

Gender and Exemplarity in Valerius Maximus

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PhD Abstract – Rebecca Langlands
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This thesis is a literary study of Valerius Maximus' *Facta et Dicta Memorabilia*, with particular focus on chapters 6.1 (about the quality of *pudicitia*) and 8.3 (on women who speak in public). It explores the process by which *exempla*, the material of Valerius' work, communicate their moral messages to their readers, and the role that gender, as a rhetorical tool, plays in this process.

The *exemplum* is a formal rhetorical device employed in speeches and treatises and as such belongs to the elite and masculine world of oratory. Yet it is also a tool of moral education, and its truncated narrative draws on and manipulates stories from a popular tradition which is less gender and status specific. Valerius' text mediates between the two and offers us a glimpse of Roman culture beyond the narrow world of the orator. Despite being an important source for the Tiberian era, as the ubiquity of decontextualised citations from it in the footnotes of contemporary historical scholarship testifies, Valerius' work has never been the subject of detailed literary analysis before.

Part I is an introduction to the *Facta et Dicta Memorabilia*. Recent work on Valerius' text has viewed it as a mere handbook for orators and as a work of little literary interest, and it is argued here that the work is in fact designed to inspire and teach, to conjure up a vivid display of heroic deeds, and is worthy of close study as a work of literature. Structure, context and progression have a central function in Valerius' work, and it should be read as a continuous piece, and not simply plundered for examples.

Parts II and III are detailed studies of two chapters from Valerius' work. In 6.1 the exemplary narratives deal with the quality of *pudicitia*, and issues surrounding sexual crime and its punishment in ancient Rome. In 8.3 the tales of three women who give speeches in public raise issues about the relationship of oratory to Roman conceptions of "masculine" and "feminine". These sections explore the work's differentiation of the sexes through narratives and the use of language, and the way Valerius uses gender to lend moral and educational force to his *exempla*. Parts I and II also examine in detail the relationship between the stories which are told in these chapters and the moral messages which they convey.

My study makes clear that Roman ideas about "male" and "female" were complex and often alien to us. They are also often put to rhetorical use in the exemplary context, and thus drawing conclusions from the text about Roman "attitudes" is not a straightforward matter. In addition, my study of Valerius' work as "literature" has important implications for the way that it is currently used as a historical source; Valerius should be brought out of scholarly footnotes and his *exempla* recontextualised within an understanding of the text as a literary whole. A deeper exploration of the way that Roman *exempla* function as didactic tools leads to the methodological question of what *exempla* in general and Valerius' text in particular can tell us about Roman culture; my thesis begins to address this question.

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R Langlands

INTRODUCTION

All cultures tell stories about exemplary figures, heroes and villains, as a way of articulating ideas about morality and the workings of the world, and of transmitting these ideas to subsequent generations. The kinds of tales differ from culture to culture – fairy tales, fables, urban myths, scholarly biography, encyclopaedias of national heroes – as do the means of transmission. For the ancient Romans the handing down of literary *exempla* played such a cultural role: “Romans traditionally perpetuated their moral values through retelling *exempla* (rather than through systematic moral philosophy or sacred texts).”¹ Yet this tradition was formalised and systematised in ways to which the modern reader is not accustomed. *Exempla* were conventionally very brief narratives about well-known figures from the past; their power to inspire and teach rested partly on the fact that they were *historical* rather than fictional, that the deeds they described were supposed really to have been performed, and partly on the fact that they had been related by well-respected textual authorities. The very structure of the *exemplum* was formalised: the short narrative was usually encased in authorial comment including an explicit pointer from the author about the moral which should be learned from it, so the interpretation of the story was apparently determined by its narrator.

“*Exempla* serve as guides to the cognitive map of Rome, to the shared norms, values and symbols that made up Roman culture”² and are, therefore, a wonderful source of information for the modern reader about Roman moral thought. For this reason I was attracted to the work of Valerius Maximus, *Facta et Dicta Memorabilia*, which contains around a thousand such tales, arranged according to various moral themes, as a source of information about the ways Romans differentiated between men and women when it came to the moral sphere. For although Roman exemplary heroes tend to be male, a substantial proportion (about one tenth) of Valerius’ tales have female protagonists. Indeed, some years ago Judith Hallett drew attention to the work as a largely untapped source of information about women in ancient Rome: “Facta et

¹ Saller 1994, p. 102.

² Parker 1998, p. 152.

Dicta Memorabilia provides much evidence about the lives and images of Roman women...³

I set out to ask what kind of stories were told about men and about women, and which virtues and vices were associated with either sex. In particular, I was interested in the paradox of the heroic female in a culture in which morality was so gendered that the word for the peak of moral excellence, *uirtus*, also meant manhood or masculinity, and cowardice and moral weakness were described by words such as *muliebris*. For despite the fact that this dichotomy between the sexes was a central feature of Roman moral thought, praise of women was also a Roman convention,⁴ and the Romans did hold up female heroes such as Cloelia, Lucretia and Porcia as exemplary models. This paradox has rarely been addressed by modern scholars.⁵

However, as I began to read the text, I realised that despite the apparent pointedness of the *exemplum* - where the authorial comment attempts to pin down the meaning - the process by which a message is communicated to the reader is in fact a complex one.⁶ Since *exempla* explicitly make reference to shared cultural knowledge - an *exemplum* is designed to trigger memories of familiar narratives - the reader has an extremely important part to play in realising the meaning of the *exemplum* and activating the learning process.

It soon became clear that the process by which a snatch of narrative, even one as apparently pointed as a Roman *exemplum*, contributes to or reflects systems of moral thought is by no means a straightforward one. In addition, gender, the system of shared beliefs about differences between men and women, is itself a rhetorical tool, which Valerius uses to shape the reader's interpretation of the narrative, and to structure the relationship between the reader and the story. In other words, "gender" is not a set of ideas which is laid out for us in the pattern of the *exempla* to be revealed by analysis; it is an active ingredient in the process that takes place when somebody reads an exemplary tale.

³ Hallett 1993, p. 49.

⁴ See e.g. Plut., *Mor.* 242F.

⁵ The best account of the phenomenon is that of Hallett 1989.

⁶ For an analysis of such a process at work in modern ideological novels see Suleiman 1983; Gazich 1990 and 1995 begins to explore exemplarity as a Roman phenomenon.

My thesis is, in part, a study of the exemplary learning process which is set in motion by reading Valerius' work. In particular, I address the way gender as a moral and rhetorical category interacts with this process. Parts II and III offer detailed analyses of two of Valerius' chapters (6.1 and 8.3 respectively) which ask, among other questions, what moral messages they teach and how they teach them. Part I provides an introduction to Valerius Maximus *Facta et Dicta Memorabilia* arguing that the nature of the text has been widely misunderstood, and that it repays the sensitive and careful reading which this thesis aims to offer.

PART I

An introduction to Valerius Maximus

Facta et Dicta Memorabilia

Valerius Maximus, *Facta et Dicta Memorabilia*...

1) ...as a reference work

2) ...as a gallery

3) ...as literature

4) ...as a historical source

“The book is not literature and cannot be read continuously.”⁷

1) ...As a reference work

The above citation from a recent survey of Latin literature by a highly regarded scholar summarises the dominant twentieth-century⁸ conception of Valerius' work. Valerius Maximus is Mr Footnote; in the notes of scholarly works on Roman history references to his work are ubiquitous. There is rarely any discussion of them in the main text, but I doubt if there is any recent work on any aspect of ancient Roman history whose arguments are not bolstered by at least a couple of references in the notes to his *Facta et Dicta Memorabilia*.⁹ The work, a compilation of *exempla*¹⁰ and anecdotes in nine volumes from the first century CE during the reign of Tiberius,¹¹ is

⁷ Fantham 1996, p. 132-3.

⁸ Attitudes to Valerius Maximus' work prior to the nineteenth century are another story altogether; for example his work was a much admired source of moral anecdotes imitated and re-employed by medieval Christian writers, and was found in the libraries of many great Renaissance thinkers. (See e.g. Von Albrecht 1997, pp. 1081-2 for some indication of his influence.) However enticing this aspect of the text's history, the scope of this thesis is limited to recent scholarship and to the Tiberian context in which it was originally written and read.

⁹ Cf. “Valerius has traditionally been mined, not analyzed.” Mueller 1994 p. 15 n. 2.

¹⁰ The Roman *exemplum* is a rhetorical figure of speech containing a brief narrative employed by orators when they wished to call upon the authority of the past in order to illustrate or support an argument or to suggest precedents for action. It is also a tool of moral education, inspiring to great deeds or offering models of behaviour to be imitated or avoided. For ancient definitions see Quintilian 5.11, *Rhetorica ad Herennium* 4.44.62 and Cicero *de Inventione* 1.30.49. An introduction to the rhetorical aspects of the *exemplum* can be found in Lausberg 1998, pp. 196-203, and to the ideological and moral aspects in Litchfield 1914. There is a fuller introduction to and reference to bibliography on *exempla* from page 16 below.

¹¹ The dating of the work is inconclusive, based as it is upon uncertain internal references; it is generally accepted that it was written during the reign of Tiberius, to whom it is dedicated and who is addressed several times in the work. The widely held assumption that the story at 9.11.ext.4 refers to the downfall of Sejanus leads to the conclusion that the earliest possible date for this final book is 31 CE (this is the date accepted by Bloomer 1992, p.1 n.1 and Skidmore 1996, p. xv). Bellemore 1989 argues plausibly against this view and for a publication date earlier in Tiberius' reign. For full discussions see Bellemore 1989, Carter 1975, pp. 30-4, Mueller 1994, pp. 16-7, Wardle 1998, pp. 1-6.

nowadays drawn on as a mine of information about Roman history and society. It is full, in the words of one handbook, of “useful scraps of information”,¹² some of which do not appear in any other ancient source.

The nature of the material and the way that it is laid out in the edition which scholars were, until recently, likely to have to hand (the 1888 Teubner edition by Kempf, reprinted in 1966¹³), encourage the use of the text as a source of scholarly snippets; each anecdote is short, to the point and self-contained, separately numbered within the chapter in which it appears, and every reference to a named individual appears in the index. If one is interested in a particular figure from Roman history, or a particular temple or festival, it is simplicity itself to look the name up in the index (where, significantly, the reference given is to the page number, rather than to the chapter in which it appears), turn to the relevant page and lift the whole story, which is already neatly separated into its own section, out of the main body of the text, citing it (in a footnote) as evidence of whatever it may describe. There is no need, during this procedure, to give any thought to what the story was doing in Valerius’ work in the first place, what its context may be, or to how it may work in its natural surroundings.¹⁴

Nor do the descriptions of Valerius’ work which one encounters in general introductions to Latin literature suggest that there would be any benefit in reading the

It would be very helpful to be able to pinpoint more precisely the date of publication, but it would not affect too dramatically my interpretation of the work. The most one can say for certain is that was written during the rule of the Julio-Claudian family, it is apparently favourable to them, and it has been shown to reflect ideologies of the imperial regimes of Augustus and Tiberius (see e.g. Mueller 1994 and 1998). I shall discuss the relationship of the work to Tiberius and the imperial family and to sexual *mores* (in Part 2 pages 72-6), in the context of Valerius’ chapter on *pudicitia*. See also below pages 41-2.

¹² Rose 1936, pp. 356-7.

¹³ Replaced now by Briscoe 1998, whose text I follow throughout unless otherwise indicated.

¹⁴ A preface to each individual chapter is generally acknowledged, but Valerius’ comments on and digressions from his exemplary material are not indicated by the conventional system of numbering sections of the work (Book.chapter.section). The numbering of chapters, and of sections within chapters, differs between editions, and I follow that of Briscoe 1998, who notes that the numbered sections do not always correspond exactly to the number of *exempla* contained in each chapter; sometimes a preface contains an *exemplum*, or more than one *exemplum* appear in one section, or a preface or digression is subsumed within a section (see Briscoe 1998, Praefatio XXVII for some examples – more will become apparent during my analysis of the work.) Modern editions, following the manuscripts, give each chapter a heading which reflects the material it contains (e.g. *de felicitate, sapienter dicta aut facta* chapters 8.1 and 8.2). It is uncertain whether these are original; Briscoe thinks it unlikely (Praefatio XXVII). They often repeat words or phrases from the main text (cf.

work more thoroughly. It is disparaged both for what is thought of as its overly rhetorical and clumsy style and for the derivative nature and frequent historical inaccuracy of its content, and is reduced to the status of a catalogue of very little literary merit.¹⁵

Just as the layout of Kempf's edition implies that the *Facta et Dicta Memorabilia* is a collection of disparate bite-size chunks, so the language used to characterise the work justifies the way it is exploited by historians. It is an encyclopaedia, "a reference work,"¹⁶ "a dictionary of rhetorical exempla,"¹⁷ "a text-book of Roman history,"¹⁸ "A Repertory for Speakers,"¹⁹ "a rhetorical scrap-book,"²⁰ or "the ancient equivalent of a Dictionary of Quotations."²¹ In other words, it is a dry, "factual" list of events, catalogued in a highly organised way in order to make them accessible to those who might want to use this as a reference work. Nowadays it is Roman historians who use it as such, but traditionally it has been thought that the work was designed as a reference tool or practical handbook for orators; these would consult it in search of appropriate examples to insert in the speech which they were composing.²²

Combès 1995, p. 24), and they certainly break up the fluency of the text, on which more below. See also Wardle 1998, p. 6 n. 22.

¹⁵See for example Duff 1927, pp. 54-66, Vessey 1982, pp. 501-2 or Conte 1994, pp. 381-2. In many criticisms there is an underlying sense of personal repugnance, even of outrage and indignation, as though Valerius Maximus himself were some kind of pretentious upstart, offensive to the critic. One handbook informs us that the stories "are set forth in a most atrocious style, bombastic, would-be clever, full of artificial and at the same time clumsy and obscure phraseology" (Rose 1936, p. 356.) "Alas," writes another, "his ambitions carry him no further than the kind of inflated puerility with which we are by now only too familiar" and he suffers from "stylistic *insania*," (Leeman 1963, p. 254) "has an 'irritating manner,'" (Rose 1936, p. 356) and "the style...is heavy and pompous almost to obscurity. The points are mostly obvious and feeble" (Summers 1920, pp. 148-9). Crueller still: "the actual pronouncements cannot hide the shallowness of the author's intellect" (Gwynn 1926, p. 172.)

¹⁶Fantham 1996, p. 133.

¹⁷Gwynn 1926, p. 172.

¹⁸Ibid. p. 173.

¹⁹Title of section on Valerius Maximus in Duff 1927, p. 54.

²⁰Kleijwegt 1998, p. 105.

²¹Carter 1975, p. 36.

²²E.g. Duff 1927, p. 56, Vessey 1982, p. 501, Gwynn 1926, p. 172, Marrou 1956, pp. 285-9, Fantham 1996, p. 133 etc.. Sinclair 1984 writes (p. 140): "it is abundantly clear that his purpose in compiling the *Facta et Dicta Memorabilia* was to equip rhetoricians and declaimers with a comprehensive repertory of historical exempla." This is the purpose for which Iulius Paris, centuries later, claims to have made his epitome of Valerius' work: *ut et facilius inuenires si quando quid quaereres, et apta semper materiis exempla subiungeres* (Iulius Paris *Epitoma*, Preface), and this seems to have coloured some scholars' view of Valerius' own work. The full text of this epitome, probably written sometime in the fourth century, can be found in Briscoe 1998, along with that of Ianuarius Nepotianus.

Valerius' work, so beautifully laid out for historians as a text to which one may refer and then refer others, has not been presented as a text which one might read large parts of or study for its own sake;²³ until very recently there has been no easily accessible English translation, no Loeb edition, no modern edition of the text, no commentary, no introductory monograph.²⁴ This is "a book which few students of Latin literature take the trouble to read; and they do well."²⁵ The lack of interest in the work is such that Elaine Fantham can make the assertion with which I began this introduction: "The book is not literature, and cannot be read continuously."²⁶

*

However the very fact that in order to serve a practical purpose for orators and declaimers the work was felt to need abridging by Iulius Paris and Ianuarius Nepotianus (see note 22 above) should make us suspicious; indeed it is difficult to access Valerius' *exempla* in the manner which seems to be envisaged without the help of an index, or a list of contents at very least. Valerius' own statement of purpose is less specific: his work is for *documenta sumere uolentibus*, and his preface is explicit about a moral programme, as several scholars have recently argued.²⁷ Wardle has an

²³ As recent scholars of Valerius' work have noted: "Valerius was to me one of those authors into whom historians dip for minor details, not one to be read continuously or to be evaluated in his own right." (Wardle 1998, Preface p. v). Cf. Mueller 1994, p. 3: "Valerius has been neglected or ignored as an 'author.'"

²⁴ Until the very week in which I submit this thesis, the only full translation in English has been that by Samuel Speed which dates from 1678 and is not widely available; most English-speaking students of the Classics will have graduated without even knowing of Valerius' existence (the Loeb edition, translation by D. R. Shackleton Bailey, has just arrived in the bookshops, and I have no doubt that studies of Valerius Maximus will be transformed.) Speakers of other European languages have fared better; there is an easily accessible Italian translation for example (Faranda 1971) and in French there is the translation by Constant (1935) and the Budé edition (Combès 1995 & 1997), of which vol. III (which contains Books 7-9) is still pending. Wardle 1998 provides an English translation of Book 1 with a useful and detailed commentary, but this, together with the minimal notes supplied by the Budé edition, is all there is at the moment in the way of commentary on the text.

Prior to the 1990s, Valerius tended to be written about only when strictly necessary, i.e. in the context of a general survey of Latin literature in which Valerius must be included (as Mueller 1998 points out, some scholars refused to include Valerius' in their surveys at all (pp. 221-2))! Such are the introductory essays of Carter 1975, and most substantially Maslakov 1984 in *ANRW*. The last ten years however have seen a modest burgeoning of studies in the field; two monographs (Bloomer 1992 and Skidmore 1996) have begun to set the work in its social and literary context. There is now a new and much improved Teubner edition of the text (Briscoe 1998), and David (ed.) 1998 and Mueller 1994 and 1998 set out to explore Valerius' ideology.

²⁵ Gwynn 1926, p. 172.

²⁶ Fantham 1996, pp. 132-3.

²⁷ E.g. reviewing Bloomer 1992, Winterbottom calls the work not a "handbook for orators" but "a handbook for living" and claims that the text has "an avowedly moral purpose, to influence the behaviour of the reader." (Winterbottom 1994, p. 501). Skidmore too argues that Valerius' intention

excellent summary of recent debates about the purpose of Valerius' work,²⁸ and argues in conclusion that the work has indeed a "serious moral purpose," but that it was primarily intended for those at "the advanced stage of the elite Roman's education" in rhetoric.²⁹ There is no doubt that the *exemplum* is an instrument of rhetoric and that Valerius' work grew out of the tradition of Roman oratory and would have been of interest to those involved in public speaking.³⁰ However this group included most literate Romans, since rhetoric formed the basis of a Roman education.³¹ In addition, the practical, rhetorical dimension need not preclude the moral; indeed oratory and morality were closely associated: to learn from *exempla* was to learn how to be a good citizen as well as how to speak well.³²

*

In contrast to that of many previous scholars who have read Valerius Maximus' work, my own working assumption has been that Valerius' work *will* bear literary analysis and that it *is* designed for sequential reading. This thesis represents an experiment; subjecting the text to the kind of close reading which is given to texts designated as "literature" but which has, until now, been denied to Valerius.³³ My initial premises are that the work should be viewed as a continuous whole to be read in the order in which it comes,³⁴ that its purpose is didactic, and that the intention is to teach the reader through historical *documenta* about virtue, vice and other aspects of human life. There is no doubt that this work is a resource of a kind for educated Romans, but a much more *Roman* kind of resource than that which is imagined by scholars who label it a reference work or encyclopaedia. This storehouse of examples is designed to be accessed not via an index, but via the memory and the imagination.

was "to provide moral guidance on every subject his readers might require" (Skidmore 1996, p. 103). Indeed his seventh chapter is entitled "Valerius' Moral Purpose" and he describes the work as "a source of moral exhortation and guidance" (Introduction p. xvii.). See also below pp. 18-24.

²⁸ Wardle 1998, pp. 12-15.

²⁹ Ibid. p. 14.

³⁰ Cf. Albrecht 1997, p. 1076: "Valerius' work is the product of the school of rhetoric, without being intended for orators exclusively."

³¹ Cf. Bonner 1977, Marrou 1956, especially pp. 284 ff., Dominik 1997, pp. 3-11.

³² As Quintilian's handbook makes very clear (see esp. 1.9.18).

³³ Even those who take the work seriously such as Bloomer, Skidmore and Mueller do not study it in literary terms.

³⁴ Despite Fantham's assertion, this does tend to be assumed by those who study Valerius closely (e.g. Wardle 1998, p. 15: "his was a text that could be read continuously"), and it is made fairly clear by the author himself.

2) ...As a gallery

*humanae uitae partes persequi propositum est...*³⁵

Mnemonics

A strong memory, the ability to visualise things clearly in the mind, and in particular the ability to memorise and then reel off by heart long lists of items in order, were qualities highly valued by Roman orators. Seneca the Elder boasts to his sons of his extraordinary prowess when he was in his prime ([*memoriam*] *aliquando in me floruisse ut non tantum ad usum sufficeret sed in miraculum usque procederet non nego*): he was able, for example, to repeat a list of two thousand names in the order in which they had been given or a selection of over two hundred separate lines of poetry in reverse order.³⁶ Meanwhile, the surviving rhetorical handbooks provide descriptions of the mnemonic technique, supposedly invented by Simonides of Ceos, by which such prodigious powers might be attained;³⁷ just as in the case of the miraculous memory systems advertised in newspapers today, the Roman method rests upon the principles of graphic visualisation and serial arrangement in the mind of the items to be memorised: *cogitatio* – the ability to conjure up images in the mind's eye – and *ordo*.³⁸ These two principles, it will be shown, are also fundamental to Valerius' work.

These handbooks advise that when an orator sets out to memorise in order the elements of a speech or declamation (among them the *exempla* with which the argument will be illustrated or strengthened) each element must be imagined in the mind's eye as a visually striking object, which must then be placed among a series of spaces (*loci*) with which the orator is familiar – perhaps organised within a mental space modelled on an actual house or gallery. During the speech the orator moves mentally along the series of *loci*, imagining himself moving through the building in which he has placed them, encountering each image in turn.

³⁵ Val. Max. 6.2.praef..

³⁶ Sen. Contr. 1.praef.2: *nam et duo milia nominum recitata quo erant ordine dicta reddebam, et ab his qui ad audiendum praecceptorem mecum convenerant singulos versus a singulis datos, cum plures quam ducienti efficerentur, ab ultimo incipiens usque ad primum recitabam.*

³⁷ Rhet. ad Her. 3.16.28-24.40, Cic. de Or., 2.86.351-88.360. On ancient mnemotechnics see also Yates 1966 and Coleman 1992.

³⁸ On the importance of *ordo* see particularly Cic. de Or. 2.86.353: *hac tum re admonitus invenisse fertur ordinem esse maxime, qui memoriae lumen adferret.*

The mental image which is positioned in the *locus* and then re-encountered during the process of recall is a trigger for a fuller memory; in the example given by the *Rhetorica ad Herennium*, the mental picture of a man lying ill in bed, holding a cup and writing tablets, evokes a narrative about a man who has been poisoned for the money he left in his will.³⁹

Displays of images

This process by which a visual image (or even more pertinently an ordered array of visual images) triggers the evocation of narrative and associated details from the memory was at work throughout Roman culture. In the *atria* of private houses belonging to upper class families, *imagines* of ancestors were kept in their little cupboards to be displayed on special occasions.⁴⁰ With their explanatory *tituli*, these represented named individuals from the past, and by extension evoked the heroic deeds that they had performed and the qualities which they embodied. They were intended to inspire any right minded family member who gazed upon them to emulate such deeds and qualities, and, as the embodiments of moral authority, they are often referred to in literary works such as the speeches of Cicero,⁴¹ and indeed in the work of Valerius Maximus himself.⁴² A recent work on these “ancestor masks” stresses the potential vitality of these *imagines*: during funeral processions they were worn as masks by living members of the family and became the “dynamic representation of the ancestors,”⁴³ enabling the Romans to “view their past history as a pageant.”⁴⁴

Similar pageants in arrested motion, extending beyond the familial context, could be seen in public displays such as that of the statues in the Forum Augustum, a recent addition to the cityscape in the era in which Valerius was writing, where a continuum of heroic Roman history was evoked by a chronological and thematically organised array of statues of *summi uiri* (again with identifying inscriptions and *elogia*) in such a way as to draw connections between this dazzling array of historical virtue and the

³⁹ *Rhet. ad Her.* 3.20.33.

⁴⁰ Pliny *HN* 35.2-6. See Henderson 1997 on Juv. 8, especially pp. 60-72, for discussion of visual displays conjured up by a text.

⁴¹ E.g. the Clodii invoked in Cic. *Cael.* 33-4.

