

6 Ways to give oaths extra sanctity

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There were various ways in which the solemnity of an oath could be increased. The most common include the invocation of one or more particularly appropriate deities to witness the oath, the swearing of an oath in a location of religious significance (such as in a temple, at an altar, or in front of a god's statue), and the performance of an oath-sacrifice. The pouring of libations must also have accompanied oaths frequently since, although there are, relatively speaking, not a large number of references to libations being added to oaths in our sources, one of the commonest Greek words for a sworn treaty or alliance, *spondai*, also means "libations".¹ Interstate treaties were often inscribed on stone and displayed in the vicinity of an important temple, as Andrew Bayliss has discussed.² Gestures could also add solemnity to an oath. Raising the hands or a sceptre to heaven, striking the ground, clapping hands and drawing blood all occur in our texts. Rarely an unusual ritual is added as a representation of the oath-curse on the would-be perjurer, such as the burning of wax images or the sinking of lumps of iron in the sea. These function as engineered reminders of the punishments for oath-breaking, and in some cases consequences for perjury are spelled out in human terms. This too was a way of adding solemnity to an oath, and the issue will be touched on briefly here but will be discussed in more detail in §12.2. Some particularly elaborate oaths contain numerous sanctifying features, and we will turn our attention to these in the final section of this chapter.

6.1 Sanctifying witnesses and significant locations

One of the most basic ways of adding solemnity to an oath was to invoke as sanctifying witness a deity, or even a non-divine entity,³ with a special connection to the context, content, or swearer of the oath. Invoking "Zeus" or "the gods" obviously constitutes a serious oath, but oaths in which Zeus is invoked either with an epithet emphasizing a particular attribute, or in combination with other relevant deities, seem to have held more weight than those in which he is invoked alone. In Demosthenes, speakers often invoke Zeus *and* "all the gods" to add force to

¹ See S&B 151, 153, 242–4, and cf. Burkert 1985, 71.

² S&B 158–60; see also Steiner 1994, 66–7.

³ On the potential of non-divine entities to add to the seriousness of an oath, see §5.3.

important assertions (Dem. 8.49, 10.7, 25, 23.188, 25.13, 35.40, 36.61),⁴ and an invocation of all the gods or all the gods and goddesses sometimes concludes a list of more specific oath-witnesses (cf. *Il.* 3.245–301, Eur. *Med.* 735–55, the League of Corinth treaty RO 76, the Hippocratic *Oath*). In interstate oaths, Zeus is commonly invoked along with other important deities,⁵ but informal oaths by Zeus alone tend to be weak oaths.⁶ Where Zeus has a specific function as patron of a particular cause or institution, an accompanying epithet is normally important. Oaths taken by Athenian men introducing their sons to the phratry, for example, invoked Zeus Phratrios (*IG* ii² 1237.74–113), and seem to have included touching the altar of Zeus since the issue of Callias’ oath to the members of the phratry as he was “grasping the altar” (λαβόμενος τοῦ βωμοῦ) is brought up in Andocides’ *On the Mysteries* (126).

An invocation of “the gods” alone constitutes a rather weak oath. The issue is well illustrated by a comparison of the oaths of Jason and Medea in Euripides’ *Medea*. Jason swears two oaths during the course of the play, in both cases invoking “the gods” (*daimones*) as sanctifying witnesses. He first calls them to witness that he wishes to help Medea and the children (619–20), and uses essentially the same formula later when he states that Medea is preventing him from burying his children (1408–14). These oaths do not help Jason’s cause in any way. The first merely enrages Medea further, while the second yields Jason no support from any source. In fact, Jason is cast throughout the play as an oath-breaker (*Med.* 20–2, 161, 492–5, 1392), and Medea can be read as the avenging spirit meting out his punishment for perjury.⁷ Jason’s invocations of unspecific *daimones* show that his oaths are weak in comparison with Medea’s. The oath-witnesses Medea invokes become more specific as the play progresses and as her position becomes more powerful. Her first oath, reported by the Nurse in the prologue, calls the gods (*theoi*) to witness that she is being mistreated by Jason (22). In the second, Medea invokes Hecate, as the goddess dwelling in the innermost part of

4 In one variation Demosthenes swears an oath invoking Heracles and all the gods, as a measure of added emphasis in claiming that it was men like Aeschines and not like himself who were to blame for the loss of the war to Philip (Dem. 18.294). See ch. 9 for further discussion of oaths in oratory.

5 See S&B 160–7.

6 On informal oaths, see ch. 13.

7 See Burnett 1973, 13, and cf. Fletcher 2012, 181 with n. 6. A. Allan 2007 argues that there was no oath, and thus no perjury, since its terms are never revealed, but Jason never denies that he broke an oath and other scholars have shown that perjury is an issue of central importance in the play. See Burnett 1973, esp. 13–20, Boedeker 1991, Kovacs 1993, Burnett 1998, 196–207, S.R. West 2003, 442–3.

her hearth, whom she claims to choose as her “ally” (395–8). Hecate was normally associated with crossroads and outside spaces. The seemingly paradoxical description of Hecate as dwelling by Medea’s hearth “virtually in displacement of Hestia, conveys ... a special personal intimacy”,⁸ and the gods appear to be on Medea’s side in this tragedy, in spite of her crimes. In Medea’s final oath the nether spirits of vengeance who dwell in Hades are invoked in her statement that she will not leave her children for her enemies to treat shamefully (1059–61). The oath marks the moment of Medea’s decision to kill her children, although the specific identity of the “nether spirits of vengeance” (*nerterous alastoras*) has been debated.⁹ Is Medea referring to the avenging spirits for Jason’s perjury, to avenging spirits for her previous crimes, or to the avenging spirits for her imminent crimes?¹⁰ I would argue that the avenging spirits invoked here by Medea are precisely those associated with Jason’s perjury. It is because Jason has broken his oath, abandoning her and the children, that her children can now be treated shamefully by her enemies. Moreover, since she remains convinced that her crimes are necessary and escapes unpunished, it would be strange indeed for her to invoke a spirit of vengeance to pursue her in the name of her victims. Mossman is concerned by the lack of parallels for an *alastor* as a punisher of perjury,¹¹ but the truce between the Trojans and the Greeks in *Iliad* 3 includes the invocation of “those in the nether world who punish dead men who have sworn false oaths” (*Il.* 3.279–80). There are some textual issues with these lines,¹² but the reference to “nether” powers (*hoi hupenerthe*), which is unproblematic, is similar to Medea’s description of the *alastores* as “nether” figures (*nerterous*), so that the concept of a nether spirit as an avenger for perjury is not entirely without parallel. In any case it is clear that Medea’s oaths are far more powerful and effective than Jason’s and that their strength comes, in part, from her invocations of deities specifically chosen as patrons of her cause.

In several dramas, as in real life, elements of spatial context and location, coupled with the identity of the divinity invoked, can add further solemnity to oaths. Euripides’ *Hippolytus* contains two oaths invoking Artemis sworn in the

⁸ Mastronarde 2002, *ad* 397.

⁹ The authenticity of the entire speech has also been debated. Lloyd-Jones 1980 argues that 1059–63 may be a fourth-century interpolation, Diggle 1984 deletes 1056–80, Kovacs 1986 deletes 1056–64; cf. also Seidensticker 1990 for further discussion. Among editors, Page 1938, Van Looy 1992, and Mastronarde 2002 retain the oath passage (1059–61). Mossman 2011, 314–32, has a detailed discussion of all the major issues, favouring deletion of 1056–63.

¹⁰ See Mossman 2011, *ad* 1059 for a summary of the possibilities.

¹¹ Mossman 2011, *ad* 1059.

