminiscence.

Ideals and Myths: Cityscapes of Neronian and Early Flavian Date

We now turn to other cityscapes painted c. AD54-79. In contrast to the Riot Fresco's earthy temporality these frescoes commonly depict pristine urban ideals or mythological settings. Those of known provenance came either from the elite contexts of palace, villa, and grand townhouse, or non-elite houses with respectable decorative programs. We will examine the relationships between architecture, human figures, and the natural world in these pieces and the attitudes towards cities those may reveal.

[332] One possible exception is a figure at the bottom-middle, striding rightwards. He could be read as carrying a heavy load. However, the box-like object above his head is rendered in the sketch published with de Petra's account (de Petra 1869, pl. 8) as a small roofed structure reminiscent of a shed. The watercolor in *Monumenta Pompeiani* (1905, pl. 25) also distinguishes the object from the moving figure. It is disproportionately diminutive to be a shack. It may be a covered well. Another possibility is that it could be a model shrine the figure is carrying for a procession. This reading gains plausibility if the group of figures to the left carry a *ferculum*, such as that depicted in the Procession of the Carpenters from shop VI.7.8-11. See *Mon. Pomp.*1905, pl. 75 and Clarke 2003, 85-87 and pl. 3. The lower portion of the Riot Fresco may in part depict the staging area for a procession scheduled to conclude the games.

Fig. 8. *Città Dipinta* (c. AD64-104) beneath the Baths of Trajan in Rome (Image courtesy of Prof. Eugenio la Rocca, with whose kind permission it is reproduced here)

In 1998 excavations beneath the Baths of Trajan in Rome discovered a monumental edifice and its remarkable city fresco, dubbed the *Città Dipinta* (Fig. 8).[333] It was likely an Imperial commission, perhaps for the urban prefect[334] or Nero's Golden House.[335] Like the Riot Fresco it was meant for outdoor display, but whereas the latter overlooked a garden accessible to a chosen few, the *Città Dipinta* perched high above an open plaza with mixed traffic. More minds would encounter this cityscape, elevated above them and visualizing an elevated form of the city. While sharing some features with the Riot Fresco, it ultimately looks quite different. It too depicts a city from the air

[333] For the building, Caruso and Volpe 2000, 43 n. 1, 50, 55; Volpe 2016, 61. For the progress of the excavations and reconstructions of the façade and environs, see Volpe 2000 (esp. 545-546 figs. 7-9); Volpe 2010; Volpe 2016. For the fresco, la Rocca 2000 and 2001.
[334] As tentatively proposed by la Rocca 2000, 69-70; 2001, 123, and Volpe 2000, 519-520.
[335] Torelli 2006, 176-177

yet locates the viewer far above and outside the walls, allowing for a broader sweep than the Riot Fresco's focused vista. It features a broader array of monumental and quotidian architecture, for instance a theater or *odeum*, sanctuaries,[336] defended harbor channels, and blocks of densely packed houses within turreted walls.[337] While the Riot Fresco is local and particular, the *Città Dipinta* is universal and idealizing.[338]

Fig. 9. Harborscape (c. AD 54-79) from Stabiae, now in the Museo Archeologico Nazionale in Naples, inv. 9514 (Image in the public domain, available on Wikimedia Commons)

[336] In addition to the Greek-style temple adjacent to the theater or *odeum*, la Rocca (2000, 58-59) identified the stand of buildings at the far right as an old acropolis with Tuscan-style temples. The giant cryptoporticus in the *Città Dipinta* also bears a striking resemblance to Vespasian's Temple of Peace at Rome.

[337] La Rocca 2000, 57-59

[338] It could have depicted a real Roman city, as numerous newspaper articles attempted to identify in the wake of its discovery (Volpe 2000, 511-512). All, however, lacked sufficient evidence, and la Rocca (2000, 61) denies it depicts any real city, but rather the general impression of one in the Imperial period. If it did render a real city, the passage of time has made it as anonymous to us as a depiction of Vancouver or Austin to future archaeologists should all memory of their skylines and geography be lost.

The *Città Dipinta* also evinces a very different attitude towards human figures and nature. In the Riot Fresco monuments and trees outline spaces the artist enhanced to emphasize the figures and their actions. The streets and harbors of the *Città Dipinta*, however, are empty.[339] The *Città Dipinta* depicts something of the sea outside the city, yet walls it off. The only water allowed in is safely channeled through the harbors. Unlike the Riot Fresco where trees formed a crucial part of the cityscape, those here are sidelined.[340] These differences grow from each fresco's unique focus. While the Riot Fresco shapes the city to illustrate a local event, the *Città Dipinta* displays the city as an architectural monument. Trimming human figures and nature sharpens that focus.

If the famous harborscape from Stabiae (Fig. 9) indeed graced a villa's walls,[341] it too was an elite commission. We do not know its display context, but presumably it was in a place where interested family members and visitors could discuss it, and slaves contemplate it as they cleaned. While the *Città Dipinta* idealizes a pristine architectural monument, the Stabiae Harborscape idealizes an active port. We see two somewhat amorphous fishermen in the foreground. Others row by in boats. Four anchored ships are tended by another shadowy figure. This city is also more visually integrated with the natural world, as no wall strictly demarcates town from sea.

The Stabiae Harborscape may depict a real city, as it bears a striking resemblance to the great seaport of Puteoli. In the Harborscape, arches carry a breakwater adorned with statue-bearing columns and trumpeting Triton atop an arch.[342] The same jetty appears on late antique "souvenir flasks" depicting Puteolan landmarks,[343] as well as the Bellori drawing of a now-lost fresco from Rome's Esquiline Hill.[344] Furthermore, the Harborscape depicts numerous portico-embraced courtyards. The Bellori drawing depicts several such porticoes, while the souvenir bottles use them as space-fillers.[345] Though the Stabiae Harborscape differs in certain details, its striking correspondence to known images of Puteoli suggests the great seaport directly inspired it.

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[339] The only exceptions are two statues, for which see la Rocca 2000, 57-58. Cf. the architectural vistas of *cubiculum* M in the Villa of Publius Fannius Synistor at Boscoreale, where human figures appear only on friezes, triptychs, and statues within the paintings.
[340] La Rocca 2000, 57 and fig. 3. They are inconspicuously located to the right of the city gate.
[341] Popkin 2018, 455
[342] Peters 1963, 152; Hanfmann 1975, 284
[343] Popkin 2018, 430-444. The major difference is that these glass flasks depict the *Pilae*, the Puteolans' name for their breakwater, with a second arch topped by hippocamps. It is possible this arch was added between the first-century AD date of the Harborscape and the third and fourth centuries when the flasks were manufactured. It is just as likely that the Harborscape's painter, like the Riot Fresco's, was unconcerned with exacting verisimilitude. Alternatively, the hippocamp arch may be depicted at the head of the inner harbor pier at top left, where Hanfmann (1975, 284) notes an arch crowned by a chariot group.
[344] Popkin 2018, 455-456 and fig. 27. The fresco is usually dated to the third century AD, while the Bellori drawing was made in the seventeenth.
[345] Popkin 2018, 432

Human figures and the impression of a real city make the Stabiae Harborscape an important comparandum for the Riot Fresco. Both integrate nature and leisure yet differ in their figural dispositions. The Riot Fresco fills the urban space with figures, while the Harborscape limits them to the sea and immediate shore.[346] While the Riot Fresco warps urban space to depict the riot, the Harborscape, like the *Città Dipinta*, is structured by well-organized architectural vistas. The Harborscape combines this with idealized work[347] while the Riot Fresco contrasts commotion and calm. We begin to see an elite taste for urban idylls in which rougher sides of urban life have no place.

[346] Hanfmann (1975, 284) writes that the dots in the porticoed street to the viewer's right may represent crowds. This is unlikely, as elsewhere in the fresco the same dots are located closer to ceilings and suggest lamps. Furthermore, all clear human figures in the Harborscape are shadowy shapes, not pinpricks of light.

[347] As Clarke observes regarding the Forum Cycle in the Praedia of Julia Felix (2003: 97), the purpose of depicting workaday activities in an elite space is amusement. Similarly, the depiction of fishing in the Harborscape is not an endorsement of such demanding toil, but an idealization of it, similar to the depictions of villa workers in the late first-century BC sacral-idyllic landscapes of *triclinium* C from beneath the Villa Farnesina at Rome, now in the Museo Nazionale Romano - Palazzo Massimo alle Terme.

Fig. 10. Cnossus, detail from *Daedalus and Icarus* (c. AD50-79) in the House of the Priest Amandus (I.7.7) at Pompeii (Image an undated photograph kindly provided by Jackie and Bob Dunn, with whose permission it is reproduced here. ©Jackie and Bob Dunn, www.pompeiiinpictures.com. Su concessione del MiBACT - Parco Archeologico di Pompei.)

While cityscapes are rare on the walls of Herculaneum and Pompeii they occasionally appear in paintings of myths. We will study two prominent examples: Cnossus in paintings of Daedalus and Icarus, and Troy in those of the Trojan Horse.[348]

While sea and shore recur across the *Daedalus and Icarus* variants, a city – presumably Cnossus, given Daedalus' association with Minos – is an optional backdrop, appearing in four of ten *Daedalus and Icarus* paintings described by Peters. Each city, though a background ornament, displays remarkable individuality. What was once the most striking *Daedalus and Icarus* cityscape remains on the east wall of the *triclinium* in the House of the Priest Amandus (I.7.7) at Pompeii (Fig. 10).[349] Its context was similar to the Riot Fresco's, adorning a space in which meals, lessons, discussions, and tasks could be conducted. Its individuality comes from the wealth of detail. The painter took care to delineate both ashlars and buildings. The gargantuan size of the former relative to the latter corresponds with the Riot Fresco and the *Città Dipinta*, suggesting that oversized ashlars were a visual trope for city walls.[350] The artist likely adapted the buildings from pattern books.[351] For instance, the building farthest left looks like a *tholos* with projecting colonnade.[352] This is the same sort of villa architecture that Lehmann used to undermine the urban reading of the panels from *cubiculum* M. Yet in the Amandus *Daedalus and Icarus* the same porticoes and towers depict monumental townhouses and temples. Indeed, the slant-roofed building to the right of the *tholos* shares a profile with the towers Lehmann identified as silos.[353] The architectural vocabulary expresses one setting as well as another. This may suggest that Campanian workshops had not developed a distinct way of painting the city. This is plausible, given the apparent low demand for cityscapes. At the same time, this blurring of "urban" and "rural" architecture, acknowledged by Lehmann for *cubiculum* M and known in the architecture of real villas,[354] may reflect the taste of the owner of

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[348] There are five other Neronian or early Flavian painted cityscapes from Pompeii and Herculaneum I do not have the space to discuss. I simply mention them here, in the hopes of treating them more fully in the future: Troy in the possible *Achilles, Phoenix, and Penthesilea* from the House of Jason (IX.5.18) and the sketch of a now-lost *Hercules and Hesione* from the House of Bread (VIII.3.31); nameless walled cities in *Theseus Abandons Ariadne* from the House of the Colored Capitals (VIII.4.31/51) and *Polyphemus and Galatea* from the House of the Mariner (VII.15.2); Thebes in the *Punishment of Dirce* from the House of Aristides in Herculaneum. In addition there is a *Hercules and Hesione* from an unknown house in Pompeii and the *Theseus Victorious* from the Villa Imperiale (VIII.1.a), both of which I have had opportunity to mention in the footnotes below.