⁴² E.g. Val. Max. 5.8.3 (...*effigies maiorum cum titulis suis idcirco in prima parte aedium poni solere ut eorum uirtutes posterius non solum legerent, sed etiam imitarentur*) emphasises the moral and educative force which such ancestral images were held to possess.

⁴³ Flower 1996, p. 3.

⁴⁴ *Ibid.* p. 35.

Julian family.⁴⁵ The villas of the wealthy, such as the Villa of the Pisones, often displayed private collections of busts or portraits of famous men such as Greek philosophers, orators and tragedians, which reflected the culture and erudition of their owner.⁴⁶ The portraits, just like the public statues and the *imagines*, would usually be accompanied by some explanatory inscription – a brief biography, a famous quotation from the author's works or a catalogue of works – and were clearly related to textual or oral narratives of which viewers would have had knowledge: texts and speeches refer to familiar images, images recall familiar narratives.⁴⁷ Particularly relevant here – for I shall argue that this is also the case with Valerius Maximus' work – is the fact that the images in these displays were arranged in a certain order (perhaps alphabetical, chronological or thematic) for both didactic and mnemonic purposes: to emphasise moral messages, and so that once seen they should be retained in the memory.⁴⁸

By acting as referents to the lives and deeds of great Roman heroes or Greek writers held in the Roman communal memory,⁴⁹ all such images were intended to inspire those who looked on them with a desire to imitate such deeds, to equal or even to outdo their forebears in glory, as the citation from Valerius Maximus in note 42 above suggests: they should be not merely be read, but *imitated*. The *referential* aspect is fundamental; the power of such images, as Sallust tells us, lies not so much in the object itself, its material and its shape, as in the memory of past deeds which it is able to evoke.⁵⁰ These memories are supplied by the viewer, so that the efficient

⁴⁵ See Zanker 1988, pp. 194-5 on Augustus' forum, with a reconstruction of the sculptural programme in fig. 149 on p. 194; pp. 210-15 on the statues of the *summi uiri*; pp. 201-7 on the possible appearance of the statues of Romulus and Aeneas as *exempla*, and the narratives to which these images might have referred. Zanker calls the forum a gallery, while Luce 1990 refers to it as a "Hall of Fame" (p. 125). Zanker argues that the displays had a didactic purpose: "the decorative programs [of the forum and the temple] were intended to educate the people" (1988, p. 195), and "the exemplary behaviour of the heroes is displayed as a model and wherever possible linked with the living example of the princeps" (p. 207). On moral messages communicated by Roman monuments more generally see e.g. D'Ambra 1993 or Koortbojian 1995.

⁴⁶ See Pliny *HN* 35.11 on the practice in Cicero's day of keeping huge collections of portraits of famous figures from the past. On collections of busts see Lorenz 1965, Zanker 1995, especially p. 208, Neudecker 1988, especially pp. 64-91.

⁴⁷ For exploration of links between the historical and exemplary narratives found in texts and specific Roman monuments see Sage 1979, Wiseman 1986, Luce 1990, and Henderson 1997.

⁴⁸ Neudecker 1988, p. 64ff.

⁴⁹ Cf. Gregory 1994, p. 87: "good life-like portraits helped [Romans] to visualize past events and reanimate historical figures."

⁵⁰ Sall., *Jug.* 4.5: *nam saepe ego audiui Q. Maxumum, P. Scipionem, praeterea ciuitatis nostrae praeclaros uiros solitos ita dicere, cum maiorum imagines intuerentur, uehementissime sibi animum ad uirtutem accendi. Scilicet non ceram illam neque figuram tantam uim in sese habere, sed memoria*

functioning of the image is reliant upon the viewer bringing certain external knowledge to bear on it. The image is activated by the gaze of the viewer, and the viewer must know which exemplary narratives should be conjured up and what is admirable about them.⁵¹

The literary *exemplum* which is the material of Valerius' collection⁵² has a close relationship with this type of visual image.⁵³ Despite usually containing brief literary narratives, written or spoken *exempla* too are referential; unlike, for example, a fable or a fairy tale, they generally do not contain complete or full narratives, but rather a truncated and sketchy version of a fuller narrative which exists external to the text, and to which the text refers. *Exempla* refer to historical or pseudo-historical figures and events, and details associated with these, which are part of common Roman memory, held in canonical texts or passed on through oral tradition. Like the statue in the forum, the *exemplum* is short-hand – a device to trigger the recall of “knowledge” about the past, a point of access to cultural memory. It is also designed to teach by providing a model to be imitated or avoided.⁵⁴

Since *exempla* refer to the commonly held “memory” of things that have happened, both familiarity and authenticity are important; the tales must be well-known and recorded by authors regarded as well respected and reliable.⁵⁵ Hence in his preface Valerius Maximus describes his selection as *ab illustribus electa auctoribus*, and the *Rhetorica ad Herennium* defines an *exemplum* thus: *exemplum est alicuius facti aut dicti praeteriti cum certi auctoris nomine*.⁵⁶ The handbook goes on to summarise the

rerum gestarum eam flammam egregiis uiris in pectore crescere neque prius sedari quam uirtus eorum famam atque gloriam adaequauerit.

⁵¹ The role of the reader or audience in the process of interpreting *exempla* is an issue which I shall be exploring in depth throughout this thesis. I shall argue that the meaning of exemplary narratives changes according to the context of the reading and the identity of the reader; see notes 55 and 59 below, and especially Part III.

⁵² For the *exemplum* as a rhetorical device see note 10 above and Lausberg 1998. Introductions to the Roman *exemplum* in Roman literature and society can be found in Skidmore 1996, Chaplin (forthcoming), Litchfield 1914, Leigh 1997, p.160 ff., Nicolai 1992, and Maslakov 1984 especially p. 439 n. 4. On the *exemplum* more generally see David ed. 1980 and Van Moos 1984, especially pp. 211-3 with the footnotes. See also below n. 103 for bibliography on the exemplary process.

⁵³ For the relation of the *exemplum* to funeral orations and *imagines* see Maslakov 1984 p. 442. See also bibliography in n. 47 above.

⁵⁴ See Litchfield 1914 and David 1980.

⁵⁵ Cf. Quint. 5.11.1 (*rerum gestarum auctoritate nituntur*) where the authority lies in the fact that *exempla* refer to *res gestae* – to deeds which have really taken place. See also Leigh 1997, p. 166 on the importance of knowledge shared between author and audience for the interpretation of *exempla*.

⁵⁶ *Rhet. ad Her.* 4.49.62.

rhetorical function of the *exemplum*: *id sumitur isdem de causis, quibus similitudo rem ornatorem facit, cum nullius rei nisi dignitatis causa sumitur; apertorem, cum id, quod sit obscurius, magis dilucidum reddit; probabiliorem, cum magis veri similem facit; ante oculos ponit, cum exprimit omnia perspicue, ut res prope dicam manu temptari possit*. The *exemplum* is employed to illustrate, clarify or lend weight to an argument, or make it more vivid. Throughout this description the author employs visual imagery (e.g. *ornatorem*, *obscurius*, *dilucidum*), and in the final sentence he suggests that citing an *exemplum* is like moulding a three-dimensional image for the audience – something that they feel they might almost reach out and touch. Literary *exempla* are analogous to plastic images but, like the mnemonic system learned by Roman orators, they function in the field of the imagination.⁵⁷

As we have seen, the ability to *visualise* abstract things is the key to ancient memory systems, and it is also a key skill for orators more generally, as is the ability to stimulate visualisation in others; vivid description (*enargeia* or *illustratio*) is an important technique for creating the “illusion of sight” and arousing the emotions of the audience.⁵⁸ More specifically, *exempla* are powerful when they are vivid: “the effectiveness of Ciceronian *exempla* results from the deeply visual nature of Roman memory, *exempla* advance an argument because they put the past in front of the audience’s eyes.”⁵⁹

Words and the imagination do not merely fashion a three-dimensional image, they also bring that image to life, just as long dead ancestors come back to life to walk in the funeral processions of their descendants, when their *imagines* are worn by the living. Cicero describes the historical *exemplum* as *uita memoriae, magistra uitae*,⁶⁰ something that renders vital again the characters which have been lying dormant in the memory, and also serves as an instructor for those who are alive now. His repetition of the word *uita* suggests the continuity between the generations, a living

⁵⁷ On the language of visual and plastic arts in ancient rhetorical literature see Benediktson 2000, esp. pp. 94-105.

⁵⁸ Vasaly 1993, p. 20. On *enargeia* as a rhetorical device see e.g. Quint. 4.2.63-5 and Lausberg 1998 pp. 359-63.

⁵⁹ Chaplin forthcoming, p. 9. See also David 1980, p. 73, and Gazich 1990, p. 121-2. For more on the relationship between *enargeia*, emotion and memory see Vasaly 1993, pp. 89-104 and Webb 1997, whose conclusion is that the emotional effect of a speech depends on the audience’s own memories, and how closely they match those of the speaker, as in n. 51.

⁶⁰ Cic. *de Or.* 2.9.36.

tradition whereby, through the handing down of *exempla*, those who have lived before are able to exert influence on those who come after. This relationship between the earlier and the later (*maiores* and *posterī*, past and present, present and future) was the fundamental substructure of Roman moral teaching, encountered in author after author. Polybius describes Roman heroes as both the raw material and the product of the exemplary process, which should ideally be self-perpetuating: a Roman learns how to be great by following in the footsteps of those who have gone before and then he in turn sets an example for those who come after (6.52.10). As we shall see, this exemplary momentum is something that Valerius is keen to foster through his work.

This function of the *exemplum* goes beyond the rhetorical; its persuasive force, as described in the handbooks and seen, for example, in the speeches of Cicero or the philosophical treatises of Seneca, is derived from its primary use as inspirational, paradigmatic and educational. Just as it renders more vivid a rhetorical argument, it also provides an immediate and accessible way of conveying moral precepts. The citing of an *exemplum* was considered to have more impact than the statement of the moral principle itself.⁶¹ The resonant figure, the snatch of narrative, the interpretative and morally significant comment were all part of a moral and didactic system deeply embedded in Roman culture.

Roman *exempla* serve up the past in a form designed to enhance its educational power. In an *exemplum* the historical or pseudo-historical fact or event is shorn of much of its historical context⁶² and packaged in authorial comment which helps to direct the reader's interpretation of the narrative, usually in the form of a brief introduction and/or conclusion - by, for example, expressing the author's own reaction to the deed or musing on the vice or virtue which it embodies.⁶³ It features striking and memorable details, which we may compare to the mnemonic advice in the *Rhetorica ad Herennium* to choose striking images to represent the parts of a speech to be remembered, since these are most easily retained and recalled: *si quid videmus*

⁶¹ See e.g. Val. Max. 3.3.ext.7, 4.4.praef., 8.14.praef., Sen. *Ep.* 6.6, Cic. *Sen.* 4.12.

⁶² Too much extraneous detail can detract from the moral punch of a tale, and in addition, an *exemplum* should not be too historically specific, since its moral needs to be easily generalisable to other times and places in order for it to be able to function as a plausible model for future readers (cf. David 1980, p.79).

⁶³ See Guerrini 1980 for an analysis of the form of the *exemplum* in Valerius Maximus, using 9.11.1 (the story of Tullia) as an example, and Wardle 1998, p. 11.

aut audimus egregie turpe aut honestum, inusitatum, magnum, incredibile, ridiculum, id diu meminisse consueuimus (3.22.35). This description of the kinds of items which stay in the memory would also be a fair description of the content of Valerius' work: among the tales of extraordinary virtue or vice are the simply extraordinary – the unusual, freakish or outstanding. In most cases we also find in a Roman *exemplum* the historical and genealogical pinpointing of figures and events which lends it *auctoritas* and renders it most effective (*tanto robustior quanto verior*⁶⁴); usually the *exemplum* relays the name of the individual who performs the deed, and often the date of the year in which it is believed to have been performed.

The emphasis, however, is on the punchy communication of the moral point – sometimes, from the modern historian's point of view, at the expense of historical exactitude. As Cicero says, historical narratives may be manipulated the better to convey an abstract message: *concessum est rhetoribus ementiri in historiis, ut aliquid dicere possint argutius*. (*Brut.* 42)⁶⁵ – hence phenomena in exemplary literature such as the conflation of several historical characters,⁶⁶ or the same story used more than once to different, apparently contradictory, ends.⁶⁷ Quintilian tells us more than once that it is verisimilitude rather than verity which is required from a “historical” *exemplum*: [*exemplum*] *est rei gestae aut ut gestae utilis ad persuadendum id quod intenderis commemoratio*.⁶⁸ *Exempla* need to *look* as though they are true in order to be authoritative, and this of course is a stumbling block for modern historians; it suggests that sophistication is required in handling this sort of source material, and I shall be addressing this problem in Part III.

To package narratives thus is to transform them so that not only do they convey an abstract moral point, but they also set in motion a process of learning; they stimulate in the reader or audience the desire to achieve moral excellence, and at the same time provide the means to mould oneself as a moral subject through their provision of good

⁶⁴ Quint. 2.4.3.

⁶⁵ See also Maslakov 1984, p. 443 ff.. For discussions of how “history” becomes “*exemplum*” see Sage 1979 on the Roman tradition and Stierle 1972 more generally..

⁶⁶ Cf. Maslakov 1984 p. 444 on Val. Max. 7.5.2, where four generations of Scipiones Na usicae are described as one man (cf. Briscoe 1993, p. 407), and his n. 15 for other examples.

⁶⁷ E.g. Val. Max. 3.2.ext.1, where Fulvius Flaccus' behaviour is described as *crudelitas* and 3.8.1 where it is *constantia*, discussed by Kleijwegt 1998, p. 106.

⁶⁸ 5.11.6. Cf. Quint. 8.3.70. See further Skidmore 1996, pp. 93-9 on plausibility.

models to be imitated and bad ones to be avoided.⁶⁹ This is unmistakably the role for which Valerius Maximus intends his *exempla*, which he describes in his preface as *documenta* – tools for learning.⁷⁰ His description of the effect that reading or hearing his tales of gratitude has on the human race – *his et horum similibus exemplis beneficentia generis humani nutritur atque augetur: hae sunt eius faces, hi stimuli, propter quos iuuandi et emerendi cupiditate flagrat*⁷¹ – emphasises their role as stimuli to self improvement.⁷² In his celebration of an ancient Roman tradition of singing competitions, where their elders inspired young Romans with the deeds of their forebears (*quo ad ea imitanda iuuentutem alacriorem redderent*) one can see another reflection of Valerius' vision of his own work: *quid hoc splendidius, quid etiam utilius certamine?...quas Athenas, quam scholam, quae alienigena studia huic domesticae disciplinae praetulerim? inde oriebantur Camilli, Scipiones, Fabricii, Marcelli, Fabii ac ne singula imperii nostri lumina simul percurrando sim longior, inde inquam, caeli clarissima pars divi fulserunt Caesares*.⁷³ *Exempla* propagate the fame of heroes of old, and they also, by doing so, as we saw above, help to nurture new heroes.

Valerius Maximus here draws a familiar distinction between Roman and *alienigena studia* which emphasises Roman supremacy in the field of *exempla* and is recurrent in

⁶⁹ See again the Sallust citation in n. 50, or cf. *Rhet. ad Her.* 4.2.2: *quid? ipsa auctoritas antiquorum non cum res probabiliores tum hominum studia ad imitandum alacriora reddit? immo erigit omnium cupiditates et acuit industriam, cum spes iniecta est posse imitando Gracchi aut Crassi consequi facultatem*. The importance of *exempla* as reference points, as models, illustrations and persuasive tools, is underlined again and again by Valerius' predecessors and contemporaries. E.g. Livy 1.praef.10: *Hoc illud est praecipue in cognitione rerum salubre ac frugiferum, omnis te exempli documenta in industri posita monumento intueri; inde tibi tuaeque rei publicae quod imitare capias, inde foedum inceptu exitu quod vites*. Sen. Contr. 1.praef.6: *Facitis autem, iuvenes mei, rem necessariam et utilem quod non contenti exemplis saeculi vestri prioris quoque uultis cognoscere. Primum quia, quo plura exempla inspecta sunt, plus in eloquentiam proficitur*.

⁷⁰ Cf. Varr. LL 6.62: *documenta quae exempla docendi causa dicuntur*. In other words, *documenta* describe *exempla* used for the purpose of instruction.

⁷¹ 5.2.ext 4.

⁷² Cf. e.g. 4.8.3, where the moral to be learnt from the tales (and from a specific text external to the work, a *senatus consultum*) is explicit: *nam qui nunc praecipue negotiatione delectantur, cum pecuniam domum cruentam rettulerunt, quam improbando gaudio exsultent cognoscent, si diligenter senatus consultum quo Considio gratiae actae sunt legere non fastidierint*. Cf. Paladini 1957, p. 232 on Valerius' work: "lo scopo ultimo: l'ammaestramento che il lettore deve trarre dalla conoscenza di tante virtù e vizi e di tanti episodi." The Italian word *conoscenza*, which Paladini uses to describe the reader's engagement with the material, directly translates one of Valerius' programmatic terms: *cognoscere*.

⁷³ 2.1.10. Here we see some familiar themes: Roman supremacy over Greece and other nations, the trajectory of moral teaching and the praise of the imperial age.

the work: Rome provides the lessons from which the whole world can learn,⁷⁴ but it is also Romans who are the best pupils, most skilled in following or imitating the *exempla* which they encounter. The moral and didactic intention of the work is signalled by the meta-exemplary theme of heroes themselves learning from *exempla*, which recurs throughout the work.⁷⁵ Conversely, when *exempla* have failed to inspire imitation in this way, Valerius expresses regret.⁷⁶ The over-arching moral principle to be learned from this work is that one must learn from *exempla*.⁷⁷

In his preface Valerius uses the programmatic term *cognosci* to describe the process of the reader's engagement with the *documenta* - a deep response whereby they are read and experienced and then their significance is fully grasped.⁷⁸ The term refers both to reading the content of an *exemplum* (as at 6.3: *externa summam cognosse fastidio non sit* or 5.7.ext.1), and to understanding its message.⁷⁹ In the preface to chapter 4.6 Valerius describes the examples of conjugal love which follow as: *ardua imitatu, ceterum cognosci utilia*, suggesting that this process of cognition is central to the exemplary process, but that it is different and separate from the next step which is that of imitation, or of putting the lessons learnt into practice in one's own life. In the preface to Book 2 he is even more explicit: *opus est enim cognosci huiusce uitae quam sub optime principe felicem agimus quatenus fuerint elementa, ut eorum quoque respectus aliquid praesentibus moribus prosit*. One must look back to the

⁷⁴ Rome fills the entire world with all kinds of astounding *exempla* of military discipline: *at nostra urbs quae omni genere mirificorum exemplorum totum terrarum orbem repleuit*, (2.7.6); she is capable of teaching the whole world about severity: *Ceterum etsi Romanae severitatis exemplis totus terrarum orbis instrui potest, tamen externa summam cognosse fastidio non sit* (6.3.ext.1) and the entire citizenship stands as an *exemplum* of justice before all the world: *[iustitiae] autem praecipuum et certissimum inter omnes gentes nostra ciuitas exemplum est* (6.5.intro).

⁷⁵ E.g. Augustus learns from the *domesticum exemplum* of Julius Caesar (1.7.2); Cossus is heroic *quod imitari Romulum ualuit* (3.2.4); Porcia imitates her father's suicide: *patris exitium imitata* (4.6.5). Cf. *id factum imitatus M' Curius* (6.3.4); *uerecundiae suae exemplum sequi cogendo* (4.1.4); Valerius Publicola following the example of Valesius (*cuius exemplum...secutus*) at 2.4.5, P. Decius Mus following in his father's footsteps (*patris exemplum secutus*) at 5.6.6, or Africanus following the senate (*cuius exemplum...secutus*) at 6.6.4.

⁷⁶ E.g. *quam bene Aetolicis domestica praetulerat, si frugalitatis eius exemplum posterior aetas sequi uoluisset* (4.3.7). Cf. 4.7.2 (*quam bonos Gracchi, si aut patris aut materni cui sectam uitae ingredi uoluissent, habere milites potuerant!*), 6.8.3 (*si...imitatus foret*), 6.1.ext.3 (discussed in Part 2), and the last line of 8.3.3, (discussed in detail in Part III).

⁷⁷ Cf. Chaplin (forthcoming) who argues that this sort of sensitivity to the exemplary process and awareness of how *exempla* function and of the importance of learning from them is also one of the messages of Livy's histories.

⁷⁸ The term *recognosco* is also used in this sense, e.g. at 6.6.praef: *paucis exemplis recognoscamus*; 8.9.praef: *sub propriis exemplis...recognosci conuenit; iam recognoscemus* (1.1.ext.3)

⁷⁹ E.g. 3.7.praef, where the lesson which a reader grasps is the importance of self-confidence. Cf. 4.8.3, 3.2.21, 2.2.2 or 4.4.10.

past (note the visual language), to the origin of the Rome of Valerius' day, and, having grasped its nature, apply what one has learnt to one's own behaviour.

***Exsultat animus maximorum uirorum memoriam percurrens...*⁸⁰**

The purpose of Valerius' work is to conjure up an arresting pageant of history in such a way as to inspire the reader to virtue and to enable the reader to understand the fundamental aspects of human life and nature. He must also ensure that once the reader has grasped the *exempla* (*cognoscere*) he or she is able to retain them in the memory for subsequent recall. To achieve these ends his work must employ *enargeia* to be both visually suggestive and emotionally engaging. Valerius directs the reader to "see" the *exempla* he narrates as though they were visual images, thus maximising their emotional and didactic effect (as well as making them more memorable).⁸¹ Of the examples of marital love in chapter 4.6 he writes that he will lay them before the eyes of the reader almost as if they were *imagines* to be contemplated: *quasi quasdam imagines non sine maxima ueneratione contemplandas lectoris oculis subiciam*.⁸²

The term *contemplandas* – which metaphorically links seeing with thinking – urges the reader to resort to the mind's eye when encountering these anecdotes. Elsewhere Valerius elides the metaphorical by simply describing his work in such visual terms: *cuius imagine ante oculos posita* (6.6.praef.) or *imagines, quas di ipsi in claris personis aut dicto aliquo aut facto uehementiore conspici uoluerunt* (9.3.praef.).⁸³

With the term *imagines* Valerius is asking us to think of his *exempla* as visual images, but in the preface to chapter 3.5, with the phrase *adopertis illustrium uirorum imaginibus*, he seems to go so far as to envisage his tales of those born in humble

⁸⁰ Val. Max. 4.3.13.

⁸¹ The sight of Roman self-discipline in chapter 4.3 is a source of joy, as the citation above suggests (*exsultat*). Further examples of places where Valerius draws attention to the emotional effect which his text is designed to elicit are 4.4.11 (*haec igitur exempla respicere, his acquiescere solaciis debemus*) and 6.3.praef. (*armet se duritia pectus necesse est, dum horridae ac tristis seueritatis acta narrantur*). Others are discussed in the course of this thesis. Cf. Skidmore 1996, who also makes a connection between memorability and moral and didactic effect: "the importance of the memorability of the examples for the effective communication to the audience of the author's moral message" (p. 85).

⁸² Cf. Cicero *pro Arch.* 6.14: *quam multas nobis imagines non solum ad intuendum, uerum etiam ad imitandum fortissimorum uiuorum expressas scriptiores et Graeci et Latini reliquerunt...*

⁸³ See also e.g. 5.2.praef.: *libuit oculis subicere*; 6.9.praef.: *cum aliorum fortunas spectando...uideamus*; I discuss this technique further on pages 30-31 below in the context of Val. Max. 3.3. Less often Valerius writes of the aural impact of his *exempla* too, as in the case of Anaxagoras' words on the death of his son: *has voces utilissimis preceptis imbutas uirtus mittit. quas si quis efficaciter auribus receperit, non ignorabit...* (5.10.ext.3). Cf. Leigh 1997, pp. 181-4 on the importance of spectators and viewing to *exempla*.

circumstances who have achieved greatness as ancestor masks themselves, which he has paraded before us in the previous section and is now covering again. It is as if he is conceiving of his work as a stroll through the *atrium* of Roman culture, opening and then closing again the doors of the series of *imagines* to be found there. Elsewhere he describes his *exempla* as *personae*, as if they are living figures parading through the text.⁸⁴

And it is not merely the moral tales which are to be envisaged as a series of figures; the moral qualities which they embody, often briefly described at the head of a chapter of *exempla*, are frequently personified themselves – to be pictured as standing among the exemplary figures by which they are illustrated, very much in terms of the kind of person that would be associated with them.⁸⁵ For example, Valerius describes the changing facial expressions of the figure of *Amicitia* (*ab hoc horrido et tristi...ad laetum et serenum uultum* (4.7.7)), while *Crudelitas* possesses *horridus habitus, truculenta species...uox terribilis* (9.2.praef.). *Avaritia* is a *latentium indagatrix lucrorum* (9.4.praef.), *Verecundia* a much loved teacher: *haec enim iustissimus uiris praecepit; omni loco omni tempore fauorabilem prae se ferens uultum* (4.5.praef.).⁸⁶

Vivid description, then, is a central feature of Valerius' work. *Ordo*, or the arrangement of the *exempla* within the chapters,⁸⁷ is also very important, as my thesis aims to demonstrate. The material itself, by its very nature, is generally not novel but familiar and traditional, and it is its arrangement in a particular order which is the salient feature.⁸⁸ The sequence of the *exempla* within a chapter, as I shall go on to argue later with respect to chapter 3.3, helps to maximise the didactic impact of the tales, and also to make them more memorable.⁸⁹ Apparently this very skill – that of selecting and arranging *exempla* – was considered the *summum artificium* by Greek

⁸⁴ 4.4.praef: of *Paupertas* he writes *quod melius personis quam uerbis repraesentabitur*.

