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Material Metonyms in Personal
Oaths in Latin Literature



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Oath-taking¹ was a central part of ancient Roman society and culture. Oaths were sworn in many and varied instances of life: magistrates always swore upon entering and leaving an office, soldiers continually swore an oath of allegiance upon enrolling in the Roman army, jurors, witnesses, and claimants swore in court, treaties were ratified by oaths, but also personal matters could be settled and individuals' statements enforced by swearing.² Graeco-Roman literature, epigraphy, and numismatics constitute quite a rich source material for oaths, about which research have been conducted within and across many fields of study: history, religious studies, law, philosophy, and, of course, language and literature.³ Notwithstanding, the field lacks comprehensive studies specifically combining Roman oath-taking with materiality, despite the extensive interest in materiality within the study of Graeco-Roman religion/magic at large.⁴

Ancient Roman oath-taking, however, indeed constitutes a telling example of how words and matter interplay and relate to one another.⁵ From both literary and material evidence, we realize that material things – objects, living beings, and surroundings – frequently were used in various manners in junction with, as well as in, the uttered oath formula. For instance, in official oath rituals the oral formula is described in the literature as accompanied by bodily gestures that discernably symbolized, visualized, and further materialized the words spoken.⁶ In less official and more personal oaths that lacked such elaborate and ritualistic settings, matter could impact the oath and interplay with words in other ways: through language. The present study aims to examine one of these many ways, specifically how the relation between language and matter in material metonyms could be utilized to produce agency for the literary portrayal of personal oaths in Latin literature, mainly poetry.

Material Metonyms, Materiality, and Agency

In his study of the relations between nature and gesture in the Roman world, Anthony Corbeill remarks that “[a]n analysis of Latin words provides direct access to Roman conceptions of the body and its movements” and deduces that “[i]f language in the Roman world is an extension within nature, it should follow that human bodies, to the extent that natural language can affect them, also interact with the coherent patterning of the natural world.” Among many examples provided, one is the importance of the “physical” word *manus* (“hand”), which acts as stem for the creation of many Latin words and expressions (*mandare* = “to entrust”, lit. “to hand over”; *mancipatio*, “the process of legal transfer of property”, lit. “the taking into the hand”). The human body and its gestures frequently constitute a foundation for language, which Corbeill refers to as the “[p]hysicality of words”.⁷ Latin words have a strong etymological connection to and – at least to an extent – originate from the physical world.

Another important interplay between matter and the Latin language is highly present in literary stylistic features generally employed in Latin literature, namely metonymic language-usages, for instance: *concretum pro abstracto* (“the concrete instead of the abstract”) – and its opposite, *abstractum pro concreto* (“the abstract instead of the concrete”) – and *pars pro toto* (“the part instead of the whole”). Traditionally, metonyms have been viewed as a literary and rhetorical trope: a *figure of speech*. However, studies within cognitive linguistics argue that metonyms also are conceptual and constitute a *figure of thought*.⁸ Accordingly, a metonym is not merely a language embellishment, but also “a cognitive process in which one conceptual entity, *the vehicle*, provides mental access to another conceptual entity, *the target*, within the same idealized cognitive model.”⁹

In line with this, the present study aims to reveal that the metonymical substitution of material language instead of abstract language – *concretum pro abstracto* and, when it comes to swearing by parts of the human body, *pars pro toto* – may impact the audience’s understanding of an oath portrayed. In the cases presented here, the vehicles are all something material (*concretum*) that targets something abstract and/or a more comprehensive abstract institution

(*abstractum*). In the cases with *pars pro toto*, a specific part (e.g. a hand) of the already material whole (human body) is chosen as vehicle to in turn target something abstract (e.g. good faith). Inferably, oaths by abstract institutions alone (by faith, love, friendship) are not uncommonly found in Latin literature as well, especially in beseeches and implorations.¹⁰ If anything, this only makes the examples of material metonyms more telling, since they then seem intentionally chosen for the context of the story in which the oath is uttered.

Conceptual relations existent between the material employed as vehicle and the target were presumably well-known for the Roman audience, in order for them to grasp an author's meaning of a metonym. Modern readers, however, must turn to the literary and cultural-historical contexts available in an attempt to identify possible targets, and, most importantly for this study, consider what impact the different material vehicles sworn by might have on the portrayal of the oath. Here, the concepts of materiality and agency come into play.

To consider materiality is to perform an “analysis of things: tangible, substantial, fleshy objects that exist in the real world”, which especially concerns “the manners in which things relate to people, places, ideas, memories, social structures and so on.”¹¹ Since this study regards textual sources, materiality here concerns *things referred to in texts*, and how those things are used through language to “relate to people, places, ideas, memories, social structures and so on.”

For this study, agency is, in accordance with Emma-Jayne Graham's assemblage-theory-informed approach, defined as “the difference-making that results from relations *between* things”.¹² The production of agency is regarded as relational, context-bound, and not something inherent within people nor objects, but something that has the potential to be activated in certain contexts in relation to other things.¹³ Objects may produce agency both in ways intended and in ways not intended by humans, that is, due to their own affordances, which elevates them from being considered as just a tool or medium. To clarify, a torch is a stick with a flame of fire, and may produce agency in terms of its own affordances (light, heat etc.); but, when put into a specific context, such as a Roman sepulchral or nuptial procession, in which it in assemblage with other things,

such as the bodies walking in the processions, may produce a more context-specific agency. An oath constitutes a particular context, in which the relations between its entities – swearer, swearer (recipient of the oath), a guarantor power, and sometimes other material things – have the ability to create agency. For literary portrayals of oaths, there is also always another entity included that must be taken into account: the audience.

In the following sections, a selection of literary personal oaths is presented, through which I argue that the Roman authors communicate with the audience by choosing to let their characters metonymically swear by material things (the vehicles) utilizing *concretum pro abstracto* and *pars pro toto*. After proposing probable targets of the metonyms, I discuss possible impacts which they might have on the portrayal of the oath through the lens of materiality and agency. The selected examples are organized according to what is metonymically sworn by, namely: 1) bodies and objects, 2) places, 3) sacred objects and divine attributes, and 4) physical remains of the dead.

Bodies and Objects

In *Heroides*, the Roman poet Ovid (43 BCE–17 CE) portrays his version of the originally Greek story of the consorts Laodamia and Protesilaus. When Protesilaus had set out on the dangerous journey to fight in the Trojan war, Ovid portrays Laodamia as swearing to her devotion to him in absence:

by your return and body, my divinities, I swear, and by the torches of love and marriage alike, that I as your companion shall follow you wherever you call, whether you shall ... – oh, how I fear it! – or survive.¹⁴

In this oath, Ovid has chosen to have Laodamia swear by two material things, Protesilaus' "body" (*corpus*) and the "torches of our love and marriage alike" (*pares animi coniugiique faces*), that may act as vehicles for unlocking the target(s).