¹² See Kirk 1985 *ad* 278–9.

presence of her statue. Epithets are important in both oaths. When the chorus of local women swear an oath to keep Phaedra's secret, they swear by "august Artemis, daughter of Zeus" (713) emphasizing both their reverence for the goddess (who is a patron of women) and her connection to the all-powerful Zeus. At the end of the play, however, when the dying Hippolytus gives his father an oath absolving him of guilt for causing his death, he calls to witness "Artemis of the conquering bow" (1451). Here Artemis' special connection to Hippolytus as goddess of the hunt is stressed by her devotee. A statue of Artemis the Archeress was present in the real setting of the divorced wife's oath of denial recorded in the Gortyn code (*IC* iv 72 col. iii, II.5–12). If a divorced wife swore by Artemis in the presence of the statue in the Amyclaeon temple that she had not taken property that belonged to her ex-husband, the latter was forbidden to take anything from her. Here, Artemis is again the patron of women, and the fact of taking the oath in the sacred location and in the presence of her statue clearly added enough solemnity to the oath for the judge to adjudicate in the woman's favour.¹³ The temple of Artemis, in front of which Euripides' *Iphigeneia among the Taurians* is set, is important too for Iphigeneia's oath. She invokes Artemis in whose temple she holds office (737), emphasizing her personal connection to this goddess. Pylades, by contrast, swears his reciprocal oath by "the lord of heaven, august Zeus" (738). As lord of heaven, Zeus would presumably oversee from above Pylades' safe return to Greece.

The worlds of drama and reality overlap elsewhere. Oaths invoking Dionysus (the god of drama) in plays which were performed at festivals in honour of Dionysus, and so in spaces sacred to him, have the potential to be especially emphatic in a metatheatrical way. Two passages from Aristophanes contain references to the persona of Aristophanes swearing "by Dionysus" that his first production of *Clouds* was an excellent comedy (*Wasps* 1046–7, *Clouds* 518–24).¹⁴ The first *Clouds*, performed at the City Dionysia in 423, had been ranked third and last, and while our extant *Clouds* was never performed, the similarity between the sentiment expressed in *Clouds* 518–24 and *Wasps* 1046–7 (which was performed) demonstrates that including such oaths in a comedy was both a legitimate and a particularly emphatic tactic. Naturally enough, holding offices connected with the dramatic festivals also seems to have involved invocations of Dionysus and sanctifying features related to the god. The *choregos*' oath in the deme of Icaria, for example, required the swearer to place a hand on the cult statue of Dionysus

¹³ On other notable oaths in the Gortyn code, see S&B, 62–7, and on the Gortyn laws more generally, see Gagarin 2008, 145–75, Gagarin 2010.

¹⁴ See further ch. 13a on authors swearing in their own person.

(IG i³ 254.10–24). Taking office as one of the Gerarai (older women who served as priestesses of Dionysus in Athens) similarly involved an oath taken in the sanctuary of Dionysus, in the presence of his altar, and it also included the touching of the sacrificial victims ([Dem.] 59.78, cf. 59.73).

Swearing an oath in a sacred location, then, was a one clear way of adding solemnity, and there are a very great number of oaths in which a sacred location functions as part of the context. In the case of drama, where plays were often performed in front of a fictional but identifiable sacred space, oaths sworn in these spaces had the potential to be especially serious or emphatic. The statue of Athena, present on stage in Aeschylus' *Eumenides*, in addition to the figure of Athena herself, along with the Areopagus setting, will have strengthened the significance of Orestes' oath of alliance (*Eum.* 287–91, 671, 762–4). In *Ion*, it is noteworthy that Athena is invoked in the only two oaths of that play, although the drama is set at the temple of Apollo in Delphi. Creusa calls “the Gorgon-slayer” to witness that Ion was born after Phoebus lay with her in secret union (*Ion* 1478–87). Later, she swears again by Athena Nike that Apollo is Ion's father (1528–31). The choice of deity and epithets are both important. Athena will soon appear *ex machina*, claiming to have been sent by an embarrassed Apollo (1555–9), who might properly have been expected to tie up the action, so her invocation in these oaths prepares an audience for her arrival. “Gorgon-slayer” is an appropriate epithet for Athena at a moment when Creusa is stressing Ion's identity as her son. She had previously planned to kill him with a drop of Gorgon's blood, unaware that he was her son (998–1019), but rejected the plan as soon as she realized Ion's true identity. The Gorgon's potential to harm seems counteracted by the invocation of the Gorgon-slayer. Similarly the invocation of Athena as “Nike” stresses Creusa's hopes for a victory in being reconciled with her son, and the epithet gains extra-dramatic sanctity from the fact that the temple of Athena Nike was a stone's throw from the theatre.¹⁵

The oath of alliance between Athens and Argos described in Euripides' *Suppliant Women* is to be recorded on a tripod, which will be displayed at Delphi, and is discussed below (pp. 149–50). It is beyond the scope of the present analysis to explore the potential for additional sanctity of the numerous oaths sworn in a variety of ritual contexts represented or reported on stage,¹⁶ but evidence from

¹⁵ The temple is likely to have been completed several years before the production of *Ion*. See Lee 1997, ad 457.

¹⁶ Other examples from tragedy include the oath of Andromache taken in front of Thetis' shrine (*Andr.* 37–8), the oath of Orestes in the temple of Apollo at Delphi (*IT* 974), Theseus' oath to Adrastus in front of the temple of Demeter at Eleusis (*E. Supp.* 1174–5), Oedipus' oath in the sacred

the orators shows that the sacred space in which an oath was sworn was a significant aspect of the oath and was worth stressing. The prosecutor in Deinarchus' *Against Philocles* argues that Philocles had broken the oath which he had sworn "between the sacred statue (*hedos*) and the table (*trapeza*)" (Dein. 3.2), presumably somewhere on the Acropolis.¹⁷ Euphiletus' brother in Isaeus' *On Behalf of Euphiletus* emphasizes, in relation to Euphiletus' rights as a citizen, that Euphiletus' mother (who his opponents admit is a citizen) had been willing to swear in the sanctuary of Delphinian Apollo that Euphiletus was the son of herself and Hegesippus (Isaeus 12.9). Similarly, it is stressed in Isaeus' *On the Estate of Menecles* that the arbitrators in the dispute swore to adjudicate for the common good of the disputants at the altar of Aphrodite at Cephale (Isaeus 2.31), and that they further compelled both parties to swear at the altar that they would behave in a proper manner towards each other in the future (2.32).

Several sources refer to oaths being taken at the "stone" (*lithos*) in the agora, where a variety of official oaths were administered, such as the oaths of witnesses and arbitrators in litigation (Dem. 54.26, Arist. *Ath. Pol.* 55.5), and the oath of office of the archons (Arist. *Ath. Pol.* 55.5, cf. 7.1). Other important oaths were often sworn in temples and sanctuaries. The *athlothetai*, who were responsible for overseeing the games, swore an oath in the temple at Marathon confirming that they were eligible and were over thirty years old (*IG* i³ 3.6–10). In Plato's Magnesia, where oaths are only used if perjury is unlikely to bring gain to the perjurer (see ch. 15), the rulers were to swear an oath in the temple when they chose judges, stating that the judges they chose would be the men (one from each group of leaders) whom they deemed most likely to decide lawsuits in the best and holiest way (*Laws* 757c-d).¹⁸ The reconciliation oath for citizens sworn in Dicaea ca. 365–359 was taken in three of the most sacred sanctuaries and a copy was set up in the

grove of the Eumenides (S. *OC* 521–3). Various Aristophanic comedies, which contain numerous informal oaths, are set either entirely or in part in locations of ritual importance. *Lysistrata* is set at the Acropolis, *Women at the Thesmophoria* takes place mostly in front of the temple of Demeter Thesmophoros, *Peace* includes the palace of the gods as a location. Ritual paraphernalia are on stage when many oaths are uttered (e.g. *Ach.* 730, *Birds* 860–1, 954–5, *Lys.* 193–4, 206, 207–8, *Peace* 962–3, 978–9, 979–87, 1046, 1096–8, 1117, *Thes.* 72–3, 86). Boegehold 1999, 71–3 makes the interesting suggestion that in some oaths from Aristophanes "a gesture can supply the punishment [the speaker] asks for if he does not fulfill his oath" (72).

¹⁷ It is unclear precisely what is meant by *trapeza*. Accompanying comments and notes in Worthington 1992 and in Nouhaud & Dors-Méary 1990 do not discuss the issue. Commonly meaning "table", the term also designated the money-changers' counters in the agora (Pl. *Apol.* 17c), which may be significant here since Philocles has been accused of taking bribes (Dein. 3.2).