⁸⁵ Cf. Fears 1981, p. 845: "The Roman was accustomed to thinking in metaphorical terms. His mind was a storehouse of word pictures... "Faith", "victory" and "generosity" are mere concepts to us. The Roman vividly personified such ideas, their names invoked for him concrete images..." (also cited by Skidmore 1996, p. 126, n. 6, who argues too that this visualisation of *exempla* acted as a memory aid).

⁸⁶ Cf. 6.6.praef. See also *pudicitia* (6.1) and *uirtus, patientia, fortitudo* and *philosophia* (3.3) discussed in more detail p. 30, pp. 51-3 and pp. 74-5.

⁸⁷ On the arrangement of chapters within the work see Wardle 1998 p. 6.

⁸⁸ Bloomer also writes that it is Valerius' composition that is most revealing about his purpose (Bloomer 1990, p. 20.)

⁸⁹ Cf. p. 15.

rhetoricians; to do so well the orator must have fully grasped the import of the examples and be able to isolate their fundamental elements.⁹⁰

My view, then, is that Valerius' work should be thought of as a sequential display of *exempla* arranged, like the busts or portraits in a private gallery, so as to facilitate learning and, as the title suggests, recall.⁹¹ The *Facta et Dicta Memorabilia* is a vast (nine volume) gallery of exemplary figures, judiciously selected from the store-house of collective Roman cultural memory, arranged according to theme and various other principles (which I shall identify in my analysis of chapter 3.3 below, pages 37-9), so that the reader may find their way through and subsequently have a chance of remembering what they have seen. Valerius is the curator of this display, and he is also our guide through this gallery, commenting on the material he has collected for display and thus guiding the reader's interpretation of it. Just as Virgil's Aeneas witnesses the parade of Roman heroes in the underworld and hears the accompanying commentary upon them from his father Anchises,⁹² so Valerius is offering a parade of, and a commentary upon, a larger and more varied crowd: along with heroes we find losers, monsters, people struggling in adversity, underdogs coming up with snappy one-liners, people being odd or wrestling with difficult decisions. Like Valerius, Anchises emphasises in his commentary the glory of the Roman nation that has produced such figures: *tu regere imperio populos, Romane, memento (hae tibi erunt artes), pacique imponere morem, parcere subiectis et debellare superbos*.⁹³ Like Valerius, Anchises leads Aeneas through this catalogue of heroes in order to fire him – and presumably Roman readers – with passion: *Anchises natum per singula dixit incenditque animum famae uenientis amore*.⁹⁴ There is nothing dry about Valerius' work: it seeks to represent all aspects of humanity and to bring them to life before our eyes, to arouse and to inspire. As he himself writes: *humanae uitae partes persequi propositum est*.⁹⁵

⁹⁰ *Rhet. ad Her.* 4.3: *summum est artificium res uarias et dispares in tot poematis et orationibus sparsas et uage disiectas ita diligenter eligere, ut unum quodque genus exemplorum sub singulos artis locos subicere possis.*

⁹¹ Bloomer draws a similar parallel in passing: "The marshalling of history owes much to Augustus in whose forum the stone procession of grand republican figures marches into the present" (1992, p. 258)

⁹² Virgil, *Aeneid* 6.752-889. E.g. *tumulum capit unde omnis longo ordine posset aduersos legere et uenientum discere uultus* (754-5) or *hanc aspice gentem Romanosque tuos* (788-9).

⁹³ *Ibid.* 6.851-3.

⁹⁴ *Ibid.* 6.888-9. Virgil's readers know that what Anchises describes as *famae uenientis* is actually the glorious past and present of Rome, and that their passion too should be fired by Anchises' catalogue.

⁹⁵ VM 6.2.praef.

3) ...As literature

Analysis of chapter 3.3 - *patientia*

An analysis of a sample chapter will serve to illustrate some of the most important features of Valerius' work and raise some of the issues involved in studying it. I have selected chapter 3.3, the subject of which is *patientia*, since it is relatively short whilst still being indicative of various aspects of Valerius' technique. Like most chapters in Valerius' work this one falls into two sections, with the author signalling in the text when he is moving from one to the other, the first containing Roman material, the second non-Roman material or *externa* (conventionally referenced using the abbreviation *ext.* as in 3.3.ext.1). Roman material always precedes the foreign material in the work, as is conventional in the citation of *exempla* in Roman oratory in general.⁹⁶ In this particular chapter the Roman section is unusually short (a fact to which Valerius draws attention, and which will be discussed below), and contains only two *exempla* – the tales of Mucius Scaevola and of Pompeius. In the foreign section there are seven numbered sections, including one which does not take the typical form of an *exemplum* (ext. 6).

The catalogue of *exempla* is also interrupted in places so that Valerius may outline general moral precepts and reflect on the exemplary material; in this chapter he lauds in turn *patientia*, *philosophia* and *uirtus*.⁹⁷ For convenience I include at this point the full text of the chapter together with my translation.

⁹⁶ Cf. Skidmore 1996 p. 89 and especially n. 13 p. 127.

⁹⁷ These are good examples of instances where the numerical reference system does not accurately reflect what is going on in the text. The passage describing *philosophia*, from *est et illa uehemens* to *potentiusque metu facit et dolore*, is not part of the *exemplum* indicated by the reference 3.3.ext.1, but is a sort of preface to a second group of *exempla* within this foreign section. The description of *uirtus* which forms the transition into the following chapter is referred to as 3.3.ext.7, but is in fact a more general musing upon virtue stimulated by the previous *exemplum*.

Valerius Maximus 3.3: text and translation

Fortitude has laid herself before the eyes of mortals in the noble deeds of both men and women, and now she calls upon *patientia* to come into the limelight, a quality built upon no less stable foundations, nor endowed with any less greatness of spirit, in fact so similar that she might seem to be a sister or a daughter.

1. What is more appropriate in the context of those tales I have just related than the deed of Mucius? He was unable to stand the fact that our city was being oppressed by the Etruscan king Porsenna in a long and difficult war, and so he stole into the enemy camp with his sword at his side and attempted to kill Porsenna as he was making a sacrifice at the altar. Intercepted in the execution of his brave and patriotic plan, he made no secret of his intention, and the resistance that he showed to torture was extraordinary. And it was anger, I believe, at his right hand, which had failed to carry out his mission to kill the king, which led him to burn it away in the sacrificial hearth. Surely the gods had never looked more attentively upon an offering at their altars? And Porsenna himself, his danger forgotten, was moved from thoughts of revenge to admiration. For he said: "Return, Mucius, to your own people, and let them know that although you were after my life, you have received your own life as a gift from me." Mucius was unimpressed by this display of mercy, and was more distressed at Porsenna's survival than he was glad at his own; he returned to the city with the name which ensured his eternal glory: Scaevola (left-handed).

2. The courage of Pompeius was commendable too; when he was an ambassador he was captured by king Gentius and was ordered to betray the plans of the senate. He held one of his fingers in the flame of a lamp until it was burnt to the bone, and with such resistance to pain he struck the king with despair that he would ever find out anything through torture, and aroused in him a strong desire to become a friend of the Roman people.

And lest, by continuing to examine domestic examples of this kind, I am forced to approach again and again the abominable memory of the civil wars, I shall be content with these two Roman examples, (which contain praise for noble families but without any public sorrow) and shall add in some foreign examples.

Egregiis uirorum pariter ac feminarum operibus fortitudo se oculis hominum subiecit, patientiamque in medium procedere hortata est, non sane infirmioribus radicibus stabilitam aut minus generoso spiritu abundantem, sed ita similitudine iunctam ut cum ea uel ex ea nata uideri possit.

Quid enim iis quae supra rettuli facto Muci conuenientius? cum a Porsenna rege Etruscorum urbem nostram graui ac diutino bello urgueri aegre ferret, castra eius clam ferro cinctus intrauit, immolantemque ante altaria conatus occidere est. ceterum inter molitionem pii pariter ac fortis propositi oppressus, nec causam aduentus texit et tormenta quantopere contemneret mira patientia ostendit: perosus enim, credo, dexteram suam, quod eius ministerio in caede regis uti nequisset, iniectam foculo exuri passus est. nullum profecto di immortales admotum aris cultum attentioribus oculis uiderunt. ipsum quoque Porsennam, oblitum periculi sui, ultionem suam uertere in admirationem coegit: nam 'reuertere' inquit 'ad tuos, Muci, et eis refer te. cum uitam meam petieris, a me uita donatum.' cuius clementiam non adulatus Mucius, tristior Porsennae salute quam sua laetior, urbi se cum aeternae gloriae cognomine Scaeuolae reddidit.

Pompei etiam probabilis uirtus, qui, dum legationis officio fungitur, a rege Gentio interceptus, cum senatus consilia prodere iuberetur, ardenti lucernae admotum digitum cremandum prae-buit, eaque patientia regi simul et desperationem tormentis quicquam ex se cognoscendi incussit et expetendae populi Romani amicitiae magnam cupiditatem ingenerauit.

Ac ne plura huiusce generis exempla domi scrutando saepius ad ciuiliu bellorum detestandam memoriam progredi cogar, duobus Romanis exemplis contentus, quae ut clarissimarum familiarum commendationem ita nullum publicum maerorem continent, externa subnectam.

ext 1. There was an ancient Macedonian custom whereby young boys from noble families used to assist the king Alexander in performing sacrifices. One day one of these boys was standing in front of the king and holding the incense burner, when a piece of white-hot charcoal fell on his arm. As it continued to smoulder all around him could smell the burning flesh, yet he suppressed his agony in silence and held his arm completely still so that he should not hold up Alexander's sacrifice by knocking the incense burner or defile it by letting out a groan. The king was charmed by the boy's resistance to pain, and all the keener that he should be put to another test of his perseverance. He deliberately took a long time over the sacrifice and was not deflected from his programme.

If only Darius had seen this marvel he would have known that soldiers of such stock could not be conquered, when even one of their young lads was endowed with such strength.

And then there is that forceful and resilient military campaign of the mind, whose power lies in letters, that high priest of the teaching of ancient rites: philosophy. Once the human heart has welcomed this, every false and futile emotion is expelled from it and it is strengthened by the bulwarks of solid virtue, and rendered by it stronger than fear or pain.

Ext. 2. I shall begin with Zeno of Elea. Full of the greatest wisdom when it came to understanding the nature of the universe, and exceptional at inspiring the minds of young men, he put his teachings into practice with the example of his own virtue. He left his native land, where he could have enjoyed guaranteed freedom, and sought an Agrigentum overwhelmed by wretched slavery; such confidence had he in his own strength of character and way of life that he hoped he would be able to remove the savagery from the mind of a tyrant – none other than the crazed Phalaris himself.

When he came to realise that with this man the habit of domination was stronger than any good counsel, Zeno fired up the noble youths among the citizens with the desire to liberate their nation. When news of this reached the tyrant he called all the people into the forum and began applying every conceivable torture to Zeno, asking him again and again who his accomplices had been. Zeno did not name a single one, but cast suspicion on those closest and most faithful to the tyrant, and railed against the cowardice and fear of the Agrigentians, until they were roused all of a sudden to stone Phalaris to death. So a single old man on the rack, not with a plea or with a cry of pain, but with a brave exhortation, changed the mind and the fate of a whole city.

Vetusto Macedoniae more regi Alexandro nobilissimi pueri praesto erant sacrificanti. e quibus unus turbulo arrepto ante ipsum adstitit. in cuius brachium carbo ardens delapsus est. quo etsi ita urebatur ut adusti corporis eius odor ad circumstantium nares perveniret, tamen et dolorem silentio pressit et brachium immobile tenuit, ne sacrificium Alexandri aut concusso turbulo impediret aut edito gemitu + regio + aspergeret. rex. quo patientia pueri magis delectatus est, hoc certius perseverantiae experimentum sumere uoluit: consulto enim sacrificavit diutius, nec hac re eum proposito reppulit. si huic miraculo Dareus inseuisset oculos, scisset eius stirpis milites uinci non posse cuius infirmam aetatem tanto robore praeditam animaduertisset.

Est et illa uehemens et constans animi militia, litteris pollens, uenerabilium doctrinae sacrorum antistes, philosophia. quae ubi pectore recepta est, omni inhonesto atque inuiti adfectu dispulso, totum solidae uirtutis munimento confirmat, potentiusque metu facit ac dolore.

Incipiam autem a Zenone Eleate. qui cum esset in dispicienda rerum natura maximae prudentiae inque excitandis ad uigorem iuuenum animis promptissimus, praeceptorum fidem exemplo uirtutis suae publicauit: patriam enim egressus, in qua frui secunda libertate poterat, Agrigentum miserabili seruitute obrutum petiit, tanta fiducia ingenii ac morum suorum fretus ut sperauerit et tyranno et Phalari uasanae mentis feritatem a se deripi posse. postquam deinde apud illum plus consuetudinem dominationis quam consilii salubritatem ualere animaduertit, nobilissimos eius ciuitatis adulescentes cupiditate liberandae patriae inflammauit. cuius rei cum indicium ad tyrannum manasset, conuocato in forum populo torquere eum uario cruciatus genere coepit, subinde quaerens quosnam consilii participes haberet. at ille neque eorum quemquam nominauit et proximum quemque ac fidissimum tyranno suspectum reddidit, increpitansque Agrigentinis ignauiam ac timiditatem effecit ut subito mentis impulsu concitati Phalarim lapidibus prosternerent. senis ergo unius eculeo impositi non supplex uox nec miserabilis eiulatus, sed fortis cohortatio totius urbis animum fortunamque mutauit.

ext. 3. Another philosopher of the same name was tortured by the tyrant Nearchus, whom he had plotted to kill, as much for punishment as for information about his fellow conspirators. He mastered the pain, but wanted revenge; so he claimed that there was something very important that the tyrant must hear in secret. Zeno was released from the rack, and when he saw that the other had fallen into his trap, he seized his ear between his teeth, and held on until he had lost his own life, but the other had lost part of his body.

ext. 4. Anaxarchus emulated such resistance to pain when he was tortured by the Cypriot tyrant Nicocreon; no violence could prevent him from torturing his tormentor in turn with an outpouring of the harshest abuse, and when at last Nicocreon threatened to cut off his tongue he replied: "You effeminate adolescent, you shall not have power over that part of my body too." And straight away he severed his own tongue with his teeth, chewed it up and then spat it in the tyrant's mouth which was open in anger.

This tongue had held the ears of many, not least king Alexander, spellbound with admiration, as it expounded with great wisdom and eloquence the state of the earth, the ways of the sea, the motions of the stars and the nature of the whole universe. Yet its destruction was scarcely less glorious than its prime; that courageous end sealed the glory of Anaxarchus' last speech, and just as it had served him while he lived, his tongue rendered his death more illustrious.

ext. 5. The tyrant Hieronymus wore out the arms of his torturers upon the eminent Theodotus in vain; the whips splintered, the ropes wore thin, the rack fell apart, the flames were extinguished before he would denounce his accomplices in his plot to kill the tyrant. Further, Theodotus falsely accused the bodyguard on whom all the tyrant's power hinged, and thus wrested this guard from the tyrant's side, managing not only to conceal his own secrets, but also to be avenged for his torture: in his overeager mutilation of his enemy, the tyrant needlessly lost himself a friend.

ext. 6. Among the Indians there is believed to be such uncompromising dedication to the practice of withstanding pain that there are some who go naked throughout their lives, hardening their bodies in the glacial cold of the Caucasian mountains, or exposing themselves to flames without a murmur. For such contempt for pain they acquire considerable glory, and are called wise men.

ext. 7. Those deeds were products of the well born and highly educated; yet this next is no less admirable because it was initiated by a servile soul.

Eiusdem nominis philosophus, cum a Nearcho tyranno, de cuius nece consilium inierat, torqueretur supplicii pariter atque indicandorum gratia consci-
orum, doloris uictor sed ultionis cupidus, esse dixit quod secreto audire eum admodum expediret, laxatoque eculeo, postquam insidiis opportunum animadu-
erit, aurem eius morsu corripuit, nec ante dimisit quam et ipse uita et ille parte corporis priuaretur.

Talis patientiae aemulus Anaxarchus, cum a tyranno Cypriorum Nicocreonte torqueretur, nec ulla ui inhi-
beri posset quo minus eum amarissimorum maledictorum uerberibus inuicem ipse torqueret, ad ultimum amputationem linguae minitanti 'non erit' inquit, 'ef-
feminate adulescens, haec quoque pars corporis mei tuae dicionis', protinusque dentibus abscisam et com-
manducatam linguam in os eius ira patens exspuit. multorum aures illa lingua et in primis Alexandri regis admiratione sui attonitas habuerat, dum terrae condi-
cionem, habitum maris, siderum motus, totius denique mundi naturam prudentissime et facundissime expro-
mit. paene tamen occidit gloriosius quam uiguit, quia tam forti fine inlustrem professionis actum compro-
bavit, Anaxarchique + non uitam modo deseruit +, sed mortem reddidit clariorem.

In Theodoto quoque uiro grauissimo Hieronymus tyrannus tortorum manus frustra fatigauit: rupit enim uerbera, fidiculas laxauit, soluit eculeum, lamminas exstinxit prius quam efficere potuit ut tyrannicidii con-
scios indicaret. quin etiam satellitem, in quo totius dominationis summa quasi quodam cardine uersabatur, falsa criminatione inquinando fidem lateri eius custo-
dem eripuit, beneficioque patientiae non solum quae occulta fuerunt texit, sed etiam tormenta sua ultus est. quibus Hieronymus, dum inimicum cupide lacerat, amicum temere perdidit.

Apud Indos uero patientiae meditatio tam obstinate usurpari creditur ut sint qui omne uitae tempus nudi exigant, modo Caucasi montis gelido rigore corpora sua durantes, modo flammis sine ullo gemitu obicien-
tes. atque his haud parua gloria contemptu doloris adquiritur titulusque sapientiae datur.

Haec e pectoribus altis et eruditis orta sunt, illud tamen non minus admirabile seruilis animus cepit. ser-
uus barbarus Hasdrubalem, quod dominum suum occidisset grauiter ferens, subito adgressus interemit.

A barbarian slave, enraged because Hasdrubal had executed his master, leapt upon him and killed him. He was seized and subjected to every torture, but through it all went on smiling with the joy of vindication.

For *virtus* is not fastidious about who approaches her. Once she has been aroused she allows those of strong character to come to her and she does not measure what she provides of herself by discriminating between individuals, but gives to all alike, judging you by your desire rather than by your social standing. She leaves it to you to decide the weight of your portion of her goods, so that you can take on the amount that your soul is able to bear.

And so it happens that some who are born in humble circumstances can rise to the highest ranks of society, and that the offspring of the noblest families return to some sort of shame, turning the light they have received from their ancestors into shadows. These concepts are rendered more intelligible by their exempla; and I shall begin with those whose transformation into a better state provides brilliant material for narration.

cumque comprehensus omni modo cruciaretur, laetitiam tamen, quam ex uindicta ceperat, in ore constantissime retinuit.

Non ergo fastidioso aditu uirtus: excitata uiuida ingenia ad se penetrare patitur, neque haustum sui cum aliquo personarum discrimine largum malignumue praebet, sed omnibus aequaliter exposita quid cupiditatis potius quam quid dignitatis attuleris aestimat, inque captu bonorum suorum tibi ipsi pondus examinandum relinquit, ut quantum subire animo sustinueris, tantum tecum auferas. quo euenit ut et humili loco nati ad summam dignitatem consurgant et generosissimarum imaginum fetus in aliquod reuoluti dedecus acceptam a maioribus lucem in tenebras conuertant. quae quidem planiora suis exemplis redduntur; ac prius de iis ordiar quorum in meliorem statum facta mutatio splendidam relatu praebet materiam.

Features of the chapter

Before we reach the *exempla* themselves, the chapter opens with the personification and visualisation of the virtues which are the subject of this and the preceding chapter: *patientia* and *fortitudo*. Later in the chapter the quality of *philosophia* is visualised as an *antistes*, guardian of the sacred texts (3.3.ext.1), and *uirtus*, strangely, as a sort of generous-hearted courtesan who welcomes all comers who are considered worthy in character rather than in birth: *non ergo fastidioso aditu uirtus: excitata uiuida ingenia ad se penetrare patitur...* These figures then are to be pictured standing alongside the exemplary heroes we encounter in the numbered sections: Mucius Scaevola, Pompeius, Alexander the Great and his young attendant, the Greek philosophers Zeno, Anaxarchus and Theodotus, the Indian fakirs and the barbarian slave. The language of the chapter is highly visual; Valerius writes of the *oculi hominum* which witness the great deeds of great men and women and uses the term *scrutari* to describe reading the domestic examples. Immortals are pictured watching Mucius' deed with appreciation,⁹⁸ and the phrase *si...inseruisset oculos* is used of Darius (ext.1), while visual metaphors to describe *exempla* are also used in the final sentence of the chapter: *quae quidem planiora suis exemplis redduntur* and *splendidam...praebebat materiam*. Non-visual details such as the reference to the stench of burning flesh experienced by the bystanders in ext.1 (*ut adusti corporis eius odor ad circumstantium nares perueniret*) also add to the immediacy of the descriptions.

Valerius also brings to life the process of his own composition of the work; he uses the future tense of the verb *subnectere* to create the impression of a work that is being created and woven together as we read, a chain of tales to which he is continually in the process of linking new material.⁹⁹ In the same sentence the impression is given that the material has taken on a momentum of its own, and is exerting a moral or rhetorical force which is compelling him to change his plans. In this chapter Valerius marks the transition from Roman to foreign *exempla* by claiming that if he does not stop telling Roman tales now, he will be forced to travel in a certain direction: *ac ne plura huiusce generis exempla domi scrutando saepius ad ciuiliu bellorum*

⁹⁸ *Nullum...attentioribus oculis uiderunt* (3.3.1).

⁹⁹ For the use of *subnecto* and related technical terms of composition such as *adicio* or *attingo* in the present or future tenses see e.g. 4.8.ext.2, 1.8.ext.1, 2.6.15, 2.8.6, 5.6.2, 6.1.ext.1, 8.8.praef., 1.6.ext.1 or 4.6.ext., 4.7.praef., 3.7.ext.2.

detestandam memoriam progredi cogar, duobus Romanis exemplis contentus...externa subnectam).¹⁰⁰ Such vivid interaction between the author and his material adds a sense of energy and excitement to the work.

Most of the numbered sections adhere to the formal structure of an *exemplum* which we find laid down in the ancient rhetorical handbooks - a brief narrative alluding to a well known event surrounded by authorial comment¹⁰¹ - although there are variations in length and form: compare for example, the length of the narratives in section 1 and 2.¹⁰² In the case of section 1 we have a very brief *exordium* - little more than the claim that Mucius' deed is as great as the deeds of fortitude that have gone before (directing the reader towards a positive reading of the narrative) and there is no explicit authorial comment after the narrative, which begins at *cum a Porsenna rege* and continues until the end of the section, when Mucius returns to Rome. Instead, we find such comment implicit halfway through the section, embedded in the narrative, suggested by the imagined response of the gods towards Mucius' action, (*nullum profecto di immortales admotum aris cultum attentioribus oculis uiderunt*) and in the last line by the reference to the eternal glory of the nickname which Mucius earned by his deed (*cum aeternae gloriae cognomine Scaeuolae*). It is clear from the general presentation of the narrative and, in particular, from the phrase *mira patientia ostendit* that Mucius is a figure who embodies the quality of *patientia*, and that the story that is told of his encounter with Porsenna puts *patientia* into action. To read the tale is to learn about *patientia*.

As I said in my introduction, one of the aims of this thesis is to explore how precisely this learning process takes place. How does a narrative convey an abstract moral principle, such as *patientia*, and how might it affect the subsequent behaviour of those

¹⁰⁰ For other examples of Valerius describing himself as submitting to his material and being forced to give *exempla* a certain position in his array see e.g. 6.8.7: *contentus essem huius exemplis generis, nisi unum me adicere admiratio facti cogeret*; 2.9.praef.: *castrensium disciplinae tenacissimum uinculum et militaris rationis diligens obseruatio admonet me ut ad censuram...transgrediar*; 4.1.15: *ad externa iam mihi exempla transire conanti M. Bibulus uir...manus inicit*. At 3.2.2 he claims that Cloelia has forced him to make a change in his plan: *immemorem me propositi mei Cloelia facit*.

¹⁰¹ On this see Guerrini 1980.