First of all, "body" is a very physical way of denoting a person. Here, in combination with "return" (*reditus*), body could also constitute a hendiadys meaning "bodily return", which well suits the

context of the oath: Laodamia's desire for the bodily return of her beloved and her fear of their physical separation becoming eternal, were he to die in the war. Indeed, her fear of the eternal separation of their bodies is clear, since she abruptly breaks off her sentence (*aposiopesis*) and dares not even utter the words "if you should die" in her oath formula and have her own body, her voice, materialize her frightful thoughts and thus grant them agentive and illocutionary power. Moreover, this longing for Protesilaus' body is clearly manifested a few lines prior to her oath, where it is revealed that Laodamia keeps a wax image (*cera*) of Protesilaus, objectifying his body:

Still, while you, a soldier, carry arms in a far-off world, I have a wax image, which brings back your appearance. To it I speak flatteries and words owed to you. It receives my embraces. Believe me, this image is more than it seems to be; add a voice to the wax, and it shall be Protesilaus. I look at it and hold it to my bosom in my true companion's stead, and I complain to it, just as if it could answer.¹⁵

By so explicitly referring to the bodily longing for Protesilaus, Ovid also foreshadows the end of the story, which his Roman audience pre-supposedly knew from the famous legend(s) of Protesilaus and the (extremely fragmentarily preserved) tragedy of Euripides, namely that his body would not return from Troy. Instead, he was granted to return from the Underworld for but one single day and then forced to return to the realm of the dead, after which Laodamia committed suicide to be reunited with him.¹⁶ Arguably, Ovid very likely chose "body" as vehicle, so that it might target both Laodamia's physical desire for his bodily return and the fact that she kept true to her oath: in the end, she did follow him wherever he called, even to the Netherworlds, where at least the shades of their bodies were reunited.

Secondly, there are the marriage torches, the so-called *faces coniugii*, which refer to certain torches used on the wedding day of Roman marriages. Most probably, Ovid here included the attribute *coniugii* ("of marriage") to distinguish the marital torch from the funeral torch (*fax sepulchralis*), which was used to light funeral pyres.¹⁷ The marital torches were ignited at the parental hearth of the bride, carried in front of her by a young boy in the marital procession

towards the house of the groom, where ceremonials and celebrations took place.¹⁸ In a way, the torches thus embodied the Roman marriage together with other objects used during the nuptial ritual; hence, there was a practice among Roman authors, “when they needed a shorthand method to refer to a wedding,” to refer to it “metonymically with the mention of torches, the wedding veil, or even the wedding-bed or couch”.¹⁹ Here, however, it is not used as a “shorthand method”, but rather as a seemingly intentional one. The bride’s procession, led by the torches for the whole community to observe, constituted a public declaration of the bride’s *consensus* and *affectio maritalis*.²⁰ Furthermore, according to Reekmans, the culmen of Roman marriage rituals (*nuptiae*) was the sacrifice and the *dextrarum iunctio* (“the joining of the right hands”), which in general was an act of consent, but in the context of consorts it is thought to have symbolized marital concord, whether or not the gesture was specifically performed during the actual wedding day.²¹ The close relation between the marital torches and the *iunctio dextrarum*, however, is visually evident in iconographic representations of married couples.²² From the Roman jurist Scaevola (end of second cent. CE) we are made aware of another marriage procedure including fire, specified to constitute the “wedding celebrations” (*id est nuptiae celebrantur*) together with the “crossing over” (*transiret*) of the bride to the groom, and which entailed that the bride “was accepted with fire and water”.²³ What exactly the ritual of fire and water means remains unclear,²⁴ and of course we must remember that Scaevola and Ovid are separated in time, but it is not entirely impossible that the torches were used to light a nuptial fire for this peculiar ritual, just like sepulchral torches were used to light sepulchral pyres at Roman funerals.

Hence, the wedding procession and the joining of the right hands were bodily performances connected to the spouses’ consent and public display of the promise of a faithful future marriage, as well as the ritual of fire and water connected to the ritual acceptance of the bride into the groom’s house. All of these are probable and fitting targets of the vehicle used in Laodamia’s metonymic oath, “the torches of marriage and love alike”. Torch (*fax*) could also, due to its affordances – hot, burning, inflaming – target notions of love (*animi*, “heart”, “love”, as Ovid specifies) as well as desire, “flame of love/

desire”,²⁵ which pairs well with the other vehicle used in the oath, Protesilaus’ “body” and Laodamia’s desire for it.

What difference does Ovid’s objectifying phrasing of Laodamia’s oath make, then? Why not just have Laodamia swear merely and directly by the *abstractum* (marriage, love, Protesilaus’ life)? Because, the introduction of a material entity (*concretum*) into the oath context expands the network of connections available, which is a set-up for agency production. To clarify, by letting certain objects closely linked to a larger abstract institution figure, the author may utilize their ability to produce contextual agency in his literary portrayals. If put into a fitting context, the objects may communicate beyond the written word, evoke images, and excite feelings in the audience, who were presumably well acquainted with the common cultural symbolisms associated with certain objects in certain contexts, such as the torch in a nuptial context. The objectifying phrasing (*concretum pro abstracto*) of Laodamia’s oath, seemingly evokes scenes particularly from her wedding day and her public consent to marital concord, and perhaps also Protesilaus’ ritual acceptance of her as his bride, as well as her own strong physical desires for his body provided by Ovid’s poem’s literary context and the Greek legend of Protesilaus and Laodamia. It must of course be stressed that Laodamia and Protesilaus were Greek mythical heroes and that they, historically speaking, did not undergo a Roman marriage ceremony, but merely did so in the imagination of the Roman author, so-called “imagined weddings”.²⁶ Nevertheless, this very fact makes Ovid’s choice of indicating Roman nuptial practices more telling, since it is then specifically directed at his Roman – not Greek – audience.

Places

Silius Italicus (26–101 CE), in his epic poem *Punica*, portrays the Roman consul Lucius Aemilius Paullus as swearing by specific places and invoking them as witnesses of his oath to his general Fabius prior to the battle at Cannae (fought in 216 BCE):

As witnesses [of my oath] I invoke the Tarpeian rock, the temple of Jupiter – our kin through blood – and the fortification walls of my

blessed fatherland that I now leave standing with its citadel: wherever the supreme safety [of my blessed fatherland] calls me, I swear that I shall go there, despising the perilousness. But if the army, deaf to me who exhorts them, shall fight, I shall by no means regard you any longer, sons, nor the dear house of Assaracus' lineage; and in no way shall a wounded Rome see [me,] Paullus, return like Varro.²⁷

The Tarpeian rock was situated close to the Capitol in Rome and, according to Rome's first written statutes, perjurers were to be punished to death by being flung from it.²⁸ The temple of Jupiter undoubtedly refers to the temple on the Capitoline hill to "Jupiter the Best and the Greatest", who was commonly invoked in oaths and in the vicinity of whose temple oaths were sworn.²⁹ The walls surrounding the city naturally fortified it, but they were also powerful symbols of Rome in particular. Firstly, the term commonly used to denote the city of Rome alone, *urbs*, likely in origin means "something that is (ritually) enclosed" (from the Proto-Indo-European *gherdh*).³⁰ The city of Rome was therefore equated with its city walls. Secondly, already the ubiquitous stories of the legendary foundation of Rome convey the notion that the Roman walls were inviolable: some even said that Rome's founder, Romulus, uttered a curse that all who transgressed his walls should face death, just like his brother Remus.³¹