¹⁸ See also pp. 152–5 below on the oaths of the kings of Atlantis described in Plato's *Critias*, sworn in the temple of Poseidon.

sanctuary of Athena (Voutiras & Sismanides 2007, 255–74). Here repetition of the oath in three different locations seems to be an important element in giving the oath additional solemnity. The oath of the archons was apparently sworn twice, once in the Stoa of the Basileus and once on the Acropolis (*Ath. Pol.* 55.5), and we have one literary example of an oath sworn three times for added effect. This occurs in Aristophanes' *Frogs* (303–6) where Xanthias swears three informal oaths to Dionysus confirming that the terrifying Empusa is gone. Slightly different was the practice of renewing an oath at regular intervals which is recorded in some instances (Thuc. 5.23.4, Pl. *Critias* 119d).

An individual requesting an oath could specify a location in which the oath should be sworn. Protagoras reportedly challenged those who were unwilling to pay his tuition fee to swear an oath in the temple stating how much they believed his teachings were worth (Pl. *Prot.* 328c1–2). Similarly in Aristophanes' *Clouds* (1232–4) the First Creditor challenges Strespsiades to swear, in a location to be chosen by the Creditor, that he does not owe him any money. The Creditor further specifies that the gods Zeus, Hermes and Poseidon be invoked in the oath. A volunteered oath could also be accompanied by a willingness to swear in any location. In the dispute over the inheritance of her children, Diogeiton's daughter is willing to swear, wherever her father should choose, that her husband had given him five talents for safe keeping when he left to serve in the military (Lys. 32.13).

6.2 Oath-sacrifices

Oaths of office, oaths sworn during litigation, and treaties or alliances sworn in times of war were often accompanied by an oath-sacrifice as a way of increasing the binding power of the oath. Oath-sacrifices are associated with the offices of *dikastai* (Arist. *Ath. Pol.* 1.1), archons (Arist. *Ath. Pol.* 55.5), arbitrators and witnesses in legal cases (*ibid.*), those bringing homicide cases to court (Dem. 23.67–8), those responsible for registering new members in a deme (Isaeus 7.28), and men chosen to draw up the register of the Five Thousand (Arist. *Ath. Pol.* 29.5). The altar at which some of these oaths were sworn (e.g. the oaths of archons and of litigants), the *lithos*, was also the location where the sacrifice took place and was cut into pieces (*ta tomia*, Arist. *Ath. Pol.* 55.5).

The discarding of the sacrificial victim is the crucial difference between the oath-sacrifice and normal animal sacrifice. The oath-sacrifice was not consumed since it represented the oath-curse of death or extinction of the family line for

the would-be perjurer.¹⁹ So, when sacrificing the boar in his oath to Achilles at *Iliad* 19, Agamemnon trims the hairs of the animal with a knife (19.252–4, cf. *Il.* 3.273), and slits its throat (19.266), but the boar is then hurled into the sea by Talthymbius to feed the fishes (19.267–8). The hair of the animal, which is normally thrown into the sacrificial fire as a first offering, is distributed amongst the princes at *Iliad* 3.274 because there is no fire in Homeric oath-sacrifice.²⁰ In *Iliad* 3, Priam loads the sacrificed sheep on to his chariot before returning to Troy where he will presumably dispose of them (*Il.* 3.310), possibly by burying them or by burning them.²¹ Later texts suggest that burning became the common method of discarding the oath-sacrifice.²² The type of animal sacrificed varied. An inscription from Ephesus, probably relating to the oath of a witness at trial claiming exemption from testifying (*exōmosia*), also records the sacrifice of a boar (*IEphesos* 1678B.1–5), which is to be provided by the plaintiff, and Pausanias claims that oaths between Heracles and the sons of Neleus as well as the oaths taken by athletes and their families at Olympia included a boar as sacrificial victim.²³ Sheep are sacrificed in the truce between the Greeks and the Trojans in the *Iliad* (3.292) and in the alliance between Athens and Argos described in Euripides' *Suppliants* (1201),²⁴ a bull is sacrificed in the war pact of the Seven against Thebes (*A. Seven* 42–8) and by the kings of Atlantis (*Pl. Critias* 119e–120a), and the possibility of sacrificing a horse is raised (though rejected) in Aristophanes' *Lysistrata* (191–3).²⁵ In the peace treaty forged after the battle of Cunaxa a wolf is sacrificed in addition to a bull, a wild boar and a ram (*Xen. Anab.* 2.2.9).²⁶ What was important was that the sacrificial victims be *teleia* (*Andoc.* 1.97, [*Dem.*] 59.60), and *teleia* seems to mean both “unblemished” and “full-grown”.²⁷

¹⁹ Cole 1996, 243 n.16 observes that “sacrifices performed in the phratry of the Demotionidai were accompanied by an oath, but the meat of *other* animals sacrificed was distributed to the phratry” (emphasis added). The relevant inscription is *IG* ii² 1237, 34–8, 108–13. See also Parker 1983, 283 n.11 on the inedibility of purificatory sacrifices and on the probability that a separate animal was sacrificed for consumption in some cases.

²⁰ Kirk 1985 *ad* 273–4, cf. Edwards 1991, *ad* 19.252–5.

²¹ See Kirk 1985 *ad* 3.310, who also suggests that Priam takes only the carcasses of the two sheep provided by the Trojans while the Achaeans dispose of the third sheep.

²² *IG* i³ 15d37, *Eur. IA* 59, and *Pl. Critias* 120a all mention burning oath-sacrifices.

²³ Pausanias 3.20.9 and 5.24.11, discussed by Karavites 1992, 62–3.

²⁴ See further p. 151 below on these.

²⁵ According to Pausanias (3.20.9) the oath of Helen's suitors included the sacrifice of a horse.

²⁶ The wolf is omitted in one important manuscript but as noted by Parker 2004, 137 n.17 “the addition of the wolf by a scribe has no obvious motive”.

²⁷ *LSJ* s.v. τέλειος; see Cole 1996, 231–2 and 244 n.33 on adult victims in oath-sacrifices and

The slaughter of more than one sacrificial victim marked an oath as particularly solemn. A fragmentary inscription dating from the early fourth century records a hecatomb accompanying an oath of office sworn to the *hieromnēmones*, possibly by the secretaries (*CID I* 10.9–15), although we cannot say how many sacrificial victims there were.²⁸ Three sacrificial victims are recorded in several cases. The truce between the Greeks and the Trojans includes the sacrifice of three sheep (*Il.* 3.103–4) as does the alliance described in Euripides' *Suppliant Women* (1201), and the wolf sacrificed at the battle of Cunaxa may have been a Persian addition to a more usual Greek triad (bull, boar, ram).²⁹ In relation to the *diōmosiai* oaths sworn during homicide trials, Demosthenes also refers to the sacrifice of a boar, a ram and a bull and gives the details that these must have been slaughtered by the appropriate officers on the appointed days for the requirement of solemnity to have been met (*Dem.* 23.68).³⁰ A particular feature of oaths in homicide trials was that the swearer was required to come into contact with the *tomia* “cut pieces”. Demosthenes refers to “standing over the *tomia*” (23.68); Antiphon mentions “touching the slaughtered victims” (*sphagia*, 5.12).³¹ Stengel's argument that the *tomia* were genitals has been influential.³² The verb *temnein* can mean “to castrate”, and castration would be symbolic of death for the perjurer, as Stengel suggests.³³ However, the identification of *tomia* as genitals seems far from certain.

cf. Parker 2011, 157. The *arne* sacrificed in the Iliadic truce (*Il.* 3.103, 247) are sheep rather than lambs; see *LSJ* s.v. ἀρνίον II, quoting *Iliad* 3.103.

28 The text was previously published as *IG* ii² 1126.

29 Parker 2004, 137 n.17 observes that the Persians offer wolf's blood to “Areimanios” (i.e. Angra Mainyu, the spirit of evil and destruction) in *Plut. Mor.* 369e.

30 On oaths in homicide trials see further S&B 111–15.

31 The example from Herodotus (6.67–9), in which Demaratus' mother recounts the truth concerning his father's identity with the entrails (*splankhna*) of a sacrificial ox in her hand is not, in fact, an oath, although her story contains the report of one. The passage is erroneously referenced by several scholars (myself included, unfortunately) as an example of an oath taken while holding the entrails of a sacrificial victim (cf. Stengel 1914, 98; Burkert 1983, 36 n.9; Burkert 1985, 252 with 446 n.22; Faraone 1993, 66; *id.* 2005, 149; Berti 2006, 195; Parker 2011, 157 with n.128; Fletcher 2012, 9; Torrance 2012, 310). Demaratus begs his mother by all the gods to tell him the truth after putting the entrails in her hand (*Hdt.* 6.68), and she proceeds to tell him the truth (*Hdt.* 6.69), but holding the entrails does not in itself constitute an oath since there is no appeal to a sanctifying witness, and the oath referred to was sworn in the past (κατωμνύμεν). See ch. 1 for further discussion of what constitutes an oath and what does not.