[349] Dawson 1944, 99 and pl. 14 no. 39; Peters 1963, 93-94, 206 n. 343 and pl. 21 fig. 79; Hanfmann 1975, 282; Sampaolo 1990b, 593-597 and figs. 9-13; la Rocca 2008, 51. Sadly, it has now faded almost beyond recognition.

[350] Cf. van der Graaff 2013, 240-242

[351] Clarke (2003, 307 n. 75) for bibliography on the use of pattern books in Roman fresco painting, particularly as regards mythological scenes.

[352] A common architectural feature in Pompeiian wall painting. The villa landscape from the House of the Small Fountain (VI.8.23) and a *Polyphemus and Galatea* from that of the Ancient Hunt (VII.4.48) are but two examples. For House of the Small Fountain, la Rocca 2008, 63 and 117 fig. 44. For *Polyphemus and Galatea*, Dawson 1944, 111 and pl. 24 no. 64

[353] Lehmann 1953, 99-103

[354] At the conclusion of her argument Lehmann (1953, 114) writes "City and country were fused in this microcosm where the intellectual tastes of the capital might be grafted onto the agricultural realities of suburb and province. The urban aspect of Roman villas is well known alike from monuments and literary sources." This was explored in Torelli 2006, 174-176. The blurry line

the House of the Priest Amandus. His townhouse was small but well-appointed, suggesting a well-to-do and aspirational patron.[355] If he and his usual guests could not afford villas, the architectural translation into the city painted for his dining room could be compensation.

Fig. 11. *Daedalus and Icarus* (c. AD50-75) from Pompeii, now in the British Museum, no. 1867,0508.1355. (©Trustees of the British Museum, use permitted under CC-BY-SA-NC 4.0 license, courtesy of the British Museum)

between villa and city is apparent in Pompeian frescoes such as a *Hercules and Hesione* of unknown provenance which Helbig (1868, 227 no. 1129), Dawson (1944, 108), and Peters (1963, 130, 208 nn. 450-454 and pl. 27 fig. 109) agree depicts a city, yet the architecture – an exedra, a pagoda-like tower, etc. – is that of villas and tombs. Cf. Dawson 1944, 109-110 and pl. 24 no. 61 for another potential *Hercules and Hesione* with a similar villa-like background, and Squire 2011, 44 fig. 12 for the urban aspect of Circe's palace on the *Tabula Rondanini*.

[355] Wallace-Hadrill 1994, 169-174

Another noteworthy aspect of this Cnossus is its separation. The story is foregrounded while the city stands silently behind. It is also separated from nature, open to but walled off from the sea. It is an even more distant, self-contained architectural vista than the *Città Dipinta*. This recurs in the unprovenanced *Daedalus and Icarus* in the British Museum (Fig. 11),[356] another in the *triclinium* of the House of Aulus Virnius Modestus (IX.7.16)[357] (Fig. 12), and a third from a *cubiculum* in the House of Paccia (V.2.10)[358] (Fig. 13). The known display contexts are, again, limited to the patron's household and intimate guests.[359] These paintings could be read during dinner parties, meetings, and story times for children. All their cityscapes comprise a wall encompassing buildings, yet the details are as individual as each artist and patron. Those behind the British Museum piece appeared interested in a characteristically Roman city with an amphitheater.[360] "Virnius Modestus" and his painter seemed intrigued by tiered architecture,[361] "Paccia" by buildings that appear to emerge from the cliffs. Like the *Città Dipinta* and Stabiae Harborscape these pieces contrast with the Riot Fresco by depicting cities unsullied by human fallibility.

These frescoes hailed from houses of similar scale and decoration as that of the Priest Amandus, with the possible exception of the British Museum's. While its quality tempts one to think further down the social ladder, we must resist this. Sketchy architecture is no sure sign of a lower-end patron, as we will see with the *Trojan Horse* from the House of the Menander, nor are sketchy figures, as the Stabiae Harborscape proves. It could fall anywhere on the social continua. The House of Paccia had atrium and garden suites like House I.3.23, yet was larger and possessed a more notable decorative program.[362] The partially excavated House of Virnius Modestus possessed an atrium suite with similarly respectable paintings. Including the House of the Priest Amandus, we see idealized cities on the walls of at least three houses of moderate to above-average social standing. If the *Città Dipinta* and Stabiae Harborscape reflect a high

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[356] Helbig 1868, 253 no. 1210 (omits mention of the cityscape); Dawson 1944, 109 and pl. 22 no. 58; Peters 1963, 131-132, 208 n. 459, and pl. 28 fig. 111.
[357] Sogliano 1873, 93-94 no. 523; Dawson 1944, 84 and pl. 3 no. 9; Peters 1963, 78-80; Sampaolo 1999, 796 fig. 24 and 797. See especially Leach 1988, pl. 30.
[358] Sampaolo 1991b, 839 and fig. 19
[359] See for instance Riggsby 1997 on Romans uses of and associations with the *cubiculum*.
[360] The open space around an amphitheater may recall southeastern Pompeii, as Peters (1963, 132) observed.
[361] Perhaps inspired by the composition of a very indistinct cityscape in *oecus* A of the Villa Imperiale (VIII.1.a) at Pompeii. See Peters 1963, 108-110 and 206, n. 345. In this piece, which depicts Theseus after the defeat of the Minotaur, a wall with square battlements rises behind the figures, protecting two tiers of buildings with both flat and peaked roofs. While this mythological cityscape is similar to ones we have already encountered in its separation of the city from the figures, the artist has included stands of spire-like cypresses among the buildings.
[362] 492.38 square meters to the House of the Riot Fresco's 334.97, by the measurements found in the Pompeii Bibliography and Mapping Project's most recent (at the time of writing) online navigation map (https://digitalhumanities.umass.edu/pbmp/?p=1565). For V.2.10's decoration, see Sampaolo 1991b.

taste for harmonious and well-ordered cities, we see its spread among Pompeii's well-to-do non-elite.

Fig 12. Aurelio Aureli's sketch (DAIR 83.304) of the now-lost *Daedalus and Icarus* (c. AD50-79) in the House of Aulus Virnius Modestus (IX.7.16) at Pompeii (© Deutsches Archäologisches Institut, Römische Abteilung, use permitted under CC-BY-NC-ND license. Original at http://arachne.uni-koeln.de/item/buchseite/1026593)

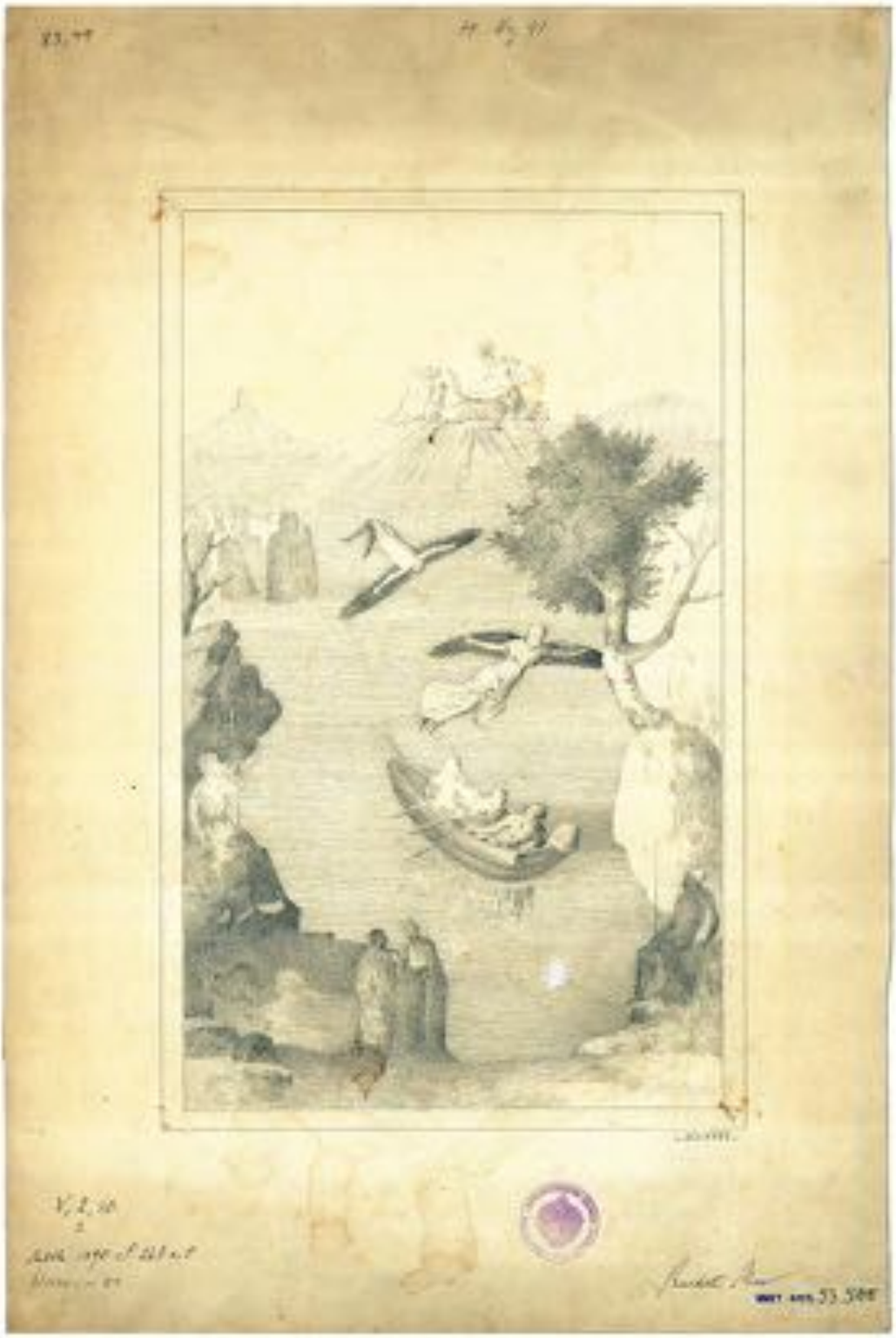

Fig. 13. Geremia Discanno's sketch (DAIR 83.49) of the *Daedalus and Icarus* (c. AD50-79) from the House of Paccia (V.2.10) at Pompeii ((© Deutsches Archäologisches Institut, Römische Abteilung, use permitted under CC-BY-NC-ND license. Original at http://arachne.uni-koeln.de/item/buchseite/949032)

Fig. 14. *Trojan Horse* in *ala* 4 of the House of the Menander (I.10.4) at Pompeii (©Jackie and Bob Dunn, www.pompeiiinpictures.com. Su concessione del MiBACT - Parco Archeologico di Pompei. Image kindly provided by the Dunns, with whose permission it is presented here)

We see a departure from the serene cityscape in renditions of the Trojan Horse. Three instances from Pompeii render Troy with a wall, sanctuary, and human figures, whose arrangement changes from painting to painting. In these depictions of Troy human figures come to dominate over the built environment. They present a contrasting pattern with the urban ideals, for instead of unaffected architectural worlds the artists portray a city in varying states of dissolution.