Plausibly, the mere mention of these places evoked vivid pictures of power, piety, and security in themselves: the tall and intimidating rock, which surely brought visions of the old horrifying punishment for perjury, the mighty and massive temple situated on top of the hill, and the towering and safety-infusing fortification walls. The rock and the temple were also places particularly connected to and important for official oath-taking. Additionally, the legendary curse and inviolability of the Roman walls is echoed in Paullus' oath: if forced to enter battle, he shall fight to his death to defend his *patria*.³²

However, also the current fragility of the once invincible Rome is evident in the oath phrasing. The author stresses that Paullus leaves the walls and the citadel "still standing" and that "a wounded Rome" herself shall never *see* him return. The city is portrayed as a living body with senses, as personified (*personificatio/prosopopoeia*). In effect, Paullus' own body and the "body" of the city are presented

as stakes in his oath. The fear of losing these two different “bodies” is manifested by the author in the conclusion of this section of the story: “they simultaneously feared the end of the *people* and the *city*” (my emphasis).³³

Metonymically, these *concreta* may be vehicles conveying closely linked *abstracta*, characteristics, which embody the sum of what it entailed to be a good leader of the Roman Republic, according to the highly valued Roman virtue *pietas* (dutifulness towards gods, fatherland, and family) in “the Way of the Forefathers” (*mos maiorum*³⁴): he had to observe the safe-keeping of the state (the walls), show reverence for the gods (the temple), and comply with the body of laws (the Tarpeian rock). In essence, this is what Paullus promises to be: a good leader ready to die for the survival of Rome, in contrast to his co-consul Varro.

In conclusion, the choice of swearing by these three places has implications. First of all, they represent(ed) the Republican city of Rome, both in themselves as important, impressive monuments, and also in what these places arguably are conceptual metonyms for within this particular context: inviolable safe-keeping, piety, and justice. The cultural significance of these places, the relations the Romans had to them, and their own affordances (height, thickness, age) together produce agency for a nuanced portrayal of this oath.

Sacred Objects and Divine Attributes

Another use of *concretum pro abstracto* found in poetic portrayals of oaths is to swear by material attributes and belongings of divinities, instead of by the divinities themselves, which was otherwise the general norm.

For example, the poet Martial (38/41–102/104 CE) – excusing himself for the limited time and leisure available for praising the learned Muses in Rome – swears to his friend and patron Frontinus, not only in the common way “by all the gods” (*per omnes iuro deos*), but also “by the Muses’ sacred [things], venerable to me” (*per veneranda mihi Musarum sacra*) that he still cares for him, despite his own inofficiousness.³⁵ *Sacra* have an array of possible meanings in Latin: sacred or consecrated things, religious ritual/mysteries, sacred vessels,

hymns and poems, and so forth.³⁶ Here, two interpretations would fit well. Firstly, *sacra* may refer to poems,³⁷ as sacred to the Muses, who as guardians of poets inspired humans with artistic skills.³⁸ Secondly, the *sacra* might also simply mean “sacred objects”, which could refer to different vessels used in the service or worship of and sacrifices to deities.³⁹ However, no such vessel fits the content of this oath. Instead, they might indicate the Muses’ own sacred objects, that is their divine material attributes (such as musical instruments, theatre mask, scroll) representing their individual skill (such as music, dance, and different genres of poetry and theatre, history et cetera). These would then have been sacred both to the Muses and likely to Martial as a poet in their service.⁴⁰

Both interpretations lead to a similar conclusion. By choosing to swear by the *sacra* of the Muses – that is, either the products of Muse-inspired poets (poems) or the attributes representing the different skills the Muses possessed and inspired artists with – Martial targets the conditional deposit of his oath, namely his own poetic skill and talent. Consequently, he portrays the validity of his oath as dependent upon himself highly valuing being a *vates* – “a (divinely inspired) poet” – as he refers to himself just prior to swearing.⁴¹ Had he sworn only by the Muses, his conditional self-curse would have entailed having the Muses exact *some* divine punishment upon him, in case of perjury. Now, he specifies that his punishment should be to become bereft of his poetic skills.

A more explicit example of a divine attribute sworn by is found in Ovid’s (43 BCE–17 CE) *Amores*. In this passage, Ovid himself swears not only “by Venus” (*per Venerem*), but also “by the winged boy’s bow” (*puerique volatilis arcus*), that he has not been unfaithful to his beloved, who repeatedly accuses him of being so.⁴² The winged boy refers to Cupid, god of libido, who with his bow shot arrows inflicting libidinous desire onto his targets. By explicitly mentioning the bow, a *concretum*, instead of Cupid as Libido personified (as he likely does with Venus as Love personified), it acts as a metonymic vehicle to more specifically target his *own body*. His body has not been shot by the bow and caused to unwillingly feel arousing lust towards other women: his body is free from guilt. Had he only sworn “by Venus and Cupid”, the meaning would have been more in line with “by

Love and Desire, I have not cheated on you”, which focuses on his abstract feelings towards his beloved. The infidelity-causing bow, the divine attribute and the source of Cupid’s divine ability,⁴³ conveys more in this context: not even unwillingly, bodily forced by divine intervention, has he been unfaithful to her.

Propertius (ca. 50–45 BCE–ca. 15 CE), in a poem from his *Elegies*, uses a similar way of rephrasing an oath sworn to himself by his departed beloved Cynthia, who in a dream ghostly appeared before him and spoke:

Yet, I do not rebuke you, although you deserve it, Propertius: long-lasting was my dominion in your works. I swear by the Fates’ chant that nobody can unwind, that I have kept my word and good faith [*fides*]; [as sure as I have kept my word and good faith], so may the three-headed dog bark softly for me. If I speak falsely, may a snake hiss in my tomb and nest on top of my bones.⁴⁴

The Fates were thought to determine the outcome of one’s life. In Roman culture (as well as in many other Indo-European ones), life was often metaphorically imagined as a spinning thread (*stamen*) spun by three Fate-goddesses (*Fata* or *Parcae*), who cut the thread when time had come for the life to end.⁴⁵ The chant of the Fates, referred to in this poem, was thought to be performed by the goddesses while spinning this thread of life.⁴⁶ Since the Fates’ chant is specifically described as something “that nobody can *unwind/untwine/unravel*” (*revolubile nulli*), the threads of Fate are explicitly implied. In extension, the oath itself echoes as something that cannot be unraveled, since an oath too was seen as something essentially *binding*.⁴⁷

By having the ghost of Cynthia swear by the Fates’ divine physical labor, Propertius stresses the determinism of Cynthia’s death and portrays it as the surety of her oath. She is, after all, dead while swearing this and taking the Fate goddesses as witnesses, guarantors, and penalty executioners in case of perjury would therefore not entail a credible surety. However, swearing by “the Fates’ chant that nobody can unwind” shifts the focus from the Fates as guarantors onto the fact that death is final and cannot be unwind, thus indicating an oath in line with “as sure as I am dead, I speak truthfully”. Her being dead

is certainly also why Cynthia's explicitly stated conditional self-curse is directed at her bones and grave, since even the dead fear for their reputation and commemoration among the living being tarnished. This brings us onto the next category: the remains of the dead.