32 Stengel 1910, 78–85, and Stengel 1914, followed by Nilsson 1955, 140; Burkert 1983, 36; Sommerstein 1990, *ad* 186; Karavites 1992, 64; Fletcher 2005, 59 and 2008, 38; cf. Carastro 2012, 86 with n.38. Less influential have been Rudhardt 1958, 283–4, who suggested that the *tomia* were entrails, and Casabona 1966, 220–5, 323–6, who took them to be dismembered limbs.

33 Stengel 1910, 82–3.

Stengel admits that the ancients do not explain the nature of the *tomia*,³⁴ which rather implies that the term retains its straightforward meaning of “cut pieces”, no less powerful than castration in representing death for the potential perjurer. Since we know that the sacrifice was not eaten, it is not necessarily the case that the cut pieces were offal. Karavites argues that the phrase *horkia temnein* “to cut oaths”, which is a common Homeric expression where the oath-sacrifices embody the oath (which is “cut”),³⁵ “reflected the ancient practice of standing upon the animal’s genitals (*tomia*) or passing through the severed parts”.³⁶ However there is no evidence whatsoever in Homer that the sacrificial victims in oath rituals were cut into pieces.³⁷ Rather they seem to have been discarded whole (*Il.* 3.310, 19.267–8). More recent scholarship has questioned the assumption that the *tomia* are genitals.³⁸

The example from Aristophanes’ *Lysistrata* (191), where it is suggested that the women should cut up a white stallion as a *tomion* “cut sacrifice”, may well have been a joke relating to the phallus of a stallion. This would suit the comic genre, but the expression (with *tomion* in the singular) is unusual, the suggestion is rejected, and reference to the stallion alone is enough to make a phallus joke.³⁹ Similarly odd is *Lysistrata*’s earlier request for someone to bring her the *tomia* before an animal is sacrificed over a shield (*Lys.* 185–9). In that case there is no indication that the *tomia* will be genitals and this idea too is abandoned. In fact, it is unclear how important the severed pieces of oath-sacrifices were in classical Athens, outside the homicide court. Aristotle describes the archons as mounting the stone altar (*lithos*) on which the *tomia* have been placed in order to take their oath of office (*Ath. Pol.* 55.5), but otherwise there are few specific references to *tomia*. During *exōmosiai*, the swearers would “take hold of the sacrifice” (*Lyc. Leocr.* 20: λαβόντας τὰ ἱερά), and possibly also during *antōmosiai*, taken at preliminary hearings,⁴⁰ but it is not clear whether or not the victims were in

³⁴ Stengel 1910, 78.

³⁵ E.g. *Il.* 2.124; 3.73, 94, 105, 252, 356; 4.155; 19.191; 24.483.

³⁶ Karavites 1992, 64.

³⁷ Cf. Kirk 1985, *ad* 295–301.

³⁸ Faraone 1993, 68 n.37 sees no reason to associate the *tomia* with castration, and is followed by Berti 2006, 194; Cole 1996, 233 is cautious; Parker 2011, 157 n.125 stresses that the exact nature of the *tomia* “is never made explicit and may have varied.”

³⁹ Cf. Stengel 1914, 92.

⁴⁰ Aeschines 1.114 seems to be a reference to such an oath ritual. See comments in Sommerstein, Bayliss and Torrance 2007 no. 2568. On *antōmosiai*, see S&B §5.5.

severed pieces. Faraone suggests that oaths were sworn on *tomia* by those who were believed to be prone to the temptations of cheating and bribery.⁴¹

Sacrifices performed in wartime oaths sometimes incorporated shields or weapons into the oath ritual. The Oath of Plataea inscription records that it was sworn with shields covering the sacrifices (RO 88.46–7).⁴² After the battle of Cunaxa, the Greeks and the Persians perform the sacrifices accompanying their sworn alliance over a shield. The Greeks dipped a sword into the blood, and the Persians dipped in a spear (Xen. *Anab.* 2.2.9).⁴³ In Aeschylus' *Seven against Thebes* (42–8), the seven war leaders attacking Thebes swear an oath to sack the city or die in the attempt. The oath is sealed with the sacrifice of a bull over a shield and the participants dip their hands in the blood. The latter detail makes the ritual extremely solemn,⁴⁴ and it was remarkable enough to be parodied in Aristophanes' *Lysistrata*. Lysistrata calls for a shield to be placed on the ground to receive the oath-sacrifice so that they can swear an oath as in Aeschylus by slaughtering a beast into a shield (*Lys.* 185–9). The “shield” in this case is probably a wine bowl,⁴⁵ and the *tomia* requested by Lysistrata never appear because Calonice argues quite reasonably that an oath related to peace (i.e. the women's sex strike) should not be taken over a shield. Lysistrata decides that they should “slaughter” a jar of Thasian wine into a large cup (*Lys.* 195–6). The “sacrificial victim” is then referred to as a “boar” (*Lys.* 202) maintaining the pretence of a real sacrifice, and as Judith Fletcher has observed the oath ritual is unique in that the “sacrificial victim” is meant to be consumed,⁴⁶ although it never is (nor could it be because of the dramatic convention of wearing a mask).⁴⁷

⁴¹ Faraone 1993, 78–9.

⁴² On the oath of Plataea, see further Kozak in S&B §9.2.

⁴³ Herodotus records that the Scythians dipped weapons into a mixture of wine and blood drawn from the swearing parties when taking oaths (4.70). The Lydians and Medians are similarly represented as cutting the skin of their arms and licking the blood when they take oaths (1.74). On the oath rituals of foreigners reported in Greek sources, see further Torrance 2012, 310–12.

⁴⁴ See Torrance 2007, 48–51 on this oath.

⁴⁵ Sommerstein 1990, *ad* 184.

⁴⁶ Fletcher 2012, 231.

⁴⁷ Burkert 1983, 36, mysteriously states that “They” (i.e. “Those who swear an oath”, the subject of the previous sentence) “must eat the meat of the victim as well, or at least the σπλάγχνα”. The original (Burkert 1972, 47) reads “wird vom Fleisch gekostet, zumindest von dem σπλάγχνα” (“some of the flesh was tasted, at least some of the entrails”). The passages quoted in the accompanying note (n.9 in both cases) indicate that the sentence should refer to *holding* the victim rather than eating it. Burkert 1985, 252, also refers to the “eating of the *splanchna*” in oath rituals, and the accompanying note (446 n.23) leads circuitously back to Burkert 1983, 36f. It is unclear how this error occurred in Burkert's work.

6.3 Gestures, libations, and unusual sanctifying features

We have seen that coming into contact with the sacrificial victim occurs in particularly solemn oaths. Other gestures of contact could be used to add sanctity to an oath. When Hestia swears her oath of chastity to Zeus in the *Homeric Hymn to Aphrodite*, she is touching his head (27), and when Hera swears an oath to Hypnos in *Iliad* 14, she places one hand on the earth and one on the sea (*Il.* 14.272–3, 278).⁴⁸ The very act of placing a hand on the earth can, in itself, represent oath-taking, as in two passages of Bacchylides where the author makes statements in his own person. In these examples, “leaning” (*episkēptōn*) a hand on the earth is tantamount to invoking the earth as sanctifying witness (Bacch. 5.41–5, 8.19–21).⁴⁹ The concept of placing a hand on an item of symbolic importance while swearing one’s oath occurs elsewhere. In order to resolve the dispute over who won the chariot race at Patroclus’ funeral games in the *Iliad*, Menelaus requests an oath from Antilochus. He should stand in front of his chariot and horses and swear by the earth-mover and earth-shaker (i.e. Poseidon, the patron of horses, and Antilochus’ ancestor) that he did not cheat in the race, and he should take up the horse-whip in his hand and touch the horses while he swears (*Il.* 23.581–5).⁵⁰ The oath is declined by Antilochus who offers Menelaus restitution. This suggests that Antilochus *had* cheated and was thus unwilling to swear the solemn oath requested.