¹⁰² Further examples of variation: the comment upon the story of Anaxarchus at ext. 4 is extended; half of the section is devoted to Valerius musing on the glorious life and death of the philosopher's tongue. Section ext. 6 is not strictly an *exemplum* at all, but a description of Indian customs which contains no narrative. Much of the material at the beginning of Book 2, which is devoted to ancient Roman customs, is also of this type.

who read it?¹⁰³ How, when one reads the story, does one go about identifying the quality which is being illustrated and grasping its nature? In the case of Mucius, the story we find here could equally well have been illustrating qualities such as “courage” or “patriotism”, and indeed the same story is found illustrating these qualities in other works. When the abstract lesson has been learned, how is this translated into the actual behaviour of the learner? For it is immediately clear from the *exemplum* of Mucius that the concept of “imitation” about which we hear so much in the Roman texts is not sufficient to describe the learning process.¹⁰⁴ If one were to want to learn from this *exemplum* what *patientia* was and how to exhibit it in one’s own behaviour, merely to ape Mucius’ behaviour and thrust one’s hand into the nearest fire would not do. Indeed in most circumstances this would look like the behaviour of a complete idiot! The context of Mucius’ deed is important. Like many of the exemplary figures in this chapter, he is suffering for a greater cause: in his case the city of Rome.¹⁰⁵ Thus in order to make sense of the *exemplum* for themselves a reader must make a comparison between Mucius’ situation and his or her own.

The exemplary process, that is the interpretation of the *exemplum* and the subsequent use that is made of it, is affected by the context in which the story is read, and the context in which it is told.¹⁰⁶ The guidance provided by the author in the text, whether explicit or implied, about the expected responses to *exempla*, is also an important factor in this process and in the interpretation of the *exemplum* in general. The responses of spectators of the deeds in the narratives are important here, as they provide models for the reader: “it is important to note how exemplary deeds are shown to have educated those who were immediately present.”¹⁰⁷ In the case of Mucius Scaevola, as we saw, the different spectators of his deed - Porsenna and the gods - and the Romans who presumably heard of the deed soon after, all react very favourably to what he has done. In ext.2 the *exemplum* of Zeno has a more direct effect on the behaviour of the Agrigenti – *concitatio*; he rouses them to kill the tyrant.

¹⁰³ Gelley 1995, Suleiman 1983, esp. pp. 25-61, Stierle 1972 and Goldhill 1994, all reflect on the mechanisms of exemplary narratives, and Gazich 1990 and 1995 do so with specific reference to classical texts (Quintilian and Propertius respectively).

¹⁰⁴ See above, pp. 18-19.

¹⁰⁵ In the following example Pompeius is also acting on behalf of Rome, in ext.1 religious ritual is at stake and in the following four examples philosophers uphold the principle of *libertas* in the face of tyrannical behaviour.

¹⁰⁶ See Goldhill 1994, p. 59.

¹⁰⁷ Leigh 1997, pp. 170-171 (discussing Val. Max. 3.2). Cf. p. 165 on “double audience.”

He communicates to them lessons about resistance to tyranny which they subsequently act upon. In such narratives we see the lessons that are learned from *exempla* and a demonstration of appropriate reactions to the deeds.

The way a reader reacts to an *exemplum* is also affected by the level of identification a reader feels with the protagonist of that *exemplum*.¹⁰⁸ In the passage of transition cited above (pages 30-1), Valerius suggests that Roman *exempla* have a greater emotional effect on the Roman reader, and that he will move on, therefore, to the less emotional subject of deeds done by foreigners.

The importance of context and identity to the interpretation of *exempla* is also illustrated by ext.1, where Valerius tells us the story of the young boy in Alexander the Great's retinue who bravely bears the ember burning through his arm without a murmur. Alexander's reaction to this is delight: *delectatus est*. This, and his subsequent action, which is to prolong the ceremony, might strike the modern reader as rather callous, but Alexander is pleased with this illustration of his boy's physical stamina. However, the term *delectatio* is also a technical one describing the appropriate response to certain kinds of rhetorical material, and is thus indicative of status hierarchies at work in this text, specifically, here, between Roman (superior) and non-Roman (inferior).

The strict separation of Roman *exempla* from *externa* in the work suggests this distinction is an important one, and indeed it is signalled by the opening words of his preface: *Vrbis Romae exterarumque gentium facta simul ac dicta memoratu digna...digerere constitui*. For although Valerius' programme encompasses the whole world and all of humanity – young and old, free and slave, humble and mighty of every race – it is clear that, as with any panorama, there is also a perspective, a vantage point, from which it is to be viewed: Rome. Roman citizenship is an important feature of the identity of the implied reader of the text. The work often invokes a bond of "Romanness" which is shared between writer and reader, so that to

¹⁰⁸ See also Gazich 1995, especially pp. 79-93 for the importance of identity in the exemplary process.

read the work is to collude with the notion that we are all Romans; thus in 3.3.1 Rome is described as *urbem nostram*.¹⁰⁹

Rome is not just “ours” - it is superior. Every now and then during the work Valerius breaks off from narration of *exempla* in order to eulogise Rome and her achievements, which explicitly come about through her cultivation of moral values: the military discipline and empire-building.¹¹⁰ His premier *exemplum* of the quality of *felicitas* is a man named Q. Metellus whose first claim to being one of the most fortunate people in history, we are told, is that he was born in the city of Rome - *nasci eum in urbe terrarum principe* - the city which is the leader of all nations.¹¹¹

According to Roman rhetoric, Roman examples carry more *auctoritas* and are more effective than foreign; this is why they always precede the *externa* in Valerius’ work.¹¹² Valerius often signals the transition from Roman to foreign within a given chapter by suggesting that he is moving on to lighter things. Foreign tales are described as providing entertainment and variety,¹¹³ or as requiring less concentration.¹¹⁴ At 3.8 the transition is described as sinking or slipping down (*itaque stilo meo ad externa iam delabi permittam*);¹¹⁵ the word *delabi* implies a slackening or loosening as well as a descent to lower status.

¹⁰⁹ The word *noster* meaning “Roman” is encountered very often in the work: e.g. *nostra ciuitas* (1.1.8), *nostra urbs* (2.7.6), *ciuitas nostra* (3,2,7), *imperio nostro* (1.7.ext.1). Valerius frequently describes Roman *exempla* as *nostra* or *propria*. Elsewhere, Hannibal’s dream about attacking Rome is described as *detestandum Romano sanguine* (1.7.ext.1) and Valerius asserts that examples of Roman cruelty evoke feelings of national shame in a way that foreign examples do not: *transgrediemur nunc ad illa quibus, ut par dolor, ita nullus nostrae ciuitatis rubor inest* (9.2.ext.1). In such comments Valerius draws upon, but also bolsters, a sense of shared identity between author and reader. For ethnocentricity in Roman oratory see Vasaly 1993, pp. 133-9.

¹¹⁰ E.g. 2.8.intro: *disciplina militaris acriter retenta principatum Italiae Romano imperio peperit... ortumque e paruula Romuli casa totius terrarum orbis fecit columen*; 2.9.intro: *nam ut opes populi Romani in tantum amplitudinis imperatorum uirtutibus excesserunt, ita probitas et continentia, censorio supercilio examinata, est opus effectum par bellicis laudibus*. See also, for example, the end of chapter 4.4 on Roman poverty, or 6.3.ext.1 on *seueritas*.

¹¹¹ 7.1.1.

¹¹² In fact, this suggestion that foreign examples have less rhetorical force than Roman is (as we shall see in my discussion of chapter 6.1 in Part II) in itself a rhetorical ploy; foreign *exempla* are just as effective as Roman, but often achieve their end in a different way.

¹¹³ E.g. *attinam igitur externa, quae Latinis litteris inserta, ut auctoritatis minus habent, ita aliquid gratae uarietatis adferre possunt* (1.6.ext.1); *ad iucundum a cognitu veniamus* (5.7.ext.1); *illud autem facinus, quia externum est, tranquilliore adfectu narrabitur* (9.11.ext.1).

¹¹⁴ At 6.9.ext.1 *nostra exempla* are read *attento studio*, while *aliena* are read *remissiore...animo*.

¹¹⁵ *Delabor* is a common rhetorical term to denote moving from one kind of example to another, inferior kind: see for example Cic. *Lael.* 21: *iam a sapientium familiaritatibus ad vulgares amicitias oratio nostra delabitur* (also *Cael.* 7.15; *Q. Fr.* 1.1.6..18); *Part. Or.* 4.12: *aut a minoribus ad maiora*

As well as indicating Alexander's appreciation of the boy's deed, the word *delectatus* partly signals such a transition to a lighter kind of tale after the gravity of the two preceding Roman examples and the civil war examples which Valerius has passed over. The boy's deed, although similar to those of the Romans in that they all involve resistance to the pain of burning flesh, is in any case manifestly less impressive. Whereas the Romans chose to burn parts of their body, in order to make a point, in his case the ember fell on him accidentally; they sacrifice important body parts - the right hand, a finger - while he burns part of his arm; most of all, they perform their deeds in military and patriotic contexts, on behalf of Rome, in front of the enemy and with the result that the enemy capitulates to Rome. Alexander's boy suffers in the safety of a domestic and religious setting and in the presence of his own king. The story is charming, but hardly glorious in the the same way, and this very contrast between the stories underlines Roman military supremacy.

After this main narrative, however, Valerius adds in a rider which throws a new light on the *exemplum* by introducing a new (hypothetical) spectator to the boy's deed: *si huic miraculo Dareus inseruisset oculos, scisset eius stirpis milites uinci non posse cuius infirmam aetatem tanto robore praeditam animaduertisset*. The presence of Darius as spectator would have brought a new weight to this *exemplum*, teaching him a different lesson: a lesson about Macedonia rather than about *patientia* - *uinci non posse*. This boy's courage in the face of pain would indeed have functioned as an *exemplum* of national backbone to impress and influence his nation's enemies, just as the Roman ones have done. With this final sentence Valerius introduces the military and patriotic context which was so far lacking in this tale, and draws a comparison between warlike Macedonia and Rome, in contradiction to the contrast we perceived a moment ago. This confirms what the Roman tales implied: although we may read these as inspiring and instructive *exempla* of the virtue of *patientia* directed toward a Roman reader of the work ("us"), they are also shown to bear another message to another audience: their acts convey messages about national prowess to the enemy leaders who are standing by (Porsenna, ⁿGetius), or would do, if they were there

ascendimus, aut a maioribus ad minora delabimur. It is also used to describe moral decline (e.g. Cic. Or. 2.60.246.)

(Darius). The message depends on the relation of the reader or audience to the *exemplum*.

With the term *credo* in 3.3.1, Valerius signals the possibility of subjective interpretation of *exempla*. He claims to be giving us a new and personal reading of Mucius' deed: that he burned away his right hand in the fire because he was angry that it had failed to carry out the mission to kill Porsenna. If this is a *new* reading it must be Valerius' intention that it be contrasted with previous, canonical readings, whether orally or textually transmitted, with which the reader should be familiar. For the modern reader there is no access to such funds of orally transmitted narratives and interpretations, and we must make the most of what we have in the way of text. I am sure that most Latinists today would turn at once to the version of the story in Livy (2.12.1-13.1.) It is not beyond the realms of possibility that this is the very version to which Valerius is making implicit reference.¹¹⁶ In Livy's version, Mucius' act is accompanied by a speech which offers to Porsenna an interpretation of what he is doing (a running commentary on the deed, if you like, comparable to Anaxarchus' retort before he bites off his tongue in 3.3.ext.4). As he sticks his hand into the flames he says: "*En tibi ut sentias quam uile corpus sit iis qui magnam gloriam uident*" (2.12.13). He is demonstrating to his enemy how willing he is, as a Roman citizen (his first words to Porsenna are *Romanus sum*), to sacrifice his own body in the pursuit of glory for his city. There may also be implicit reference to this version (or at least a similar tradition) in the last sentence of ext.1 discussed above; although this is not explicit in Valerius' account, Mucius' expressed reason for burning his hand in Livy's text is to impress the enemy with national prowess as indicated by the *patientia* of one member of the nation, just as would have happened with Darius: "*et facere et pati fortia Romanum est*." If we know this aspect of the Mucius legend, this enhances our reading of Valerius' text, since it draws the stories of Macedonia and Rome even closer. But this also opens up the issues of how far Valerius intended the reader to bear in mind specific versions of the tales he tells, and how far the modern reader is justified in employing extant Roman literature in the interpretation of Valerius. Such issues will be raised throughout the thesis and are addressed in particular in Part III.

¹¹⁶ For Livy as a probable source for Valerius, and discussions of related issues, see Bloomer 1992, especially chapter 3. He is certain that Valerius had read Livy (p. 35, pp. 60-1).

Sequence and structure

The statement that Roman always *precede* foreign assumes a sequential reading for the text, as does the passage in this chapter where Valerius outlines the reasons for his move from Roman *exempla* to foreign; there is a sense of progression through the work.¹¹⁷ Several aspects of the chapter support this notion of sequence: passages at the beginning and end of the chapter which relate the material to the preceding and following chapters,¹¹⁸ links between sections within the chapter,¹¹⁹ and, for example, the inclusion of material which is not *exempla* (such as the digression on *philosophia* in this chapter), which is not numbered and appears in no index and would thus be difficult to access any other way.

Within this sequential structure hierarchies are made manifest, as the first three stories in this chapter illustrate. The first story is the most impressive: a legendary Roman hero, early in the history of Rome, burns away his entire right hand. The second is very similar in formula, but slightly less impressive: a lesser known figure from later in Roman history burns away less of his hand. The third, as we have seen, is less impressive again. The separation of Roman from foreign which is an underlying structure of the work is part of a more general pattern in the deployment of *exempla* within chapters: *exempla* are often ordered on the principle of hierarchy (as defined through the intersection of such factors as race, sex, rank, age or moral standing of the

¹¹⁷ For further references to progression see e.g. *nostrum opus pio egressu ad proprium dolorem prouectum in suum ordinem reuocetur* (4.8.praef.); *animaduerto in quam periculosum iter processerim, itaque me ipse reuocabo...* (3.6.praef.); *Ab hoc horrido et tristi pertinacis amicitiae ad laetum et serenum uoltum transeamus* (4.7.7); *transgrediamur ad egregium humani ab odio ad gratiam deflexum, equidem eum laeto stilo persequamur* (4.1.praef.); *transgrediemur nunc...* (9.2.ext.1).

¹¹⁸ In the preface a thematic link is made with the subject of the previous chapter, *fortitudo*, with the suggestion that the two qualities are so similar they seem to be related: *ita iunctam ut cum ea uel ex ea uideri possit*. At the end of the chapter the comment upon the stamina and loyalty of the barbarian slave in ext.7 becomes an exposition of the fact that birth does not dictate virtue (*quo euenit ut et humili loco nati ad summam dignitatem consurgant...*) which will be the subject of the following chapter (about those from humble backgrounds who attain glory). Other explicit links between chapters include 5.1.praef, which incidentally is also a link between two books: *liberalitati quas aptiores comites quam humanitatem et clementiam dederim, quoniam idem genus laudis expetunt?* Cf. Bloomer 1992, p. 11: "In his proem and the proemia to the various chapters Valerius is concerned to ease the transition so as to maintain his reader's interest, to ensure the reader keeps reading."

¹¹⁹ The first *exemplum* is introduced as being particularly appropriate in the light of the content of the previous chapter: *quid enim iis quae supra rettuli facto Mucii conuenientius?* The first in a series of *exempla* featuring philosophers begins: *incipiam autem a Zenone* and the following *exemplum* then refers to it: *eiusdem nominis philosophus...* Other links indicate comparisons between two adjacent *exempla*: *talis patientiae aemulus* (ext.4); *in Theodoto quoque...* (ext.5); *haec e pectoribus altis et eruditis orta sunt, illud tamen non minus admirabile seruilis animus cepit* (ext.7).

central figure in each *exemplum*), and related principles such as the chronological, where the older the story the more *auctoritas* it carries.¹²⁰

This chapter manifests the sorts of patterns which recur throughout the work. In each chapter tales with similar themes are grouped together, so that here we find a clutch of stories about burning flesh followed by a clutch about philosophers standing up to tyrants. As the chapter proceeds, other patterns emerge: the first example takes place just outside Rome on the other side of the Tiber; throughout the chapter we move further and further away from the centre of the Roman world towards the margins of the empire and beyond. Once more this reflects the ethnocentricity of Roman oratory and thought, whereby distance from Rome is a measure of both moral and rhetorical inferiority.¹²¹ This progression from the highest to the lowest is typical of the structure of Valerius' chapters and the last *exemplum* in the chapter features the figure of lowest status - a *seruus barbarus*.¹²² The distinction in status between the *exempla* at the head and those towards the end of the chapter is reflected by the ways the author constructs his relationship to them. In 3.3.1 Valerius' personal interaction with, and validation of, the tale was indicated by the term *credo*; in ext. 6 he uses a different form of the same word - *creditur* - to distance himself and his authority from his description of the customs of the Indians.¹²³

These patterns of arrangement - hierarchical, chronological, progressive¹²⁴ - like the patterns of arrangements in the private galleries and displays of portraits mentioned above, were designed to have a mnemonic effect. The text is designed to stimulate in a reader the desire to attain virtue, and to indicate ways in which virtue might be attained, but it is also intended that the sequences of *exempla* which have performed

¹²⁰ These hierarchical principles are referred to, for example, in 3.2.praef, where Romulus, on every count the most prestigious of Roman heroes who should therefore head the chapter, is asked to permit Valerius to ignore these conventions of order so that he may begin with the tale of Horatius Cocles: *nec me praeterit, conditor urbis nostrae Romule, principatum hoc tibi in genere laudis adsignari oportere...*

¹²¹ See pp. 33-4 above.

¹²² Compare with the structure of 6.1 discussed in detail in Part II, pp. 128-9 and 156-7.

¹²³ Compare the Roman name Scaevola as a mark of eternal glory, to the description of the Indians as "wise" by unknown persons: *titulusque sapientiae datur*.

¹²⁴ E.g. within the clutch of examples about philosophers and tyrants a progression may be noted in the severity of the tyrant's fate: death of the tyrant; tyrant has ear bitten off; philosopher bites own tongue off making tyrant look impotent; tyrant loses a friend.

this function should subsequently be available to the reader in their own memory, and the text is therefore structured partly to facilitate recall of the material.

In addition, within this sequential structure the individual *exempla* play off one another, and the message of a chapter becomes far more than the sum of its parts. In chapter 3.3 the collection of exemplary tales does much more than merely define a quality – you would end up with a pretty funny and rather narrow definition of *patientia* if you took that as being the purpose of the chapter. Instead the *exempla* interact with one another to communicate a variety of general principles. The chapter begins with stories of Roman courage which initially contrast favourably with the Macedonian example, but are then brought into comparison with it with the appearance of Darius. The subject then turns from war to philosophy, and the cause which motivates the heroes is no longer country but something more abstract: freedom from tyranny. But the structure of the chapter and the allusions within it enable the reader to construct a relationship between military prowess and philosophy.

As is often the case in Valerius' chapters, the military heroes are Roman and the philosophers Greek, and this reflects the Roman claim that Greeks think and talk, but the Romans *act*. The relationship between Greek and Roman within Valerius' work is a vast subject in itself, which I do not hope to take on here, but there is the familiar tension in the Roman's attitude towards things Greek: a combination of admiration and scorn.¹²⁵ The relationship between Greek philosophy and the military stamina of the Romans is referred to by the passage which introduces the philosophical tales, where philosophy is called *animi militia* – military campaign of the mind. But the sense that such philosophical approaches might indeed underpin military success does not emerge until the end of the chapter when we encounter the Indians. Despite their extraordinary resistance to pain, we are to be sceptical about these wise men because there seems to be no further cause for which they are suffering beyond the glory itself. Yet the mention of these men, and particularly the phrase *flammis sine ullo gemitu obicientes*, refers us back to earlier in Valerius' work, 1.8.ext.10, where he related a tale about Alexander the Great and the Indian Callanus: there we see the Indian throwing himself of his own accord upon a burning pyre, and in his brief exchange

¹²⁵ Cf. p. 137 and n. 328 below.

with Alexander are reminded of how Alexander's military campaigns were underpinned by the philosophical teachings of the guru Callanus. This throws back a new light on the previous sections of the chapter and suggests a similar pattern in the relations between Greek thought and Roman deed.

This is a very brief analysis of the dynamics of the chapter and the messages it may communicate. There are, of course, other themes in the chapter too: the horror of civil war and of tyranny, the relationships between philosophers and tyrants, the presence of virtue among the lowly born. What is clear is that there is much more here than exemplification of *patientia*, and this is brought out by reading the chapter as a consecutive whole. The overall effect of the display, and the dynamic changes which happen as a reader moves through the chapter and encounters new material which affects the interpretation of what has gone before, are important features of the work.

4) ...as a historical source

It should be clear that my description of Valerius Maximus' work differs radically from that which is usually found in recent works on Latin literature, and that it has important implications for the way that the text is read and used as a source of information about ancient Roman history and society. Calling the *Facta et Dicta Memorabilia* an "encyclopaedia" and expelling it from the corpus of Latin literature is a way of authorising the way that it is currently plundered by historians. If it is believed that the work is not a continuous text designed to be read in sequence then each story that Valerius tells has no context within the work. It can, therefore, be read "straight" and snipped out of the work as a (more or less accurate) factual piece of information. If the work is not literature then it has no complexity.

However, once it is accepted that the text must indeed be seen as a work of literature, then each tale does after all have a literary context (the rest of the work), as well as an exemplary function in the moral universe which Valerius is sketching out for his reader. The historian is no longer so free to pick and mix "scraps of information,"¹²⁶ but must sit down and read the text seriously.

*

Exempla are not facts, indeed they need not even be factual. They are products of rhetorical manipulation of historical detail which convey moral messages. As scholars have noted, they are one of the ways that Romans articulated and communicated abstract ideas; they are both focal points for abstract notions and vehicles for conveying them. They are at the heart of Roman education, both moral and rhetorical. They should be wonderfully useful to the modern scholar as a point of access to Roman thought.¹²⁷

Whose thought precisely the work reflects is a puzzling question. Some have seen it as a clear reflection of the ideologies of the imperial regime of that era, "his

¹²⁶ Rose 1936, p. 356. Cf. "For the modern reader, Valerius' collection provides a wealth of historical detail which is otherwise not documented." (Dihle 1989, p. 66) or Kleijwegt 1998, p. 105: "Historians have occasionally consulted him as an additional source to Livy or Cicero."

¹²⁷ "It is...valuable as an anatomy of Roman social ethics." (Morgan 1997), or "There emerges with great clarity the system of values that Valerius Maximus holds to" (Conte 1994, p. 381).

value...lies precisely in [his] conscious echoing of official lines taken in the documents,"¹²⁸ and have identified specific elements of the text which seem to relate to Tiberius. For example the virtues of *clementia* and *modestia* are ones which he identified with himself, and Levick describes the *exempla* of these virtues displayed by Valerius as "blueprints for the acts of Tiberius."¹²⁹ Others see it, for example, as reflective of a time of transition between Republic and empire, and of the rise of a "new nobility"¹³⁰ or that the work "mirrors not so much the ideals of the *nobiles* themselves, as public attitudes towards those ideals."¹³¹ The work draws, as we have seen, on an education system which shapes Roman men as civic and moral subjects more generally, but this tradition in itself draws on broader Roman traditions of storytelling through oral and visual media accessible to the non-literate, common perhaps to Romans of all classes.¹³²

It is impossible of course to pinpoint the actual, or even the intended, audience of the work. As I have shown, it is clear that at times certain assumptions are made about the intended reader as Roman, male and elite: those, in other words, traditionally afforded an education in rhetoric. *Exempla* were a central part of this Roman education¹³³ and such an education was not only available primarily to men, but was also very explicitly gendered, just as it was explicitly about moral as well as rhetorical learning. Ancient sources emphasise the fact that Roman manhood was achieved partly through mastery of oratorical skills.¹³⁴ "Ancient Roman educators undertook to school their students in the Roman conventions of manliness."¹³⁵ Quite what its place was is a matter of debate, but there seems no doubt that Valerius' work was part of this didactic tradition, and like the Roman rhetorical training in general, was primarily

¹²⁸ Levick 1999, p. xiii. Cf. p. 84: "Velleius Paterculus and Valerius Maximus, men acutely sensitive to the mind of the *princeps*"; Conte 1994, p. 381: "warm support for the regime of Tiberius is also expressed in the nine books"; and von Albrecht 1998, p. 1079.

¹²⁹ Levick 1999, p. 91 and Santini 1987. There is reference to the imperial family in the introduction to VM chapter 6.1 which will be discussed in detail below.

¹³⁰ Bloomer 1992 and especially p. 11: "Valerius has written a book of aristocratic culture."

¹³¹ Maslakov 1984, p. 445.

¹³² Cf. Quintilian 12.4.1: *in primis uero abundare debet orator exemplorum copia cum ueterum, tum etiam nouorum...historiis aut sermonibus uelut per manus tradita...* Skidmore suggests the intriguing possibility of a wider audience, beyond the elite and the literate. Gregory 1994 argues that images and ancient writing about the responses to them can give us insight into non-elite ideologies, since they are available to the non-literate. *Exempla* are related to such images, and draw on the same body of commonly shared narratives.