Physical Remains of the Dead

Most often in poetry (but also in a few instances from legal/rhetorical prose and historiography) we find oaths sworn by material remnants of departed kinsfolk or loved ones, that is specifically by their bones, ashes, place of funeral and/or burial, and, in a certain legendary story, by their blood.⁴⁸ Another common way of swearing by the dead was by one's kinsfolk's spiritual, rather than material, remnants, by the *Manes*, "the spirits of the departed".⁴⁹ In line with a dubious passage in Statius (ca. 45–ca. 96 CE), it is reasonable to assume that oaths by remnants of the dead (here "buried ashes") were sometimes specifically sworn in front of grave markers, more particularly funerary altars dedicated to the *Manes*:

Now grief more and more vexes vigilant senses; the moans are clear and Polyxo is gradually detested. Now it is allowed to remember the impious act; now it is allowed to erect altars to the *Manes* and often swear by the buried ashes.⁵⁰

Funerary altars, dedicated to the *Manes* through the inscription *D(is) M(anibus sacrum)*, were commonly erected from around the time of Augustus, roughly around the same time as most of the literary examples of oaths by remnants were written.⁵¹ On the one hand, to the best of my knowledge, no other remaining textual source particularly refers to such a practice.⁵² On the other hand, it is widely attested in literary sources that 1) oaths in general often were sworn in front of altars of gods and 2) that also funerary altars were considered sacred places.⁵³ The remains were often kept inside or by the funerary altar, as evidenced by the innovation of the Augustan period of underlining in epitaphs that the remains were indeed physically buried there; for instance, "here lie the bones" (*ossa hic sita sunt*) and "may the bones/remains rest in peace" (*ossalreliquiae bene quiescant*).⁵⁴ Hence, it

is not unreasonable to think that one wished to be in the presence of “the buried ashes” (*cineres sepultos*) at the funerary altar while swearing by them.

Why swear by material remnants of dead kinsfolk, then? First of all, the ashes and bones of a dead person constitute a metonym of the type *pars pro toto* (“the part for the whole”): the bones/ashes (the part) indicate the entire person (the whole). The same goes for blood of a departed, if we consider Brutus’ legendary oath following the suicide of Lucretia, as it is phrased by the historian Livy (59 BCE–17 CE): “I swear by this most chaste blood” (*castissimum [...] sanguinem iuro*); and by the poet Ovid (43 BCE–17 CE): “I swear by this brave and chaste blood” (*hunc iuro fortem castumque cruorem*).⁵⁵ Naturally, they mean that Lucretia, not her blood, was brave and chaste, specifically in her final actions in life.

For a literary audience, these particular “parts” (bones, ashes, blood) also conveniently convey that the person is dead, if not already aware of the fact. In contrast, alive persons in the literature swore in a similar *pars pro toto*-metonymic way: “by my head” (*per caput*)⁵⁶ – meaning their entire life and their value of it – and “by my right hand” (*per dext(eram)*)⁵⁷ – meaning their credibility/good faith/loyalty (*fides*), since the right hand was considered the seat of those qualities and was used to perform the “joining of the right hands” (*iunctio dextrarum*), a gesture manifesting contracts, consent, and concord.⁵⁸ Since these metonymic vehicles (right hand, head) in the end target abstract institutions (life, good faith), they constitute metonyms of the sort *concretum pro abstracto* (“the concrete for the abstract”) as well.

By the same token, it is not hard to imagine that the ashes, bones, and place of burial not only targeted the dead kin *per se*, but also embodied the emotional connection between the living and the departed kin. In an excellent article about humans figuring in oath invocations, Blidstein writes that all kinds of invocations of the dead (spirits, remnants) function due to “the strong connection of the swearer with the dead rather than their ability to punish [in case of perjury].”⁵⁹ Servius Grammaticus, commenting on Vergil’s (70–19 BCE) the *Aeneid* 2.431, where an oath is sworn “by the ashes of Ilium and the final flames of my kin”,⁶⁰ clarifies this by noting that “it is natural to swear by that

which is dear”.⁶¹ In light of this, the connection one had to the person while alive and how that connection had been continually cherished and commemorated powered the oath with agency, and the choice of including the place of burial and/or physical remnants in the oath formula was a way of evoking and manifesting that connection in words.

Being physically present at the place of burial, like a funerary altar, must have enhanced that emotional connection to the dead. For the Romans, we know that funeral sites could be sought-out for swearing oaths, which is mentioned in a passage in Suetonius (ca. 69–ca. 122 CE). He tells us how “the common people” (*plebs*) persisted in visiting the commemorative marble column of Julius Caesar (100–44 BCE) that was erected at the site of his funeral pyres at the eastern end of the Roman Forum and inscribed with “To the Father of the Fatherland” (*parenti patriae*). They would come before it, he writes, to “sacrifice, make vows, and resolve certain controversies by putting forward an oath by Caesar”.⁶² The place of the divinized father of the Roman people’s funeral pyre was clearly not merely a site for commemoration, but also a place that enhanced the connection to the departed Caesar and powered the oaths sworn by him.

In addition to the emotional connections to one’s kin, material remnants may also act as metonymic vehicles for more context-specific abstract targets. For instance, in the legendary scene in which Brutus holds up the dagger he pulled from the dead Lucretia’s self-inflicted wound and swears by her blood that no king shall ever again rule in Rome, the blood constitutes a symbol for the Tarquinian prince’s vile crime that forced Lucretia to commit suicide to retain her honor.⁶³ Blidstein writes:

The knife and the blood are a metonym for Lucretia’s actions and for the Tarquinian wrongdoing; Livy sets these actions as the common foundation for the future actions of Brutus’s circle. In Livy’s narrative, the oath invokes an honored action or entity, which is foundational for the group’s identity and sense of being.⁶⁴

Being in Lucretia’s bedroom with her lifeless body and her blood dripping from the dagger before them – the crime scene – is here portrayed as what powers this oath with agency. Brutus’ conjuration, that aimed

to overthrow the Roman monarchy, needed a powerful symbol of the royal corruption to incite the people for revolution, and Lucretia's death appeared as the perfect candidate. Livy tells us how the swearers carried her bloodstained body to the forum of Collatia, where a crowd soon assembled and a rising against the royal family was stirred. Her spilt blood thus came to embody not only the crime committed towards her, but also the royals' crimes towards the people, who all had their complaints of the prince and were moved to raise their weapons by the sight of grief and Brutus' brave sternness.⁶⁵

To conclude this section, a comment is in place about the fact that oaths by material remnants and spirits of the departed occur outside of poetry, and whether this allows us to suspect that such oaths were used in real life instances. Blidstein highlights the difficulty of determining to which extent oaths invoking the *Manes* were used in every-day life, since the instances from outside of "poetic, epic, and dramatic literature" are few and "marked as atypical".⁶⁶ However, quite a few of the examples of invocations of *Manes* cited are arguably atypical due to other reasons, for instance that the spirit invoked was a dead dolphin or that the spirit of the dead in fact was not dead, but still alive.⁶⁷

