

Call for Papers

**The Right to Burial and the Boundaries of Belonging
Foreigners and Funerary Spaces in Antiquity**

DemoCIS Project

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Ian Morris interprets the rise in the number of funerary markers in Greek *necropoleis* as evidence of broader access to a "formal burial" – that is, burial made visible and permanently marked – for a larger part of the population. This type of burials is opposed to burials without a lasting marker, whose absence makes it impossible to determine whether it reflects exclusion or simply archaeological loss. Access to formal burial was not, however, universal. Probably restricted to specific groups, it changed across time and space, with its fluctuations seemingly linked to the development of the *polis* and to the definition of the civic body. Indeed, the right to own land is closely connected to the right to receive burial – understood as the possibility, for an individual, of receiving a funerary plot, and celebrating funerary rites with different degrees of ostentation. The scope for negotiation surrounding funerary right deserves further investigation. Funerary markers thus carry a political dimension tied to membership in the community.

To understand these variations, one should firstly assess the legal framework regulating the access to property and use of funerary spaces, without assuming any strict correspondence between legal norms and actual practices. In many Greek cities, land ownership marked the – admittedly porous and negotiable – boundary between citizens and non-citizens. However, the conditions to obtain and to pass on funerary plots varied according to local contexts. The category of "foreigners" encompassed a wide range of legal statuses: metics, *isoteleis*, non-citizen persons temporarily dwelling in a city, and so on. These distinctions invite closer examination of the various strategies used by individuals and groups to gain access to visible burial sites.

Extensively studied, the Athenian case has often served as the main model for analyzing the link between funerary practices and citizenship. The Kerameikos, Athens' principal cemetery, is an emblematic example in this respect¹. Here, funerary representations appear to reflect social distinctions rather than political ones. Recent research has shown that the acquisition of family *periboloi* – enclosures demarcating and defining a funerary concession – was closely linked to land ownership and citizenship. At the same time, it also reveals the scope for negotiation made possible by the granting of *enktesis* – a right to own land, normally reserved for citizens, but which the city could, exceptionally, grant to foreigner individuals – or through intermediaries².

The Athenian evidence, however, does not fully answer the question. Other contexts reveal the decisive role played by collective organizations in the management of funerary spaces³. At Rhodes, in particular, private associations such as cultic or professional groups, often composed of foreigners, appear as major actors in the acquisition and shared use of funerary enclosures. This dynamic created opportunities for integration for individuals who did not necessarily have direct access to property⁴. Other regions, particularly marked by mobility and intercultural contacts, are still to be explored from this perspective.

These local variations invite reflection on the notion of "*Free Spaces*"⁵, a conceptual framework developed in socio-political studies and applied here to the Ancient world. Transposed to ancient *necropoleis*, this concept helps to reframe our working question: did funerary spaces function as intermediate territories in which individuals of different legal

¹Guicharrousse Romain, *Athènes en partage : les étrangers au sein de la cité (Ve-IIIe siècles av. n. è.)*, Paris, 2022 ; Sawtell Carrie L., *Non-Citizen Commemoration in Fifth and Fourth Century BC Attica*, PhD thesis, Sheffield, 2018.

²Faraguna Michele, "Società, amministrazione, diritto : lo statuto giuridico di tombe e periboloi nell'Atene classica", in Legras Bernard, *Symposion 2011: Vorträge zur griechischen und hellenistischen Rechtsgeschichte*, Vienna, 2012, p. 165-185 ; "Lo statuto giuridico delle tombe nel mondo greco in Attica e al di fuori dell'Attica: un'analisi comparativa", in Bérard Reine-Marie (dir.), *Il diritto alla sepoltura nel Mediterraneo antico*, Rome, 2021, p. 129-152 ; cf. also Zelnick-Abramovitz Rachel, "Whose Grave is this? The Status of Grave Plots in Ancient Greece", *Dike - Rivista di Storia del Diritto Greco ed Ellenistico*, vol. 18, 2015, p. 51-95.

³Zelnick-Abramovitz, "Whose Grave is this?", *art. cit.*, p. 61.