A more frequent sanctifying gesture of contact in the *Iliad* is the clasping of a sceptre. Achilles famously strikes the ground with the sceptre by which he swears that the Achaeans will long for him some day (*Il.* 1.233–46). The emphasis on the “dead” nature of the sceptre, which will never again bear leaves nor bloom (*Il.* 1.234–7) is seen by Kitts as associating it with the oath-victim, and she considers the sceptre to be a “perverted symbol”.⁵¹ However the sceptre here functions as sanctifying witness to the oath (cf. §5.3), not as sacrificial victim.⁵² Moreover, the sceptre is used elsewhere to formalize oaths in the *Iliad* so that there is no

⁴⁸ On the oaths of the gods, see further §7.3.

⁴⁹ These passages are discussed by MacLachlan 2007, 92–3; see also §5.1 and ch. 13a. Earth is an important deity in oath-taking. Burkert 1985, 71 observes that she is imagined as drinking the oath libations in truces. See also S&B 242.

⁵⁰ N.J. Richardson 1993 *ad* 23.582–5 comments that the solemnity of the proposed oath “is indicated by the lengthy and complex prescription, with its various parenthetical and subordinate clauses.” For further discussion of this oath see S&B 57–9.

⁵¹ Kitts 2005, at 104 and 105.

⁵² Kirk 1985 *ad* 234–9 comments sensibly that the “oath is made even more impressive by associating the staff with the idea of inevitability: just as it will never sprout leaves again, so will this oath be fulfilled.” Cf. Kirk 1990 *ad* 7.412 on the potency of the sceptre in oaths.

reason to see it as a “perverted symbol”. It is raised in Agamemnon’s oath to Idaeus when he swears that he will not prevent the Trojans from collecting their dead (*Il.* 7.408–13), and in Hector’s oath to Dolon concerning the horses of Achilles (*Il.* 10.321–32, 328). Aristotle comments that raising the sceptre was a feature of oath-taking among kings in the heroic age (*Politics* 1285b12). Raising hands to heaven or laying them on the earth could similarly add solemnity to an oath. So the goddess Lachesis raises her hands when she swears to Helios that the island of Rhodes will belong to him (Pindar *Ol.* 7. 64–8), and Gadatas stretches up his hands to the sky as a means of emphasizing his oath to Cyrus that he had not been influenced by Hystaspas (Xen. *Cyr.* 6.1.3). We have already noted that Hera places one hand on the earth in her oath to Hypnos, and Herodotus reports that the Nasamones, a Libyan tribe, touch the graves of the men reputed to have been the most just and good among them and swear by those men (Hdt. 4.172).

A gesture that could accompany interstate oaths was the handclasp, *dexiōsis* (specifically the clasping of right hands), a ritual that is recorded in some depictions as well as in some texts.⁵³ However, there are relatively few instances of the handclasp accompanying oaths in our sources, and the evidence suggests that *dexiōsis* was essentially an indication of friendship.⁵⁴ Since oaths were more often than not sworn between disputing parties, we should not be surprised that *dexiōsis* is mentioned infrequently. The sworn truce between the Greek and the Trojans in *Iliad* 3 is repeatedly referred to as “oaths of *friendship* and faith” (φιλότητα καὶ ὄρκια πιστά: *Il.* 3.73, 94, 256, 323), and Menelaus later discusses how the Trojans have violated the oaths “and the right hands that we trusted” (*Il.* 4.159).⁵⁵ Nevertheless, given the detail in which the oath ritual is related in *Iliad* 3, it is odd that the exchange of right hands is not mentioned during the ceremony itself and it is possible that Menelaus adds this gesture to the equation retrospectively in order to stress the betrayal of the Trojans in particularly negative terms. Kirk suggests that the “trustworthy right hands” are perhaps metaphorical, both here and at *Il.* 2.341 (discussed below).⁵⁶

A passage from Sophocles’ *Philoctetes* suggests that where there is trust a handclasp suffices *instead* of an oath. So Philoctetes says to Neoptolemus (whom

⁵³ The evidence is gathered and discussed by Bayliss in S&B 156–8, and see also Herman 1987, 37, 50–2, 134, and Cole 1996, 240–1.

⁵⁴ Herman 1987, 59 notes that oaths (along with feasting) were not a necessary part of concluding a pact of friendship. He also discusses (at 71) how a formal friendship could be dissolved by a duplicitous oath.

⁵⁵ See further Kitts 2005, 79–84 on the importance of the handclasp in a variety of Iliadic situations.

⁵⁶ Kirk 1985 *ad* 3.158–9.

he trusts at this point): “I do not think it is right for me to place you under oath, son....Give me your hand as a pledge” (Soph. *Phil.* 811–13). Although the pledge is retrospectively treated by Philoctetes as the oath he would have demanded from an enemy when he discovers that Neoptolemus is, in fact, deceiving him, it is clear that a handclasp normally represents the type of agreement between friends that does not require an oath. Similarly in Sophocles’ *Oedipus at Colonus*, Oedipus asks Theseus for the pledge of his hand addressing him as “dear friend” (*philon kara*) and requesting that he “agree” (*kataineson*) to look out for his daughters’ interests (OC 1631–5). Theseus is said to agree with an oath (1637: *katēinesen ... horkios*) even though one is not requested. These uses of oath-language are important for dramatic reasons, as I discuss in §5.2. In Sophocles’ *Women of Trachis*, the dying Heracles compels his son Hyllus to agree to his wishes first by asking him for his right hand as a pledge (1181) and then by requesting that he swear a blind oath to do what his father commands (1185–90). The handclasp is clearly the lesser of the two requests, designed to draw Hyllus into an agreement that will not be to his liking. In each of these cases, agreements are made between parties on friendly terms with each other. An oath is added in the latter two examples for reasons of security.⁵⁷

Oaths featuring handclasps, then, are either taken by parties on friendly terms with each other (where an oath would not normally be required, but is given nonetheless because of a particular circumstance), or they appear on occasions when friendship or a betrayal of friendship is stressed. To the former category belongs the oath of Helen’s suitors, who swore to support her husband should any man take her from his house, marching against the abductor with force of arms to sack his city (E. *IA* 58–65). According to Euripides, the suitors’ oaths were formalized with the clasping of right hands, libations, and burnt sacrifices (*IA* 58–60). Hesiod confirms the libations (fr. 204.78–84),⁵⁸ and a passage from *Iliad* 2 which may also refer to the oath of Helen’s suitors includes reference to a clasp of the right hand and libations as sanctifying features (*Iliad* 2.341). In the relevant scene, Nestor reproaches the Achaeans for wanting to leave Troy, asking “Whither then shall our oaths and agreements go?” (*Il.* 2.339). It is not entirely clear what “oaths” are meant here. The parallel in sanctifying features between these oaths and those of Helen’s suitors is suggestive, though not conclusive. Nestor is addressing the entire Achaean army, not just the leaders (and suitors). However, Achilles, who was not one of Helen’s suitors, is notably absent and it

⁵⁷ See §5.2 for a more detailed discussion of these and other examples of oath-language used in Sophocles.

⁵⁸ No details are given in Stesichorus *PMG* 190.

could reasonably be assumed that the men will follow their leaders' decisions. Nestor, of course, was not one of the suitors either, but the designation of "our" oaths could have the general meaning of "the oaths of the Greeks". Another possibility is that Nestor is alluding to the "promise" (*huposkheisis*) the Achaeans made to go home only after Agamemnon had sacked Troy. Odysseus had referred to this in the previous speech (*Il.* 2.284–8), and Nestor may be retroactively upgrading the "promise" to an "oath" for rhetorical purposes.⁵⁹ If so, this would be the only pre-Sophoclean example of a "Sophoclean" oath (on which see § 5.2). However, Nestor's mention of "libations of unmixed wine" (*Il.* 2.341) suggests a formal oath, so it seems most likely that he is alluding to the oath of Helen's suitors. The presence of the handclasp implies that the suitors, although rivals for Helen's hand, are not enemies as such but are, generally speaking, on friendly terms with each other. The successful suitor, Menelaus, is presented by Euripides as swearing a suicide pact with his wife, after the Trojan war, if their plan to escape from Egypt fails. The exchange of oaths also includes a handclasp (*Eur. Hel.* 835–44). Again, the formalization of the oaths with the handclasp underlines that the pair have a close and positive relationship.