The instances outside of poetry of swearing by material remnants of the dead come from a juridical anecdote, told by three Roman authors and which, according to one of them, was "well-known" (*nota enim fabula est*).⁶⁸ It concerns an oath in court, which the plaintiff challenged the defendant to swear "by your father's (and mother's) ashes (that lie unburied), (and by your father's memory)", depending on the different versions of the story.⁶⁹ Blidstein interprets this oath as "highly unusual [...], since the accuser was totally unprepared that the defendant accept his challenge", but that invoking ashes could have been "more common as a rhetorical move".⁷⁰ Here it may also be inferred that such voluntary oaths (*iusiurandum voluntarium*) in court in general seemingly were utilized quite often, since oaths, according to the jurist Gaius, were "the greatest remedy for settling/expediating litigations", yet we have rather few descriptions of such events taking place (and then sworn by other things).⁷¹ But, Seneca the Elder actually mentions swearing by parental ashes in another legal dispute in his *Controversiae*, then concerning a disinherited son, his

biological father, and his uncle, who had previously adopted him.⁷² Since the two legal oaths by ashes preserved to us concern fathers and sons, it appears that these voluntary oath formulations were proposed or mentioned because they fit the legal case at hand. Therefore, it is possible to suspect that similar cases between relatives might have been sworn in this way. If we also account for Statius' conveyance that people could swear by "the buried ashes often/a lot (*multum*)", it is not too far-fetched to think that such practices also left the courtroom.

Moreover, here we ought to regard the quickly spreading Roman innovations of sacredly dedicating epitaphs to the *Manes* and specifically mentioning material remnants of the departed in the epitaph text, as aforementioned. These innovations were contemporary with the authors and poets cited and could inferably shed a different light upon the oath invocations of spirits and remnants. Since they were so commonly included in epitaphs, not seldomly employed in poetic oaths, and occur a few times in other genres (although in peculiar contexts), there are many reasons to suggest that invoking bones, ashes, and spirits of the dead in oaths were part of real life for the 1st century Roman. Indeed, all literary conventions – even embellished poetic ones – reasonably reflect cultural practices in one way or another. Otherwise, literature would make no sense to its contemporary audience.

Conclusions

The foundational argument in this article is that matter employed as metonyms for the abstract in an oath phrasing has the ability to evoke specific aspects (emphasis on the plural!) within the targeted abstract as well as excite feelings and images due to the matter's own affordances. As such, the matter constituting the metonym is not merely a direct substitution for the abstract, but also a thing in its own right that affects the audience in further ways than had only the abstract been sworn by. Certain objects are also imbued with specific cultural significances in certain contexts, such as a torch in a marriage context as opposed to a sepulchral context. Hence, the matter, the *concreta*, utilized in some of the metonymic oaths provided are culturally closely related to the targeted abstract and were, as argued, employed in order

to both convey a specific abstract notion *and* evoke further thoughts, feelings, and images. For instance, the torch was linked to marriage through cultural wedding practices and to feelings of love and desire through natural affordances of fire. As a consequence, the audience is often allowed a deeper glimpse into the meaning of the oath, namely what the swearer is presented as putting up as deposit and surety in his/her oath to make it credible. As hopefully demonstrated, the materials specifically sworn by in these oaths are thus better understood as conceptual metonyms and figures of thought rather than merely as traditional metonyms as figures of speech, where x stands for y. Due to the forces of materiality, matter used as metonymic vehicles has the ability to evoke more than only one target.

In conclusion, because the introduction of a material entity into the literary oath context clearly expands the network of relations, which leads to further associations within that context, as well as the fact that objects could have imbued cultural meanings, I here argue that material metonyms are very useful literary tools that reach beyond poetic embellishment. They have the ability to steer the audience's interpretation of the oath portrayed and, within the literary oath context, produce agency and thus increase the power and efficacy of the oath.

This article constitutes but one of the many possible perspectives on the relations between Roman oaths and materiality, between metaphors and matter, as well as between Roman literature and material culture at large. Lots remain to be investigated within these fields, and hopefully this study might evoke further thoughts and inspire further research.

Noter

- 1 An oath is defined as an *assertion* or *promise* enforced and sanctioned by calling upon a higher force, either divine or non-divine, to act as a guarantor of one's truthfulness. Cf. Alan Sommerstein, "What is an Oath?", in *Oaths and Swearing in Ancient Greece*, Alan Sommerstein & Isabelle Torrance eds. (Berlin/Boston: De Gruyter), 1, <https://doi.org/10.1515%2F9783110227369>.
- 2 **Magistrates:** Fronto, *Ep.* 2.8; Plin. *Pan.* 65; Liv. 31.50; Tac. *Ann.* 8.14. **Soldiers:** George Ronald Watson, *The Roman Soldier* (Ithaca: Cornell University Press, 1969), 44–50, w/ ref. **Court:** Cic. *Q. Rosc.* 15.44, 45; Cic. *Caecin.* 10.28; Alan Watson, *The State, Law and Religion: Pagan Rome* (Athens: The University of

- Georgia Press, 1992), 44–45. **Treaties:** Livy 1.24, 1.32; Ver. *Aen.* 12.198–214; Polyb. 3.25. **Personal matters:** Apul. *Met.* 2.5; Ter. *An.* 286–298; Suet. *Iul.* 85. N.B. All Latin and Greek works are referenced to according to the standard abbreviations in *Oxford Classical Dictionary*, 4th ed., <https://oxfordre.com/classics/page/ocdabbreviations/abbreviations>.
- 3 To mention but a few: Rudolf Hirzel, *Der Eid: ein Beitrag zu seiner Geschichte* (Leipzig: Verlag von S. Hirzel, 1902); Moshe Blidstein, “Loosing Vows and Oaths in the Roman Empire and Beyond: Authority and Interpretation”, *Archiv für Religionsgeschichte*, vol. 18 (2018), 275–304, <https://doi.org/10.1515/arege-2018-0016>; Moshe Blidstein, “Oaths as a Medium for Inter-Communal Contact in the Roman Empire”, *Historia* vol. 72 no.1 (2023), 86–108, <https://doi.org/10.25162/historia-2023-0004>; Janne Pölönen, “Religion in Law’s Domain: Recourse to Supernatural Agents in Litigation, Dispute Resolution, and Pursuits of Justice under the Early Roman Empire”, *RIDA*, vol. 65 (2018), 163–193; Agamben, *The Sacrament of Language: The Archaeology of the Oath*, trans. Adam Kotsko (Stanford: Stanford University Press, 2011); Frances Hickson, *Roman Prayer Language: Livy and the Aeneid of Vergil* (Stuttgart: B.G. Teubner, 1993); Olivia Peukert Stock, “‘Pro Iuppiter!’: Oaths in Roman Comedy”, *New Classicists*, vol. 7 (2022), 4–28.
 - 4 e.g. Adam Parker & Stuart McKie eds., *Occult Objects and Supernatural Substances* (Oxford/Havertown: Oxbow Books, 2018); Stuart McKie, *Living and Cursing in the Roman West: Curse Tablets and Society* (London: Bloomsbury, 2022); Emma-Jayne Graham, *Reassembling Religion in Roman Italy* (London/ New York: Routledge, 2021); David Frankfurter, “Magic and the Forces of Materiality”, in *Guide to the Study of Ancient Magic*, David Frankfurter ed. (Leiden/Boston: Brill), 659–677.
 - 5 Hence, oath-taking and materiality is the topic of my in-progress doctoral dissertation at Lund University (initiated in 2022).
 - 6 e.g. Livy 1.24.
 - 7 All quotes in this passage are from the discussion on the “physicality of words” in Anthony Corbeill, *Nature Embodied. Gesture in Ancient Rome* (Princeton/ Oxford: Princeton University Press, 2005), 15–20.
 - 8 A classic work in the field is: George Lakoff & Mark Johnson, *Metaphors We Live By* (Chicago/London: The University of Chicago Press, 1980).
 - 9 Günther Radden & Zoltán Kövecses, “Towards a Theory of Metonymy”, in *Metonymy in Language and Thought*, Klaus-Uwe Panther & Günther Radden eds. (Amsterdam/Philadelphia: John Benjamin’s Publishing Company, 1999), 17–59. (Emphasis added.)
 - 10 **By friendship and love:** e.g. Sallust. *Iug.* 71.5: *lacrumans obtestatur per amicitiam perque sua antea fideliter acta ne super tali scelere suspectum sese haberet*; Ter. *An.* 326: *nunc te per amicitiam et per amorem obsecro, / principio ut ne ducas*. **By good faith:** e.g. Apul. *Met.* 4.11: *adhortatur per dexteram Martis, per fidem sacramenti, bonum commilitonem cruciatu simul et captivitate liberare-mus.*; Apul. *Met.* 6.4: *‘Quam vellem’ inquit ‘per fidem nutum meum precibus tuis accommodare[.]’*. See also Dion. Hal. *Rom. Ant.* 2.75: “οὕτω γοῦν σεβαστόν τι πρᾶγμα καὶ ἀμίαντον ἐνομίσθη τὸ πιστόν, ὥστε ὄρκον τε μέγιστον γενέσθαι τῆ ἰδίαν ἐκάστω πίστιν καὶ μαρτυρίας συμπάσης ἰσχυροτάτην[.]”
 - 11 Adam Parker & Stuart McKie, “Introduction: Materials, Approaches, Substances, and Objects”, in *Material Approaches to Roman Magic: Occult Objects and*

