

LESBIANTIQUITY

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SENECA

**I KILLED A
FAKE-MALE
ADULTERER.
IS IT MURDER?**

LESBIANTIQUITY © Georgina Barker (Portknockie: Sapphizdat, 2024)

Seneca translation, introduction, and notes © LESBIANTIQUITY 2024

Latin & Greek text from: Michael Winterbottom, ed., *Seneca the Elder: Declamations, Volume I: Controversiae, Books 1–6* (Cambridge, MA: Harvard University Press, 1974)

Back cover art: 'Root & Branch Tree' © Emily Setzer 2024

THE TRANSLATORS

The LESBIANTIQUITY Collective

We translated this Seneca text as a group, during two workshops held over video chat and Google Docs in December 2021 and March 2022. The group was not the same twice, and not everyone who has translated for the anthology was present (and some people were present who in the end did not translate for the anthology). I [GB] selected Seneca for group translation simply because it is the only text in LESBIANTIQUITY that is in both Greek and Latin. I had not accounted for the fact that the text is so difficult (corrupt and lacunose), but the collective rose to the challenge admirably. Most significantly, the group brought diverse perspectives and expertise to our endeavour – philological and colloquial, medical and legal, lesbian-feminist and trans... – and the translation we produced is equally diverse. Of all the translations in this anthology, this group translation is perhaps the most 'Root & Branch' in spirit.

LUCIUS ANNAEUS SENECA (SENIOR)

The rhetorician and historian Seneca (the elder) was born around 58–53 BC in Cordova (modern-day Córdoba), a Romanised city in southern Spain.¹ His family, the Annaei, were wealthy equestrians of Etruscan or Illyrian origin. His childhood coincided with Rome's civil wars, so he only travelled to Rome for further education after they subsided, in around 38 BC. Over many years in Rome Seneca listened to every famous speaker of the age (including Ovid) except Cicero (whom Seneca admired greatly; he had been killed in the civil strife). Seneca seems to have travelled back to Spain fairly often; it was a comparatively easy journey of around twenty days. He may also have visited Crete or Asia, possibly in an official capacity. He married Helvia, who was intellectual and business-minded. Helvia bore Seneca three sons: Novatus (c. 8 BC in Spain), who became a successful politician (under the adoptive name Linius Gallio Annaeanus); Lucius Annaeus Seneca (the younger) (c. 4 BC – 1 AD in Spain), who became a politician (he was Nero's tutor and advisor), philosopher, playwright, and satirist; and Mela, who became a wealthy procurator and father of the epic poet Lucan. Seneca lived through the end of the Roman Republic and the reigns of the emperors Augustus, Tiberius, and Caligula.² He died a very old man in Spain in around 37–41 AD.

Seneca wrote his rhetorical works, instructive examples of speeches he had heard, addressed to his sons: *Controversiae* ('Practice Court Cases', ten books) and *Suasoriae* ('Practice Deliberative Speeches', two or more books), around half of which survive.³ He also wrote a history of Rome from the beginning of the civil wars up to the end of his life, which is now lost.⁴

¹ All information in this paragraph is from Sussman (1978) pp. 19–24.

² Sussman (1978 pp. 32–3) infers that Seneca was anti-imperialist (he lamented the repressions of Cicero and others, book-burnings, and the decline of rhetoric under autocracy) but also a pragmatist, who worked the imperial political system to his family's advantage.

³ Sussman (1978) p. 34.

⁴ Sussman (1978) p. 137.

Our tribads appear in the *Controversiae* – the fictional lawsuits – in a section devoted to *colores*, which were ‘subtle, unusual, and clever twists of circumstance and argumentation by which the declaimers tried to alter the interpretation of the facts in a case’, usually ‘either to intensify or mitigate the blame of the accused’.⁵ Paradoxically, Seneca quotes this *color* about tribads (itself being quoted by the orator Scaurus) as an example of obscenity that should not be included in a speech.

Here the *controversia* (hypothetical case) is a murder trial of a husband who killed his wife and her female lover.⁶ The *color* (attendant circumstance) is the dead lover, whom the orators (defending the husband) both depict as very masculine in order to mitigate the husband’s crime.⁷ This is because the fact of the killing is indisputable, but if the orators can convince their audience that the husband thought he was killing a man, the crime ‘would no longer fall under the statutory offense of murder, but would benefit from exculpatory clauses concerning adultery and *flagrante delicto*’.⁸

As Boehringer points out, the orators’ depiction of the murdered tribad as mannish proves that there was no Roman law condemning sex between women as adultery (or they would simply have relied on this to exculpate the husband). But it can by no means be relied on as a true representation of Roman lesbianism ‘based on the asymmetrical model of a feminine partner and a masculine partner, of a nontribadic wife and a tribade’ – it is after all just rhetoric.⁹

Besides the fictions upon fictions and quotes upon quotes that make this account of tribads unreliable, the text itself is very corrupt and in places difficult to interpret with certainty.