The same cannot be said for the oath reported in Demosthenes' *Against Meidias*. It is claimed there that Meidias denounced Aristarchus in the *boulē* as a murderer, but later swore to Aristarchus, having taken his right hand, that he had made no such allegation. Demosthenes accuses Meidias of perjury and calls witnesses to confirm what he had done (21.119–21). The handclasp seems to represent a duplicitous gesture of friendship, all while Meidias allegedly perjures himself. There are two possible explanations for this scenario. Demosthenes and his witnesses may have been casting Meidias unfairly as a perjurer. It is possible that he merely stated rather than swore that he had not accused Aristarchus of murder, and that the statement is treated as an oath for rhetorical effect. Alternatively, Demosthenes' allegation is true, in which case Meidias, by feigning friendship with a handclasp, is guilty of a particularly deceptive perjury. This would be comparable to the perjury of the villainous Persian Tissaphernes. According to Xenophon, Tissaphernes was a shameless perjurer, who broke his oaths without compunction. If the handclasp represents friendship in oath-taking, as I am arguing, then Xenophon's inclusion of the right-hand pledge in his references to the oaths of Tissaphernes (*Anab.* 2.3.28, 2.4.7, 2.5.3, 3.2.4) casts him as a special kind of charlatan – and Xenophon seems to have been keen to represent Tissa-

⁵⁹ M.L. West 2011, 109 notes the two possibilities. The oaths either belong to a narrative relating to Aulis or to the betrothal of Helen.

phernes as negatively as possible.⁶⁰ The hero of Xenophon's *Cyropaedia*, Cyrus, is conversely portrayed as giving his right hand as a gesture of friendship in the formalization of sworn alliances which were not betrayed, such as the alliances with the Assyrian Gobryas (*Cyr.* 4.6.8–10) and with the Hyrcanians (*Cyr.* 4.2.7–8, 5.1.22.2). As a means of adding extra sanctity to an oath, then, the handclasp is weak since it represents a human agreement of friendship and does not possess the solemnity of divine retributive forces.

Dexiōsis as a ritual has “little to do with sympathetic magic”.⁶¹ Libations on the other hand do seem to represent a divine element of the oath-curse.⁶² The sworn truce between the Greeks and the Trojans in the *Iliad* is explicit in specifying that the brains of perjurers should be spilled on the ground just as the wine libation is spilled (*Il.* 3.300). The wine, of course, like blood, is dark red so that the visual parallel is explicit, and although the libation is poured from a mixing bowl (*Il.* 3.295), the wine itself is unmixed (*Il.* 4.195).⁶³ At *Iliad* 3.295, the subject changes from the third person singular (as at 3.292–3), referring to Agamemnon's role in sacrificing the sheep, to third person plural, indicating that all the princes draw wine from the mixing bowl with their cups and pour a libation. The oath, which states that the Greeks and the Trojans will stop fighting and that Menelaus and Paris will engage in single combat over Helen and her possessions (*Il.* 3.281–7), is used as a model for the truce between the Argives and the Thebans in Euripides' *Phoenician Women* where “they poured libations...and joined in oaths” (1240–1) agreeing that the war should be decided by single combat between Eteocles and Polyneices. As we noted above, libations were an important feature of interstate truces and treaties, often called *spondai*, meaning “libations”.⁶⁴ In Aristophanes' *Acharnians* (147–50), libations are poured as part of the Thracian Sitalces' oath to help Athens with an army so great that it would resemble a swarm of locusts.

It is only rarely that libations are mentioned in non-political oaths. When they are, it seems that they are added for particular emphasis to convince an audience of the truth of the statement being made. So in *Wasps* (1046–7), it is said that Aristophanes is “pouring many upon many libations” while swearing that no one had ever heard better comic poetry than in his previous year's comedy (i.e. *Clouds*), which had been ranked third and last. Similarly the fictional oath

⁶⁰ See Hirsch 1985, 25–32.

⁶¹ S&B 156.

⁶² Cf. Carastro 2012, 85.

⁶³ That is the wine is undiluted with water, and various portions of wine are mixed in the mixing bowl as explained by Kirk *ad* 2.341 and *ad* 3.269–70.

⁶⁴ See further S&B 242–4.

reported by Odysseus disguised as the “Cretan” in the *Odyssey* is meant to convince his listeners of Odysseus’ return. He tells Eumaeus that the king of Thesprotia swore to him as he poured a libation (*apospendōn*) that the ship and crew were ready to bring Odysseus home (*Od.* 14.331–3). Hoekstra comments that the “emphatic character of the expression is far more strongly motivated by Odysseus’ desire to impress Eumaeus than by the actual circumstances as described in his tale.”⁶⁵ Odysseus later tells the same story to Penelope (*Od.* 19.287–90) with a similar purpose. The libation is a solemn sanctifying element in an oath, either poured onto the earth (as in *Iliad* 3.300) or over the sacrificial fire (as in Plato, *Critias* 120a). Even the oaths of the gods are said to include a libation, not of wine, but of water from the Styx (*Hes. Thg.* 782–95), although in actual fact none of our examples of gods swearing oaths does include a libation (see §7.3 on the oaths of the gods). Notably the attributes of the Styx imply that a libation from her would similarly represent the curse element on would-be divine perjurers. She is described as a branch of Ocean, specifically the tenth portion, while Ocean whirls nine portions around the earth (*Thg.* 789–92). The punishment for perjury among the gods is then described as exclusion for nine years and reintegration in the tenth (*Thg.* 793–804). Where a libation of wine for mortals represents the potential loss of blood and the loss of life, the libation from Styx for the immortals would seem to represent the separation of nine years, just as Styx flows separated from nine other portions of the sea, and return in the tenth as symbolized by Styx herself, the tenth portion.

Other unusual sanctifying features also represent the fate of the perjurer. An early fourth-century inscription (ML 5.7–11) records a citizenship oath taken by Theran residents in Cyrene (c. 635 BC) in which waxen images were made and burnt as the oath-curse was expressed. The person who did not abide by the oath would melt away and dissolve like the images, himself, his descendants, and his property.⁶⁶ Although this precise use of sympathetic magic is uncommon in Greek sources it has significant Egyptian and Near Eastern parallels.⁶⁷ The connection between ritual and curse is not so explicit in the Delian League oath, where lumps of iron were dropped into the sea to sink after the oaths had been sworn (*Arist. Ath. Pol.* 23.5), but the act must surely have fulfilled the same function. In an oath involving maritime nations, the representation of sinking would be a powerful image of potential death for the perjurer. Herodotus reports a similar ritual (sinking a mass of iron into the sea) also performed in an oath taken by seafarers,

⁶⁵ In Heubeck & Hoekstra 1989, *ad* 14.331.

⁶⁶ For further discussion of this oath, see Faraone 1993; Fletcher 2012, 242; S&B 29–31.

⁶⁷ See Faraone 1993, 62–5.

the Phocaeans leaving their homeland (Hdt. 1.165). They swore never to return before the iron resurfaced, a sentiment suggestive of permanence as indeed is the iron material itself. The ritual thus has a double function of representation by sympathetic magic and binding by permanence,⁶⁸ although in this case of the Phocaeans a majority broke their oaths and went home apparently without punishment.⁶⁹

6.4 Multiple sanctifying features

For ensuring permanence, or at least durability, recording an oath by means of a public inscription was an act of great significance.⁷⁰ In the literary corpus, only two oaths are described as being written down, and in both cases elaborate rituals accompany the oath. The first comes from Euripides' *Suppliant Women* and concerns the alliance between Athens (Theseus) and Argos (Adrastus) that is made at the end of the play. Athena appears *ex machina* and exhorts Theseus to exact an oath from Adrastus swearing that Argos will never bring a force of arms against Athens and that if others do, she will impede them with her spear. The oath is to be ratified with the sacrifice of three sheep over the tripod that Heracles had given to Theseus. The sacrificial knife is to be buried at Eleusis, by the funeral pyres of the leaders who left Argos to attack Thebes. The location of the burial⁷¹ is to be shown in the future to inspire fear in those who would come against Athens, causing them an evil homecoming. The oath is to be inscribed on the tripod, which is to be brought to Apollo's temple in Delphi to be displayed there (*Supp.* 1187–1204).