Supernatural Substances, Adam Parker & Stuart McKie eds. (Oxford/Havertown: Oxbow Books, 2018), 4–5.

- 12 Graham, *Reassembling Religion in Roman Italy*, 29, original emphasis.
- 13 Graham, *Reassembling Religion in Roman Italy*, 29.
- 14 *Ov. Her.* 13.159–160:
*per reditus corpusque tuum, mea numina, iuro,
perque pares animi coniugique faces,
me tibi venturam comitem quocumque vocaris,
sive – quod heu! timeo – sive superstes eris.*
- N.B. All translations from Latin to English in this article are my own.
- 15 *Ov. Her.* 13.151–156:
*dum tamen arma geres diverso miles in orbe,
quae referat vultus est mihi cera tuos;
illi blanditias, illi tibi debita verba
dicimus, amplexus accipit illa meos.
crede mihi, plus est, quam quod videatur, imago;
adde sonum cerae, Protesilaus erit.
hanc specto teneoque sinu pro coniuge vero,
et, tamquam possit verba referre, queror.*
- 16 For the Greek legend of the Thessalian hero Protesilaus, the remaining fragments of the tragedy by Euripides, and other Latin sources referring to the legend or play, see Christopher Collard & Martin Cropp, *Fragments. Oedipus–Chryseippus. Other Fragments* (Cambridge: Harvard University Press, 2009), 106–117.
- 17 See e.g. *Ov. Epist.* 2.120.
- 18 For Roman wedding ceremonies and wedding torches, see e.g. Cic. *Clu.* 15; Plaut. *Cas.* 1.30; Tac. *Ann.* 15.37 (for a factual discussion on the latter two passages, see Karen Hersch, *The Roman Wedding: Ritual and Meaning in Antiquity* (Cambridge: Cambridge University Press, 2010), 29–32, 34, <https://doi.org/10.1017/CBO9780511762086>); *AE* 1905, 00107.
- 19 Hersch, *The Roman Wedding*, 18.
- 20 Hersch, *The Roman Wedding*, 58.
- 21 Louis Reekmans, “La dextrarum iunctio dans l’iconographie romaine et paléochrétienne”, *Bulletin de l’Institut Historique Belge de Rome*, vol. 31 (1958), 25. Cf. Hersch, *The Roman Wedding*, 42 (w/ ref.): “On this point scholars have disagreed, with some asserting that the clasped hands on rings symbolize the so-called *dextrarum iunctio* (“joining of right hands”) and therefore were given exclusively at a betrothal or a wedding, and others arguing that the clasped hands symbolized marital concord.”
- 22 **Roman sarcophagi:** Susan Walker, *Memorials to the Roman dead* (London: BMP, 1985), 49, fig. 39; Carola Reinsberg, *Die Sarkophage mit Darstellungen aus dem Menschenleben. Vita Romana. Die Antiken Sarkophagreliefs 1, Dritter Teil* (Berlin: Gebr. Mann, 2006), 202–203, no. 35, pl. 29.1. (=Munich Glyptothek inv. no. 533).
- 23 *Dig.* (Scaevola) 24.1.66.1: *Virgini in hortos deductae ante diem tertium quam ibi nuptiae fierent, cum in separata diaeta ab eo esset, die nuptiarum, priusquam ad eum transiret et priusquam aqua et igni acciperetur, id est nuptiae celebrentur, optulit decem aureos dono: quaesitum est, post nuptias contractas divortio facto an summa donata repeti possit. Respondit id, quod ante nuptias donatum proponeretur, non posse de dote deduci.*