¹³³ See Nicolai 1992, Marrou 1982.

¹³⁴ See e.g. Walters 1997b, p. 307.

¹³⁵ Keith 1999, p.11.

designed to teach Roman males how to be *uiri* in the most imposing sense of the term. Thus Matthew Leigh describes Valerius' "pedagogical intent" as revealed by the beginning of 3.1 (where the *exempla* proper begin after the description of ancient customs in Book 2) as inculcating "*uirtus* – the proper state of being a man."¹³⁶

We have seen, however, that *exempla* are flexible, and that the reader has a crucial part to play in the function of the exemplary process. Thus the possibility of alternative, non-elite audiences raises the possibility of alternative meanings for the *exempla* in this work. Skidmore suggests, for example, that Valerius' work might have been read aloud by a slave to a family, and we might posit such a slave as another audience to the *exempla*, changing their meaning accordingly. Indeed, chapter 3.3, as we saw above, ended with a lowly born foreign slave achieving virtue and glory.¹³⁷ It will become clear throughout this thesis that alternative readers are often implied by the text and their readership would change the meaning of the text. There are many female protagonists in Valerius' work, and in particular I shall be exploring the effect of the gender of the reader (and of protagonists) on the exemplary process.

Yet gender is also a rhetorical tool and a category of moral thought; many Roman moral concepts were articulated with reference to conventional perceptions of differences between men and women, and the moral language is a gendered one. A recent collection of articles on women and slaves aims to "show how thoroughly the ancient Greeks and Romans relied on the polarities of male/female and free/slave in order to understand themselves and to organise their societies."¹³⁸ The basic vocabulary associated with sexual differentiation – e.g. the Latin words for male and female – indicate how fundamentally ideas about the way the sexes differ underpinned the systems of Roman moral thought.

For example, in the chapter on *patientia* discussed above, there are no females among the exemplary figures; all the human figures employed to illustrate the quality are

¹³⁶ Leigh 1997, pp. 168-9.

¹³⁷ Cf. Parker 1997, who also suggests that there may sometimes be an implied readership of women and slaves.

¹³⁸ Joshel & Murnaghan (eds.) 1998, p. 3.

male.¹³⁹ However, we do find one of the male characters employing the rhetoric of gender difference. When Anaxarchus, tortured by the Cypriot tyrant, addresses him one last contemptuous time before biting off his own tongue, he addresses him thus: “*non erit...effeminate adulescens, haec quoque pars corporis mei tuae ditionis.*” The adjective with which he disparages the tyrant, *effeminate*, insults him by likening him to a woman, drawing on a distinction between men and women which sees the latter associated with qualities of moral inferiority.¹⁴⁰

Yet there are also places in the text where female heroism appears to be equated to male (e.g. 3.3.praef. or 6.1.praef.), or where female models are set up to teach men (e.g. the case of Cloelia at 3.2.2, the Teutonic women at 6.1.ext.3 or Hortensia 8.3.3.)¹⁴¹ The remainder of this thesis sets out to investigate how such situations employ gender for didactic purposes and how the gender of the protagonists and the reader interact with the process of learning from *exempla*.

The fact that an *exemplum* is a dynamic process rather than a statement of fact (as my analysis of chapter 3.3 has shown)¹⁴² and one which explicitly requires the involvement of the reader, will also cause problems for the modern reader. My own influence upon the Roman text will be considerable, especially under the pressure exerted during scholarly exegesis, yet my own sense of identity and cultural knowledge must be extraordinarily removed from that of any Roman reader. My own interpretation, no matter how hard I try to recapture a Roman viewpoint, cannot help but be new and different. It is hard to decide what sort of information about Roman history and literature should be brought to bear on an *exemplum* when my own knowledge is based upon arbitrary remnants of that culture. My analysis of Valerius’ work, therefore, strives to be self-conscious about my own role as a modern reader in

¹³⁹ Although the personifications of the abstract qualities themselves are, of course, female, as is conventional in Roman culture. The question of why this might be is a very difficult one to address, and I shall not attempt discussion of it here.

¹⁴⁰ Cf. 2.6.1 where the traditional distinction between the warlike and disciplined Spartans and the luxurious and weak Asians is described in gendered terms: *fortitudinem suam effeminato eius cultu mollire non erubuit*; 9.13.praef. where deaths which are *uiriles* are compared to those which are *enerues et effeminatos*, where the former is vastly superior to the latter as the sentence goes on to explain: *ut ipsa comparatione pateat quanto non solum fortior sed etiam sapientior mortis interdum quam uitae sit cupiditas*; 2.7.9: *mortem quam effeminate timuerant, uiriliter optarent*. See also 9.1.3 on the Oppian law and the moral inferiority of women.

¹⁴¹ Discussed in detail in Parts II and III.

the production of the meaning of the text, in a way that earlier scholars, by and large, have not been.

Parts II and III of this thesis are products of detailed analysis of chapters of Valerius' work (6.1 and 8.3 respectively) in the light of my own conception of the work. In both parts I explore the relationship between the tales contained in these chapters and the abstract moral principles which they might convey, and examine the process by which learning takes place, bearing in mind issues of identity, in particular gender identity. I also seek to draw some conclusions about the way that women and men fit into the moral structures of Roman thought.

Both chapters I have chosen to study in detail are highly relevant to my project. The subject of 6.1 is *pudicitia*, which, as I shall discuss in the following chapter, is often thought of today as being a "female" virtue. Yet Valerius begins the chapter by invoking the virtue as *uirorum pariter ac feminarum praecipuum firmamentum*. Chapter 8.3 contains three tales of women who involve themselves in the masculine pursuit of oratory, and are the focus of Roman ideas about gender and public speaking.

Those who have read the text without sensitivity to its purpose and its literary techniques have tended to misunderstand the tales and the information which they provide. For this reason my work on Valerius Maximus makes an important contribution to Roman social history as well as to the field of Latin literature. Stories from the chapters which are the focus of my study are cited throughout modern scholarship, and often in ways which demonstrate that their function in Valerius' work has been imperfectly understood. In Part III I shall address this issue of how the work should be used as a source.

¹⁴² Cf. Gazich 1990 p. 91 n. 72: "l'*exemplum* non è la citazione di un dato, ma un processo nel quale un dato viene inserito."

PART II

A study of

Valerius Maximus chapter 6.1

6.1 - TEXT AND TRANSLATION

From where shall I invoke you, Pudicitia, the principal foundation of men and women together? For you inhabit the hearths which according to ancient religion are sacred to Vesta, you lie on the sacred couches of Capitoline Juno, on the summit of the Palatine you celebrate the majestic household gods and the most sacred Julian marriage bed, standing by at all times; the glories of childhood are defended by your guard, the flower of youth remains pure out of respect for your divine power, the matronal robe is esteemed because you are its guard. Therefore come near and know again of those things which you yourself wanted to come about.

1. The leader of Roman *pudicitia* is Lucretia, whose virile spirit was allotted by some cruel twist of fate to a woman's body. She was forced by Tarquinius, son of the king Superbus, to suffer adulterous sex, and when she had lamented her injury in the most serious terms to a gathering of her nearest and dearest, she killed herself with a sword which she had brought hidden in her clothes, and by dying in such a courageous way provided the reason for the Roman people to exchange the kingship for consular rule.

2. She did not bear the injury against her; Verginius too was a man of plebeian stock but patrician spirit. Lest his house should be contaminated by dishonour, he did not spare his own blood. For when App. Claudius the decemvir, relying on his powerful status, went on and on trying to debauch his unmarried daughter, he led the girl into the forum and killed her - preferring to be the slayer of a chaste girl than the father of a ruined one.

3. The Roman knight Pontius Aufidianus was endowed with no less strength of mind. After discovering that the virginity of his daughter had been betrayed by her tutor to Fannius Saturninus, he was not content to inflict punishment upon the wicked slave, but he even killed the girl herself. Thus, so that he did not have to celebrate a shameful marriage he led forth a bitter funeral procession.

4. What about P. Maenius? - how severe a guardian of *pudicitia* was he! He punished with death a freedman whom until then he had been fond of because he found that he had given a kiss to his daughter who was already of marriageable age, although it could easily have been thought that the freedman had slipped up through error rather than through lust. He thought it extremely important to teach, by the bitterness of the punishment for a girl still so tender, discipline in the matter of chastity; she learnt from his tragic example that she must bring to

Vnde te uirorum pariter ac feminarum praecipuum firinamentum, Pudicitia, inuocem? tu enim prisca religione consecratos Vestae focos incolis, tu Capitolinae Iunonis puluinaribus incubas, tu Palati columnen augustos penates sanctissimumque Iuliae genialem torum adsidua statione celebras, tuo praesidio puerilis aetatis insignia munita sunt, tui numinis respectu sincerus iuuentae flos permanet, te custode matronalis stola censetur: ades igitur et <re>cognosce quae fieri ipsa uoluisti.

Dux Romanae pudicitiae Lucretia, cuius uirilis animus maligno errore fortunae muliebri corpus sortitus est, a Sex. Tarquinio regis Superbi filio per uim stuprum pati coacta, cum grauissimis uerbis iniuriam suam in concilio necessariorum deplorasset, ferro se, quod ueste tectum attulerat, interemit, causamque tam animoso interitu imperium consulare pro regio permutandi populo Romano praebuit.

Atque haec inlatam iniuriam non tulit: Verginius plebei generis, sed patricii uir spiritus, ne probro contaminaretur domus sua, proprio sanguini non pepercit: nam cum Ap. Claudius decemuir filiae eius uirginis stuprum, potestatis uiribus fretus, pertinacius expeteret, deductam in forum puellam occidit, pudicaeque interemptor quam corruptae pater esse maluit.

Nec alio robore animi praeditus fuit Pontius Aufidianus eques Romanus, qui, postquam comperit filiae suae uirginitatem a paedagogo proditam Fannio Saturnino, non contentus sceleratum seruum adfecisse supplicio, etiam ipsam puellam necauit, ita ne turpes eius nuptias celebraret, acerbis exsequias duxit.

Quid P. Maenius? quam seuerum pudicitiae custodem egit! in libertum namque gratum admodum sibi animaduertit, quia eum nubilis iam aetatis filiae suae osculum dedisse cognouerat, cum praesertim non libidine sed errore lapsus uideri posset, ceterum amaritudine poenae teneris adhuc puellae sensibus castitatis disciplinam ingenerari magni aestimauit, eique tam tristi exemplo praecepit ut non solum uirginitatem inibatam sed etiam oscula ad uirum sincera perferret.

her husband not only an intact virginity, but even pure kisses.

5. Q. Fabius Maximus Servilianus, who wore his honours most splendidly and had crowned them by becoming a censor, punished his son who was of doubtful chastity, and then in turn paid his penalty to the punished, hiding his face from his homeland in voluntary exile.

6. I would say that this censorious man had been too harsh, did I not know that P. Atilius Philiscus, who in his boyhood was forced by his master into selling his body, was just as severe a father. He killed his daughter because she had wholly defiled herself with the smear of *stuprum*. We ought to realise just how highly *pudicitia* must have been venerated in our city, when we see that even the peddlers of lust turned out to be such harsh avengers of it.

7. An *exemplum* from an outstanding family and of an unforgettable deed follows. M. Claudius Marcellus, a curule aedile, brought C. Scantinius Capitolinus, tribune of the plebs, to trial before the people because the man had made sexual advances to his son. Scantinius claimed that he couldn't be forced to turn up because he had sacrosanct status, and citing this he appealed to his fellow tribunes for help. But the whole college of tribunes refused to interfere in the proceedings of this investigation into *pudicitia*. So Scantinius was called as a defendant, and was condemned by the testimony of one witness alone - his intended victim. They say that the young man was led onto the platform and staring fixedly at the ground he refused to speak; with this modest silence he brought about his revenge.

8. Metellus Celer too became the fierce punisher of a debauched mind when he called to trial before the people Cn. Sergius Silus who had offered money to a *materfamilias*, and had him condemned on the strength of this accusation alone; for it was not the deed itself that was being put on trial in this case, but the intention, and his desire to sin proved more harmful to his case than the fact that he had not sinned was helpful.

9. That was a serious case before a public gathering, this next took place in the senate-house. T. Veturius, (the son of the Veturius who during his consulate was handed over to the Samnites because he had signed a humiliating treaty with them) due to the ruin of his family and to heavy debts, had been forced when a youth to give himself into bondage to P. Plotius. This man had beaten him as though he were a slave because he had refused to undergo *stuprum*, and he had taken his case before the consuls. When the senate had been informed of the matter by the consuls they ordered Plotius to be led off to prison: whatever

Q. uero Fabius Maximus Servilianus, honoribus, quos splendidissime gesserat, censurae gravitate consummatis, exegit poenas a filio dubiae castitatis, et punito pependit uoluntario secessu conspectum patriae uitando.

Dicerem censorium uirum nimis atrocem exstitisse, nisi P. Atilium Philiscum, in pueritia corpore quaestum a domino facere coactum, tam seuerum postea patrem cernerem: filiam enim suam, + quod ita + stupri se crimine coinquinauerat, interemit, quam sanctam igitur in ciuitate nostra pudicitiam fuisse existimare debemus, in qua etiam institores libidinis tam seueros eius uindices euasisse animaduertimus?

Sequitur excellentis nominis ac memorabilis facti exemplum. M. Claudius Marcellus aedilis curulis C. Scantinio Capitolino tribuno plebis diem ad populum dixit, quod filium suum de stupro appellasset, eoque adseuerante se cogi non posse ut adesset, quia sacrosanctam potestatem haberet, et ob id tribunicium auxilium implorante, totum collegium tribunorum negauit se intercedere quo minus pudicitiae quaestio perageretur. citatus itaque Scantinius reus uno teste qui temptatus erat damnatus est. constat iuuenem productum in rostra defixo in terram uultu perseueranter tacuisse, uerecundoque silentio plurimum in ultionem suam ualuisse.

Metellus quoque Celer stuprosae mentis acer poenitor exstitit, Cn. Sergio Silo promissorum matri familiae nummorum gratia diem ad populum dicendo eumque hoc uno crimine damnando: non enim factum tunc, sed animus in quaestionem deductus est, plusque uoluisse peccare nocuit quam non peccasse profuit.

Contionis haec, illa curiae grauitas. T. Veturius filius eius Veturi qui in consulatu suo Samnitibus ob turpiter ictum foedus deditus fuerat, cum propter domesticam ruinam et graue aes alienum P. Plotio nexum se dare adolescentulus admodum coactus esset, seruilibus ab eo uerberibus, quia stuprum pati noluerat, adfectus, querellam ad consules detulit. a quibus hac de re certior factus senatus Plotium in carcerem duci iussit: in qualicumque enim statu positam Romano sanguini pudicitiam tutam esse uoluit.

the civil status of the person, the senate wished that the *pudicitia* in Roman blood should be defended.

10. And is it any wonder that the conscript fathers should have unanimously decided this? The capital triumvir C. Pescennius arrested C. Cornelius (who had been extremely brave during his service in the army, and had been endowed four times by his commanders with the title *primipilus*) because he had had sexual dealings with a freeborn adolescent boy. He appealed to the triumvirs, but they refused to use their veto to intercede, since he did not deny that sex had taken place, but said that he was ready to defend himself by saying that the boy had always offered his body openly and without concealment. So Cornelius was forced to die in prison;¹⁴³ the tribunes of the plebs did not believe that the republic should make deals with their brave heroes and allow them to buy pretty boys at home with the dangers they had suffered abroad.

11. Following this punishment of a lustful centurion is the similarly unpleasant end of a military tribune, M. Laetorius Mergus. The tribune of the plebs, Cominius, called him to trial before the people because he had made sexual advances to his own adjutant. Laetorius could not bear the knowledge of his own guilt, and he punished himself before the day of the trial first by running away and then by killing himself. He had paid the full penalty, but even after he was dead he was convicted of the crime of *inpudicitia* by unanimous judgement of the whole people. The military standards, the sacred eagles, and that most reliable guardian of Roman power - the strict discipline among the soldiers - followed the man all the way to hell, because when he should have been a teacher he had tried to be a corruptor of purity.

12. It was this that inspired C. Marius the general, the time when he asserted that C. Lusius (his sister's son and a military tribune) had been justly killed by C. Plotius, a mere common soldier, because of the fact that the former had dared to make sexual advances to the latter.

13. But I shall briefly run through the cases of men who in order to avenge *pudicitia* made use of their own suffering instead of public law: Sempronius Musca flogged to death C. Gellius who was caught committing adultery; C. Memmius gave a kicking¹⁴⁴ to L. Octavius similarly caught; Carbo Attienus was

Et quid mirum si hoc uniuersi patres conscripti censuerunt? C. Pescennius triumuir capitalis C. Cornelium, fortissimae militiae stipendia emeritum uirtutisque nomine quater honore primi pili ab imperatoribus donatum, quod cum ingenuo adolescentulo stupri commercium habuisset, publicis uinculis onerauit. a quo appellati tribuni, cum de stupro nihil negaret, sed sponsonem se facere paratum diceret, quod adulescens ille palam atque aperte corpore quaestum factitasset, intercessionem suam interponere noluerunt. itaque Cornelius in carcere mori coactus est: non putarunt enim tribuni plebis rem publicam nostram cum fortibus uiris pacisci oportere ut externis periculis domesticas delicias emerent.

Libidinosi centurionis supplicium M. Laetori Mergi tribuni militaris + aequae similis + foedus exitus sequitur. cui Cominius tribunus plebis diem ad populum dixit, quod cornicularium suum stupri causa appellasset. nec sustinuit eius rei <con>scientiam Laetorius, sed se ipse ante iudicii tempus fuga prius deinde etiam <...>. naturae modum expleuerat, fato tamen functus uniuersae plebis sententia crimine *inpudicitiae* damnatus est. signa illum militaria, sacratae aquilae, et certissima Romani imperii custos, seuera castrorum disciplina, ad inferos usque persecuta est, quoniam cuius uirtutis magister esse debuerat, sanctitatis corruptor temptabat exsistere.

Hoc mouit C. Marium imperatorem, tum cum C. Lusium sororis suae filium, tribunum militum, a C. Plotio manipulari milite iure caesum pronuntiauit, quia eum de stupro compellare ausus fuerat.

Sed ut eos quoque qui in uindicanda pudicitia dolore suo pro publica lege usi sunt strictim percurram, Sempronius Musca C. Gellium deprehensum in adulterio flagellis cecidit, C. Memmius L. Octauium similiter deprehensum + pernis + contudit, Carbo Attienus

¹⁴³ The translation of *in carcere mori coactus est* is slightly problematic; I have translated it literally as "he was forced to die in prison". The sense of this phrase could be that the circumstances of his imprisonment meant that he had to die in prison, which was a shameful thing (Combès translates it as "dut mourir en prison"), but this does not reflect the force of the Latin word *coactus*, which carries undertones of physical violence. To translate as "killed" would be going too far, but there is a sense that his death was brought about by force against him, and that he did not die peacefully in his cell. See also the section on "coercive power" below.

¹⁴⁴ The Latin *pernis* is puzzling; the Loeb has "beat with thigh bones" here.

caught and castrated by Vibienus and similarly Pontius by P. Cerennius. Whoever caught Cn. Furius Brocchus handed him over to his slaves to be raped. And it was right for these men to indulge their anger.

Ext.1. To add some foreign examples to these domestic ones, a Greek woman called Hippo, who had been captured by an enemy fleet, threw herself into the sea so that she could guard her *pudicitia* with death. Her corpse was washed up on the Erythraean shore and the land just by the sea where she was buried covers her body with a burial mound to this day. The glory of her purity, which is handed down to eternal memory, Greece renders every day more splendid with the praises with which it celebrates her.

Ext.2. As an *exemplum* of *pudicitia* that deed was an impulsive one; here is one that was more reflective. It happened when the army and the resources of the Gallograeci had been partly destroyed and partly captured near Mount Olympus by Cn. Manlius. The wife of their king Orgiago, who was stunningly beautiful, was forced to suffer adulterous sex by the Roman centurion who had been appointed as her guard. The centurion had sent a message ordering the woman's relatives to bring a ransom to buy her back, and when they came to the designated meeting place, and the centurion was weighing out the gold, completely absorbed in the process, she ordered the Gallograeci in the language of her people to kill the man. She cut off the dead man's head and carried it in her hands to her husband. Throwing it at his feet she told him the story of the injury and of her revenge. Clearly it was only in body that this woman was in the power of her enemies; her spirit could not be conquered, nor her *pudicitia* taken prisoner.

Ext.3. The wives of the Teutons begged their conqueror Marius to give them as a gift to the Vestal Virgins, promising that they too would never sleep with another man. When this was not granted to them, the following night they took their own lives by hanging. Fortunately the gods did not grant the same courage to their husbands on the battlefield; for if the men had been inclined to imitate the virtue of their wives, our victory over the Teutons would not have been so secure.

a Vibieno item Pontius a P. Cerennio deprehensi castrati sunt. Cn. etiam Furius Brocchus qui deprehenderat familiae stuprandum obiecit. quibus irae suae indulsisse fraudi non fuit.

Atque ut domesticis externa subnectam, Graeca femina nomine Hippo, cum hostium classe esset excepta, in mare se, ut morte pudicitiam tueretur, abiecit. cuius corpus Erythraeo litori adpulsum proxima undis humus sepulturae mandatum ad hoc tempus tumulo contegit: sanctitatis uero gloriam aeternae traditam memoriae Graecia laudibus suis celebrando cotidie florentiorem efficit.

Vehementius hoc, illud consideratius exemplum pudicitiae. exercitu et copiis Gallograecorum a Cn. Manlio consule in Olympo monte ex parte deletis ex parte captis, Ortiagontis reguli uxor mirae pulchritudinis a centurione, cui custodienda tradita erat, stuprum pati coacta, postquam uentum est in eum locum in quem centurio misso nuntio necessarios mulieris pretium quo eam redimerent adferre iusserat, aurum expendente centurione et in eius pondus animo oculisque intento, Gallograecis lingua gentis suae imperauit ut eum occiderent. interfecti deinde caput abscisum manibus retinens ad coniugem uenit, abiectoque ante pedes eius iniuriae et ultionis suae ordinem exposuit. huius feminae quid aliud quisquam quam corpus in potestatem hostium uenisse dicat? nam neque animus uinci nec pudicitia capi potuit.

Teutonorum uero coniuges Marium uictorem orant ut ab eo uirginibus Vestalibus dono mitterentur, adfirmantes aequae se atque illas uirilis concubitus expertes futuras, eaque re non impetrata laqueis sibi nocte proxima spiritum eripuerunt. di melius, quod hunc animum uiris earum in acie non dederunt: nam si mulierum suarum uirtutem imitari uoluissent, incerta Teutonicae uictoriae tropaea reddidissent.

1. INTRODUCTION

Vnde te uirorum pariter ac feminarum praecipuum firmamentum, Pudicitia, inuocem?
tu enim prisca religione consecratos Vestae focus incolis, tu Capitolinae Iunonis
puluinaribus incubas, tu Palati columnen augustos penates sanctissimumque Iuliae
genialem torum adsidua statione celebras, tuo praesidio puerilis aetatis insignia munita
sunt, tui numinis respectu sincerus iuuentae flos permanet, te custode matronalis stola
censetur: ades igitur et cognosce quae fieri ipsa uoluisti.

We have seen that one of the devices Valerius Maximus employs to encourage the reader's full and intelligent engagement with the *exempla* and precepts laid out in his work is the presentation of the *exempla*, and at times even the abstract qualities which they embody, as three-dimensional figures whose deeds are re-enacted before us, who form a parade at which the reader is spectator.¹⁴⁵ The beginning of Book 6 is in some ways a climactic moment in the work,¹⁴⁶ where Valerius not only conjures up the virtue of *pudicitia* as a personification and a deity, but directly addresses the introductory passage of the first chapter of the book to her, thus puncturing the barrier between spectacle and spectator by setting up a two-way relationship between them: not only can the reader and author view and respond to the figures in the text, but such a figure can be aware of and respond to addresses by the author. This in itself creates a sense of immediacy and excitement, and Valerius uses the device of direct address to his heroes and villains a number of times in the work to add dynamism and a sense that the narrative is unfolding as we read.¹⁴⁷ That Pudicitia is described as being present now and in familiar sites in the centre of Rome, and that she is mentioned in connection with the contemporary imperial family, heightens this sense that this is an

¹⁴⁵ See above pp. 22-3, 30-1.

¹⁴⁶ For the relationship between the end of Book 5 and the beginning of Book 6, see Part II.3, pp. 101-108.

¹⁴⁷ Valerius addresses Amicitia at 4.7.3-4. He often directly addresses exemplary protagonists: e.g. Cassius (1.8.8), Postumus and Torquatus (2.7.6), Sempronia (3.8.6), Porcia (4.6.5), Romulus (3.2.praef.) or Cato of Utica (3.2.14). On Valerius' use of apostrophe to mark climactic moments in the text, and on the use of the second person singular see Bloomer 1992, pp. 252-4. He writes: "a number of Valerius' figures seek to collapse the distance between author, text and reader," (p.252) and discusses the stylistic analysis of Valerius by Sinclair 1980. On the address of figures in the text as an emotive device see Lausberg 1998, p. 365.

important point in the text, and one where the readers come very close to the exemplary past. I shall discuss this aspect of the introduction in greater detail below.