The oath is remarkable in several ways. Although ostensibly an oath of alliance, it is to be sworn unilaterally by the Argives. Athens is to gain all the benefits without having to agree to anything in return, which is not the way military alliances normally worked. It is, of course, true that Theseus has *already* come to Argos' aid by putting military pressure on Thebes to return the bodies of the Argives, but he is not bound to any future military aid by the oath. In fact,

⁶⁸ Scholars have disagreed over the significance of the ritual as *either* symbolic of permanence (Burkert, 1985, 250; Steiner 1994, 68) *or* representative of the curse (Jacobson 1975, 256–7; Faraone 1993, 79 n.74; Berti 2006, 197). Bayliss sensibly argues for both in S&B 156–7. For further discussion of the ritual aspects associated with this oath, see also Carastro 2012, 95–100, Faraone 2005 and 2012, 128–30.

⁶⁹ See §12.1 for further discussion of this perjury.

⁷⁰ See S&B 158–60.

⁷¹ Presumably, rather than the knife itself; see Morwood 2007 *ad* 1209.

the only oath that Theseus swears simply suggests that the Argives have been well treated by him (*Supp.* 1174–5). In this respect the alliance demands comparison to that made between Argos and Athens at the end of the *Oresteia*. There again a representative of Argos (Orestes) had sworn unilaterally on behalf of all present and future Argives that no helmsman of his land would ever bring war against Athens (*Eum.* 762–74). Athens is not bound by any corresponding oath, and it seems that the trial acquitting Orestes of matricide has been enough to ensure Argos' eternal support.⁷² The obvious parallel between the two alliances also highlights some significant differences. Both alliances are represented as having taken place in mythical history, but the relationship between Athens and Argos in the fifth century BC was a significant political issue. The fact that an Athenian-Argive alliance had been ratified in 461 BC, not long before the production of Aeschylus' *Oresteia* (in 458 BC), means that the Aeschylean alliance must have had contemporary political resonances.⁷³ Unfortunately, we cannot say for certain whether or not Euripides' *Suppliant Women* was produced after the second Athenian-Argive alliance of 421 BC, but Collard argues persuasively for a date close to 424,⁷⁴ and comparison of the terms of the alliance with those in Aeschylus would also suggest that Athens and Argos were not on good terms when *Suppliant Women* was produced. Orestes in Aeschylus simply swears that Argos will never bring war to Athens (*Eum.* 765–6). This conveniently exculpates Argos from their capitulation to the Persians and their support of Aegina against Athens in 491 BC and from their neutrality in 480 BC as the Athenians once again fought off the Persians. By adding the stipulation that if *others* bring war against Athens, Argos will impede them with a military force, Euripides effectively casts the Argives as perjurers given their history of inaction when Athens was being attacked.

We observed above the importance of the spatial context for adding solemnity to Orestes' oath of alliance in *Eumenides*. However, the oath is devoid of further sanctifying features and is thus significantly different from the oath in Euripides which is brimming with ritual elements. Moreover, although the tripod is to be displayed in Delphi (for the entire Greek world to see), the rituals dictated in Euripides associate the power of the oath specifically with Athens and Eleusis. The tripod over which the sacrifices will be made is a symbol of the friendship

⁷² See further Quincey 1964 on the unusual nature of this oath of alliance.

⁷³ See e.g. Quincey 1964; Sommerstein 1989, 30–2; Podlecki 1999, 82–3.

⁷⁴ Suggested dates for Euripides' *Suppliant Women* range from 424 BC to 416 BC. See Collard 1975, 8–14 and Morwood 2007, 26–30, for further discussion.

between the Athenian king Theseus and the Panhellenic hero Heracles.⁷⁵ The sacrifice itself will take place in the Athenian deme of Eleusis. The number three, repeated when Athena gives the instruction to cut three throats of three sheep (*Supp.* 1201), gives the sacrifice added religious significance.⁷⁶ It may also be designed to recall the Iliadic truce, and thus appeal to the ritual authority of epic, since this is the only other recorded oath where three sheep are sacrificed. The sacrificial knife in Euripides is to be buried at Eleusis by the funeral pyres of the dead warriors who had attacked Thebes, and this place will forever be a reminder to the Argives of their oaths (*Supp.* 1205–8). In terms of sympathetic magic, the implication is that any Argives who break the oath will die, both like the sacrificial victims of the knife and like the dead warriors by whose pyres the knife is located. The inscription of the oath also seems to be imagined as taking place in Eleusis (*Supp.* 1202), since the command to take the tripod to Delphi happens only “after that” (*Supp.* 1203: *kāpeita*).⁷⁷

Writing is associated with authority and accessibility in this tragedy.⁷⁸ The inscription of the oath and the elaborate details of ritual are clearly meant to emphasize the serious and binding nature of the alliance. Euripides often engages with and responds to Aeschylean models in his tragedies,⁷⁹ and although his *Suppliant Women* reworks the same mythic episode as Aeschylus’ *Eleusinians*, the sworn alliance in Aeschylus’ *Eumenides* seems to be an important model for understanding the oath of alliance at the end of Euripides’ *Suppliant Women*. Particularly the unusually high number of sanctifying features, and the additional clause regarding the Argives’ agreement to aid Athens if she is attacked, seem designed to cast the contemporary fifth-century Argives as serious perjurers and as enemies of Athens. Of course it is highly unlikely that the tripod existed, but the notion that it *might* still exist, somewhere among the numerous tripods dedicated at Delphi, would have been enough to lend authority to this aetiological myth.⁸⁰

The same cannot be said for the inscribed oath of the mythical kings of Atlantis, whose island (according to Plato) had long been lost in the depths of the sea.

⁷⁵ On the theme of Panhellenism in this play, see Morwood 2007, 3, 8, 13, and *ad* 133, 163–4, 188–9, 220–1, 277, 286–364, 311–13, 340–1, 526–7, 538, 561–3, 671–2, 714–7.

⁷⁶ Cf. Morwood 2007, *ad* 1202–3. Cole 1996, 231, suggests that the “most formal type of oath-sacrifice required three adult male victims.”

⁷⁷ Steiner 1994, 64 with n.10 suggests that the knife used for the sacrifice may also have been used for making the inscription.

⁷⁸ See Torrance 2013, 166–74.

⁷⁹ See Torrance 2013, 13–62, 69–75, 94–133, 152–74.

⁸⁰ For my views on Euripidean aetiologies, see Torrance 2013, 38.

The oath in this case was the oath of office of the ten kings taken in the temple of Poseidon, located in the centre of the island. The oath was inscribed on a column in the temple along with their laws. The inscription, as noted by Steiner, “looks toward actual historical practice.”⁸¹ The kings swore to give judgment according to those laws, to punish any who transgressed them, and not to transgress the laws. The oath was sworn at intervals of four and five years alternately, before the kings adjudicated. They hunted a bull, which was sacrificed to Poseidon, and its blood was allowed to run on the inscribed column. A libation of wine was mixed with one blood clot for each man and poured over the sacrificial fire in golden cups. Each man drank and dedicated his cup in the god’s sanctuary.⁸² This is essentially the end of the oath ritual proper, after which the kings have supper, don blue robes (which are also later dedicated in the sanctuary), extinguish the sacrificial fire and give judgments which they record on a golden tablet (*Critias* 119d-120c).

Plato tells us that there is something “foreign”, “barbarian” (*barbarikon*), about the temple of Poseidon in Atlantis, which was decorated with gold, silver, ivory and the shining metal orichalc (*Critias* 116d). Athens had apparently been engaged in a great war against Atlantis in the distant mythical past (nine thousand years earlier, *Critias* 108e). Some of the details of the oath ritual reflect that “barbarian” identity of Atlantis. As in other cases of foreigners’ taking oaths, the basic ritual is the same as that practised by Greeks but the details add a sense of the exotic. The mixture of wine and blood recalls the oaths of the Scythians (Hdt. 4.70), and the pouring of sacrificial blood down a temple column echoes the bloodied columns in Artemis’ temple of human sacrifice among the Scythian tribe of Taurians (E. *IT* 403–6). As a precious metal, gold was often associated with foreigners in classical Greece, particularly with Trojans and with Persians, since the Greek homeland had no gold mines.⁸³ Metal itself seems to be a significant element in elaborate oath rituals. Both the golden cups dedicated by the kings of Atlantis and the bronze tripod dedicated by the Athenians at Delphi symbolize permanence.

We have seen above that oaths of office in classical Athens were particularly solemn and often accompanied by an oath-sacrifice.⁸⁴ Cast into the distant past

⁸¹ Steiner 1994, 70.