The simplest arrangement is from *ala* 4 of the House of the Menander, where the cityscape is narrowed to the circuit, sanctuary, and citizens (Fig. 14).[363] Located in a

[363] Maiuri 1933, 44-48 and fig. 18; Ling and Badoni 1990, 280-281 and figs. 60-62; Ling and Ling 2005, 74 and pl. 76, 194-195, 343 fig. 18

wing off the atrium, it was meant not only for the household and select guests, but also to occupy the owner's clients as they waited to salute him. Its warning of rash behavior leading to civic downfall could reinforce what his dependents had imbibed from the poems they were raised on. Trojans stream through the rather neatly deconstructed section of the wall to greet the Horse. Behind them stands a grainy portico surrounding several figures and a Roman-style temple accessed by prominent front stairs. The artist depicted the city wall frontally and the sanctuary aerially, as if the latter were in a low valley we look down into. Were it not for the suggested distance we would have difficulty classifying this as a cityscape. The blank, understated wall and outline-like sanctuary emphasize that the focus is not on architecture. It is rather on the citizens unknowingly destroying their city. Unlike the Riot Fresco, where the figures are distant and anonymous, we can read the emotions on these faces. With its focus on the populace, the Menander *Trojan Horse* is perhaps our most humanistic cityscape.

Fig. 15. Detail from *Trojan Horse* from the House of Aulus Virnius Modestus (IX.7.16) at Pompeii, now in the Museo Archeologico Nazionale in Naples, inv. 120176 (Image in the public domain, available on Wikimedia Commons)

This emphasis on the people and the telescoping of the urban environment recur in the *Trojan Horse* (Fig. 15) from a *cubiculum* the House of Aulus Virnius Modestus.[364] Here Troy appears more of a pearlescent pen for people than a city. Within its tower-bearing

[364] Dawson 1944, 85 and pl. 4 no. 12; Peters 1963, 78; 205 n. 296; pl. 17 fig. 62

walls we see only packed masses of torch-bearing Trojans pouring out to greet the Horse. In this panel figures banish architecture from the city in a singular reversal of what we have previously seen. They have even pushed the temple to the outer edge. This cityscape is unique for its near-total focus on the people who comprise the city. Given the great distance, however, we do not see their faces. They are as anonymous as the Riot Fresco's hooligans and flanneurs.

A *Trojan Horse* from an unknown house in Pompeii depicts the same scene with a lateral view (Fig. 16).[365] The battlemented enceinte with two towers extends across the background. At the right the Horse emerges from behind a structure with three rows of openings (windows?) and draped in an X of black curtains.[366] This may be the demolished section of the wall. Given the direction the men are hauling the Horse, we are evidently inside the city.[367] However, it looks nothing like we would expect. We see no houses or monuments, only a green cloud behind the torchbearers. The sacred area at left has no grand temple, only a ghostly shrine accompanied by a statue of Minerva, a sacred tree, and an urn-topped column. The architecture is that of the isolated rural shrines common to sacral-idyllic landscapes, as Peters acknowledges while still identifying them as "the sanctuaries of the city."[368] The decidedly rural appearance of Troy perhaps presages what it will soon become. The Trojans have broken their wall, admitted their destruction, and for all intents and purposes no longer have a city. While an air of tenuous tranquility hangs over the park-like areas of the Riot Fresco, the *rus in urbe* of this *Trojan Horse* is deeply disturbing.[369] A city can survive upheaval, but there is no coming back from the Trojans' fatally misplaced hope that danger had passed.

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[365] Dawson 1944, 86 and pl. 5 no. 13; Peters 1963, 134-135; 208 n. 472; pl. 28 fig. 115
[366] Hanfmann (1975, 280) refers to it only as "a towering, Roman-looking, many-storied structure."
[367] Dawson 1944, 86 specifies the torchbearers as inside the city.
[368] Peters 1963, 134. Likewise Hanfmann 1975, 280.
[369] Hanfmann (1975, 280) also perceives this mood, and brings it out through his description of the figures and their actions.

Fig. 16. *Trojan Horse* from Pompeii, now in the Museo Archeologico Nazionale in Naples, inv. 9010 (Image credit: Sailko, made available on Wikimedia Commons as "Troiani che tirano cavallo in città, da pompei, 9010.JPG." Re-use permitted under CC-BY-SA 3.0 license, which requires attribution under the creator's original title and a report of alterations made. Changes made by author: image cropped and contrast increased 25%)

Conclusion

This article has considered the Amphitheater Riot Fresco from Pompeii as a cityscape alongside others of Neronian and early Flavian date. The *Città Dipinta*, Stabiae Harborscape, and four renditions of *Daedalus and Icarus* from Pompeii exhibited a tendency to separate the city from nature, human figures, and the action of particular myths. This emphasized the city as an architectural monument. A countervailing tendency, suggested by the depictions of the Trojan Horse, downplayed architecture in favor of human figures. In depicting a local event, the Riot Fresco split the different between these tendencies, fully integrating figures, architecture, and natural elements into the city. In the surviving paintings of the Bay of Naples, only the Forum Cycle from the Praedia of Julia Felix matches the Riot Fresco in its integration of city-dwellers with their built environment. While I have had regretfully little to say about the Forum Cycle here, the comparison of it with the Riot Fresco holds rich promise for future work.

This brings us to a consideration of cityscapes and the social standings of their patrons. Based on the sorts of buildings they were found in or on, we can class the *Città Dipinta*, the Stabiae Harborscape, and the *Trojan Horse* from the House of the Menander as elite. These were financed by the affluent who commanded a great deal of social respect. The other two *Trojan Horses* and the *Daedalus and Icarus* renditions likely came from well-to-do homes whose owners followed or adapted elite tastes. One

possible taste is a preference for well-ordered settings free of strife. One need only recall the quiet prospects of *cubiculum* M from the Villa of Publius Fannius Synistor, whose example continues in the *Città Dipinta*, the Stabiae Harborscape, and the Cnossus-inclusive *Daedalus and Icarus* compositions. Such a taste renders the Riot Fresco all the more of an outlier and makes attractive Clarke's reading of the patron as a contrarian thumbing his nose at what is socially respectable.

However, the *Trojan Horse* from the House of the Menander strikes a different note. Foreboding of Troy's violent fall fills this scene, and is fulfilled in the pendant piece across the same room depicting Cassandra being ripped away from Minerva's statue.[370] Violence also enters the city in elite decor. Troy, however, is quite a special case. It is the doomed city *par excellence*, the legendary type for every city ever sacked in the Greco-Roman world, whose very human story could soothe traumatic fears of violence entering one's walls. Viewers who appreciate the violent death a city can die will appreciate much more the well-ordered city at peace.

The Riot Fresco occupies an interesting place here. It depicts violence engulfing the spaces around the monuments, but renders placid scenes within the Palaestra and beneath the shade-giving trees. It is tempting to read a violent city/peaceful country dichotomy over this, but both the monuments and the curated trees are part of the same city. The manifold opportunities for strife and relaxation that can be found in any city are here splendidly juxtaposed.

We began with a mention of the garden the Riot Fresco originally decorated. It seems appropriate to end there. The large garden at the back of House I.3.23, as Clarke noted, was a private space the patron could retire to with his friends. A gigantic fresco depicting their city torn apart is a wholly idiosyncratic choice for a backyard. It seems all the more jarring when we remember that it was flanked by two pendant images of gladiatorial pairs, one of whom is about to die. These give the Riot Fresco a gladiatorial cast, whereby the wild, unchoreographed mauling of rivals from the next town is elevated into the revered world of the games.[371] Indeed, the cityscape of Pompeii itself in the Riot Fresco could be subsumed into this world: the wall curves around the scene like a *podium*, and both the *arena* of the painted Amphitheater and the streets outside share the same sandy color. The city itself becomes allusive of the arena, its monuments made stage scenery for the fight. Instead of a city ruled by peaceful order, we have a city ruled by the order of competition: an urban arena where chance and skill whirl together and clash, determining winners and losers through the cut and thrust of life. Yet the frenetic energy of this combat dissipates as we approach the parks. These are apparently still part of the arena, yet in them is silence, or people strolling and

[370] Ling and Badoni 1990, 276-279 and figs. 55-59.
[371] Clarke 2003, 157-159

building in peace. The tension is unresolvable, and thus greatly nuances the overall composition. The Riot Fresco may present Pompeii primarily in an agonistic light. Nonetheless, it makes room for the quieter activities of the garden. The patron and his artist have created a visual story in which provincial violence is sublimated into a competition that, however brutal, leaves a quiet place for retreat. They have created a tale of the city as human as that of Troy. Not bad for a piece of “popular art.”

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"Solon "and his People:
The afterlife of an archaic political personage in late democratic Athens

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This paper demonstrates the internal conflicts in the narrative of the "Solon myth"- the archaic poet turned into the founding-father of Athenian democracy. It does so by juxtaposition of the *Weltanschauung*[372] of Solon fr. 4 and its reception in the speeches of Demosthenes and Aeschines. I argue that this *Weltanschauung*, consisting in a hostile dichotomy between the πόλις (*polis*, city-state) and its people, undermines the legitimacy of the people as the locus of sovereignty with its anti-democratic and pro-tyrannical implications. The ideological discrepancy between two "Solons", one from Solon fr. 4 and the other presented by Demosthenes and Aeschines, internally motivates the paradigm shift of Solon's image. The hostile dichotomy of Solon fr. 4 turns into a concentric moral structure in the courtroom speeches of Demosthenes and Aeschines, where morality of the individual is the pivot of civic order, a viable analog to the management of household and the well-being of the *polis*.

This article contributes to the understanding of "popular[373]" in Ancient Greece in two ways: firstly, this article investigates the reception of Solon by engaging with oratory material such as Demosthenes and Aeschines, "popular" due to its interactive nature and the anticipation to be persuasive for the people; secondly, this article looks into the premises of popular politics, in particular the moral implications of the people as the locus of sovereignty: "the people" as individuals and a community entail distinctive approaches to the moral foundation of *polis*.