- 24 It might be that the right to utilize fire and water signified the possibility to live in a certain place, if contrasting the practice with the punishment of exile referred to as “fire and water” (*ignis et aqua*), which entailed that the exiled person was shut off from utilizing fire and water in the city (that is, denied to exist there). However, this does not tell us *how* the nuptial practice to accept the bride with fire and water was performed, but it might give a suggestion as to *why*.
- 25 e.g. Hor. *Carm.* 3.9.13; Cic. *Tusc.* 1.44.
- 26 For so-called “imagined weddings” in Roman poetry, see Hersch, *The Roman Wedding*, 16.
- 27 Sil. *Pun.* 8.341–348:
*Tarpeiae rupes cognataque sanguine nobis
 tecta Iovis, quaeque arce sua nunc stantia linquo
 moenia felicitis patriae, quocumque vocabit
 summa salus, testor, spreto discrimine iturum.
 sed si surda mihi pugnabunt castra monenti,
 haud ego vos ultra, nati, dulcemque morabor
 Assaraci de gente domum, similemve videbit
 Varroni Paulum redeuntem saucia Roma.*
 Cf. the similar oath sworn by places evoking and representing specific abstract ideas (that an obsession with material riches equals a poverty of mind and soul) in Val. Max. 4.4.11:
Exsurgamus potius animis pecuniaeque aspectu debilitatos spiritus pristini temporis memoria recreemus: namque per Romuli casam perque veteris Capitolii humilia tecta et aeternos Vestae focos, fictilibus etiam nunc vasis contentos, iuro nullas divitias talium virorum paupertati posse praeferrere.
 / Let us rather rise in our minds and let us revive our souls, weakened by the view of money, through the memory of a pristine time: for I swear by the hut of Romulus, the humble houses of the old Capitol and the eternal hearths of Vesta, which are even now content with vessels of clay/earth, that no riches can be preferred to the poverty of such men.
- 28 XII Tab. 8.12 (8.23).
- 29 e.g. Plut. *Sulla* 10: ὁ δὲ ἀναβάς εἰς τὸ Καπιτώλιον ἔχων ἐν τῇ χειρὶ λίθον ᾧ μνηνεῖν, εἶτα ἐπαρασάμενος ἑαυτῷ μὴ φυλάττοντι τὴν πρὸς ἐκείνον εὐνοίαν ἐκπεσεῖν τῆς πόλεως, ὥσπερ ὁ λίθος διὰ τῆς χειρὸς, κατέβαλε χαμαῖε τὸν λίθον οὐκ ὀλίγων παρόντων, παραλαβὼν δὲ τὴν ἀρχὴν χῆν εὐθὺς ἐπεχείρει τὰ καθεστῶτα κινεῖν, καὶ δικὴν ἐπὶ τὸν Σύλλαν παρεσκεύασε καὶ κατηγορεῖν ἐπέστησεν Οὐεργίνιον, ἓνα τῶν δημάρχων, ὃν ἐκείνος ἅμα τῷ δικαστηρίῳ χαίρειν ἔασας ἐπὶ Μιθριδάτην ἀπήρε.; Plin. *HN.* 2.21: *alii in Capitolio fallunt ac fulminantem periurant Iovem.*; Plaut. *Curc.* 265–269: [CO.] *nihil est mirandum melius si nil fit tibi, / namque incubare satius te fuerat Ioui, / auxilio tibi qui in iure iurando fuit. / CAP. siquidem incubare uelint qui periurauerint, / locus non praebere potis est in Capitolio.*
- 30 James Patrick Mallory, “Indo-European Warfare”, *Journal of Conflict Archaeology*, vol. 2. no. 1 (2006), 84; <https://www.jstor.org/stable/48601908>.
- 31 Livy 1.7.2–3.
- 32 Cf. Aeneas’ oath in Ver. *Aen.* 2.431–34:
*Iliaci cineres et flamma extrema meorum
 testor, in occasu vestro nec tela nec ulla
 vitasuisse vices, Danaum et, si fata fuissent
 ut caderem, meruisse, manu. [...]*

/ I call to witness Ilium's ashes and the final flame of my kin, that in our downfall I escaped neither battle nor danger, and that, if Fates had decided that I should fall at the hand of the Greeks, I would have deserved it.

- 33 Sil. *Pun.* 8.355: *quippe extrema simul gentique urbique timebant.*
- 34 For the importance of *mos maiorum* for Roman magistrates: Karl-Joachim Hölkeskamp, *Reconstructing the Roman Republic: An Ancient Political Culture and Modern Research*, Henry Heimann-Gordon transl. (Princeton: Princeton University Press, [2004]2010), 17–18.
- 35 Mart. *Ep.* 10.58.5–6, 13–14.
- 36 Charlton Lewis & Charles Short, *A Latin Dictionary* (Oxford: Clarendon Press, 1879), “sacer”.
- 37 e.g. Mart. *Ep.* 7.63; Ov. *Tr.* 4.10.
- 38 The Muses were thought to be the guardians of poets (cf. Ov. *Met.* 15.622), who inspired humans with artistic skills (cf. Ver. *Aen.* 525).
- 39 Cf. Stat. *Theb.* 10.200, where the augur swears “by the tripods and the new fates of the raptured magistrate” (*per tripodā iuro et rapti novā fata magistrī*). A tripod was a three-footed stand/vessel used in many religious rites and rituals in both Greece and Rome.
- 40 cf. Mart. *Ep.* 9.48, where Martial writes that an oath had been sworn by “the things sacred to you” (*tua sacra*).
- 41 Mart. *Ep.* 10.58.12: *nec vatē talia damna decent.*
- 42 Ov. *Am.* 2.7.27–28:
*per Venerem iuro puerique volatilis arcus,
me non admissi criminis esse reum!*
- 43 Cf. Ov. *Pont.* 3.3.67–70, where Ovid relates to a friend that Amor/Cupid had appeared to him in a dream the previous night and sworn “by my weapons – my torches and my arrows”. This clearly demonstrates that the seat and power of his divine being truly resides in his attribute, his bow and arrows, and that they are what is most dear to Amor/Cupid himself.
- 44 Prop. 4.7.51:
*non tamen insector, quamvis mereare, Properti:
longa mea in libris regna fuere tuis.
iuro ego Fatorum nulli revolubile carmen,
tergeminusque canis sic mihi molle sonet,
me servasse fidem. si fallo, vipera nostris
sibilet in tumulis et super ossa cubet.*
- 45 For the expression as a pan-Indo-European trait, see George Giannakis, “The ‘Fate-as-Spinner’ motif: A Study on the Poetic and Metaphorical Language of Ancient Greek and Indo-European (Part I)”, *Indogermanische Forschungen*, vol. 103 (1998), 1–27, <https://doi.org/10.1515/9783110243444.1>.
- 46 Catull. 64.303–322.
- 47 Oaths are presented as something binding in language used to describe oath-taking, for instance *obstringere iureiurando* (“to bind by an oath”), see e.g. Cic. *Fam.* 11.10.5, as well as defined as a *vinculum* (“bond”) that binds faith (*ad adstringendam fidem*, Cic. *Off.* 3.111). Oath-taking is also seen as something binding, since the priests of Jupiter were restricted from binding themselves by oaths as well as bodily binds, such as having knots in their dress and rings without gems or perforation, see Stuart McKie, “The Legs, Hands, Head and Legs Race: The Human Body as a Magical Weapon in the Roman World”, in

