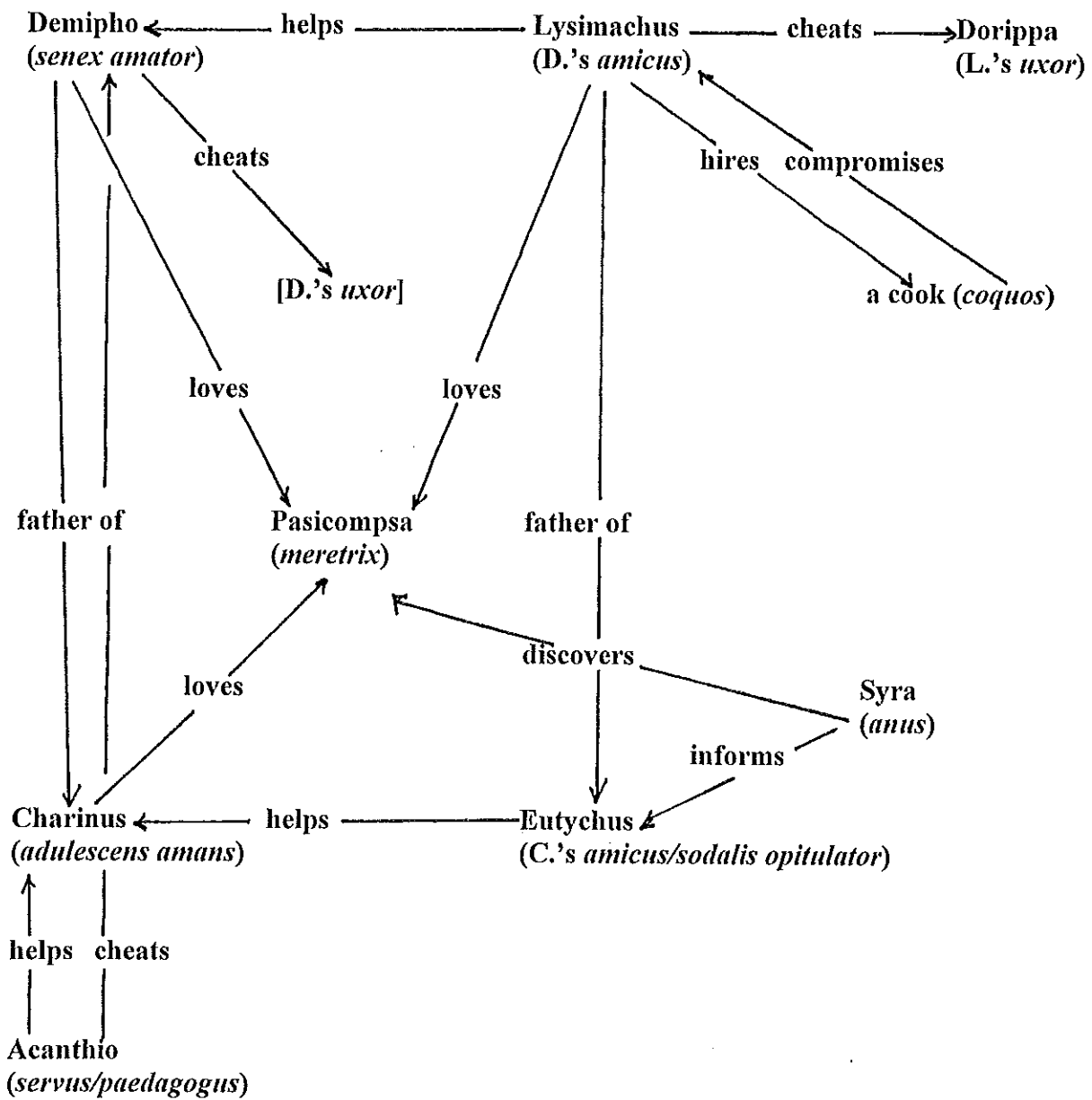


Lege dura vivunt mulieres:
 Syra's Complaint about Marital Double Standards (Plautus, *Mercator* 817-829)

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Colloquium Balticum XI
 Lund, 8-10 November 2012

(1) Plautus, *Mercator* (plot)



(2) Plautus, *Mercator* 784-791 (Dorippa – Lysimachus – Syra)

- DO. non miror sei quid damni facis aut flagiti.
785 nec pol ego patiar seic me nunc nuptam tam male
measque in aedis seic scorta obductarier.
Syra, ei, rogato meum patrem verbeis meeis,
ut veniat ad me iam semul tecum. SY. eo. [Syra off.]
LY. nescis negoti quid sit, uxor, obsecro.
790 cocepteis verbeis iam iusiurandum dabo
me numquam quicquam cum illa – iamne abiit Syra?
perii hercle! ecce autem haec abiit! vae misero mihi!
- DO. I'm not surprised if you're up to something that brings loss or shame.
785 By Pollux, I won't endure that I'm now in such a way so badly wed,
and that sluts are introduced in such a way into my own abode.
Syra, go to my father, ask him in my name
to come to me together with you now. SY. I'm on my way.
LY. You don't know what's going on, wife, I beseech you!
790 I'll take an oath in solemn formula now
that I never anything with her – has Syra gone now?
By Hercules, I'm done! But look, she's gone as well! Woe is me, poor wretch!