Methodology and textual issues

Although some agree that there is more truth than myth in Solon,[374] the scarcity of evidence has meant that further efforts to pursue a completely historical Solon behind his poems have been to no avail.[375] Nevertheless, textual analysis of Solonian fragments

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[372] An all-inclusive worldview that does not stay as opinion, but also motivates certain engagements with the real world. Laden with German philosophical tradition, this word denominates the connotations and denotations of Solonian fragments, and the political "cosmos" constructed by the language and structure of the text, i.e. how Solon perceives the relationship between the gods, human and the dynamics of civic life. All lyric poetry texts are from West (1971).

[373] Popular in the sense of being carried on by "the people" as a whole rather than restricted to politicians or political parties.

[374] Raaflaub (1994: 98-102); Rhodes (2006: 259); Allan (2018: 115).

[375] Lardinois (2006: 33); Stehle (2006: 110-11); Blaise (2006: 128-31).

has continued to be fruitful.[376] The intertextuality between Solon and other archaic poetry contributes to our understanding of Solonian fragments.[377]

This article approaches the Solonian fragments in a structuralist manner. Firstly, central to my reading of Solon fr. 4 is the comparison of two words commonly signifying "the people" in archaic Greek language: ἀστοὶ (*astoi*, townsmen/citizens) and δῆμος (*demos*, "the people");[378] the nuances in signification of *astoi* vis-à-vis *demos* are defined by the relational nature of meaning. Secondly, by interpreting the semic codes (e.g. binary structures, parallelism) of Solonian language, I demonstrate the hostile dichotomy in Solon fr. 4 between *polis* and populace, established through the overlapping of a series of binary structures: sacred and secular, public and private, and community and individual. Last but not least, "Solon" shall be perceived as one consistent authorial persona only from the perspective of reception, acknowledging that the authorial persona of Solonian poetry would have been perceived as the historical and authentic Solon by fourth-century Athenians. Getting to the bottom of the "Solonian question" may satisfy certain "antiquarian" interests but is mostly irrelevant to the purpose of this article.[379]

There are three reasons to focus on Solon fr. 4: firstly, this poem is quoted by Demosthenes, which confirms its widely accepted authenticity in fourth-century Athens; second, focusing on one poem avoids the question of availability of material to fourth-century audiences when one cross-examines fragments from different sources. Finally, this poem includes all political agencies essential to Solon: the gods, humans, the lawgiver, and an extensive narrative of civil strife, which demonstrates Solonian political etiology and ontology.[380] As a result, Solon fr. 4 could produce an all-inclusive Solonian *Weltanschauung*. This methodology overcomes the textual obstacles of Solonian fragments, which have led to a generally fragmented reading of Solon. The rest of the Solonian corpus serves as supporting evidence of the language system in which Solon fr. 4 operates. The question of whether such Solonian *Weltanschauung* generated by Solon

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[376] Jaeger (1966: 75-100); Henderson (1982: 26-29); Anhalt (1993: 67-114); Irwin (2005: 91-110); Henderson (2006: 130-4); Irwin (2006: 44-72); Stehle (2006: 82-111); Blaise (2006: 115-128); Noussia-Fantuzzi (2010: 217-266); (Allan 2018: 115-28).

[377] With Theognis of Megara, Irwin (2006: 51-72); Stehle (2006: 108), Anhalt (1993: e.g. 81-3, 90); with Homeric poetry, Anhalt (1993: 83-5); Blaise (2006: 114-31); Allan (2018: 115-28); with Hesiodic tradition, Blaise (2006: 114-31).

[378] Another word, πολίτης (polites), also signifies "citizen" or, as an adjective, "belonging to, connected with one's city or country". It is not discussed here for two reasons: first, it is not used in Solonian fragments; second, although it is used in other archaic lyric poetry and Homeric poetry, its use is relatively limited in the time relevant to this discussion, for example, one occurrence only in the entire collection of epigrams in CEG 462. Astos almost exclusively appear in plural until the second half of fifth century. (Blok 2005: 15) There is no occurrence of it in the singular in the entire lyric poetry corpus in West (1971) and only one in CEG 13. Therefore, this paper will not discuss its meaning in the singular.

[379] Cf. Blaise (2006: 128-31).

[380] Solon fr. 1-3 focuses on the secular aspect of politics, while the authorial persona is only the poet, instead of lawgiver; fr. 13 is extensive on the fate of the mortals vis-à-vis the will of gods, but neglects the dynamics of civic life; fr. 27 is wisdom for personal life without transcendent connotations; fr. 36 emphasizes the solution for civic strife, rather than etiology.

fr. 4 alone applies to the rest of Solonian fragments cannot be addressed in this article but is certainly a direction for future examination of this paper's primary hypothesis.

The *Weltanschauung* of Solon fr. 4

Solon fr. 4 was considered too long by both Wilamowitz in 1893 and then by Jaeger in 1926 to have been recited in full in the court. Rowe convincingly argues the opposite on the basis of its thematic relevance to Demosthenes' argument.[381] Either way, there is no doubt about the authenticity of this poem.[382] I would like to start with the idea of "the people". Two words in fr. 4 potentially mean "the people": *astoi* (the plural form of *astos*) in line 6, and demos in line 7 and line 23. To determine what is signified specifically by *astoi* in Solon. fr. 4, it is necessary to look at the rest of Solonian fragments and lyric poetry.[383] "*astoi*" appears only once elsewhere in Solon, in fr. 10.[384] In this context, *astoi* is the general public who would witness Solon's political struggles. The use of this word in Solonian fragments is minimal,[385] but the sense of being the audience of certain performative activities and representative of public opinion within a political context is shared by Solon's contemporaries.[386] For example, in Archilochus fr. 172, the *astoi* is the witness to Father Lycambes' behaviors, the source of the opinion of it being γέλως (*gelos*, laughable, ridiculous);[387] in Tyrtaeus fr. 12, 35-40,[388] the brilliant warrior stands out among *astoi*; Xenophanes, fr. 2, 1-6, the *astoi* witness the athletic competition.[389] Therefore, although not used very much by Solon, the usage of *astoi* is rather unified throughout lyric poetry corpus: it signifies the populace as a whole that offers opinion as audience and witness towards a certain figure among them.

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[381] Rowe (1972: 441-9).

[382] This paper follows the texts in the critical edition of West and its numbering system.

[383] Cf. Noussia-Fantuzzi 2010: 225.

[384] Solon. fr. 10: μανίην μὲν ἐμὴν βαιὸς χρόνος ἀστοῖς, δείξει, ἀληθείης ἐς μέσον ἐρχομένης. (Indeed a short time will reveal (the truth about)/ my madness, when it comes to the public.)

[385] The use of *astoi* closest to the one in Solon is in Thgn. 41 in a dichotomy between *astoi* and ἡγεμόνες (*hegemones*, the leaders): the people are sound-minded, while their leaders are heading for the worst deeds. The meaning of the *Theognidea* lines is the opposite of Solon's lines.

[386] Cf. Thgn. 24, where *astoi* is used most literally as "audience within the *polis*".

[387] πάτερ Λυκάμβα, ποῖον ἐφράσω τόδε/ τίς σάς παρήειρε φρένας/ ἧς τό πρίν ἠρήρησθα. νῦν δὲ δή πολύς/ ἀστοῖσι φαίνεαι γέλως (Father Lycambes, what is this you propose?/ Who unhinged your mind, which was sound before./ Now indeed you seem ridiculous to the people). (Archil. fr. 172) Cf. Archil. fr. 13, where the word *astoi* is used in combination with *polis*; Archil. fr. 133, where *astoi* are the crowd that decide whether to respect a powerful figure when he is alive and dead.

[388] εἰ δὲ φύγῃ μὲν κῆρα τανηλεγέος θανάτοιο,/ νικήσας δ᾽ αἰχμῆς ἀγλαὸν εὖχος ἕλῃ,/ πάντες μιν τιμῶσιν ὁμῶς νέοι ἠδὲ παλαιοί,/ πολλὰ δὲ τερπνὰ παθὼν ἔρχεται εἰς Ἀΐδην:/ γηράσκων δ᾽ ἀστοῖσι μεταπρέπει, οὐδέ τις αὐτὸν/ βλάπτειν οὔτ᾽ αἰδοῦς οὔτε δίκης ἐθέλει. (But if he escapes the doom of death that brings long woe,/ and victoriously makes splendid boast of war,/ all will honor him, both the young and the old,/ and much delight of his misfortune will come to Hades;/ but growing old he is distinguished among the people,/ no one is willing to harm him either in justice or in respect.) *Astos* appears in line 39, which is adapted in the *Theognidea* line 937.

[389] ἀλλ᾽ εἰ μὲν ταχυτῆτι ποδῶν νίκην τις ἄροιτο/ ἢ πενταθλεύων, ἔνθα Διὸς τέμενος/ πὰρ Πίσαο ῥοῇς ἐν Ὀλυμπίῃ, εἴτε παλαίων/ ἢ καὶ πυκτοσύνην ἀλγινόεσσαν ἔχων,/ εἴτε τὸ δεινὸν ἄεθλον ὃ παγκράτιον καλέουσιν,/ ἀστοῖσίν κ᾽ εἴη κυδρότερος προσορᾶν,...(But if one should claim victory of five-exercise contest/ for the swiftness of foot, there in the precinct of Zeus/ by the stream of Pisa in Olympia, either being in wrestling/ or painful boxing, or the fearful contest which they call pancration,/ he is to be perceived more glorious among the people,...)

Demos is another piece of vocabulary that signifies "the people". Compared to *astoi*, it is much more common in Solonian fragments; it is coined by Solonian poetry and his political thoughts differently from the rest of lyric poetry corpus. Within Solonian fragments, *demos* tends to be part of a binary structure, usually with a more powerful and wealthy group.[390] In Solon. fr. 5, demos and οἳ δ᾽ εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγητοί (those who hold power and is admirable for their fortune) are two parties affected by Solon's policy.[391] In Solon. fr. 6, the two poles of the binary structure are *demos* and the ἡγεμόνες (*hegemones*, the leaders).[392] Solon. fr. 9 features double dichotomy between *demos* and ἀνδρῶν (δ᾽ ἐκ) μεγάλων ([by] great men), as well as *demos* and μονάρχου (sole ruler).[393] Another dichotomy in Solon. fr. 37 forms between *demos* and ὅσοι δὲ μείζους καὶ βίην ἀμείνονες ("those who are greater and more powerful").[394] However, as we move away from Solonian tradition, *demos* starts to signify the populace as a whole, rather similar to *astoi* in its usage. Thgn. 43-50 contains the notion of the *demos* seduced by the depraved, resonating with Solon fr. 9. Nevertheless, left outside of the dichotomy between ἀγαθοὶ ἄνδρες (the good people) and κακοῖσιν ἀνδράσι ([to] the bad people), *demos* seems to refer to the populace as a whole in this case.[395] In Thgn. 233-234, *demos*, with the epithet as κενεόφρονι δήμῳ ([over] an empty-minded populace), is the populace as a whole overshadowed by one ἐσθλὸς ἀνήρ (excellent man);[396] same epithet reappears in Thgn. 847-850, in a similar context of tyrannical

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[390] Solon. fr. 36 would be the only exception in this case, where in a civil strife scenario similar to Solon. fr. 4, demos implies a more complicated power relations involving the lawgiver, the citizenry, and conflicting parties. (Solon. fr. 36 18-26)

[391] δήμῳ μὲν γὰρ ἔδωκα τόσον γέρας ὅσσον ἀπαρκεῖν/ τιμῆς οὔτ᾽ ἀφελὼν οὔτ᾽ ἐπορεξάμενος·/ οἳ δ᾽ εἶχον δύναμιν καὶ χρήμασιν ἦσαν ἀγητοί,/ καὶ τοῖς ἐφρασάμην μηδὲν ἀεικὲς ἔχειν·/ ἔστην δ᾽ ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι,/ νικᾶν δ᾽ οὐκ εἴασ᾽ οὐδετέρους ἀδίκως. (for I give the people their privilege as much as is sufficient/ neither taking away nor giving too much;/ but those who hold power and is admirable for their fortune,/ I show that they will not suffer unseemly...)