Unde te...inuocem?

In his address to Pudicitia, however, Valerius goes further than mere personification of the virtue. The first line is constructed on the formal model of an invocation of a deity; Valerius starts by asking where he must seek this deity out, and then proceeds by listing the places and the roles which are associated with her.¹⁴⁸ Finally Pudicitia is invited to step out of the parade of exemplary figures and join the author and reader as spectator at the show of *exempla* to follow: *ades igitur et cognosce quae fieri ipsa uoluisti*.

In the introduction to my thesis I showed how Valerius frequently depicts abstract qualities in human form, endowing them with characteristics which reflect those of the kinds of people associated with them.¹⁴⁹ The quality of Crudelitas, as we saw, is described as looking wild and fierce and having a terrifying voice, while Libido is wanton and seductive. What then are Pudicitia's defining characteristics? First, the fact that she participates in the exemplary process; here Pudicitia is able not only to bring about virtuous deeds (*quae uoluisti*), but also to reflect upon them afterwards (*cognosce*). This moment where the virtue seems to come to life, to step out beyond the confines of the text of exemplary narratives and to join the reader and the author in reflecting upon the material which she has inspired is surely a moment of great excitement in the text. Valerius calls on her to be present and accompany us on our tour (*ades*), but he also calls on her to interact with these tales in just the way the reader is expected to. He uses the term *cognosce*, which, as we saw in Part I, is the term used programmatically in the preface and then throughout the work to describe the process by which the reader comes to know and learn from *exempla*.¹⁵⁰

¹⁴⁸ For the structure of a formal invocation see Norden 1954 pp. 143ff. The proem to Lucr. *DRN* or Cat. 34 are further examples of the same structure in Latin literature.

¹⁴⁹ p. 23.

¹⁵⁰ See p. 21 above. Since *cognosco* has a technical and programmatic meaning in the context of this work, I am happy to retain *cognosce* in the text here, although an emendation to *recognosce* has been suggested (see Briscoe 1998 *ad loc.*) on the grounds, I presume, that since she must already be familiar with the tales it makes no sense for her to be getting to know them now. The manuscripts have *cognosce* but Wenksy suggested the emendation to *recognosce* in 1879 (see also Kempf 1888 *ad loc.*) by analogy with employment of the term in the introductions of chapters 4.1 and 9.1 and in section 4.7.4, where the term also describes the relation of the qualities of *moderatio*, *luxuria* and *amicitia* to the deeds they have inspired.

Indeed here the two aspects of Pudicitia's relationship to the *exempla* – the inspirational and the cognitive – reflect the nature of *exempla*: they are both the past events themselves and also their retelling as a didactic tool. Pudicitia has first of all inspired the events which have taken place (*quae fieri ipsa uoluisti*) and then now, later, she is able to appreciate fully the significance of their narration in the context of Valerius' work. Not only does her appearance provide guidance as to the nature of the quality which the subsequent *exempla* will convey, but she also stands beside the reader as an exemplary reader or spectator of these tales.

After this introduction, the chapter continues with a long series of *exempla*, beginning with the well-known tale of Lucretia's rape by Tarquinius: there are twenty *exempla* in all, with thirteen sections in the Roman part (section 13 contains a brief list of adulterers who have suffered a variety of punishments) and only three foreign examples.¹⁵¹ These *exempla*, as we have seen, are introduced as having been inspired by *pudicitia* as deity.¹⁵² One may start from the premise that this is the quality which the *exempla* have been selected to illustrate and convey, and this is confirmed by frequent appearance of the word and its cognates throughout the chapter.¹⁵³

This then is one of the many chapters in Valerius' work where the theme of the *exempla* which have been gathered together is a single named virtue or vice; in this respect it is initially a relatively straightforward matter to identify what it is that the chapter is aiming to teach the reader.¹⁵⁴ One of the central issues which this thesis sets out to explore is the mechanics of the process by which such teaching is put into action: what is the relationship between the moral message – perhaps an abstract quality – and the narratives intended to convey it? Where a chapter in Valerius' work

¹⁵¹ Note that in this chapter, in contrast to 3.3, the foreign section is far shorter than the Roman. The implications of this aspect of the chapter's structure will be explored in detail later in Part II.

¹⁵² Whose description here is very likely to owe something to the existence of a cult figure of Pudicitia who was celebrated at Rome; see Palmer 1974 for detailed study of this cult.

¹⁵³ In sections 1, 2 (*pudicae*), 4, 6, 7, 9, 11 (*impudicitia*), 13, ext.1, and ext.2 (twice). There are also several near-synonyms: *castitas* (sections 4 and 5), *virginitas* (3 and 4) and *sanctitas* (11 and ext.1). The rubric of this chapter as found in the manuscripts is also "pudicitia", although, as we saw in the introduction, it is unlikely that these chapter headings formed part of the original work (n. 14, p. 9).

¹⁵⁴ As opposed for example to chapters with themes (summarised wordily by the rubrics attached to the chapters) where the moral import is not at first sight so obvious, such as *Quae rata manserunt cum causas haberent cur rescindi possent* (7.8), *Qui ex inlustribus uiris in ueste aut in cetero cultu sibi*

begins by being explicit about the moral quality in which it hopes to educate the reader, *pudicitia*, we have^a starting point for questions about how the text goes about stimulating the desire to learn, conveying a sense of the quality and then teaching the reader how to acquire it.

The introductory passage gives us a quick sketch of *Pudicitia* which sets up some expectations about the virtue which she personifies (and I shall explore these further below). We have seen from our analysis of chapter 3.3 and the quality of *patientia* that we cannot expect the *exempla* which follow to provide a thorough or definitive explanation of what the term *pudicitia* meant to Romans. Such a collection of traditional tales in a didactic context will nevertheless undoubtedly offer us some insight into Roman conceptions of *pudicitia*. A degree of sensitivity to the rhetorical and didactic function of the narratives and to the limits of this work as a source of information, is vital to an intelligent exegesis of the chapter (as of the work as a whole, as this thesis argues). However, I shall show that Valerius' treatment of *pudicitia* can indeed shed new light upon the nature of this virtue in Roman thought.

uirorum pariter ac feminarum praecipuum firmamentum

One eye-catching aspect of this chapter, which marks it out from others in the work as a section of particular interest, is the way it begins by suggesting *pudicitia* is a virtue which is equally relevant to men and to women. One question which stimulated my initial research into Valerius' didactic methods was whether distinctions were made between men and women in such a moral context; were there certain virtues which were considered to be feminine and others masculine, and if so which ones? How would any such distinctions have affected the way in which members of both sexes learnt to become virtuous?

The opening line of this chapter suggests that Romans did indeed make such distinctions, but that this particular quality is, unusually perhaps, associated with both sexes. This raises the issue of why might this be the case for this particular virtue, as well as a range of related questions: in a chapter which involves both female and male protagonists, how many of the exemplary figures in this chapter are male and how

licentius quam mos patrius permittebat indulserunt (3.6) or the chapter which I shall discuss in detail in Part III of this thesis, *Quae mulieres apud magistratus pro se aut pro aliis causas egerunt* (8.3).

many female, and do they relate to the virtue in the same way? This is one of the few places in Valerius' work where he explicitly points up a sameness, an equality, between men and women, and it gives us an opportunity to try and understand what this might mean.

Manifestations of *pudicitia*

The question of why Valerius begins this particular chapter with such a comparison between male and female becomes all the more urgent when we consider that modern scholars have long tended to call *pudicitia* "a female virtue" and to describe it as one of the key virtues which the ideal Roman woman (especially a *matrona*) was expected to possess. Indeed, Robert Palmer, in his article devoted to the cult figure, translates "Pudicitia" as "Female Chastity" both in his title and in his opening sentence: "The Latin word for female chastity is *pudicitia*..."¹⁵⁵ More recently we find, for example: "*pudicitia* is almost always an attribute of women,"¹⁵⁶ "la *pudicitia*, cioè la purezza dei costumi, è la virtù principale di una matrona"¹⁵⁷ and "chastity, frugality, domesticity, industry and loyalty to her husband and family were the main traditional virtues of the Roman matron."¹⁵⁸ An analysis of Italian honorary inscriptions also yields the conclusion that: "[a]s distinctively feminine virtues in Roman society, *pudicitia* and *castitas* are understandably attributed to women almost exclusively in honorary inscriptions."¹⁵⁹ As is evident from the above citations "sexual purity" is also a key feature of modern descriptions of quality of *pudicitia*.¹⁶⁰

I shall briefly examine the ancient sources on which modern scholars have based such conclusions about the nature of *pudicitia*, and then argue that this is by no means the whole story, and that some sources do indeed associate the virtue with men as well as women. In particular I shall argue that the picture we obtain of *pudicitia* by analysing the ancient sources is very much conditioned by the nature of the sources we consult.

¹⁵⁵ Palmer 1974, p. 113. Cf. Wallace-Hadrill, 1981 p. 322 where Pudicitia is described as "this traditional women's deity."

¹⁵⁶ Moore 1989, p. 122 (referring to Lucretia's tale).

¹⁵⁷ Scheid in Fraschetti ed. 1994, p. 10.

¹⁵⁸ Hemelrijk 1987, p. 217, who also cites Lattimore 1962, pp. 277-80, 295-9 and 334-9.

¹⁵⁹ Forbis 1990, p. 85.

¹⁶⁰ Cf. Forbis 1990, p. 83: "[t]he virtues...ascribed to women signify sexual purity (e.g. *pudicitia*)" or Moore 1989, p. 122: "*Pudicitia* is basically synonymous with *castitas* and means sexual purity."

One reason for thinking of *pudicitia* as a “female virtue,” or virtue associated with women, is the fact that some sources tell us that the cultic worship of the personification Pudicitia involved a specific group of Roman women: *matronae*, or even more exclusively, *uniuirae*. According to Livy, who offers us by the far the most detailed of all the ancient literary accounts of these cults, the deity Pudicitia was cultivated in two forms, Plebeia and Patricia. He tells us that the second cult, the Plebeian, was founded in 296 BCE on the model of the already existing Patrician one, and was set up by a patrician woman, Verginia, whose marriage to a plebeian husband had meant that she had been banned from worshipping at the older shrine.¹⁶¹

According to this account, the shrine of patrician Pudicitia was located in the Forum Boarium, by the Tiber, while the plebeian shrine was in the Vicus Longus, between the Quirinal and the Viminal, in part of Verginia’s house. These shrines could only be attended by *matronae* who were publicly acknowledged as being associated with the quality of *pudicitia* and had been married to only one man: *ut nulla nisi spectatae pudicitiae matrona et quae uni uiro nupta fuisset, ius sacrificandi haberet*.¹⁶² The shrines are also referred to by Propertius and Juvenal, in both cases in the context of the poet’s lament about the decline of morals in (married) women; Propertius illustrates this through a description of the neglect of the shrine and Juvenal through a description of its abuse.¹⁶³ Propertius describes the temples as having been set up by *puellae* rather than *matronae*, but in the context of love poetry, where the term is often employed to designate the kind of attractive but married women with whom the writers of elegy claimed to have their love affairs, this need not contradict the association with married women which the other sources attest.¹⁶⁴

¹⁶¹ Livy 10.23.1-10. Palmer 1974 notes that the origins of these cults are often associated with the patrician/plebeian struggle of the early Republic, and with the cults of Fortuna and Venus. The name Verginia recalls the virgin protagonist of the story in Livy Book 3.44-58.7, where once again the context is a clash between patrician and plebeian and *pudicitia*’s role in the mediation between the two. This story also appears in Valerius’ chapter (6.1.2) and will be discussed in detail below.

¹⁶² Livy 10.23.9.

¹⁶³ Prop. 2.6.25-6: *templa Pudicitiae quid opus statuisset puellis si cuius nuptae quidlibet esse licet?* and 35-6: *sed non immerito uelauit aranea fœnum/et mala desertos occupat herba deos*, and Juv. 6.308: *Pudicitiae veterem cum praeterit aram...noctibus hic ponunt lecticas, micturiunt hic effigiemque deae longis siphonibus implent...* These and further sources are thoroughly explored in Palmer 1974 and RE: 23.1942-5. However the sources amount to little more than these literary references, and so any reconstruction of the cult is bound to be speculative.

¹⁶⁴ For the difficulty in understanding precisely who is referred to by the term *puella*, see also below p. 81, n. 233.

So much for the cult; that the virtue more generally is associated with *uniuirae* is attested by none other than Valerius Maximus, who describes a custom whereby a *corona pudicitiae* is awarded to women who have been faithful to one husband (i.e. *uniuirae*): *quae uno contentae matrimonio fuerant corona pudicitiae honorabantur*.¹⁶⁵ This suggests that in the olden days of Rome, *pudicitia* was considered a virtue in a woman which was worthy of public honour (this is the sense of *honorabantur*) in the same way as virtue on the battlefield might be for a man.¹⁶⁶ Not much later in the same chapter, it is specifically married women (this is the implication of *maritis*) who are compensated for the hardships and the constraints imposed on them by *pudicitia* by being allowed to colour their hair red to make themselves look more elegant.¹⁶⁷ Lastly, at 7.7.1, Q. Metellus is judged a fortunate man because of the *pudicitia* and the *fecunditas* of his wife, implying that these are qualities which were highly prized in Roman wives.¹⁶⁸ Other sources confirm that *pudicitia* was considered an important virtue for wives,¹⁶⁹ and Catullus' use of the term - *pudicitiam suae matris indicet ore* - suggests why: a patriarchal system relies on restricting a woman's sexuality so that it can be sure of the paternity of any children that are born.¹⁷⁰

However, just because our (scant) sources inform us that *uniuirae* were the only people who were permitted to tend the *shrine* of Pudicitia it does not follow that no one else in Roman society could or should possess the virtue. Certainly, in Livy's work the word *pudicitia* is *generally* employed with reference to the sexual status of *matronae* (not always explicitly *uniuirae*),¹⁷¹ but this is not always the case. The first Verginia, for example, whose *pudicitia* is threatened by Appius Claudius, is certainly

¹⁶⁵ Val. Max. 2.1.3.

¹⁶⁶ Cf. e.g. Val. Max. 9.8.ext.2: *cum honorare uirtutem deberet*. For the idea that *pudicitia* was the woman's equivalent of *uirtus* see also Heinze 1915, p. 126.

¹⁶⁷ Val. Max. 2.1.5: *ceterum ut non tristis earum et horrida pudicitia, sed et honesto comitatis genere temperata esset - indulgentibus namque maritis et auro abundanti et multa purpura usae sunt - , quo formam suam concinniores efficerent, summa cum diligentia capillos cinere rutilarunt*.

¹⁶⁸ Compare this to Livy 49.34.3, where the husband praises his wife for bringing with her *nihil...praeter libertatem pudicitiamque, et cum his fecunditatem*.

¹⁶⁹ Livy has the raped Lucretia imply that *pudicitia* is fundamental to her identity as a married woman when, to her relatives' question "Are you alright?," she replies: *minime,...quid enim salui est mulieri amissa pudicitia?* (Livy 1.58.6). Cf. Sen. *Ad Helu*. 16.3.5: *maximum decus uisa est pudicitia*. Post Valerius Maximus there are plenty more instances, and some of the early imperial ones are cited in Vidèn, 1992; see especially pp. 38-43 and 52-4 (Tacitus on Agrippina the Elder and Octavia), 99 (Pliny on Fannia) and 176-7 (conclusions).

¹⁷⁰ Cat. 61.217-8. Cf. Virgil, *Georg.* 2.524: *casta pudicitia seruat domus*.

¹⁷¹ Lucretia (1.58 & 2.7.4), Claudia Quinta (29.14.12), and various unnamed wives (e.g. 42.34.3) including the wife of the Gallogrecoan chief (38.24.10), who will also appear in Valerius' chapter at ext.2.

female, but she is unmarried and virginal, and elsewhere, both in Livy's work and in other sources, we find references to the preservation of children's *pudicitia*.¹⁷²

The sole instance of a reference to the *pudicitia* of a man in Livy's extant histories, however, comes in the context of his imminent participation in the sexualised Bacchic rites reserved for women.¹⁷³ It might be that the word is used of him to emphasise the extent to which he has transgressed his masculine role, by describing him in terms of a virtue which is usually associated with women. This is certainly the sense we get from the (considerably later) pseudo-Quintilian declamation where the speaker claims that he is embarrassed to praise a soldier's *pudicitia* because this is a woman's virtue: *at ego, si qua est fides, pudicitiam in milite etiam laudare erubesco. feminarum est ista uirtus*.¹⁷⁴ Earlier sources, however, give us a very different picture. In the works of Cicero and Sallust, for example, we do indeed find *pudicitia* playing an important role in the lives of adult men. Firstly, both these authors list *pudicitia* among the fundamental civic virtues of Rome. For example, in his second speech against Catiline, Cicero runs through a catalogue of virtues and their corresponding vices, and *pudicitia* is second from the top of the list.¹⁷⁵ Sallust refers several times to *pudicitia* as one of the first things to suffer in the moral decline at Rome associated with the Catiline conspiracy.¹⁷⁶ By positioning this virtue at the heart of Roman politics these authors bring it into the realm of masculine morals, but this connection of *pudicitia* with men is made still more explicit when it is made the focus of invective against Roman citizens. In Cicero's texts, at least, men can and should have *pudicitia* because to accuse a man of not having it is to slur his name and cast aspersions on his fitness to fulfil his role as a citizen of Rome.¹⁷⁷

¹⁷² Verginia (3.45.9, 3.48.8), and children more generally (3.61.4). Cf. e.g. Cic. *Verr.* 1.76 (*quod pudicitiam liberorum...defenderat*) and 1.68.

¹⁷³ Livy 39.10.4 and 39.15.14.

¹⁷⁴ Ps.-Quint., *MD* III.3.

¹⁷⁵ Cic., *Cat.* II 25. The virtues are: *pudor, pudicitia, fides, pietas, constantia, honestas, continentia, aequitas, temperantia, fortitudo* and *prudentia* - clearly *pudicitia* is in the distinguished company of core civic virtues. See also *Verr.* III.6.

¹⁷⁶ E.g. Sall. *BC* 12.2.3, 13.3.3.

¹⁷⁷ E.g. the attack on Clodius at *Harusp. Resp.* 9 or the attacks which have clearly been levelled against Caelius as revealed in the *Pro Caelio* (especially 2.6 and 15: *...a maledictis pudicitia...*). Both authors use the accusation of *impudicitia* against women too - there are the famous cases of Sempronia in Sallust and Clodia in Cicero - but more often it is men whose *pudicitia* is in question; one might argue that this is a result of the fact that men are far more often the target of political invective in these works.

In the passage from Valerius Maximus cited on page 57 in note 167 (2.1.5) the implication, as we saw, is that it is *matronae* who suffer from the restraints imposed by *pudicitia*, and who therefore must be compensated. However the following sentence suggests that it is not only they who in days of old used to act virtuously when it came to sexual behaviour: *nulli tunc subsessorum alienorum matrimoniorum oculi metuebantur, sed pariter et uidere sancte et aspici mutuo pudore custodiebatur*: the virtue was mutual (although the term applied to their restraint is in this passage *pudor* rather than *pudicitia*.) Equally, although Forbis tells us that terms such as *pudicitia* and *castitas* are “almost exclusively” used of women in honorary inscriptions, the implication of the “almost exclusively” is, of course, that there do exist inscriptions where *pudicitia* is ascribed to men. In fact, it turns out that in any case only a small fraction of the women praised in the inscriptions which Forbis has looked at (8 out of 72) are praised for “chastity” (counting both the Latin terms which she associates with this modern notion – *castitas* and *pudicitia* - and related terms), and only two of these for *pudicitia*. The connection which has been drawn between women and sexual virtues has been based on very small numbers and may indeed have been partly the product of her assumption that these are “distinctively feminine virtues.”¹⁷⁸

So the association of the virtue of *pudicitia* with women is not a straightforward matter; both children and adult male citizens get in on the act too. However all these people do have something in common: they are all freeborn Roman citizens. This freeborn status is the quality which two recent articles on the subject of sexual behaviour in ancient Rome have identified as being the defining characteristic of those members of society whom *pudicitia* should protect against transgressive sex or *stuprum*.¹⁷⁹ What is interesting about both these accounts is that they take Valerius Maximus’ chapter as a key source for their study of the topic, one describing it as “Valerius Maximus’ narrative of incidents illustrating the value placed by Roman traditions on the sexual integrity (*pudicitia*) of the free-born of both sexes.”¹⁸⁰ Valerius Maximus shows us yet another picture of the groups of people with whom *pudicitia* is

¹⁷⁸ Forbis 1996, p. 85 and n. 10. The inscriptions where women are praised for *pudicitia* are numbers 316 and 16 in her collection.

¹⁷⁹ Williams 1995 and Fantham 1991, discussion of Valerius 6.1 pp. 273-81.

¹⁸⁰ Williams 1995, p. 528.

associated, and it is clear that when it comes to ancient thought about this virtue we get a different sense of what it is depending on which source we use.

We have seen that the sources for *pudicitia* as a matronal virtue are dominated by Livy, who is also the major source for the cult. However Moore has noted an emphasis in Livy's work which might affect the way we use it as a source; the subject of female sexuality seems to be of particular interest to Livy. Moore's own work is an analysis of the virtues in Livy's histories and he comments: "well over half of the occurrences of words for virtue with reference to women are attributions of *castitas*, *gravitas*, *probitas*, *sanctitas* and especially *pudicitia*" suggesting that this is "an abundance great enough that it must reflect Livy's own concern for feminine sexual purity as well as the subject matter as received from his sources."¹⁸¹ Livy's work is *particularly* concerned with the sexual status of women (why this might be is another question...), and this emphasis does not necessarily reflect the larger concerns of Roman society.

Our picture of *pudicitia* as a male concern, on the other hand, emerges especially from the pages of Cicero and Sallust. Once again our sources have a narrow base; two different authors, but largely the same subject: the Catiline conspiracy. It may well be that *pudicitia* gained some of its meaning, some of its rhetorical force, from its association with this particular historical event, or was a particular concern of this period. Perhaps the preoccupation with male sexuality was bound up with rhetoric concerning the figure of Catiline himself.

In all these sources, however, one feature stands out; the term *pudicitia* occurs far more often in dialogue or reported speech than in other kinds of text. It is a word that tends to be *spoken*.¹⁸² For example, although it occurs very frequently in Cicero's speeches it is far less frequent in his philosophical or rhetorical treatises or in his letters. In the speeches the context is usually the attribution of *pudicitia* or accusation of its lack as a rhetorical tool, as part of a characterisation of a male figure in terms of his integrity as a Roman citizen. In other authors too, "*pudicitia*" is a word which

¹⁸¹ Moore 1989, p. 160.

¹⁸² It is also associated with reputation, as I shall go on to discuss below, and with eloquence and oratory.

appears overwhelmingly more often within speech marks than outside them. It is a word which is used to strong effect; it works rhetorically.

It is therefore not surprising perhaps that Valerius Maximus is a major source on the subject of *pudicitia*, since his work is clearly closely related to a Roman tradition of public speaking, and *exempla* themselves are didactic and rhetorical tools. *Pudicitia* always has a context, and it will be important to try and appreciate the kind of context which Valerius Maximus' work provides for this chapter. Before moving on to look at Valerius' chapter, however, I shall briefly expand on some of the key themes which appear in the ancient sources to be associated with *pudicitia*: shame and awareness, transgressive sexuality, and reputation.

Shame and awareness

The word *pudicitia* is both etymologically linked to the word *pudor* and often paired with it in ancient texts.¹⁸³ *Pudor* is often translated into English as *shame*, but in a recent paper Robert Kaster has called for a more nuanced understanding of both these Latin terms, and has suggested the following definition of *pudor*: "*pudor* primarily denotes a displeasure with oneself caused by vulnerability to just criticism of a socially diminishing sort" together with "an admirable sensitivity to such displeasure, and a desire to avoid behavior that causes it."¹⁸⁴ He understands *pudor* as an internal force for the regulation of behaviour, which complements the external pressures of the law and society. "The basic contrast...between coercive fear of external sanction on the one hand, and a sense of *pudor* on the other, associated with an internalized sense of right-doing that prompts spontaneous action...is deeply ingrained in the patterns of Roman ethical thought."¹⁸⁵

As with all such Latin concepts, it is no simple matter to find a modern English translation of the terms *pudor* and *pudicitia*, nor to relate them to familiar contemporary concepts; however, Douglas Cairns' study of the Greek term *aidos* can serve as a useful starting point, since it is situated within a theoretical framework of

¹⁸³ For pairings see e.g. Cic. *Phil* 2.15: *adeone pudorem cum pudicitia perdidisti*; *Verr.* 3.6: *pudorem ac pudicitiam qui colit*; Plaut. *Amph.* 840.

¹⁸⁴ Kaster 1997, p. 4.