- Material Approaches to Roman Magic: Occult Objects and Supernatural Substances*, Adam Parker & Stuart McKie eds. (Oxford/Havertown, Philadelphia: Oxbow Books, 2018), 117.
- 48 **Bones:** Prop. 2.20.15–18; Ov. *Her.* 3.103–10. **Ashes:** Hor. *Carm.* 2.8.9; Sen. *Controv.* 1.1.3; Stat. *Theb.* 5.454–55; Sen. *Controv.* 7.praef.7; Suet. *Gram. et rhet.* 30; Quint. *Inst.* 9.2.95. **Place of funeral/burial:** Suet. *Iul.* 85; cf. Sen. *Suas.* 2.14 (about the Greek oath by the tombs of the those who fell in the Persian War, see Dem. *de Cor.* 208). **Blood:** Livy 1.59.1; Ov. *Fast.* 2.841–42. For invocations of dead and alive parents in oath invocations, see Blidstein, “Invoking Humans in Roman-Era Oaths: Emotional Relations and Divine Ambiguity”, 389–394.
- 49 For swearing by the *Di Manes*, see Charles King, *The Ancient Roman Afterlife: Di Manes, Belief, and the Cult of the Dead* (Austin: University of Texas Press, 2020), 114–116.
- 50 Stat. *Theb.* 5.326–29:
Iam magis atque magis vigiles dolor angere sensus,
et gemitus clari, et paulatim invisā Polyxo,
iam meminisse nefas, iam ponere manibus aras
concessum et multum cineres iurare sepultos.
- 51 Laura Chioffi, “Death and Burial”, in *The Oxford Handbook of Roman Epigraphy*, Christer Bruun & Jonathan Edmondson eds. (New York/Oxford: Oxford University Press, 2015), 637; Christer Bruun & Jonathan Edmondson, “The Epigrapher at Work”, in *The Oxford Handbook of Roman Epigraphy*, Christer Bruun & Jonathan Edmondson eds. (New York/Oxford: Oxford University Press, 2015), 15.
- 52 The closest example is probably found in Silius Italicus’ epic poem *Punica* (Sil. *Pun.* 1.81ff), where he writes that Hannibal swore “by our god Mars and by your *Manes*, queen” (*per numina Martis, / per manes, regina, tuos.* 118–19) in a sacred temple specifically dedicated to the departed spirit (*Manes*) of Queen Dido of Carthage (*sacrum genetrices Elissae / manibus*, 81–82), whom Hannibal is said to be descended from. Furthermore, although not mentioning any bodily remnants, we know from Suetonius (*Iul.* 85) that the common people (*plebs*) swore by Caesar standing before a monument, a 20-foot tall marble column, erected and dedicated to him specifically at the place of his funeral.
- 53 **Swearing in front of altars**, e.g. Hor. *Epist.* 2.1.16; *IGR* 3.137, lines 36–42; Livy 21.1.4; Livy 35.19.3; Cor. Nep. *Hann.* 23.2; Polyb. 3.11; Ver. *Aen.* 12.201; Cic. *Flac.* 90. **Funerary altars as sacred places**, see King, *The Ancient Roman Afterlife*, 174.
- 54 Chioffi, “Death and Burial”, 630.
- 55 Livy 1.59.1; Ov. *Fast.* 2.841–842.
- 56 e.g. Mart. *Ep.* 9.48: *per tua iurares sacra caputque tuum*; Ov. *Pont.* 3.3.67–70: *per matrem iuro Caesareumque caput*; Ov. *Trist.* 5.4.45–46: *per caput ipse suum solitus iurare tuumque, / quod scio non illi vilis esse suo.*
- 57 e.g. Livy 29.24.2–3: Scipio [...] *litteras dat ad regem, quibus etiam atque etiam monet eum ne iura hospitii secum, neu cum populo Romano initae societatis, neu fas fidem dextras deos testes atque arbitros conventorum fallat*; Plaut. *Poen.* 417 (humorously including the “sister” of the right hand, the “left one”), *hanc per dexteram perque hanc sororem laevam*; Ver. *Aen.* 7.234–235: *per Aeneae iuro dextramque potentem*; Apul. *Met.* 4.11: *per dexteram Martis*; Ter. *An.* 289: *per hanc te dexteram*; Apul. *Met.* 6.2: *Per ego te frugiferam tuam dexteram istam deprecor*; Livy 26.48.12: .

- 58 e.g. Livy 23.9: *paucæ horæ sunt intra quas iurantes per quidquid deorum est, dextræ dextras iungentes, fidem obstrinximus – ut sacratas fide manus, digressi a conloquio, extemplo in eum armaremus?*; Cic. *Deiot.* 8: *Per dexteram istam te oro, quam regi Deiotaro hospes hospiti porrexisti, istam, inquam, dexteram non tam in bellis neque in proeliis quam in promissis et fide firmiorem*; Sen. *Controv.* 1.1.3: *Porrigitæ mutuas in gratiam manus; me foederi medium pignus addite: inter contententes duos medius elidor.*
- 59 Blidstein, “Invoking Humans in Roman-Era Oaths”, 390.
- 60 *Iliaci cineres et flamma extrema meorum / testor.*
- 61 Serv. *ad Aen.* 2.431: *naturale est iurare per id quod carum.* Cf. Blidstein, “Invoking Humans in Roman-Era Oaths”, 392.
- 62 Suet. *Iul.* 85: *Postea solidam columnam prope viginti pedum lapidis Numidici in Foro statuit inscripsitque parenti patriæ. Apud eam longo tempore sacrificare, vota suscipere, controversias quasdam interposito per Caesarem iure iurando distrahere perseveravit.*
- 63 Livy 1.59.1: *Brutus [...] cultrum ex vulnere Lucretiæ extractum, manentem cruore prae se tenens, ‘Per hunc’ inquit, ‘castissimum [...] sanguinem iuro’.* Ovid (*Fast.* 2.841–842) has Brutus swear by Lucretia’s “brave and chaste blood” (*per [...] hunc iuro fortem castumque cruorem*) as well as by her “departed spirit, which shall be a divinity to me” (*perque tuos manes, qui mihi numen erunt*). The Greek Dionysius of Halicarnassus relates that Brutus held a dagger and swore by Mars and all other gods (*Ant.* 4.70.5–4.71.1).
- 64 Blidstein, “Invoking Humans in Roman-Era Oaths”, 391.
- 65 Livy 1.59.2–4: *Ut praeceptum erat iurant; totique ab luctu versi in iram, Brutum iam inde ad expugnandum regnum vocantem sequuntur ducem. Elatum domo Lucretiæ corpus in forum deferunt concientque miraculo, ut fit, rei novæ atque indignitate homines. Pro se quisque scelus regium ac vim queruntur. Movet cum patris maestitia, tum Brutus castigat lacrimarum atque inertium querellarum auctorque quod viros, quod Romanos deceret, arma capiendi adversus hostilia ausos.*
- 66 Blidstein, “Invoking Humans in Roman-Era Oaths”, 389 with references.
- 67 Hyg. *Fab.* 194 (a crew of a ship swears by a dolphin’s *manes*); Sen. *Controv.* 9.3 (pupil swears by the *manes* of his still living teacher).
- 68 Quint. *Inst.* 9.2.95.
- 69 “Swear by your father’s ashes, that lie unburied, and by your father’s memory” (*iuraper patris cineres, qui incondite sunt, iura per patris memoriam*, Sen. *Controv.* 7.praef.7), “Swear by your father’s and mother’s ashes, that lie unburied” (*iura per patris matrisque cineres, qui incondite iacent!*, Suet. *Gram. et rhet.* 30), and “Swear by your father’s ashes” (*iura per patris tui cineres*, Quint. *Inst.* 9.2.95).
- 70 Blidstein, “Invoking Humans in Roman-Era Oaths”, 389.
- 71 Dig. 12.2.1 (Gaius): “*Maximum remedium expediendarum litium in usum uenit iurisiurandi religio, qua uel ex pactione ipsorum litigatorum uel ex auctoritate iudicis deciduntur controuersiae.*” For voluntary oaths settling legal disputes, see Dig. 12.2.3.1; 12.2.9.1 (Ulpian); *TPSulp.* 28, 29; and the oaths by Caesar to settle disputes might be considered legal voluntary oaths as well, Suet. *Iul.* 85.
- 72 Sen. *Controv.* 1.1.3: “*Ergo fame morientem videbo per cuius cineres iuraturus sum?*”