[392] δῆμος δ᾽ ὧδ᾽ ἂν ἄριστα σὺν ἡγεμόνεσσιν ἕποιτο,/ μήτε λίην ἀνεθεὶς μήτε βιαζόμενος· (So the best people follow their leader,/ neither to loose nor too constrained.)

[393] ἐκ νεφέλης πέλεται χιόνος μένος ἠδὲ χαλάζης,/ βροντὴ δ᾽ ἐκ λαμπρῆς γίγνεται ἀστεροπῆς·/ ἀνδρῶν δ᾽ ἐκ μεγάλων πόλις ὄλλυται, ἐς δὲ μονάρχου/ δῆμος ἀϊδρίῃ δουλοσύνην ἔπεσεν./ λίην δ᾽ ἐξάραντ᾽ <οὐ> ῥᾴδιόν ἐστι κατασχεῖν/ ὕστερον, ἀλλ᾽ ἤδη χρή <τινα> πάντα νοεῖν. (The might of snow and hail comes from a cloud,/ and thunder comes from bright lightning;/ but the city is destroyed by great men, and the people/ falls into the slavery of a sole ruler because of ignorance.)

[394] δήμωι μὲν εἰ χρὴ διαφάδην ὀνειδίσαι,/ ἃ νῦν ἔχουσιν οὔποτ᾽ ὀφθαλμοῖσιν ἂν/ εὕδοντες εἶδον . . ./ ὅσοι δὲ μείζους καὶ βίην ἀμείνονες,/ αἰνοῖεν ἄν με καὶ φίλον ποιοίατο./ εἰ γάρ τις ἄλλος, φησί, ταύτης τῆς τιμῆς ἔτυχεν,/ οὐκ ἂν κατέσχε δῆμον, οὐδ᾽ ἐπαύσατο,/ πρὶν ἀνταράξας πῖαρ ἐξεῖλεν γάλα./ (while if it is necessary to openly criticize and displease the public,/ they will never see in their dreams/ what they have now:.../and those who are greater and more powerful,/ would speak nice of me, and make friends with me;/ for if someone else had received this honor,/ he would not restrain the people nor would he stop,/ before he stirred up the fat and took it from the milk.) (Solon. fr. 37 1-10)

[395] οὐδεμίαν πω, Κύρν᾽, ἀγαθοὶ πόλιν ὤλεσαν ἄνδρες·/ ἀλλ᾽ ὅταν ὑβρίζειν τοῖσι κακοῖσιν ἄδῃ,/ δῆμόν τε φθείρωσι δίκας τ᾽ ἀδίκοισι διδῶσιν/ οἰκείων κερδέων εἵνεκα καὶ κράτεος,/ ἔλπεο μὴ δηρὸν κείνην πόλιν ἀτρεμίεσθαι,/ μηδ᾽ εἰ νῦν κεῖται πολλῇ ἐν ἡσυχίῃ,/ εὖτ᾽ ἂν τοῖσι κακοῖσι φίλ᾽ ἀνδράσι ταῦτα γένηται,/ κέρδεα δημοσίῳ σὺν κακῷ ἐρχόμενα. (Never yet, Curnus, did good people destroy a city;/ But whenever it pleases the bad to commit wanton violence/ and they corrupt the people and give judgment to the unjust/ on account of private benefit and power,/ expect that that city would not keep quiet for long,/ and not if it lies in great rest now,/ when these things become dear to the bad people/ approaching profit with public evil.)

[396] ἀκρόπολις καὶ πύργος ἐὼν κενεόφρονι δήμῳ,/Κύρν᾽, ὀλίγης τιμῆς ἔμμορεν ἐσθλὸς ἀνήρ. (An excellent man is acropolis and tower over an empty-minded populace,/ Curnus, he partakes a small portion of honor.)

references, where *demos* is the populace to be put under the yoke of one powerful ruler;[397] In Thgn. 947-948, *demos* and ἀδίκοις ἀνδράσι ([by] the unjust men) are two sources of deviation as one brings order to his country, yet it is not clear whether they are two groups that are different in nature.[398] In Callinus fr.1, 16, *demos* is the witness to one's life and death.[399] Used alongside λαῷ (*laoi*, "people"), *demos* in this case signifies something similar to *astoi*. In Tyrtaeus fr. 4. 9, *demos* is the populace that benefits when θεοτιμήτους βασιλῆας (god-honored kings), πρεσβυγενέας γέροντας (the elders), and δημότα˘ς ἄνδρας (the commoners) all follow the divine counsel of Φοῖβος (*Phoibos*, epithet of Apollo).[400] In Tyrtaeus fr. 12, demos is the populace of the polis, used in the exact same context as *astoi*.[401] Therefore, it is fair to say that the connection between the signifier demos and the signified as those of lower classes in a dichotomy with the rich and powerful is peculiarly Solonian. In most fragments of other lyric poets, *demos* signifies the populace as a whole, similar to *astoi*.

To summarize the discussion above on *astoi* and *demos*, *astoi* does not commonly occur in Solonian language, but as attested in the rest of archaic lyric poetry, it signifies the general public that is usually passively involved in the political life of the polis. *Demos* in Solonian fragments, unlike in the rest of lyric corpus, usually denotes a very peculiar group of the populace characterized by lower social class in a binary structure against those powerful and wealthy.[402] In other words, only in Solonian fragments do the two signifiers function differently: *astoi* represents the public, while *demos* denotes class struggle.

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[397] λὰξ ἐπίβα δήηῳ κενεόφρονι, τύπτε δὲ κέντρῳ/ ὀξέϊ, καὶ ζεύγλην δύσλοφον ἀμφιτίθει:/ οὐ γὰρ ἔθ' εὑρήσεις δῆμον φιλοδέσποτον ὧδε/ ἀνθρώπων ὁπόσους ἠέλιος καθορᾷ. (Step upon the empty-minded people with foot, poke them/ with a sharp goad, and put a yoke that's hard to bear on them,/ for you will not find a people of all men that loves a master/ so much wherever under the sun.)

[398] πατρίδα κοσμήσω, λιπαρὴν πόλιν, οὔτ' ἐπὶ δήμῳ/ τρέψας οὔτ' ἀδίκοις ἀνδράσι πειθόμενος. (I will bring order to my country, the shiny city, neither turning/ towards the people, nor seduced by the unjust people.)

[399] πολλάκι δηϊοτῆτα φυγὼν καὶ δοῦπον ἀκόντων/ ἔρχεται, ἐν δ' οἴκῳ μοῖρα κίχεν θανάτου:/ ἀλλ' ὁ μὲν οὐκ ἔμπης δήμῳ φίλος οὐδὲ ποθεινός,/ τὸν δ' ὀλίγος στενάχει καὶ μέγας, ἤν τι πάθῃ:/ λαῷ γὰρ σύμπαντι πόθος κρατερόφρονος ἀνδρὸς/ θνήσκοντος, ζώων δ' ἄξιος ἡμιθέων:/ ὥσπερ γὰρ πύργον μιν ἐν ὀφθαλμοῖσιν ὁρῶσιν:/ ἔρδει γὰρ πολλῶν ἄξια μοῦνος ἐών. (many times when he returns fleeing from the conflict of battle/ and the thud of spears, but the fate of death reaches to him at home;/ But it is neither dear to the people, nor is it desirable.;/ but the small and great lament him, if he dies the other way;/ for the regret of a brave man's death is for all men, and/ he is like a demigod while alive; for in their eyes they see him/ as a tower, for he single-handedly does the work of many.) (Callinus fr. 1. 14-21)

[400] ἄρχειν μὲν βουλῆς θεοτιμήτους βασιλῆας,/ οἷσι μέλει Σπάρτης ἱμερόεσσα πόλις,/ πρεσβυγενέα ς τε γέροντας: ἔπειτα δὲ δημότα˘ς ἄνδρας/ εὐθείαις ῥήτραις ἀνταπαμειβομένους/ μυθεῖσθαί τε τὰ καλὰ καὶ ἔρδειν πάντα δίκαια/ μηδέ τι βουλεύειν τῇδε πόλει σκολιόν,/ δήμου δὲ πλήθει νίκην καὶ κάρτος ἕπεσθαι:/ Φοῖβος γὰρ περὶ τῶν ὧδ' ἀνέφηνε πόλει. (The beginning of the counsel is from the god-honored kings,/ to whom the lovely city of Sparta is the concern,/ and to those elders; then the commoners,/ answering with straight ordinance,/ both say good things and do all just things,/ not give any crooked counsel to the city,/ and the victory and power follow the people:/ for Phobos declared concerning these things to the city.) (Tyrtaeus fr.4. 3-10)

[401] οὐ γὰρ ἀνὴρ ἀγαθὸς γίγνεται ἐν πολέμῳ,/ εἰ μὴ τετλαίη μὲν ὁρῶν φόνον αἱματόεντα/ καὶ δηίων ὀρέγοιτ' ἐγγύθεν ἱστάμενος./ ἥδ' ἀρετή, τόδ' ἄεθλον ἐν ἀνθρώποισιν ἄριστον/ κάλλιστόν τε φέρειν γίγνεται ἀνδρὶ νέῳ./ ξυνὸν δ' ἐσθλὸν τοῦτο πόληϊ τε παντί τε δήμῳ. (For a man is not good in war,/ if he had not suffered, watching blood-red murder/ and reached forth to strike, standing nigh./ This is excellence, this is the best prize and/ the most beautiful for man to win in the world./ This is the common good for the city and its people,..)

[402] On other significations of demos in Solon, see Irwin (2006: 46-9).