⁴Boyxen Benedikt, *Fremde in der hellenistischen polis Rhodos*, Berlin, 2018 ; Maillot Stéphanie, "Associations and Death: The Funerary Activities of Hellenistic Associations", in Cazemier Annelies, Skaltsa Stella (eds.), *Associations and religion in context: the Hellenistic and Roman Eastern Mediterranean*, Liège, 2022, p. 147 ; "Foreigners' Associations and the Rhodian State", in Gabrielsen Vincent, Thomsen Christian A., *Private associations and the public sphere: proceedings of a Symposium held at the Royal Danish Academy of Sciences and Letters, 9-11 September 2010*, Viborg, 2015, p. 136-182.

⁵Vlassopoulos Kostas, "Free Spaces: Identity, Experience and Democracy in Classical Athens", *Classical Quarterly*, 57, 1, 2007, p. 33-52. Expression borrowed from American socio-political studies: Evans Sara Margaret, Boyte Harry Chatten, *Free spaces: the sources of democratic change in America*, New York, 1986.

status could mingle and construct forms of collective identity that transcended legal distinctions after death?

Hence, we seek to examine the gap between juridical definitions and the realities of funerary practice. While the funerary space may have been accessible to certain categories of individuals, a considerable part of the population still remained excluded from it, particularly those who left no visible archaeological trace. Is such invisibility the result of legal exclusion, economic marginalization, or simply the uneven survival of archaeological evidence?

These practices raise several questions. Do funerary groupings based on membership in associations reflect mechanisms of exclusion imposed by existing legal frameworks, or do they represent forms of voluntary solidarity⁶? To what extent do funerary spaces reveal forms of belonging that do not fit in the categories defined by law? The study of the gaps between legal norms, social practices, and the spatial organization of *necropoleis* thus provides a privileged field for analyzing how ancient communities negotiated their boundaries and the ways of inclusion and exclusion.

The conference aims to adopt a diachronic perspective, spanning from the Archaic period to Late Antiquity, in order to examine the various forms of territorial organization and access to funerary spaces across different legal and cultural contexts. This chronological scope encompasses the Greek world as a whole. However, from a comparative perspective, paper proposals focusing on other cultural areas are also welcome, as they will allow for enquiries into how different juridical and social contexts shape access to funerary spaces.

This chronological and geographical perimeter calls for a resolutely interdisciplinary approach, bringing together funerary archaeology, epigraphy, and legal history. Contributions from the social sciences (particularly sociology and political science) are also welcome, in order to consider legal norms and social practices together.

This event is part of the work of the “Laboratoire des initiatives citoyennes du passé” (DemoCIS, Challenge 2), which approaches history as a privileged field for observing citizenship and civic engagement – including in their “ordinary” forms, at the margins of, or in tension with, official legal frameworks – from Antiquity onward and from a comparative perspective. By examining the gap between civic status and membership expressed within

⁶Shea Timothy, *Mapping Immigrant Communities through Their Tombstones in Archaic and Classical Athens*, PhD thesis, Durham, 2018.

funerary spaces, this conference extends that reflection, exploring how individuals who were legally excluded from citizenship could nonetheless, through other means – associations, intermediaries, or local habits – create forms of collective belonging after death.

We are particularly interested in contributions that explore:

- the means of access to funerary spaces and the link between legal norms and actual practices;
- the distribution of burial plots within *necropoleis* and the principles governing their spatial organization and hierarchization;
- the role of monumental *periboloi*, funerary enclosures, and other forms of marking the space of the dead in the construction of individual and collective identities;
- the interactions between legal status, civic belonging, social position, and funerary visibility;
- the strategies used by individuals, families, or associations to gain access to prestigious or regulated funerary spaces;
- the location of funerary spaces within urban and extra-urban contexts;
- the negotiation and expression of membership in funerary spaces, particularly in relation to mobility, migration, or intercultural contacts;
- comparative approaches to the organization and management of funerary spaces across different legal, cultural, and chronological contexts.

Submission of abstracts

Titles and abstracts of up to 1800 characters, including spaces, should be submitted to:

colloque.droit.sepulture.terre@gmail.com

We welcome papers in both French and English. We also ask for a short biographical note: surname, first name, current position, research field, thesis topic, and current research affiliation. Proposals will be reviewed by a scientific committee.

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