⁵ Sussman (1978) p. 34.

⁶ Though the trial focuses on the murder of the lover, the fact that both women were killed is borne out by Seneca using this identical construction elsewhere to mean the murder of a wife and her (male) lover (Boehringer 2021 p. 251 n. 207).

⁷ Boehringer (2021) p. 253.

⁸ Boehringer (2021) p. 253.

⁹ Boehringer (2021) pp. 254, 253.

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ROOT & BRANCH READING GUIDE

Our translations branch out to explore
a variety of options for the text:
any variants in the original <Greek
Latin> texts
and the various possible meanings in English.

Our translations are rooted in the words
of the original text, replicating when possible
word order, root meanings of words, and
grammatical gender $\left(\begin{matrix} [n] \\ [f] \\ [m] \end{matrix} \right)$ of words about people.

You, the reader, will choose which branches you prefer to follow.

CONTROVERSIAE 1.2.23

Hybreas, [Scaurus] said, when he was ~~<speaking the
telling a>~~
<controversia
hypothetical case>, about <the man
that guy> who caught and <killed
cut down>
<tribads
dykes>, began to describe (the effect on the husband
the husband's reaction
the husband's state),
<from whom
in which> a dishonourable <examination
investigation> should not be
(compelled
demanded): *but I first* <peered down at
scoped out> the 'man', [to see] if
exacted
(he was
they were
she was) <born-that-way
natural-born> or <stitched-together
sewn-on>.
Grandaus, an equally 'Asiatic' <declaimer
bloviation>, when he was
speaking in the same <controversia
hypothetical case>: "not for that would
<killing
cutting down> adulterers not be <allowed
suffered>", he <spoke
said>:
and if it was a fake-male adulterer [m] I had caught.



Hybreas, inquit, cum diceret controversiam de illo qui tribadas apprehendit et occidit, describere coepit mariti adfectum, in quo non deberet exigi inhonesta inquisitio: ἐγὼ δ' ἐσκόπησα πρότερον τὸν ἄνδρα, <εἰ> ἐγγεγένηταί τις ἢ προσέρραπται.

Grandaus, Asianus aequè declamator, cum diceret in eadem controversia: "non ideo occidi adulteros non paterentur," dixit: εἰ δὲ φηλάρρενα μοιχὸν ἔλαβον.

NOTES

- *Hybreas*: a famous Greek orator from Mylasa, active c. 32 BC (Winterbottom 1974 vol. 2 p. 626).
- *Scaurus*: Roman orator and poet Mamercus (Aemilius) Scaurus, consul under Tiberius, with whom he quarrelled (Winterbottom 1974 vol. 2 p. 626).
- *inquisitio*; *examination/investigation*: a legal inquisition, a seeking for proofs or grounds in support of an accusation, which could be either an examination in court or a physical examination.
- *ἐγὼ δ'...*; *but I...*: Scaurus and Seneca both report the original words of the husband verbatim, i.e. in Greek (represented by italics in the translation).
- *<εἰ>*; *if*: supplement by Bursian.
- *τὸν ἄνδρα, <εἰ> ἐγγεγένηται τις ἢ προσέρραπται*; the 'man', [to see] if they were / he/she was born-that-way/natural-born or stitched-together/sewn-on: after asserting that the tribad was 'the man' – which could be taken literally or metaphorically – the Greek remains gender-neutral. The question whether the woman was a man 'by birth or by *stitchery*' probably suggests a dildo attached to their body (Boehringer 2021 p. 252). An early example of the biological determinism vs. social determinism debate?
- *Grandaus*: an otherwise unknown orator (the name may be corrupt for Cranaus or Granianus) (Winterbottom 1974 vol. 2 p. 626).
- 'Asiatic': (derogatory; as opposed to the Attic [Athenian] style) a speaking style with lots of rhetorical flourishes (see Winterbottom 1974 vol. 1 p. xv).
- *non ideo occidi adulteros non paterentur*; *not for that would killing / cutting down adulterers not be allowed/suffered*: Grandaus speaking (*occidi* could mean 'I killed / cut down', and if so it would be the husband speaking, but the grammar of the rest of the sentence and it being reported in Latin rules this out). The second *non*, 'not', of the manuscripts' double negative was deleted by the editor, but we concluded it should be put back in, since the resulting positive phrase 'for that, killing / cutting down adulterers would be allowed/suffered' makes perfect sense in the context of Roman law (see the introduction).
- *εἰ δὲ ... ἔλαβον*; and if ... I had caught: the husband continues speaking.
- *φιλάρρενα*; fake-male: one manuscript reads *φιλάρρενα*, 'man-loving', a possible comparison between female and male homosexuality (Boehringer 2021 p. 251 n. 207) – but this was probably a scribal error.



Andy Dwyer

LEVERHULME
TRUST —————

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