⁸² Mezzadri 2009 argues that the blood which is added to the wine represents an internalization and oralization of what is written on the column as a means of casting suspicion on the writing itself, and that it can be read in light of attitudes to writing elsewhere in Plato (notably in the *Phaedrus*).

⁸³ On the associations of gold with Persia and Troy, see Hall 1989, 80–1 and 127.

⁸⁴ On oaths of office see further S&B ch. 3.

and in a mythical world, the solemnity of the oath of office in Atlantis is increased by the large number of rituals. The kings who swear this oath still have some connection to their divine heritage as descendants of the original ten kings who were sons of Poseidon. As their divinity becomes diluted, however, and their mortal part becomes greater and greater, one generation after the next becomes “full of lust for wrongdoing and power” (*Critias* 121b). Zeus decides to intervene, and that is where the unfinished text ends abruptly. Plato does not say explicitly that the kings become perjurers, but given that he associates perjury with greed for gain in the *Laws* (948d-949a),⁸⁵ there is an implication that the oath of the kings became tainted through their development into “shameful people” (*Critias* 121b: *aiskhroi*).

Perjury is certainly an issue in what is arguably the most important and paradigmatic oath in Greek literature, the sworn truce between the Greeks and the Trojans in *Iliad* 3.⁸⁶ The ethnic associations of ritual metal items used in this oath conform to the pattern we have seen elsewhere. Golden cups (here used for pouring libations of wine) and the shining mixing bowl are brought by Priam’s herald Idaeus (3.248). The bronze sacrificial knife, on the other hand, is Greek and belongs to Agamemnon (3.292). Several preliminary oath rituals are conducted by the heralds. They lead the sacrificial victims to the location of the truce, they mix the wine in a great wine-bowl, and they wash the hands of the princes with water (3.268–70). Two sheep are provided by the Trojans, one white for Helios, and a black one for Earth,⁸⁷ and a third is provided by the Greeks for Zeus (3.103–4). Agamemnon then cuts off hairs from the sacrificial victims with his knife and the heralds distribute these among the princes of both sides (3.271–4). This is tantamount to touching the sacrificial victim and so binds the princes to the oath-sacrifice.⁸⁸ Agamemnon raises his hands, and invokes a long list of sanctifying witnesses to the oath: Zeus the Father, who watches from Ida, most high, most honoured; Helios, who sees all things, who hears all things; Earth; Rivers; the nether avengers of dead perjurers (3.276–80). Agamemnon makes a declaration of the oath statement and its terms (3.281–91),⁸⁹ and then cuts the throats of the sheep (3.292–4). It is noteworthy that Agamemnon himself performs the sacrifice, particularly since his role in sacrificing his daughter Iphigeneia is suppressed in

⁸⁵ See further ch. 15.

⁸⁶ Burkert 1985, 250 calls this an “exemplary description of an oath-sacrifice”; Berti 2006, 189 suggests that it is a “perfect example” of an oath and “characteristic” of Greek oaths.

⁸⁷ Kirk 1985, *ad* 103–4 notes that “the order is reversed in the chiasmic Greek construction”.

⁸⁸ Cf. also Berti 2006 187–8.

⁸⁹ The oath is first proposed at *Iliad* 3.73–5, cf. 90–110.

the *Iliad*.⁹⁰ Kirk notes that the deaths of the sacrificial victims are described in terms normally applied to human deaths in the *Iliad*. They fall “gasping for want of their life breath” (3.293–4),⁹¹ and Berti notes that this “creates a metaphorical parallel between the death of the sacrificial animals and the destiny of the perjurers.”⁹²

Once the sheep have been killed, all the princes draw wine from the mixing bowl in cups and pour libations (3.295), and all seem to express the oath-curse. “They prayed to the gods who live forever, and thus was any man heard saying among both the Achaeans and the Trojans” (3.296–7).⁹³ The formula “thus was any man heard saying among both the Achaeans and the Trojans” is repeated later when all the warriors hope that the war will be resolved by the single combat between Menelaus and Paris, and they hope that their oaths will hold firm (3.319–23). In the oath ceremony proper, they invoke Zeus as exalted and mightiest and the other immortals to let the brains of those who first do wrong to the oaths be spilled on the ground as the wine is spilled, theirs and their sons’, and to let their wives be the spoil of others (3.298–301). Priam’s presence at the oath ceremony, as a trustworthy king, had been essential for the Greeks (3.105–6), but it is not long before the gods plan to make the Trojans break the truce. In *Iliad* 4, Hera convinces Zeus to send Athene to rekindle the war with the objective of making the Trojans break their oaths if possible (4.64–72). Athene is successful, and the truce is broken (4.86–147).⁹⁴

Clearly oaths with numerous sanctifying features such as the three discussed here were to be imagined as particularly solemn, so that their breach is especially significant. Indeed it seems reasonable to suggest that the wide variety of sanctifying features is stressed in each case in order to highlight the terribly serious nature of related perjuries. Troy’s destruction can be read as a direct result of the breach of the truce. The Trojans suffer the fate specified for perjurers. The

⁹⁰ Kirk 1985, *ad* 1.108 comments that “Homer does not mention Iphigeneia by name, but that does not mean that the tale was post-Homeric”; cf. M.L. West 2011, 86, 217–18. Aeschines 2.87 makes reference to the fact that winners in homicide cases must cut the sacrificial victim into pieces (*temnonta ta tomia*) and swear a solemn oath (affirming that justice had been done), which suggests that oath-takers were expected to cut (and perhaps kill) their own sacrificial victims.

⁹¹ See Kirk 1985, *ad* 3.293–4.

⁹² Berti 2006, 187.

⁹³ Carastro 2012, 86 notes that the group of warriors present at the sacrifice are not simply onlookers and Faraone 2012, 126 also observes that “the entire group recites the automatic curse connected with the wine”.

⁹⁴ See further ch. 3, pp. 55–7, on the perjury of the Trojans.

relationship between Athens and Atlantis described in Plato's *Critias* is in some ways comparable to the relationship between the Homeric Greeks and Trojans. Athens and Atlantis are involved in a war with each other in the long-distant past. The culture of Atlantis is foreign to Athenians in the sense that its people are wealthy in gold and other valuables, just as the Trojans are wealthy in relation to the Greeks. At the same time, both Atlantis and Troy have the protection of identifiable Greek gods and are cultures respected by the Greeks, with many similar rituals (such as oath-taking, for example). The Athenians manage to repel an invasion of Atlanteans, even after their allies abandon them (Pl. *Tim.* 25c), but the inhabitants of Atlantis become ungodly (*Critias* 121a-b) and their island is destroyed by violent earthquakes and floods (*Tim.* 25c-d), the portents of an angry Poseidon (original founder of Atlantis). There are echoes here of the Persian Wars in Athens managing to fend off a powerful aggressor without the support of some of the major Greek states,⁹⁵ but the Trojan model remains important. Just as Poseidon created the landscape of Atlantis (*Critias* 113e) and seems to have caused its destruction, so also he had built the walls of Troy, along with Apollo, but when Laomedon refused to pay the agreed wage, Poseidon sent a sea-monster to destroy the people and their crops. Hellanicus records this version in which the Trojan king Laomedon is a perjurer (*FGrH* 4 F 26b).⁹⁶

Perjury is in Troy's legacy, although it is unacceptable to Plato that the gods had orchestrated this (*Rep.* 379e3). In his mythical city of Atlantis, it is the dilution of divinity that causes the mortals themselves to abandon auspicious practices and to become greedy for material gain. The motivation for the betrayal of an oath ritual is thus placed by Plato into human hands. Regardless of motivation, however, both societies (Trojan and Atlantean) are destroyed as a result of godless behaviour. The elaborate oath rituals in Euripides' *Suppliant Women* are similarly designed to mark a momentous occasion, and although the ritual is set in the mythical past, and also seems to allude to the Iliadic truce, it has implications of contemporary political perjury as argued above. Perjury, then, seems to link these three unusually complex literary oath ceremonies, created by their authors to emphasize the disgraceful nature and outcome of flouting divinely sanctioned rituals.

⁹⁵ Although the analogy is far from straightforward. See Vidal-Naquet 1986, 263–84 for further discussion.

⁹⁶ See §12.1.1 for further discussion of this perjury.