(3) Plautus, *Menaechmi* 770f. (Senex)

Nec pol filia umquam patrem accersit ad se,
nisi aut quid commissi aut <vir> iurgi est causa.

<vir> *Gratwick* iurgi *edd. vulgo:* iurgii *B²D* uigil *B¹* uirgi *C*

And, by Pollux, a daughter never summons her father,
unless either some entrusted valuable or the husband is the cause for complaint.

(4) Plautus, *Mercator* 803-816 (Syra – Eutyclus)

- SY. Era quo me misit, ad patrem, non est domi:
rus abiisse aibant. nunc domum renuntio.
805 EV. defessus sum urbem totam pervenarier:
nihil investigo quicquam de illa muliere.
sed mater rure rediit, nam video Syram
astare ante aedis. Syra! SY. quis est, qui me vocat?
EV. erus atque alumnus tuos sum. SY. salve, alumnule.
810 EV. iam mater rure rediit? responde mihi.
SY. cum quidem salute familiai maxuma.
EV. quid istuc negotist? SY. tuos pater bellissimus
amicam adduxit intro in aedis. EV. quo modo?
SY. adveniens mater rure eam offendit domi.
815 EV. pol hau censebam istarum esse operarum patrem.
etiam nunc mulier intust? SY. etiam. EV. sequere me. [Eutyclus off.]
- SY. Where my mistress sent me, to her father – he isn't at home.
They kept saying he'd gone to the country. Now I take this message back to our home.
805 EV. I'm tired out with hunting through the entire city:

I can't find out the slightest bit about that woman.
 But my mother has returned from the country, for I see Syra
 standing in front of our house. Syra! SY. Who is it that calls me?
 EV. I'm your master and your nursling. SY. Greetings, little nurseling!
 810 EV. Has my mother returned from the country already? Answer me.
 SY. Indeed, to the greatest benefit of the family.
 EY. What does that mean? SY. Your most upright father
 has brought a mistress into the house. EV. What!
 SY. When your mother arrived from the country, she she discovered her at home.
 815 EV. By Pollux, I'd never have thought that my father would do such things.
 Is the woman now still inside? SY. Yes. EV. Follow me.

(5) Plautus, *Mercator* 817-829

SY. [remaining on stage] Ecastor lege dura vivont mulieres
 multoque iniquiore miserae quam viri.
 nam si vir scortum duxit clam uxorem suam,
 820 id si rescivit uxor, inpunest viro;
 uxor virum si clam domo egressa est foras,
 viro fit caussa, exigitur matrumonio.
 utinam lex esset eadem quae uxori est viro;
 nam uxor contenta est, quae bona est, uno viro:
 825 qui minus vir una uxore contentus siet?
 ecastor faxim, si itidem plectantur viri,
 si quis clam uxorem duxerit scortum suam,
 ut illae exiguntur quae in se culpam commereant,
 plures viri sint vidui quam nunc mulieres. [Syra off.]

By Castor, women do live under a hard condition,
 and much more unfair, the poor things, than men.
 For if a husband has picked up a whore, unbeknown to his wife,
 820 and if the wife finds that out, it's not punishable to the husband.
 If a wife steps out of her home, unbeknown to her husband,
 the husband has a legal case, and she is expelled from the marriage.
 If only there was the same condition for the husband as for the wife!
 For a wife, who is a good one, is content with one husband;
 825 how should a husband be less content with one wife?
 By Castor, I bet that, if husbands were punished in the same way
 – if one has picked up a whore unbeknownst to his wife –
 as those [wives] are expelled [from marriage] who have accumulated guilt,
 that there would be more ex-husbands than there are now ex-wives.

(6) Gellius, *Noctes Atticae* 10, 23, 5

Verba Marci Catonis adscripti ex oratione quae inscribitur 'de dote', in qua id quoque scriptum est, in adulterio uxores deprehensas ius fuisse maritis necare: 'Vir', inquit, 'cum divortium fecit, mulieri iudex pro censore est, imperium quod videtur habet, si quid perverse taetrique factum est a muliere; multatur, si vinum bibit; si cum alieno viro probri quid fecit, condemnatur.' De iure autem occidendi ita scriptum: 'In adulterio uxorem tuam si prehensisses, sine iudicio inpune necares; illa te, si adulterares sive tu adulterare, digito non auderet contingere, neque ius est.'

I have copied the words of M. Cato from a speech called 'On the Dowry', in which it is also written that husbands had the right to kill their wives caught in adultery: 'When a husband', says he, 'has divorced his wife,

he judges the woman like a censor, and has full power to act as seems fit, if some wrong or turpitude has been committed by the woman. She is harshly punished, if she drinks wine; if she has committed something shameful with another man, she is condemned to death.' Further, on the right to kill her, it is thus written: 'If you should have caught your wife in adultery, you could kill her without trial and with impunity; but if you should commit adultery actively or passively, she should not dare to touch you with a finger, and it is not lawful.'

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