¹⁸⁵ *Ibid.* pp. 5-6.

the study of concepts related to “shame” in cultures other than our own.¹⁸⁶ He starts by noting that *aidos* is “notoriously one of the most difficult of Greek words to translate”, and that this is because of the “linguistic, psychological, social and ethical contexts in which it operates” - so different from our own, and which his work is devoted to establishing. For example, familiar physiological reactions (to shame, guilt or embarrassment) such as blushing, or behaviour such as averting one’s eyes (this latter as we shall see later important in the Roman communication of virtue¹⁸⁷) can be responses to very different sets of situations and can communicate different messages to the viewer depending on cultural and social context. Cairns’ thesis is informed by anthropological approaches to comparative studies of concepts such as shame, guilt and embarrassment. However, in the introduction to his book he makes a convincing case for discarding the traditional Shame-culture/Guilt-culture antithesis in favour of a “more detailed appreciation of the ways in which we and the Greeks construct our experience, and of the structural differences which lie behind them.” My own study of *pudicitia* and of Valerius Maximus hopes to achieve parallel appreciation with respect to Roman culture.

The relationship between blushing and shame-related sensations is complicated, as Cairns makes clear.¹⁸⁸ In our own culture, for example, blushing (thought of as an involuntary reaction to a situation, and thus making deception on the part of the blusher impossible) can be taken as an indication both of *guilt* and of *innocence*, depending on the context - on the face of it opposing states: to wheel out stereotypes, an innocent virgin might blush at a mention of sex in conversation and thereby indicate her purity, while the red faces of a couple caught *in flagrante* or a child who is accused of breaking a window are confirmation and betrayal of guilt. In both cases, however, the blush indicates what we might label a *sense* of shame: an awareness of what constitutes appropriate and acceptable behaviour as well as a keen

¹⁸⁶ Cairns 1993, especially the Introduction. His work starts by conceiving of *aidos* as an emotion, and it will be noted that I am starting by thinking of *pudicitia* as a virtue - a very different perspective on the face of it. Cairns does indeed in his analysis of Greek texts address the issue of the relationship of *aidos* to moral excellence in Greek thought, and I shall myself be looking at the role of the emotions of shame and honour in the Roman concept of *pudicitia*; however the distance between these two starting points, a result of the different presentation of *aidos* and *pudicitia* by the cultures and sources which we are studying, itself gives some idea of the difference between Greek and Roman cultures and the complexity of such concepts, which I shall explore further throughout this part of my thesis.

¹⁸⁷ Val. Max. 6.1.7.

¹⁸⁸ Cairns 1993, especially pp. 5-26. Cf. Kaster 1997, pp. 7-8.

sense of how it might be transgressed. In a broad definition, “shame” is the sense that prevents a member of society from behaving in ways that the society finds unacceptable. The writings of Caesar describe just such a regulatory function for *pudor*; for him it is *pudor* as the awareness of the boundaries of appropriate behaviour which keeps his troops behaving as they should.¹⁸⁹ The behaviour which it allows and prevents, therefore, will be dictated by the expectations of a given society or situation. This sensation or awareness (whether stimulated by fear of vilification or of punishment by that society – i.e. of the external consequences of unacceptable behaviour – or internalised) when it prevents someone from acting in unacceptable ways can be called “virtue”; the shame which comes *after* an act of transgression is of a different order.

As Kaster argues, *pudicitia* is a sub-division of *pudor*, an awareness of social boundaries which relates in particular to sexual behaviour.¹⁹⁰ Since the boundaries are defined by society it is clearly important that all members of a society of whatever class or status and however they are affected by them should be aware of what they are. This may also give us a key to understanding why, in his opening sentence, Valerius involves both men and women in *pudicitia*: the whole community is implicated. However, what precisely these sexual boundaries were and what counted in Roman eyes as appropriate and inappropriate behaviour cannot be taken for granted. Hence Fatham’s re-definition: “...the virtue of *pudicitia*, chastity, not in the Christian sense of sexual abstinence, but as restraint, confining sexual activity to the conventionally sanctioned partners: the woman’s husband – and him alone: the man’s wife certainly, but also the recognized outlets – his own slaves, brothel slaves, and courtesans.”¹⁹¹

Damage and defence

In a different configuration, *pudicitia* is often described in ancient sources as something which is subject to attack and subsequent damage and must thus be defended. The vocabulary is overtly militaristic: verbs found associated with it in

¹⁸⁹ Eg. Caes. *BC* 1.67.3-4 and 2.31.7. It is worth noting that in both cases *pudor* is explicitly a quality which relies on external witnesses, and is therefore not internalised; in both passages *pudor* is activated by daylight when others can see what one is doing: *at lucem multum per se pudorem omnium oculis... adferre* and *nox maxime aduersaria est*.

¹⁹⁰ Kaster 1997, p. 10.

ancient sources include e.g. *eripio*, *expugno*, *spolio*, *violo*, and conversely *defendo*, *tutor*, *munio*, *servo*.¹⁹² Broadly the threat is constituted by inappropriate sexual behaviour which transgresses accepted boundaries: *stuprum*. The variety of English terms by which *stuprum* is translated depending on the context (e.g. rape, adultery, unspeakable act, buggery, defilement, disgrace, lewdness etc.) is a testament to the alienness of the concept, and it has been readily accepted by recent scholars that the term is a very “Roman” one; it is often left in the original Latin to emphasise its untranslatability. *Stuprum* describes transgressive sex, which is not any particular sexual act per se, but a sexual act which is not right for whoever is participating (as Fantham’s definition above suggests); it encompasses all sex with forbidden partners.

In a recent article Walters has defined *stuprum* more narrowly in terms of penetration with the penis. The act of *stuprum* will involve a male with a penis who will be the subject of verbs of violence such as those listed above. It will also involve a passive freeborn object of this verb who is being penetrated, whom Walters describes as “naturally desirable, but not to be penetrated”¹⁹³ and who is a freeborn citizen who does not have full adult male status.

Earlier (p. 63) we have seen *pudicitia* described as an internalised awareness of what is right which serves to regulate sexual behaviour. Yet *stuprum* can destroy the *pudicitia* of the passive participant, the person who is penetrated. This is true regardless of his or her internal sense of the inappropriateness of the act and desire to avoid it. Famously, Lucretia’s highly commendable moral stance in Livy (1.57-9) does not prevent her from “losing” her *pudicitia* once Tarquinius has forced *stuprum* on her. Thus it is not enough to describe *pudicitia* as awareness of sexual protocol, it is also a quality that can be affected by a physical act. It can describe the state of a body and what it has or has not been involved in sexually, since *pudicitia* can be used to refer to the state of the body prior to *stuprum*. In addition to a sense of shame, the term *pudicitia* also describes a physical state – that of “not having been the passive participant in transgressive sex”.

¹⁹¹ Fantham 1991, p. 271.

¹⁹² E.g. Livy 1.58: Tarquinius *vicisset* Lucretia’s *pudicitia*, at 2.7.4 her *pudicitia* is *uiolata*; Ter. *And.*, 288: *pudicitiam...tutandam sit*; Cic. *Verr.* 1.76: *quod pudicitiam liberorum...defenderet*.

Reputation and rhetoric

Another feature of *pudicitia* in the sources is that it can be damaged by appearance and reputation, and it is closely bound up with the Latin term *fama*, with which it often occurs in conjunction.¹⁹⁴ *Pudicitia* must be manifest; the *pudicitia* of the *uniuirae* whose involvement in *Pudicitia*'s cult is described by Livy, must be *spectata* – displayed for all to see. Any public behaviour which invites doubt about the sexual behaviour of an individual (such as inappropriate dress or talking to the wrong people)¹⁹⁵ is damaging to *pudicitia*. Livy's account of the rape of Lucretia suggests that reputation may even be valued above physical integrity since it is the threat of *appearing* to have had sex with a slave which in the end persuades her to give in to Tarquinius' sexual demands; she would rather actually suffer *stuprum*, but be able to clear her reputation afterwards, than die undefiled but with a ruined reputation. In the story of Claudia Quinta's role in the introduction of the Magna Mater to Rome the matron's *dubia fama* can only be dispelled by the public display of *pudicitia* – *cui dubia, ut traditur, antea fama clariorem ad posterios tam religioso ministerio pudicitiam fecit*.¹⁹⁶ Clearly this close association between *fama* and *pudicitia* is what lies behind its efficacy as a key concept in invective (as we have seen in the case of Cicero); it was common to attempt to damage an opponent's reputation by accusing him or her of not having *pudicitia*.

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There is no doubt that all the stories in Valerius Maximus' chapter involve actual or threatened *stuprum* inflicted on those members of society on whom it can be inflicted, i.e. in Walters' phrase those "not to be penetrated." What I shall be exploring in my analysis of Valerius' *exempla* is where the *virtue* is located in these stories; who is described as possessing it, how it manifests itself and how (and whether) it can be learned through reading these stories, and how men and women are differentiated or

¹⁹³ Walters 1997a, p. 34.

¹⁹⁴ E.g. Cicero *pro Caelio* 2: *de eius fama ac pudicitia... nemo loq̄ebatur*; Livy 39.10.4: *uitricus tuus... pudicitiam famam spem uitamque tuam perditum ire hoc facto properat*; Sallust *BC* 12.2.3: *si ipse pudicitiae, si famae suae, si dis aut hominibus umquam ullis perpercit*. See also Moore 1989, pp. 123-4.

¹⁹⁵ The sorts of behaviour by a woman which might invite suspicion are enumerated in Cicero's description of Clodia in the *pro Caelio* and by a man of Anthony in the second Philippic.

¹⁹⁶ Livy 29.14.12-13. Cf. Ov. *Fast.* 247-348. The sexual integrity of the Vestal virgin Tuccia. (Val. Max. 8.1.absol.1) is described as *infamiae nube obscurata*.

likened as the first line of the chapter suggests. I shall start by looking briefly at the first line of Book 6 and then the introduction as a whole, before devoting the rest of this part of my thesis to analysing the *exempla* which follow.

2. THE INVOCATION

**Vnde te uirorum pariter ac feminarum praecipuum firmamentum, Pudicitia
inuocem?**

Men, women, *pudicitia* and equality

To begin with, the first line of the book and chapter: precisely what distinction and comparison between *uiri* and *feminae* does it suggest? Men and women are clearly differentiated here, but the *pariter ac* also suggests some kind of equality.

We have already seen that this line opens an invocation to Pudicitia, in the conventional manner, by asking whence she should be called forth, and describing her flatteringly as *uirorum pariter ac feminarum praecipuum firmamentum* – of fundamental importance to both men and women. This is an obvious way to read this opening sentence, especially given the structure of the address which follows.

However on first reading the question could have sounded differently. Reading the first word *unde* in its sense of “why” as opposed to “whence” Valerius is asking: “Why should I invoke you, Pudicitia, as the principal foundation of men and women equally?”, as if the opening were designed to evoke pondering on the issue of the relationship of men and women to the virtue. This subtextual question encapsulates the ambiguity of this opening association of Pudicitia with men and women; where does the emphasis lie?

*

pariter ac

Since Valerius makes a point of mentioning both sexes and mentioning them separately, the *pariter ac* of this question is so emphatic as to suggest that it is here that the force of the sentence lies. That is, it is the association of the virtue with *both* sexes - men and women - which Pudicitia (whom he is addressing), and the reader, will demand an explanation for. What relationship does the phrase *pariter ac* suggest between the two elements which it links together - men and women?

The balancing of two separate concepts with this phrase *pariter ac/et/atque* is common in Valerius' work. In fact the word *pariter* (equally, together), which exists perfectly happily on its own in many other Latin authors,¹⁹⁷ rarely appears here without one or other of these conjunctives.¹⁹⁸ This usage fits with other aspects of Valerius' style; the balancing or playing off of one thing against another for rhetorical effect is a common feature of his work.¹⁹⁹ However, translating the emphasis of this phrase is a delicate matter; there are various possibilities. The emphasis could fall on the first term: "men as well as women", on the second: "not just men, but women too..", or on neither: neutrally "men and women together" = "women and men together" (as if there were no significance in word order.)

Elsewhere the phrase is used by Valerius to connect various kinds of familiar pairs of ideas - body and soul,²⁰⁰ life and death,²⁰¹ words and deeds,²⁰² oneself and one's country,²⁰³ gods and men,²⁰⁴ as well as men and women. Some are opposing - defendant/accused²⁰⁵ - others more obliquely connected: widows and brides,²⁰⁶ *prudenter/fortiter*,²⁰⁷ *sapientia/sanctitate*.²⁰⁸ Is it possible to come to understand the meaning of the phrase more clearly through an analysis of these examples and of the context in which they appear?

The fact that the phrase is made up of the words *pariter* and *ac* and means "together with" or "equally" would suggest that the whole point of placing them together in this way is that they should be given equal weight, and that neither should be considered more important or unusual than the other. However, with regards to several of the places where it occurs there seems to be a case for arguing that there *is* a distinction made between the two terms by this phrase, and that it works to place more emphasis on the first term than on the second. Take, for example, the mounted infantry of 2.3.3:

¹⁹⁷ To judge from the examples of its usage in the major Latin dictionaries.

¹⁹⁸ See Sobrino 1984 under *pariter* for a full list of instances.

¹⁹⁹ Cf. Sinclair 1984.

²⁰⁰ E.g. 4.6.ext.2, 9.1.ext.1.

²⁰¹ E.g. 9.2.ext.2.

²⁰² E.g. 6.2.praef., 9.5.4.

²⁰³ E.g. 9.8.1, 2.7.6.

²⁰⁴ E.g. 5.1.6.

²⁰⁵ 4.2.6.

²⁰⁶ 9.1.ext.1.

²⁰⁷ 3.2.12.

²⁰⁸ 2.10.ext.2.

*Nam cum equitatu Campanorum crebris excursionibus equites nostri, quia numero pauciores erant, resistere non possent, Q. Nauus centurio e peditibus lectos expediti corporis breuibis et incuruis septenis armatos hastis, paruo tegumine munitos, ueloci saltu iungere se equitantibus et rursus celeri motu delabi instituit, quo facilius equestri proelio subiecti pedites **uiros pariter atque equos** hostium telis incesserent.*

The most agile men are chosen from among the footsoldiers to be trained up so that they can hop on and off horses easily during battle. The advantage of this is that they are now able to attack both the enemies themselves and their horses: *uiros pariter atque equos*.²⁰⁹ The implication seems to be that before they had the option of fighting on horseback as well as on foot they were only able to reach the horses of the enemy - now they can kill the men who are sitting on the horses as well.

There are two places in the work other than the beginning of Book 6 where the two elements brought together by *pariter ac* are men and women, at 5.4.1 and at the introduction to 3.3. In the case of the former, this model of the first item being the new and surprising one can be seen to fit as well. Here, all the citizens of Rome are bewailing the fact that Coriolanus is marching on the city, and neither the legates nor priests who have been sent to try and persuade him against it have been successful: *stupebat senatus, trepidabat populus, **uiri pariter ac mulieres** exitium imminens lamentabantur*. Clearly this sentence intends to evoke the scale of things - everybody in the city is involved; senate and masses complement each other, as do men and women, and the specification of both sexes may be a way of indicating that the whole *populus* is engaged in lament. Another reason why women are explicitly mentioned here as part of the crowd is that it is women who are the crucial actors in this tale: Veturia and Volumnia, who appear in the following sentence, are the ones who will finally sway Coriolanus. Not only are there female protagonists in the story, but perhaps the virtue of *pietas* towards one's parents, of which this story is an *exemplum*, is one which women must learn just as much as men - hence their presence in the crowd as the spectators of the deed.

²⁰⁹ The French translation by Combès 1995 reflects this emphasis: *les cavaliers ennemis aussi bien que leurs chevaux* (p. 169).

However, there is something else which may be at play here: what the men and women are doing together is mourning, and mourning is something which is closely associated with females in Roman thought. It is notable that in this case the Latin word used for the women is *mulieres* - a word which is cognate with the adjective *muliebris*, widely used in Latin literature to refer to the moral weakness of women, the weakness which makes them unable to prevent themselves from mourning.²¹⁰ Perhaps the point here is that so dreadful is the situation that it has driven even men, who are less prone to grief than women, to lament: "the senate was aghast, the people terrified; men as well as women were weeping at the thought of their imminent destruction."

My last example, which we have already encountered, is from the introduction to chapter 3.3 – where it links the stories of *fortitudo* with those of *patientia*:

Egregiis uirorum pariter ac feminarum operibus fortitudo se oculis hominum subiecit patientiamque in medium procedere hortata est...

Given that most of the *exempla* in the work have male protagonists, and so statistically we expect *exempla* to be about men rather than about women,²¹¹ our initial reaction this time might be that it is the women on whom the emphasis of the *pariter ac* lies: "as well as noble deeds of men *fortitudo* has also brought us the noble deeds of women..." Yet although we have just left the field of *fortitudo*, we are not in fact limping from it with a crowd of *soldiers*, as one might have expected with a virtue which is mainly displayed upon the battlefield. At the end of chapter 3.2 the *exempla* have been about *fortitudo* manifested by women, the wife of Hasdrubal and then Harmonia and her female imitator. There is a case, then, for reversing the

²¹⁰ E.g. *quid autem tam humile ac muliebre quam consumendum se dolori committere?* (Seneca *Consolatio ad Polybium* 6.2). See also Vidén 1992, pp. 111-5. However, it must be pointed out that despite the unarguable association elsewhere in Roman literature between women and grief, such an association is not made explicitly by Valerius elsewhere in this work. The word *mulier* can be derogatory and tends to be used of lower class women, or women as a group, whereas *femina* tends to denote a well-born and respected woman. See further Adams 1972 and Santoro L'Hoir 1992 for discussions of the implications of using these terms.

²¹¹ Particularly in the case of such a "masculine" virtue as *fortitudo* (TLL 6.1: 1145-72); *fortis* occurs, of course, in the common phrase describing heroes, *fortis uir*. See also Santoro L'Hoir 1992 on the gendering of adjectives such as *fortis*. Roughly 90% of the tales in this work have male protagonists.

emphasis in conformity with the previous examples. In this context, it seems perfectly possible that the phrase is designed to draw men back into the picture after we have been reading about women - it reminds us that we have read about men before these most recent examples. What is more, in the following chapter on *patientia*, there are no female *exempla*, as we saw. So this phrase may be seen as effecting a transition from female to male, reintroducing men into the chain of exempla: “*Fortitudo* manifested itself in the deeds of men as well as in those of women, and now we shall turn to *patientia* (i.e. more stories about men...)”.²¹²

From these examples we can build a tentative model of the function of *pariter ac*: it equates the two terms which are compared, but with a slight note of surprise at the inclusion of the first – denoting equality but a qualified equality. On this paradigm, Valerius’ opening question asks about the centrality of *pudicitia* to the lives of everyone, but particularly men, suggesting that the relationship of men to *pudicitia* may be more complex, less expected than that of women. There is just the hint of an “issue” here, in the opening line, something that should be niggling away at the back of our mind as we read through Valerius’ chapter. What is the relationship of men to *pudicitia*? What is the relationship of women to *pudicitia*? These are the questions pursued both in Valerius’ chapter and in my own.

²¹² Since all three uses of the phrase, regardless of context, place men before women, it is also very likely that this is the customary order in which the two elements of the pair appear, in the same way as gods usually appear before humans in Latin phrases. But if this were so it does not erase the need for the preceding discussion of the emphatic possibilities, because in employing familiar pairings in their familiar order, the author must still take into account the way that they interact with the *pariter ac*.

The invocation of Pudicitia

tu enim prisca religione consecratos Vestae focus incolis, **tu** Capitolinae Iunonis pulvinaribus incubas, **tu** Palati columen augustos penates sanctissimumque Iuliae genialem torum adsidua statione celebras, **tuo** praesidio puerilis aetatis insignia munita sunt, **tui** numinis respectu sincerus iuuentae flos permanet, **te** custode matronalis stola censetur: ades igitur et cognosce quae fieri ipsa uoluisti.

I shall now examine in greater detail Valerius' representation of *pudicitia* or Pudicitia in this opening invocation, and ask what sort of introduction to the chapter this passage provides. First, the address is formal and dignified and laden with religious grandeur. Then, unlike personifications of other qualities which we have come across elsewhere, Pudicitia is described not in terms of her appearance, but in terms of her role in society, and in addition she is addressed directly rather than described in the third person. From the beginning she is characterised as a virtue with elevated status who performs a function in society. The formal hymnic anaphora emphasises her direct involvement in Roman life; using the repetition of the second person singular pronoun (*tu...tu...tu...tuo...tui...te*) at the head of each phrase, Valerius first describes her presence in three different *places* in the heart of Rome - the Vestal hearths, the temple of Juno on the Capitoline and the seat of the Julian imperial family on the Palatine - and then specifies three sets of *people* with whom she is connected: children, youths and married women.

This passage explicitly locates Pudicitia in the here and now, and not only the here and now of the text, as we have seen is the case with the work as a whole, but the here and now of the contemporary context: early Imperial Rome. The direct address, her location in familiar places and in the contemporary world, the reference to the imperial family, and the present tense of the verbs all contribute to the sense of immediacy. The temples of Vesta and Juno in the heart of Rome are appropriate sites for Pudicitia. She tends the Vestal flame (*incolis*) as if she were one of Vesta's priestesses who are, of course, virgins and must remain sexually pure throughout their office. It is often the case that stories in the ancient sources about Vestals turn out to be about women who have broken their vows of celibacy and are ritually punished for

this (by being buried alive),²¹³ but this is not the case in Valerius' work: his Vestals are pure and virtuous, and are suspected of crime only in situations where they are later absolved from the suspicion.²¹⁴ The goddess Juno traditionally presides over marriage, and Pudicitia's presence on the Capitoline reflects the importance of *pudicitia* in the marital home.²¹⁵

The preface to this book recalls the preface to the whole work in a manner which draws a comparison between the work's dedicatee and averred inspiration, Tiberius, and the figure of Pudicitia, as well as emphasising the emperor's close relationship to the work. Both Tiberius and Pudicitia are invoked as divinities rather than merely addressed (*te...inuoco; te...inuocem*), both encourage virtue in others, and Tiberius' *caelestis prouidentia* is echoed by the divine power which enables Pudicitia to bring about virtuous deeds. In both passages Valerius indicates that there is a relationship between the idealised past which is embodied in his exemplary narratives and the moral excellence of the present which is manifested in the person of the emperor.

The link between this particular virtue and the contemporary imperial household is made explicitly; the imperial bed on the Palatine is described as one of Pudicitia's dwelling-places. However both the temple and rites of Vesta and the mention of Juno also provide connections with the imperial household. According to ancient sources Augustus, soon after becoming *pontifex maximus*, built a shrine to Vesta within his own *domus* on the Palatine, and "the closeness of the relationship between Augustus and Vesta was stressed by contemporary writers."²¹⁶ See for example Ovid *Fasti* 4.949-50: *cognati Vesta recepta est limine*. Juno was associated with Tiberius' mother, Livia.²¹⁷

²¹³ Cf. Beard 1995, p.172: "the overwhelming preoccupation of ancient writers is the punishment of the Vestals, the Vestals who broke their oath of chastity or those suspected of having done so."

²¹⁴ With the exception of the Vestal in 1.1.6, who is not punished for a sexual crime, but flogged for not guarding the flame closely enough. In 8.1.absol.1 Tuccia is accused of being unchaste, but proves her innocence by calling on Vesta to help her perform the miracle of carrying water all the way from the Tiber to the temple of Vesta in a sieve (cf. 1.1.7, where Vesta helps another virgin by rekindling the flame). 1.1.10 and the end of 4.11 testify to the importance of Vesta to the city.

²¹⁵ For more on the relationship between Juno and *pudicitia*, both in general and in Valerius' work, see Mueller 1998, especially p. 224 n.9.

²¹⁶ Beard, North & Price 1998, Vol. 1 p. 189. See also Vol. 2, p. 66 for an inscription commemorating the dedication of this altar on the Praenestine calendar. Cf. Zanker 1988, p. 207.

²¹⁷ For a discussion of these associations see Mueller 1998, pp. 229-33. Further, Cassius Dio 60.5.2 tells us that the cult of the deified Livia was celebrated by Vestal Virgins. See Beard, North & Price 1998, p. 194.

It seems likely that this passage is designed to intersect with a Julio-Claudian policy of moral reform in the area of sexuality, and deliberately recalls the Augustan legislation regulating marriage and sexual relationships, such as the Lex Iulia.²¹⁸ The references to Vesta also reflect another Augustan strategy, that of resuscitating old traditions and emphasising the continuity between past and present.²¹⁹ Vesta is worshipped in early imperial Rome but the temple is thought to have dated from the city's foundation, and the cult to have been rescued by Aeneas from the ruins of Troy, and Valerius' *prisca religione consecratos* recalls this story.

The incorporation of Vesta's shrine within Augustus' household is seen by Beard, North and Price as symbolising a fusion between the public and private which was taking place during Augustus' rule: "the emperor (and the emperor's house) could now be claimed to stand for the state."²²⁰ Valerius' emphasis on the importance of Pudicitia in Rome and on her close relationship to the imperial family may be performing a similar function, reflecting an ongoing transition from Republic to Empire where the powers of state become located in the *domus* of the imperial family, and indicating a strategic embracing of public ideology within the private space of the imperial family. Valerius may be indicating that just as Pudicitia is a *praecipuum firmamentum* of the Roman people, so the imperial household, *augustos penates*, underpins the strength of the city, is its *columen*.

