

How Rape was viewed within Ancient Greece

NB: This blog is targeted at students of Ancient History

Rape is a complicated subject when looking at the ancient world, and one of the reasons for this is due to the fact that the word 'rape' does not have an equivalent translation in Greek. The terms to describe such an offence are used to indicate the violence which is associated with the act (Hartmann, 2006).

How was it viewed?

In the most simplistic sense, rape was an act of *hybris* (Aeschin. 1.15). This is where dishonour is placed upon another deliberately in order for the aggressor to express superiority. This means that though *hybris* does not mean 'lack of consent', the correct context could allow for the term to be placed upon the act- one in which the act itself was intended to be degrading (Omitowaju, 1997, p.4).

It should be important to note that context matters a lot in the manner in which non-consensual sexual acts are committed, and how those perpetrators would be viewed within an ancient Greek society.

Slavery

- "the slave has no choice but to yield" (Xen. Oeconomicus. 10.12).
- Sexual appropriation was at the discretion of the master- they had absolute power
- But one was not allowed to touch another's slave
 - This applied to both the free and other slaves (Hartmann, 2006).

Free People

- Primarily condemned (Gaca, 2014, p.280)
- The act was generally not viewed as being a crime against the woman, but rather a crime against the husband by claiming his status via his wife. The rapist took without the husband's consent, which was viewed as a slight against him (Harris, 2014, p.299).
- Heavy shame associated with the act, especially it resulted in the pregnancy of an unmarried woman (Hartmann, 2006).
 - Preserving bloodlines and the *oikos* were very important, which is why adultery was seen as a very serious crime (Ogden, 1997, p.33)

War

- Within war and conflict, heterosexual rape was a big component
- Rape of war captives was a customary practice- something in stark contrast to the outrage brought from raping freeborn girls (Gaca, 2014, p.280)
- Rape could occur at ages younger than even fourteen (the Greek bridal age) for captive girls
- A recognised right of victory, was the wives and daughters of the side which lost- the aim in which was to cause further dishonour to the defeated (Gaca, 2014, p.290)



What were the Laws?

- Within Athens, there was a law which allowed a man to plead justified homicide if he killed another man in sexual relations with his wife or other female members of his household capable of bearing free children (Golden, 2012; Dem. 23.53)
- In Athens, a penalty of 100 drachmai was set for the rape of a free woman (Plut. 23.1)
- If tried as an act of *hybris*, the prosecutor could propose any penalty that he wished (Aeschin. 1.16)

As with most other topics, the majority of our information comes from and is about Athens. And as such, that has been the location that most of this blog has been written about (Todd, 2012). That does not mean, however, that there is no other information about other locations...

The Law of Gortyn

Gortyn was a city in Crete and as such, gives a different insight into the laws surrounding rape (Ehrenberg *et al*, 2012).

- Was still viewed as a crime and had penalties in place for those who broke the laws
 - If a free man raped a free person: 100 staters
 - If a slave did the same, it was double
 - If a slave raped another slave: 5 staters (Harris, 1990, p.375)

The existence of the Gortyn laws demonstrates that there is evidence of a trend of thought throughout antiquity that it was not unique to Athens. It demonstrates that rape was condemned and further shows the disparity in consequence for each person's place in society.

Adultery vs. Rape

The topic of adultery often appears in discussions of rape within Ancient Greece. This is because the law for legal homicide, applies too when considering adultery (Ogden, 1997, p.26). As such, discussions often surround whether adultery or rape was seen as the worse crime, as ultimately it is clear that in the eyes of the law that the victim didn't matter much (Omitowoju, 1997, p.3).

It was not the crime of the sexual act itself that mattered, but rather how it would affect the husband and household:

"although, when a woman's lapse is the result of some accident, husbands do not honour their wives any less on that account, provided that wives seem to reserve their affection unblemished"
(Xen, Hiero, 3.3)

If considering this attitude widespread, it demonstrates that the emotional connection the husband had with his wife was something he valued greatly. It further indicates the importance placed upon the husband's feelings within the situation.