In the case of Solon. fr. 4, both *demos* and *astoi* are used, but *demos* is only used without its denotation on class struggle. In line 7, *demos* is used in the idiomatic phrase δήμου θ' ἡγεμόνων (*demou t' hegemonon*, the leaders of "the people") marked in various archaic poets. The phrase itself comprises the typical Solonian dichotomy of *demos* and *hegemones*, but the idiomatic nature of the phrase among lyric tradition mitigates the Solonian signification of *demos*. In line 23, *demos*, as in ἐν δήμῳ (in *demoi*), is best understood as "domestically", antonym of "γαῖαν ἐς ἀλλοδαπήν" (*gaian es allodapen*, in foreign land).[403] With specific choice of *astoi*, Solon deliberately moves the focus of the language away from class struggle within the *polis* denoted by *demos*, the Solonian signifier. Avoiding the use of *demos* on its own as the typical Solonian signifier discussed above sends a clear message: Solon blames the entire populace, not just *demou t' hegemonon*, certainly not the commoners of lower social class, for the moral corruption which later causes στάσις (*stasis*, discord).[404]

In fr. 4, the populace is the initiator, participant, and victim of the civil strife.[405] First, the *astoi*, and *demou t' hegemonon* is particularly seduced by greed, the moral corruption that leads to civil strife. In fr. 4.5-6, the operative word πειθόμενοι resonates with Thgn. 194 in meaning "seduced by money", instead of "relying on their wealth".[406] Solon employs the vocabulary from an aristocratic context to express the public's materialistic desire.[407] Such a quality is shared by the "*demou t' hegemonon*" in lines 7-12 of fr.4. Although *demou t' hegemonon* are placed in a more elitist scenario of banqueting, the depravity of the *astoi* and *demou t' hegemonon* is of similar nature - greed and the shortsightedness of failing to see the consequence of moral corruption.[408] Secondly, both the elites and the commoners, the common binary structure in Solonian fragments, suffer from the civil strife caused by their mutual moral corruption. Solon fr. 4, 20, "ὃς πολλῶν ἐρατὴν ὤλεσεν ἡλικίην (which destroys the lovely youth of many)" describes the suffering of the elite class, as Noussia-Fantuzzi points out, "Solon's use of the epithet ἐρατὴν (*eraten*, lovely), whose etymology suggests an undertone of eroticism, stresses the aesthetic quality of the young dead, which specifically belonged to the ideal of the life of the aristocracy".[409] The fates of the young dead aristocrats are again echoed

[403] Noussia-Fantuzzi (2010: 252).
[404] Irwin (2006: 64) points out that these lines mirror Thgn. 39-42, but it also contrasts Thgn. 39-42: astoi are σαόφρονες (saophrones, soundminded) according to Theognidea, unlike hegemones that seeks evil deeds.
[405] Irwin points out that these lines identify both astoi and hegemones are responsible for destroying the polis, "through a mixture of greed, injustice and hybris" Irwin (2006: 65-66). Cf. also Anhalt (1993: 99) quoting Massaracchia.
[406] Noussia-Fantuzzi, (2010: 225).
[407] Another example of the "transgression" of Solon. Irwin (2006: 40-51)
[408] Cf. Stehle (2006: 85).
[409] Noussia-Fantuzzi (2010: 249).

by those sold into slavery in line 23-25, naturally the poor.[410] To summarize, in Solon. fr. 4, there is parallelism among different social classes within in the polis, with regards to both moral corruption and sufferings.[411]

The theme of civil strife emerges as the overarching dichotomy from the overlapping of a series of imageries in binary structures – civil strife is the clash between the polis,[412] as a political entity blessed with divine justice[413], and the populace, the collection of individuals in public space who also each occupies their private homes. First in fr. 4. 12, Solon identifies the property plundered and stolen as "ἱερῶν (*hieron*)", "sacred public", and "δημοσίων (*demosion*)", "secular public".[414] In this scene, the corrupted populace violates the public property of polis by plundering and theft. These two actions are essentially means of privatization, i.e. the populace takes the public property of the *polis* as their own. Three binary structures are established: sacred versus secular, public versus private and *polis* versus the populace.

After the populace does its damage to the *polis*, citizens of various social classes suffer in the ensuing civil strife.[415] Then the *polis* strikes back, with δημόσιον κακὸν (*demosion kakon*, public evil) entering a private household by crossing over the ἕρκος (*herkos*, fence), which is the boundary between the public and private realm in civilized society.[416] The conflicts between the *polis* and its populace invade the private household. The populace is no longer disturbed by the civil strife as a community, but as individuals. Another three sets of binary structures thus appear: public and private, the community and the individual, and again, *polis* and the populace.

Therefore, as these binary structures within this Weltanschauung overlap with each other, *polis* and "the people" emerge as the core of the conflict; each of these entities has two aspects. Polis is both sacred and secular: the sacred aspect includes sacred property, fates designated by the gods, and divine justice as way of revenge, while its secular aspect

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[410] This parallelism resembles the balance demonstrated in Solon. fr. 5 by Elizabeth Irwin. (2006: 44-51) The transfer of elite military language to a civil war context is discussed by Allan (2018: 116-27).
[411] A balancing parallelism and "pendulum structure" according to Henderson (1982: 27).
[412] Cf. Anhalt (1993: 75).
[413] Blaise (2006: 115-19) argues that Dike is portrayed in fr. 4 as a secular agency, unlike its traditional role as a mere agent of Zeus' will. cf. also Anhalt (1993: 71). However, the argument does not necessarily deny the divine nature of Dike: first of all, it is acceptable for mythical characters to bear seemingly contradictory tales concerning their activities, while the Homeric and Hesiodic tradition of divine genealogy predominantly prevails; secondly, as Dike is described as "who knows what goes on and what happened before", Dike bears the divine knowledge distinctive from the shortsightedness of the mortals. The newly added agency of Dike echoes the "transgressive" nature of the Solonian poetics as argued by Irwin (2006: 40-51).
[414] On the tradition of two categories of public property devoted for secular and scared purposes, see Connor (1988: 161-6); cf. Rousset (2013: 123), where Rousset argues for an overlap in these two categories and a "possible co-ownership and joint possession between god and city".
[415] Solon. fr. 4.19-25.
[416] Cf. Henderson (1982: 28); Anhalt (1993: 109-110).

consists of public property and the public space where the citizens carry out political activities and the civil strife first starts. The populace also holds two dimensions: the moral corruption and the suffering from divine justice as a community;[417] as the civic strife develops, everyone in the polis is confronted by δημόσιον κακὸν ἐν μυχῷ ἢ θαλάμου (public evil in the innermost corner of the bedroom) individually.[418] In the public space of the *polis*, the parallelism among the populace in both depravity and sufferings is demonstrated within the framework such as *astoi* versus *demou t' hegemonon*, or the aristocrats versus commoners, even though the word choice avoids the signification of a Solonian class struggle. However, the difference between social classes diminishes, and the framework is no longer in use, when individual becomes the direct victim of *demosion kakon*. The conflict underlying the linguistic message that "*demosion*" *kakon* is now in the "private" household further indicates the complete breakdown of normal civic order.

The overlap of the *polis* and its populace forms the political hub of the Solonian *Weltanschauung*: the people dwell in the public space of polis as a community. The gods ensure the survival of the polis with Dike's revenge as a deterrent against each individual of the populace.[419] This dynamic equilibrium between the divine will and the people is achieved through their engagement within the public space of the *polis*. Yet it is fragile, once broken by the moral corruption of the populace, the polis and the populace turn against each other, the civil strife as Solon describes breaks out.

A Democratic Solon in the making

How can the citizenry hold sovereignty and execute public authority, i.e. establish a democracy, if itself is a threat to the *polis*?[420] Solon fr. 4 contains such vigilance against the populace for its potential to cause civil strife and disturb the civic order. The idea of the citizenry causing civil strife and thus threatening the fate of *polis* leads down a dangerous path towards a forceful regime, i.e. tyranny. If Solon considers the people as the source of moral corruption endangering the *polis*, then the path to good politics is to

[417] Solon. fr. 4.19-25.
[418] It has been argued that this language is the Homeric formula for the most private part of one's household, and typically related to the intimate husband-wife scenario; cf. Adkins (1985: 121); Anhalt (1993: 109-10); Irwin (2006: 67) and Noussia-Fantuzzi (2010: 255).
[419] Solon. fr.. fr. 4.1-4, 14-16. This is my answer to the question of whether the political realm for Solon is secular or supernatural: as many have argued, politics is strictly directed by divine intervention in Homer and Hesiod; it appears different in Solon: Anhalt (1993: 69-73) notices the transition; Blaise (2006: 115-19) argues that politics is the battleground for mortals only. However, according to my analysis, it is the crossover of the divine and the secular. The parallelism between the divine and the secular is remarkable: the will of gods at the beginning and Dike as the divine force that stirs up the civil strife, and the end of the narrative with the voice of the lawgiver, and Eunomia as the solution to calm the conflicts.
[420] For a definition of democracy, and political theories related, I here follow the concept of "basic democracy" in Ober (2018: 1-5).

discipline civic activity;[421] the teachings of the lawgiver in the poem usually entail external force to implement in reality. Solon's entangled relationship with tyranny in the literary traditions indicates that the proximity between Solon and ideology of archaic tyranny was recognized. Irwin points out that the rhetoric of taming the undisciplined desire of the citizens is featured in discourses of tyranny; this juxtaposition urges Solon to repeatedly denounce tyranny in his poetry.[422] Later sources still note Solon's close relationship with Pisistratus, the infamous tyrant.[423] Therefore, a paradigm shift in Solonian *Weltanschauung* is inevitable to pave the way for the myth of Solon as the founding father of democracy.

In the speech On the Dishonest Embassy, Solon's poem is adduced as evidence for Demosthenes' criticism against Aeschines' claim concerning the statue of Solon in Salamis:

> ...εὖ γὰρ οἶδ' ὅτι πάντες ἐκπεπλεύκατε εἰς Σαλαμῖνα καὶ τεθεωρήκατε τὴν Σόλωνος εἰκόνα, καὶ αὐτοὶ μαρτυρήσαιτ' ἂν ὅτι ἐν τῇ ἀγορᾷ τῇ Σαλαμινίων ἀνάκειται ὁ Σόλων ἐντὸς τὴν χεῖρα ἔχων. τοῦτο δ' ἐστίν, ὦ ἄνδρες Ἀθηναῖοι, ὑπόμνημα καὶ μίμημα τοῦ Σόλωνος σχήματος, ὃν τρόπον ἔχων αὐτὸς διελέγετο τῷ δήμῳ τῶν Ἀθηναίων.
> For I know well all of you have sailed to Salamis and looked at the statue of Solon, and could witness for yourselves that Solon stands in the agora of Salamis holding his hand inside his robe. This, men of Athens, is the reminder and memorial of Solon's bearing, which he typically held when he was speaking to the people of Athens. (Aeschin. Against Timarchos, 25)

Demosthenes refutes Aeschines by revealing the true origin of the statue:

> καίτοι τὸν μὲν ἀνδριάντα τοῦτον οὔπω πεντήκοντ' ἔτη φάσ' ἀνακεῖσθαι Σαλαμίνιοι, ἀπὸ Σόλωνος δ' ὁμοῦ διακόσι' ἐστὶν ἔτη καὶ τετταράκοντ' εἰς τὸν νυνὶ παρόντα χρόνον, ὥσθ' ὁ δημιουργὸς ὁ τοῦτο πλάσας τὸ σχῆμα οὐ μόνον οὐκ αὐτὸς ἦν κατ' ἐκεῖνον, ἀλλ' οὐδ' ὁ πάππος αὐτοῦ.
> And yet the Salamians say that the statue have not been up for fifty years yet, in total that is two hundred and fifty years in time from Solon to now, so that not only the craftsman who formed the gesture of the statue is not contemporary with Solon, but neither was his grandfather. (Dem. On the Dishonest Embassy, 251)

To further refute Aeschines' image of Solon, and to attack his intention of bringing Solon up, Demosthenes provides his own narrative of Solon in his performance:

> ἐκεῖνος μέν γ' ἀφεστηκυίας Σαλαμῖνος Ἀθηναίων καὶ θάνατον ζημίαν
> ψηφισαμένων, ἄν τις εἴπῃ κομίζεσθαι, τὸν ἴδιον κίνδυνον ὑποθεὶς ἐλεγεῖα

[421] Solon. fr. 4.32-39. Cf. Raaflaub (1994: 109-11).
[422] Irwin (2006: 72-74).
[423] Beneker (2012: 1-2).

ποιήσας ᾖδε, καὶ τὴν μὲν χώραν <ἀν>έσωσε τῇ πόλει, τὴν δ' ὑπάρχουσαν αἰσχύνην ἀπήλλαξεν·
With the Salamians revolting and Athenians voting to have death as penalty, if anyone should suggest Salamis to be recovered, (Solon) personally took the risk by composing and reciting an elegiac poem, which allows him to recover Salamis for the city and save it from humiliation. (Dem. On the Dishonest Embassy, 252)

It was common practice among orators to use public monuments to aid the visualization of one's argument,[424] in this case, the interpretation of Solon's statue altered the performative context of Solon in the public imagination. As Stehle points out, the audience implied by Solon's poems are unusual among lyric poets.[425] Ambivalent traces of elite values and an audience of general public are present. Nevertheless, according to Aeschines, the audience of Solon's speech concerning Salamis is the *demos*. Similarly, Demosthenes places Solon in the agora campaigning for the recovery of Salamis. Furthermore, Demosthenes offers Solon's poem as proof of Solon's real intention. Demosthenes suggests that Solon's transgressive performance[426] at Salamis finds its true expression in Solon fr. 4. As Demosthenes adduces this poem to refute Aeschines, Solon's poetry is placed in a more specific public performative context through Demosthenes' narrative and the recitation.

In the final section of Against Ctesiphon, Aeschines urges his audience to imagine Solon standing on the platform where Solon delivered his speech to the public:

… ὑπολαμβάνετε ὁρᾶν ἐπὶ τοῦ βήματος, οὗ νῦν ἑστηκὼς ἐγὼ λέγω, ἀντιπαρατεταγμένους πρὸς τὴν τούτων ἀσέλγειαν τοὺς τῆς πόλεως εὐεργέτας, Σόλωνα μὲν τὸν καλλίστοις νόμοις κοσμήσαντα τὴν δημοκρατίαν, ἄνδρα φιλόσοφον καὶ νομοθέτην ἀγαθόν, σωφρόνως, ὡς προσῆκον αὐτῷ, δεόμενον ὑμῶν μηδενὶ τρόπῳ τοὺς Δημοσθένους λόγους περὶ πλείονος ποιήσασθαι τῶν ὅρκων καὶ τῶν νόμων.
Imagine you see on this stage, where I stand now while speaking, the benefactor of the city stretched side by side against the licentiousness of these people: Solon, who arranged the best of laws for the democracy, a philosopher and a good lawgiver, urging you with decency, as befits him, under no circumstances to set more value on Demosthenes' arguments than on your oaths and the laws. (Aeschin. In Ctes. 257)

[424] Westwood (2013: 7-9).
[425] Stehle (2006: 82-102). There is no doubt that Solon is familiar with the references related to symposium and elite culture, as Noussia-Fantuzzi (2010: 230-1) suggests.
[426] Irwin (2006: 40-51).

Instead of imitating Solon's posture, Aeschines directs the Solon in the audience's imagination to imitate him, to take his place in a public platform as an orator. Aeschines borrows the authority of Solon for his attack against Demosthenes, and Solon enters the public space, leaving the symposia, the more common context of lyric poetry.

While arguing against each other, the intertextuality between Demosthenes and Aeschines illustrates the image of Solon at this time. Both Demosthenes and Aeschines argue that the archaic lawgiver had a strong interest in regulating citizens' private lives. Aeschines mentions Solon as the first of lawgivers paying great attention to decent behaviors:

> σκέψασθε γάρ, ὦ ἄνδρες Ἀθηναῖοι, ὅσην πρόνοιαν περὶ σωφροσύνης ἐποιήσατο ὁ Σόλων ἐκεῖνος, ὁ παλαιὸς νομοθέτης, καὶ ὁ Δράκων καὶ οἱ κατὰ τοὺς χρόνους ἐκείνους νομοθέται. πρῶτον μὲν γὰρ περὶ τῆς σωφροσύνης τῶν παίδων τῶν ἡμετέρων ἐνομοθέτησαν, καὶ διαρρήδην ἀπέδειξαν, ἃ χρὴ τὸν παῖδα τὸν ἐλεύθερον ἐπιτηδεύειν, καὶ ὡς δεῖ αὐτὸν τραφῆναι, ἔπειτα δεύτερον περὶ τῶν μειρακίων, τρίτον δ' ἐφεξῆς περὶ τῶν ἄλλων ἡλικιῶν, οὐ μόνον περὶ τῶν ἰδιωτῶν, ἀλλὰ καὶ περὶ τῶν ῥητόρων.
> Behold, fellow Athenians, how much emphasis that Solon, that ancient lawgiver, put on morality, as did Draco and other lawgivers at that time. First, they establish laws to protect the decency of our children, and they appointed explicitly what were to be practice for the freeborn boy, and how he was to be brought up; then they legislated for the lads, and thirdly for those of other age in order, not only private citizens, but also the public speakers. (Aeschin. In Tim. 1.6)

First, σωφροσύνη (*sophrosune*, moderation), the word used of the moral requirements emphasized by Solon, is of the same root as that used in In Ctes. 257 to describe Solon's manner in his imagined public speech. Linguistic resonance shows consistency in Aeschines' understanding of Solon. Second, the idea that there are proprieties for men of each age naturally reminds one of Solon fr. 27, which talks about the specific feature of men of each age. According to Aeschines, prostitution, which Timarchos is accused of, is the major violation of decency that Solon values as a premise of civil activities. Prostitution places the autonomy of one's body under the power of another, thus undermining the existential foundation of individuals. Demosthenes also suggests in Against Leptines that Solon established laws so that citizens have the right to execute absolute power over their private property, which can be seen as the extension of their own body:

> εἰ γὰρ ὁ μὲν Σόλων ἔθηκεν νόμον ἐξεῖναι δοῦναι τὰ ἑαυτοῦ ᾧ ἄν τις βούληται, ἐὰν μὴ παῖδες ὦσι γνήσιοι, οὐχ ἵν' ἀποστερήσῃ τοὺς ἐγγυτάτω γένει τῆς ἀγχιστείας, ἀλλ' ἵν' εἰς τὸ μέσον καταθεὶς τὴν ὠφέλειαν ἐφάμιλλον ποιήσῃ τὸ ποιεῖν ἀλλήλους εὖ...
> For if Solon made a law that every man can leave his property to whomsoever he wanted, if there is no legitimate child, not for the purpose of depriving the next of kin of their rights, but so that by making the prize open to everyone he might motivate people in doing good one to another...(Dem. Lept. 102)

According to Demosthenes, Solon believes that kindness among citizens is to be cultivated by the actions of citizens themselves, while laws are only the catalyst of such a process. Granted autonomy over their own body and property for all citizens is recognized as Solonian by both Demosthenes and Aeschines. The autonomy of the individual is considered not only to benefit the individual himself, but also to convey positive externalities.

In Solon fr. 4, political activities within the *polis* are presented through the framework of social classes. However, neither Demosthenes nor Aeschines mentions Solon's opinion concerning social classes or political parties; according to Demosthenes and Aeschines, Solon emphasizes the private household as the framework for regulating the society. First, the emphasis on private household is reflected in the law regulating women's behavior. Aeschines, in Against Timarchos attributes a law regulating women's behavior to Solon:

> ὁ δὲ Σόλων ὁ τῶν νομοθετῶν ἐνδοξότατος γέγραφεν ἀρχαίως καὶ σεμνῶς περὶ τῆς τῶν γυναικῶν εὐκοσμίας. τὴν γὰρ γυναῖκα ἐφ' ᾗ ἂν ἁλῷ μοιχός, οὐκ ἐᾷ κοσμεῖσθαι, οὐδὲ εἰς τὰ δημοτελῆ ἱερὰ εἰσιέναι, ἵνα μὴ τὰς ἀναμαρτήτους τῶν γυναικῶν ἀναμειγνυμένη διαφθείρῃ· ἐὰν δ' εἰσίῃ ἢ κοσμῆται, τὸν ἐντυχόντα κελεύει καταρρηγνύναι τὰ ἱμάτια καὶ τὸν κόσμον ἀφαιρεῖσθαι καὶ τύπτειν, εἰργόμενον θανάτου καὶ τοῦ ἀνάπηρον ποιῆσαι, ἀτιμῶν τὴν τοιαύτην γυναῖκα καὶ τὸν βίον ἀβίωτον αὐτῇ κατασκευάζων.
>
> But Solon, the most famous of lawgivers, has written in archaic and revered manner concerning orderly conduct of the women. For the woman involved in adultery, he does not allow her to adorn herself, nor even to enter the public sanctuary, in order that she does not corrupt innocent women around her. But if she does attend, or does adorn herself, he commands that any man who meets her shall tear off her garments, take away her ornaments, and beat her (only he may not kill or severely injure her); for the lawgiver seeks to disgrace such a woman and make her life not worth the living. (Aeschin. In Tim. 183)

Women are excluded from political life and public space, but they are emblematic of the private household.[427] Thus, the law regulating the loyalty of the woman also ensures the stability and security of the household, especially in cases where it is breached by another individual, for example, adultery. Punishments for women entering the public space after committing adultery indicate that it is not just perceived as a private issue, as all men were allowed to execute the penalty in public, and thus it transcends the realm of

[427] Lys. 1 is very often cited for women's living and what is happening inside a private household. For women's access to public space and their place in private household, see Wolpert (2001: 416-18).

the private household into the public space of *polis*.[428] The security of the private household becomes a common interest of both the community and the individual, which resonates with Solon. fr. 4 in understanding the communal and private dimensions of the populace.