Therefore, though rape was clearly condemned, it was mainly in instances where it affected the wives and household members of free men.

Bibliography

Aeschines. *Speeches*. Adams, C.D. (trans.). 1919. Loeb Classical Library 106. Cambridge, MA: Harvard University Press

Demosthenes. *Orations, Volume III: Orations 21-26: Against Meidias. Against Androtion. Against Aristocrates. Against Timocrates. Against Aristogeiton 1 and 2s*. Vince, J.H. (trans.). 1935. Loeb Classical Library 299. Cambridge, MA: Harvard University Press

Ehrenberg, V. Nixon, L.F. Price, S.R.F (2012). 'Gortyn, Gortyn law code' The Oxford Classical Dictionary, Oxford: Oxford University Press

Gaca, K.L. (2014). 'ANCIENT WARFARE AND THE RAVAGING MARTIAL RAPE OF GIRLS AND WOMEN. Evidence from Homeric epic and Greek drama', in Masterson, M. Rabinowitz, N.S. Robson, J. (ed.). *Sex in Antiquity: Exploring Gender and Sexuality in the Ancient World*. London: Routledge

Golden, M. (2012). 'adultery' The Oxford Classical Dictionary, Oxford: Oxford University Press

Harris, E.M. (1990). 'Did the Athenians Regard Seduction as a Worse Crime Than Rape?', *The Classical Quarterly*. 40(2). pp. 370-377

Harris, E.M. (2014). '"Yes" and "No" in Women's Desire', in Masterson, M. Rabinowitz, N.S. Robson, J. (ed.). *Sex in Antiquity: Exploring Gender and Sexuality in the Ancient World*. London: Routledge

Hartmann, Elke (Berlin), "Rape", in: Brill's New Pauly, Antiquity volumes edited by: Hubert Cancik and , Helmuth Schneider, English Edition by: Christine F. Salazar, Classical Tradition volumes edited by: Manfred Landfester, English Edition by: Francis G. Gentry. Consulted online on 31 October 2020 http://dx.doi.org.ezproxy.uwtsd.ac.uk/10.1163/1574-9347_bnp_e12200890

Ogden, D. (1997). 'Rape, adultery and protection of bloodlines in classical Athens', in Deacy, S. Pierce, K.F. (ed.). *Rape in Antiquity*. UK: The Classical Press of Wales

Omitowoju, R. (1997). 'Regulating rape: soap operas and self-interest in the Athenian courts', in Deacy, S. Pierce, K.F. (ed.). *Rape in Antiquity*. UK: The Classical Press of Wales

Plutarch. *Lives, Volume I: Theseus and Romulus. Lycurgus and Numa. Solon and Publicola*. Perrin, B. (trans.). 1914. Loeb Classical Library 46. Cambridge, MA: Harvard University Press

Rubens, P.R. (1618). *The Rape of the Daughters of Leucippus*. [Painting]. Available at: <https://www.wikiart.org/en/peter-paul-rubens/rape-of-the-daughters-of-leucippus-1618> (Accessed: 04/11/20)

Todd, S.C. (2012). 'law in Greece' The Oxford Classical Dictionary, Oxford: Oxford University Press

Xenophon. *Hiero. Agesilaus. Constitution of the Lacedaemonians. Ways and Means. Cavalry Commander. Art of Horsemanship. On Hunting. Constitution of the Athenians*. Marchant, E.C. Bowersock, G.W. (trans.). 1925. Loeb Classical Library 183. Cambridge, MA: Harvard University Press

Xenophon. *Memorabilia. Oeconomicus. Symposium. Apology*. Marchant, E.C. Todd, O.J. (trans.). 2013. Loeb Classical Library 168. Cambridge, MA: Harvard University Press