Not only is the nuclear family a concern for the "Solon" of the fourth-century Athenian courtroom, but so are the members of the extended family. Demosthenes mentions a law of Solon that Timocrates has jeopardized in his scheme of benefiting the criminals:

> λεγόντων γὰρ τῶν νόμων οὓς ἔθηκε Σόλων, οὐδὲν ὅμοιος ὢν τούτῳ νομοθέτης, ἄν τις ἁλῷ κλοπῆς καὶ μὴ τιμηθῇ θανάτου, προστιμᾶν αὐτῷ δεσμόν, κἄν τις ἁλοὺς τῆς κακώσεως τῶν γονέων εἰς τὴν ἀγορὰν ἐμβάλλῃ, δεδέσθαι, κἂν ἀστρατείας τις ὄφλῃ καί τι τῶν αὐτῶν τοῖς ἐπιτίμοις ποιῇ, καὶ τοῦτον δεδέσθαι, Τιμοκράτης ἅπασι τούτοις ἄδειαν ποιεῖ, τῇ καταστάσει τῶν ἐγγυητῶν τὸν δεσμὸν ἀφαιρῶν.
> The laws established by Solon, a lawgiver completely different from this man, state: if a man is convicted of theft, and not punished with a death sentence, he shall suffer imprisonment; that if a man guilty of mistreating his parents enters the agora, he shall go to jail; and that if a man, having been convicted of shirking military service, continues to exercise the rights of citizenship, he also shall be imprisoned. Timocrates offers impunity to all these offenders, for he abolishes imprisonment if they pay the bail. (Dem. Against Timocrates, 103)

Mistreating one's parents posthumously is also forbidden:

> καὶ μὴν κἀκεῖνος τῶν καλῶς δοκούντων ἔχειν νόμων Σόλωνός ἐστι, μὴ λέγειν κακῶς τὸν τεθνεῶτα, μηδ' ἂν ὑπὸ τῶν ἐκείνου τις ἀκούῃ παίδων αὐτός.
> Indeed among the brilliant laws of Solon there is one that prohibits speaking bad about the dead, even if by one of his children. (Dem. Lept. 104)

The mistreatment of parents is listed alongside other crimes that are attached with extremely harsh punishments. The three crimes are three levels of violations: theft is the violation of property as well as a moral corruption of an individual; the maltreatment of (extended) family members, the violation of the harmony of family, which resembles the harmony of the polis; and finally, failure to fulfill one's public duty to the polis, the violation of one's civic duty. To Demosthenes and Aeschines, civic affairs on three levels are also comparable and intertwined with parallelism. Demosthenes, arguing that people in public office should be held up to the same standard as private citizens, told this anecdote about Solon:

> βούλομαι τοίνυν ὑμῖν κἀκεῖνο διηγήσασθαι, ὅ φασί ποτ' εἰπεῖν Σόλωνα κατηγοροῦντα νόμον τινὸς οὐκ ἐπιτήδειον θέντος. λέγεται γὰρ τοῖς δικασταῖς αὐτὸν

[428] The same idea is attested in Lys. 1, that the private issue of οἶκος (*oikos*, household) can be transformed into the public issue of polis. Wolpert (2001: 422)

εἰπεῖν, ἐπειδὴ τἄλλα κατηγόρησεν, ὅτι νόμος ἐστὶν ἁπάσαις, ὡς ἔπος εἰπεῖν, ταῖς πόλεσιν, ἐάν τις τὸ νόμισμα διαφθείρῃ, θάνατον τὴν ζημίαν εἶναι. ἐπερωτήσας δ' εἰ δίκαιος αὐτοῖς καὶ καλῶς ἔχων ὁ νόμος φαίνεται, (213) ἐπειδὴ φῆσαι τοὺς δικαστάς, εἰπεῖν ὅτι αὐτὸς ἡγεῖται ἀργύριον μὲν νόμισμ' εἶναι τῶν ἰδίων συναλλαγμάτων εἵνεκα τοῖς ἰδιώταις εὑρημένον, τοὺς δὲ νόμους ἡγοῖτο νόμισμα τῆς πόλεως εἶναι. δεῖν δὴ τοὺς δικαστὰς πολλῷ μᾶλλον, εἴ τις ὃ τῆς πόλεώς ἐστι νόμισμα, τοῦτο διαφθείρει καὶ παράσημον εἰσφέρει, μισεῖν καὶ κολάζειν, ἢ εἴ τις ἐκεῖν' ὃ τῶν ἰδιωτῶν ἐστιν. (214) προσθεῖναι δὲ τεκμήριον τοῦ καὶ μεῖζον εἶναι τἀδίκημα, τὸ τοὺς νόμους διαφθείρειν ἢ τὸ ἀργύριον, ὅτι ἀργυρίῳ μὲν πολλαὶ τῶν πόλεων καὶ φανερῶς πρὸς χαλκὸν καὶ μόλυβδον κεκραμένῳ χρώμεναι σῴζονται καὶ οὐδ' ὁτιοῦν παρὰ τοῦτο πάσχουσιν, νόμοις δὲ πονηροῖς χρώμενοι καὶ διαφθείρεσθαι τοὺς ὄντας ἐῶντες οὐδένες πώποτ' ἐσώθησαν.

I also want to tell you a saying said to be from Solon, when he was prosecuting a man for an inexpedient law. It is said that he told the judges, upon finishing the rest of his speech, that there is a law in all city-states that if someone counterfeited money, the penalty is death. He then asked the jury whether they consider this law just and good; and when the jury said yes, he stated that coinage was created by private individuals for private exchanges, yet laws were the currency of the city-state; therefore, if someone debased the currency of city-states, and brought in counterfeit, the jury is supposed to despise and punish that man much more than one who does the same thing to the currency of private individuals. To prove it to be a worse crime to debase laws than private currency, he added that many states openly using silver alloyed with copper (as currency) survive and suffer no harm thereby; but that no nation that uses bad laws or allows the debasement of existing laws has ever escaped the consequence. (Dem. Against Timocrates, 212-214)

Through a word play of coinage (νόμισμα, *nomisma*) and law (νόμος, *nomos*), he suggests that coinage plays the same role in one's private life as the role law plays in a *polis'* public life: both play the role of a medium. Coinage circulates among individuals as a medium of transaction of monetary value in private realm; similarly, the law mediates transactions of interests in public space among individuals. Both are functional only based upon the integrity of the medium itself, which shall be damaged by the forgery of the coinage and the corruption of the legal system. While forgery of the coinage does damages to the order of private life, the same damage is magnified and casted upon the civic order of public life when the debasement of legal system happens. This anecdote shows Solon considering the principle on private and public level isomorphic and comparable to one another. Furthermore, such reasoning anchors the power of the law to regulate public affairs deeply in its resemblance to the morality of private life. Thus, morality of private individuals become the pivot of political legitimacy.

The new *Weltanschauung* reinvented Solonian tradition to create a new etiology of public morals based on individual morality. The structure turns from a dichotomy between *polis* and the populace into a concentric structure between one's private life, one's household, and the *polis*, in both Demosthenes and Aeschines. The principle of

personal life and private household can be extrapolated to political activities in public realm. This concentric moral structure in the new Solonian *Weltanschauung*, with citizens being the pivot, bespeaks the mutual interests shared by the individual, his household, and the *polis*.

Conclusion

As Aeschines reminds the jurors at the beginning of Against Timarchus, the laws protect the citizens and the politeia.[429] The citizens, once they have sworn the oath and joined the juror, also become the guardians of the laws. The hostility and vigilance in Solon fr. 4 between the *polis* and its people, as demonstrated by the reading provided by the first section of this paper, are resolved by a new *Weltanschauung* in its reception with reciprocal relationship between the citizenry, the law, and the *polis*. The challenge to a civic order in Solonian polis, according to Solon fr. 4, is the inevitable depravity of the populace, which brings about implications dangerously close to the ideology associated with archaic tyranny. Through juxtaposition of Solonian fragments and reception of Solon in Demosthenes and Aeschines, it becomes clear that depravity of the populace as obstacle to good civic order is resolved when Demosthenes and Aeschines lay the foundation of civic order on the moral of the individual, the center of the concentric moral structure where the principles governing the private life can also be extrapolated to the realm of the household and the public space of the *polis*. This is a case of how the need for justification of the moral possibility of democracy shapes the reception of Solon, even though a democratic image of Solon ultimately contradicts the *Weltanschauung* of Solon fr. 4.

This new *Weltanschauung* befits the legal procedure of democratic Athens. The fate of Athens in Solon fr. 4, which was designated by the gods and defended by divine justice when violated, is now sustained by the democracy and the laws. The gods no longer take an active role in protecting the *polis*. The process of stirring up civil strife in the public space and then persecuting citizens to their household has been replaced by the established courtroom practice and persecution of individuals directly responsible. This is how Solon fr. 4 is received in Demosthenes' On the Dishonest Embassy.[430] Demosthenes reads Solon fr. 4 as gods' will to preserve the city. Political activities are no longer doomed with moral corruption of the populace that leads to civil strife, but maintain harmony in the public space through scrutiny of personal morality, which we might call "moral individualism". This new "moral individualism" is both positive and practical: while those who fail the public office are held responsible through legal

[429] Aeschines, Against Timarchos, 5-7.
[430] Dem, On the Dishonest Embassy, 256.

procedures, the challenge against democracy is not due to the inevitable moral corruption of the populace, but merely the moral dysfunction of certain individuals.

As Athenian democracy chose Solon as its founding father among archaic cultural personages[431], a new Solon comes to life through the speeches of Demosthenes and Aeschines. A Solon who sees individuals practicing good morality as the pivot of good politics. The paradigm shift of Solon's image into the one in Demosthenes and Aeschines, an image that provides moral justification for democracy and reveals certain agency within political discourse in the formation of democratic ideology. The direction of political discourse is not determined by the connotations of the texts associated with its iconic figure, but rather goes its own way and, in turn, shapes its iconic figure and the reception of the related texts.[432] I would not go so far as to call it Freudian "collective unconsciousness" or even Hegelian "Zeitgeist" at work for such process, but "the people" has its own will.

[431] Mossé (1979: 242-59).

[432] In this case, the iconic figure of Athenian democracy is Solon. Although the texts associated with Solon, in this case fr. 4 particularly, has the potential to bring about anti-democratic connotations, democratic Athens still manages to shape Solon into the "founding-father-of-democracy" figure, along with a new "Solonian philosophy".

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