Exempla are almost always situated in an idealised past, as we have seen, and the moral excellence of the past can be used as a stick to beat a degenerate present; elsewhere in his work Valerius makes reference to this conventional pattern of deterioration.²²¹ Here, however, Valerius highlights continuity and tradition, and the excellence of the present,²²² and several scholars have perceived a tension in the work between the idealisation of the Republican past and the praise of the present imperial

²¹⁸ See e.g. Galinsky 1981, Fantham 1991, Raditsa 1980 and Rawson ed. 1991.

²¹⁹ See Zanker 1988, p. 192 ff. on Augustus' incorporation of the glories of the Roman past into the myth of his own regime.

²²⁰ Ibid. p. 191.

²²¹ E.g. 4.3.7 (*nunc quo uentum est?*) or 8.3.3, which I shall discuss in Part III.

²²² As at 2.praef; cf. p. 21-2 above.

regime.²²³ Inevitably the *exempla* which follow are all taken from an earlier era; can this help but be seen as implicit criticism of the present, whatever the opening may suggest?

Iuliae?

The reference to the imperial marriage bed in this passage has also been a source of anxiety to scholars, and the *Iuliae* which describes it has been subject to textual emendation for this reason. How are we to read the word *Iuliae*, which appears in the manuscript tradition? It appears to refer to a woman named Julia, and many scholars have hastened to identify her as Livia, the wife of Augustus and the mother of Tiberius, who as been celebrated elsewhere in the ancient sources as a paragon of sexual purity (and whom we saw above also associated with Vesta and Juno).²²⁴

But who can forget that Tiberius' own wife was also Julia? Not only was this Julia not renowned for her *pudicitia*, she was actually, as Lehmann points out in a footnote, a counter-*exemplum*, known for the transgressive sexual behaviour which eventually led to her banishment. For the modern reader the name Julia must bring to mind *this* particular bearer of the name, (if not that of her equally reprobate daughter as well) particularly if we accept that the imperial marriage bed referred to is that of Tiberius, since she had undoubtedly shared his bed.²²⁵ Yet in the circumstances the reference seems inappropriate, not to say tactless.

This had certainly worried some readers, enough to make them want to interpolate the word *gentis* after *Iuliae* to take the pressure off the name. Notes to a 1935 French edition of the work read at this point in the text: "Pighius a cru, non sans raison, devoir rétablir "gentis" après Juliae. V.M., qui dédie son ouvrage à Tibère (14-37 après J.-C.), ne pouvait louer pour sa chasteté la première Julie, fille d'Auguste et

²²³ See Bloomer 1992, pp. 206-7 and particularly n. 30 where he refers to Maslakov's theory that there is an underlying tension in Valerius' work between his idealisation of the Republican age and his praise of the contemporary world (Maslakov 1984, p. 447). Bloomer does not feel that we should see this tension as evidence of dissent from the Tiberian regime, but accepts the existence of such a tension, commenting: "Valerius has thus made a strained and ideological joining of his own age with the past."

²²⁴ The index at the back of the 1888 Teubner edition of Valerius Maximus cites this instance of the name as a reference to "Julia (Livia Augusta) Tiberii et Drusi mater" (Kempf 1888, p. 648). Cf. Lehmann's explanation "c'est-à-dire Livie, la mère de Tibère." (1998, p.25). Mueller calls this "the most logical way out of the problem" and offers further references (1998, p. 230).

²²⁵ Cf. Carter 1975, p. 32: "If there is any Julia here it is the obvious one, Tiberius' former wife."

épouse de Tibère: Auguste lui-même avait dû, à cause de ses désordres, la réleguer dans l'île de Pandatarie, et Tibère, au commencement de son règne, la fit mourir de faim (14).. ...L'expression *Iuliae gentis*, si peu justifiée qu'elle soit par l'histoire de la famille impériale, semble pourtant contredire moins violemment la vérité historique; on peut y voir une allusion au souci qu'Auguste montra d'imposer le respect des bonnes moeurs à tous et d'abord à sa famille.²²⁶ Valerius *could not* have been referring to Julia the Elder, given her history and the fact that Tiberius had caused her to be starved to death at the beginning of his reign.

Every solution to the problem of *Iuliae* is to a certain extent somewhat forced – scholars always need a long-winded explanation of how they have reached their conclusion – and the debate goes on.²²⁷ This in itself points to the uncomfortable nuances of the name in this context. Neither strategy can erase the ghostly presence of the adulterous daughter of Augustus from the text, any more than Augustus' banishment and refusal to speak of her has erased her from the history of the Julio-Claudian family.

So far, then, Pudicitia is imperial, eternal, associated with religious practice, but slightly troubling.

People

After coming to rest on the Palatine, the passage moves from places to people, the three groups of people with whom Pudicitia is associated: *pueri*, *iuuenes* and *matronae*.²²⁸ Here the role of Pudicitia changes; whereas before the verbs described her numinous presence in significant Roman locations, now the key words are about protection (the defensive function of the virtue which we found in other ancient authors): *praesidio*, *munita*, *custode*. The military resonance of *adsidua statione* in the previous phrase is picked up and expanded on in the second half of Valerius' description, *tuo praesidio*... Pudicitia is the guard who defends the *insignia* of childhood, respect for her godhead allows the *iuventae flos* to remain *sincerus*, and it is because she is its guardian that the *matronal* rank is esteemed.

²²⁶ Constant 1935, p. 379. Cf. Wardle 1998, p. 2-3: "'Iuliae' here is best taken as an adjective...and as part of a general reference to the family, and so some supplement is required."

²²⁷ For extensive references see Mueller 1998, p. 230 and Wardle 1998, pp. 2-3.

Each group is presented in a manner suggestive of the related concepts of social status, attractiveness, and vulnerability. The *insignia* of young male children (the *bullae*) and the *stolae* of married women are the items which they wear to mark them out visually from other members of society and which indicate the free-born status which makes assaulting them an offence; in Roman society it should instantly be clear which people are untouchable. All the groups mentioned here also require legal protection from an adult male.²²⁹

The phrase *flos iuventae* summarises the characteristics of these groups; it suggests the sexual innocence and virginity of young people, and is at the same time evocative of their desirability²³⁰ - a juxtaposition which could prove troubling. Yet the phrase - the flower of youth - as well as referring to a time of life when young people blossom into sexual maturity, can also be used to mean a collection of exceptional young people, the cream of the crop, usually in a military context; compare, for example, Val. Max. 3.2.9: *flos ordinis equestris* and 9.6.2: *flos iuventutis*. There is an additional sense of ardent young men eager for battle to prove their manhood, and of the usefulness of such youths for Roman society.

There is a point of ambiguity: the second phrase - *tui numinis respectu sincerus iuventae flos permanet* - claims that if Pudicitia were not there to protect it, Roman youth would no longer be *sincerus* ("whole", "pure"); what then *would* it be? To clarify what is at issue in this question, we can consider two possible answers. One is that without the protection of Pudicitia, a young person might be harmed - an answer which preserves the metaphor of military attack and defence, and sees the person as a victim at the hands of somebody else. Another answer is that, no longer being pure and whole, the person is impure, tainted or corrupted - that in themselves they have

²²⁸ N.b. not *uiri* or *feminae* as yet, although *matronae* are a sub-group of the latter.

²²⁹ Under the Roman system of *tutela*, all women had a legal guardian whose authority was needed in order for the women to act in a court of law. In addition, while their father was alive, both men and women were legally under his authority - *patria potestas* - and the legal capacities of men whose fathers still lived were limited: they could not own their own property, for example. Thus all women, and most children and young people would have been legally under the authority of somebody else - a adult male. For more on this see Gardner 1986, pp. 5-29.

²³⁰ The *OLD* tells us that *flos* can mean both "youthful beauty, (usu. as a source of sexual attraction)", and "virginity". See *TLL* 6.1: 927-37 for a full range of meanings, including physical beauty and moral integrity.

become something unpleasant which no longer warrants the protection of Pudicitia. To unite these two we need the concept of *damage*; after the attack or *stuprum* the status of the victim has changed and he or she is no longer valuable in the way that he or she was before.

Reading back over this passage we may notice that Pudicitia's role switches between regulating celibacy and regulating marriage. From the celibate Vestal Virgins we move to Juno, the goddess who watches over marriage, (and from whose Matronalia cult celibates are explicitly excluded), and on to Tiberius' marriage bed, through untouched childhood and youth, back to *matronae* again. In addition, although I spoke above of the vulnerability of those with whom Pudicitia is associated in this passage, it is also the case that the Vestal Virgins and at least some of the inhabitants of the Julian bed are figures of strength and autonomy, rather than of vulnerability. The invocation suggests some ideas about the members of Roman society with whom *pudicitia* may be associated, but on closer examination they seem to be somewhat contradictory. There is already a hint here that there may be different ways in which one might relate to this one single virtue, and this may depend on who one is and one's position in society.

3. THE EXEMPLA

1. Protagonists:

Who are the heroes of these tales, the bearers of the quality of *pudicitia*? What do they do? How do they exemplify and help to define the quality of *pudicitia*, and is it possible to learn through reading these stories how to be *pudicus/a*? Why does Valerius call on Pudicitia as the *praecipuum firmamentum* of men and of women? These are the questions I shall start by addressing as I now turn to the stories themselves, and examine how they relate to this introductory invocation. If we analyse the stories that follow in the terms set out by the introduction, examining whose purity is being protected and who is described as being vulnerable to *stuprum*, we find that the pattern here is to a certain extent consistent with that set out in the previous section: *matronae*, children, young.

Since chapter 6.1 is a long one, and I shall be constantly referring to its structure and contents throughout Part II of my thesis, it will be useful to set out here a skeleton of the chapter for reference, with a brief summary of what happens in each section.

1. Sextus Tarquinius inflicts *stuprum* on Lucretia, who kills herself
2. Verginius kills his daughter to save her from Appius Claudius
3. Pontus Aufidianus kills his daughter and her tutor after he discovers the tutor has betrayed her to Fannius Saturninus
4. P. Maenius kills a freedman who has kissed his daughter
5. Q. Fabius Maximus Servilianus punishes his son for suspected sexual misconduct and then goes into voluntary exile
6. P. Atilius Philiscus kills his unchaste daughter, although as a slave he was forced into prostitution by his own master
7. M. Claudius Marcellus brings a case against C. Scantinius Capitolinus, a tribune of the plebs, for accosting his son. Although Scantinius appeals to the other tribunes for help they refuse to support him and he is convicted
8. Metellus Celer brings a successful case against Cn. Sergius Silus for trying to buy sex from a *materfamilias*
9. T. Veturius appeals to the senate because he has been beaten by his bond-master P. Plotius for refusing to have sex with him, and Plotius is imprisoned

10. C. Pescennius arrests and imprisons the brave veteran C. Cornelius for having a sexual relationship with a freeborn adolescent boy
11. M. Laetorius Mergus is called to trial by Cominius for accosting his own adjutant, runs away [and probably kills himself] before the trial, but is convicted anyway
12. C. Marius judges that C. Plotius was right to kill C. Lusius for making sexual advances to him
13. A series of men take private revenge on other men caught in adultery
- Ext.1. A Greek woman called Hippo throws herself into the sea so as not to have to submit to sex with her captors
- Ext.2. The wife of the Gallogrecian king Orgiago orders her people to kill and behead the Roman centurion who has had sex with her and carries his head to her husband
- Ext.3. Teutonic women hang themselves when their captor Marius refuses to give them to the Vestal virgins

*

a) The vulnerable

The most often cited Roman example of *pudicitia*, and the one which heads Valerius' collection, is of course that of Lucretia, and we must be expected to know - although it is not stated here - that she is a married woman; the story hinges on this point.²³¹

She and the nameless *materfamilias* of section 8 are *matronae*, and the foreign wives of Orgiago and the Teutons - sections ext.2 and ext.3 - can be thought of as having an analogous status, although they are not Roman. In section 13 reference is made to several men who are caught in *adulterium*. If *adulterium* is when a man has sex with a woman who is married to someone else, then behind these stories lie further *matronae*.²³²

²³¹ As in the case of Mucius Scaevola, the most well known version of this story, and one which is far more detailed than that of Valerius, comes from Livy 1.57-59, and once again it is difficult to read Valerius without bearing Livy in mind. Lucretia first comes to the attention of the man who forces her to have sex with him after a competition between a group of men as to whose wife has the most laudable behaviour; it is her *spectata castitas* which inflames his lust.

²³² See Richlin's appendix on "The Evidence on the Circumstances surrounding Adultery at Rome" (Richlin 1992, p. 215). She writes: "It will be noted that *adulterium* is essentially a woman's crime..." (pp. 216-7). Here it is quite definitely men who are being punished for the crime, but the point she is making, I think, is that it is the woman's marital status that is important and not that of the man.

Between Lucretia and the *materfamilias*, in sections 2 to 7, the people who are defiled or are threatened by defilement from *stuprum* are explicitly children in the sense that they are all described as *filius* or *filia* - they are the children or offspring of someone: 2, 3, 4 and 6 are all *filiae*, 5 and 7 *fili*. These individuals are grouped together both in the text and in the sense that the same term is used to describe each of them; but it is not entirely clear whether they fall into one or other of the categories set out by the introduction (i.e. whether they are *puerilpuellae* or *iuvenes*) or whether this distinction is important.

Verginia is described as *puella* (2), and so is Pontius Aufidianus' daughter (3). The lexical relationship of the term may suggest that they are of the *puerilis aetas* specified in the introduction. The latter, in fact, appears alongside a *paedagogus*, the man who allows the *stuprator* access to her. Of course, this tutor is not necessarily *her* tutor - he could be a member of her household tutoring someone else - but again there is the suggestion that she is under a certain age, still receiving education. However, the term *puella* is also used of older, marriageable girls.²³³ Maenius' daughter, who is also a *puella* (4), is described as being of marriageable age - *nubilis iam aetatis*. Sections 3 and 4 mention *uirginitas*, and Verginia is described as a *uirgo*. If Maenius' daughter can be described as *puella* and as being of marriageable age, then the boundaries are blurred between childhood and youth; there is a sense of a dangerous stage: after the daughter has reached sexual maturity, but while she is still in possession of *uirginitas*. As for the sons, we are told nothing about the age or status of Q. Fabius Maximus Servilianus' son, but M. Claudius Marcellus' son is called a *iunenis*. This echoes the *iuventae* of the introduction, and we are clearly dealing with youth rather than childhood.

This leaves us with two categories of vulnerable in this section - *puellae* and *iuvenes*. The first is certainly female and the second male, so these are gender categories, and we have seen that (for us at any rate) it is difficult to pinpoint the age of these young people. However, it is also the case that the terms have an etymological link to the

²³³ As of course of adult women, especially in the Latin love poets. The term *puella* covers all sorts of ages from childhood to adulthood, and it is difficult at first to see how it should be defined; perhaps we might settle for the explanation that it describes a sexually available and/or desirable female.

two categories set out in the introduction: *puerilis aetas* and *iuuenta*. It is difficult to know what to make of this: are children female and youths male, or is the connection coincidental?

So far, in any case, the number of females significantly outweighs that of males. From 1-8 we have two *matronae*, four daughters and two sons, perhaps five adulteries in 13 and the female protagonists of all three foreign examples.

With the second half of the Roman examples (9-13) the situation is more complicated. In sections 9 and 10 the word *adulescentulus* is used. Again this is a term referring to male youth, the diminutive suggesting a younger child, but the *adolescens* root suggesting growing, and direction towards maturity - a boy becoming a man. Pliny's references to pretty little adolescents suggests that boys at this stage of life were seen as particularly sexually attractive and vulnerable. He describes adolescence as a dangerous (*lubricus* - a sexy word) age, and suggests that boys might be a temptation for their teachers, and that their teacher need therefore be someone of high principles who can act as a guard (*custos*) to his charges: *in hoc lubrico aetatis non præceptor modo sed custos etiam rectorque quaerendus*.²³⁴ Earlier we saw that the word *flos* which is used in the phrase *flos iuuentae* conjures up the image of someone who is both sexually innocent and alluring, and that this is also the case with the idea of a sexual^{ly} mature unmarried girl. This group corresponds to that which Walters' defines as "naturally desirable, but not to be penetrated";²³⁵ all the social categories contained within it have a paradoxical socio-sexual status, as Pliny's word *lubrico* confirms: the growing boys are not yet full, penetrating adults but they will become them soon, the girls will be penetrated, and soon, but ideally only within a marital context.

What about sections 11 and 12? Here we may be in trouble: the vulnerable people are soldiers, men who have already left the shelter of their parental home to go out on the battlefield - one is a *cornicularius*, the other a *manipularis miles*. These are grown men, potential heroes. As the defender of the murderous soldier exclaims in Pseudo-

²³⁴ Pliny *Ep.* 3.3. See also 7.24. *Custos* echoes the language of the introduction to this chapter (and cf. Horatius as the *custos pudicitiae* in Val. Max. 8.1.1).

²³⁵ Walters 1997a, p. 34.

Quintilian *MD* III.6: *singularis res est fortis concubinus!* It is one thing to want to have sex with a beautiful boy, but why would anyone want to have sex with a soldier, he argues, pointing out the scars and the wounds. In contrast to the groups discussed above, soldiers - adult, penetrating men - are not usually considered appealing sexual targets. Section 12 is Valerius' version of the same story, yet he does not make much of its rhetorical possibilities; it is dealt with in one short sentence, and is the shortest of all the sections. One word in the section - *ausus* - suggests that trying to have sex with a soldier is a particularly brazen thing to do, but this is by no means made explicit. However, Walters makes the point that the soldier is another dangerous and ambiguous figure in Roman thought because in an important respect their bodies are different from those of ordinary male citizens: they are liable to be beaten by their superiors, and thus in this respect they are "penetrable."²³⁶

In the previous section, however, Valerius does dwell on the shame of the abuser, Laetorius. His *conscientia* (awareness) forces him to run away (*fuga*) - just what soldiers are not supposed to do - and his end is *foedus*.²³⁷ This may be an indication that *stuprum* against a soldier is somehow of a different order than that against a young girl or boy, that there is something extraordinary about it. Yet, on the other hand, the moral weight of the army which pursues him to hell does not do so explicitly because the victim of his attempt was a soldier, but because he abused his position of power over him.

Power

It is worth noting that although the victims of 11 and 12 are both grown men and soldiers, they are also lower in the hierarchy ^{than} those who abuse them (who are also allowed to beat them) - Laetorius should have been "like a teacher" to his *cornicularius* - and their positions in the army are comparatively low-ranking and disempowered. In the pseudo-Quintilian version of the story told in 12 the implication is that the soldier is in fact extremely young, even a *puer*: *diceris aduersum Cimbro puerum probasse*.²³⁸ Even if they are identified as older men, as

²³⁶ Walters 1997a, p. 40; see also Walters 1997c on this declamation.

²³⁷ Although there is a lacuna in the text at this point, so the precise nature of his end is uncertain; see Briscoe *ad loc* and below.

²³⁸ Ps. Quint. *MD* III.5.

low-ranking soldiers their situations are similar to those of children in that their status is not fixed; they are inferior to other men because they are young and low down the ladder, and they will in time become adult men, and gain power and military prestige.

Valerius in no way addresses or explores this anomaly of adult male soldiers being vulnerable to the advances of others. It may be the case then that this situation is entirely to be expected for the Roman reader, who is already familiar with the stories (discarding, as necessary, the Pseudo-Quintilian line about soldiers not being sexy as just so much rhetoric...).²³⁹ Are these sexy soldiers, then, the *uiri* of whom Valerius made mention in his opening line? Are *these* the sections that prove that *pudicitia* is as important for men as it is for women? This is one possibility, although Valerius does not actually use the word *uir* of either man, simply their military title.

So far the stories do not seem to provide a convincing match for the *feminae* and *uiri* of the opening address to Pudicitia, for another reason: *uiri* and *feminae* are not just words to describe males and females in general, they are terms with more specific meanings.²⁴⁰ As Walters puts it: "A term that at first appears to refer to biological sex in fact is a description of gender-as-social-status...that to us might not appear relevant to gender."²⁴¹ "Wives" and "youths/young soldiers" do not equate with "ladies" and "heroes". Even if we have soldiers molested along with virgins this does not make *pudicitia* a virtue for ladies and gentlemen. What is more, in the text itself, only one female character is described as *femina*, and she is *Graeca* (*Graeca femina nomine Hippo...*ext. 1). What have *uiri ac feminae* got to do with all of this? We shall have to keep going...

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²³⁹ This story of the soldier serving under Marius who murders the officer who propositions him and is acquitted, crops up twice in Cicero (*de Inventione* 2.124 and *pro Mil.* 9), is mentioned by Quintilian (*IO* 3.11.14) and is a theme of two later declamations (Calpurnius Flaccus III as well as *MD* III) suggesting that it had an enduring place in Roman speech-making, dramatising as it does the dilemma of when a murder may be justified. Plutarch also mentions it in his life of Marius (14.3-5).

²⁴⁰ Cf. Walters 1997a, p. 32: "Vir, therefore, does not simply denote an adult male; it refers specifically to adult males who are freeborn Roman citizens in good standing." See n. 210, p. 70 above.

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b) The *stuprator*

So far we have only looked at the people whose bodies are at risk without the protection of Pudicitia - those who have been or could be damaged by penetration by another, by suffering *stuprum*. There are other kinds of people at work in these stories however: the second group I shall look at is made up of the people who inflict the *stuprum*. These, unlike those protagonists whom we have examined so far, *are* always men (*uiri*): always male and always adult. They are also almost always socially powerful and magisterial.²⁴²

This status does not simply reflect their general position in society as powerful adults (although this is important too) but it is also an important factor in their relationships with those on whom they inflict or attempt to inflict *stuprum*.²⁴³ Disparity of status between the man seen as the damager/aggressor and the victim/threatened person is a recurrent theme in the chapter. In recent analyses, the superior and powerful position of the men who inflict or attempt to inflict *stuprum* on Lucretia and Verginia has often been understood as a crucial motif of their stories. Sex. Tarquinius is the son of the tyrannical king of Rome and the story ends, as Valerius reminds us - *causamque tam animoso interitu imperium consulare pro regio permutandi populo Romano praebuit* - with constitutional change: liberation from the kings and the foundation of the Republic - Rome as we know (knew?) it. The story of App. Claudius - a patrician preying on a plebeian family - dramatises the class struggle in Roman history, and concludes with the overthrow of the *decemviri*.²⁴⁴

²⁴² E.g. C. Scantino *Capitolino tribuno pl.* (7). The culprits of 11 and 12 are both military tribunes; the wife of Orgiaco (ext. 2) is assaulted by a Roman centurion. For the worrying situation of slaves let loose on your daughters see also 9.1.ext. 2 on the Volscian slaves: *filias dominorum in matrimonium ducebant*. This is the ultimate in *luxuria* and *libido*. The *libertus* in 4 perhaps does not fit into this magisterial system of categorisation, although there may be a case for thinking of him as a tutor within the household, given the thematic connections which Valerius often uses to join one story to the next; this comes immediately after the case involving the *paedagogus*. Further exceptions are 5 and 6, where no such damager/damaged relationship is presented.

²⁴³ Richlin notes: "In these stories and in the declamations, bad army officers and wicked tyrants are the main source of rape against young men..." (Richlin 1992, p. 225). See also *ibid.* pages 98 and 283 and Val. Max. 4.3.1 and 2.

²⁴⁴ On the political implications of the sexual acts see in particular Joplin 1990, Joshel 1992 and Calhoon 1997. For bibliography on Lucretia including readings of this story - usually using the text of Livy - see Donaldson 1982 and Jed 1989.

This pattern of the superiority of the abuser is repeated in a less explicitly politicised way in other relationships throughout the chapter. In 6 the severe father P. Atilius Philiscus has been abused as a youthful slave by his own master: *in pueritia corpore quaestum a domino facere coactum*. Veturius is likewise abused by a man to whom he is in bondage: *P. Plotio nexum se dare adolescentulus admodum coactus esset...*(9). In both cases the youth and therefore vulnerability of the younger male is enhanced by the fact that (legally) he is in another man's power. One might compare the (in this version elided) slavery to which Appius Claudius plans to subject Verginia in order to be in a position to approach her sexually.²⁴⁵ In the same way, in each of the foreign examples the female protagonists are prisoners of their male enemies, and it is from the men who have taken possession of them that they fear or suffer *stuprum*.²⁴⁶

I referred above to the low status of the *cornicularius* and the *manipularis miles* of 11 and 12.²⁴⁷ What adds significance to this low status is the position of the men who attempt to inflict *stuprum* on them: in both cases they are military tribunes, men who hold specific power in the world of the military. But M. Laetorius Mergus the military tribune does not damage just any old (unnamed) adjutant (11), he damages *cornicularium suum* - a man who is under his command and guardianship. A man who, as the possessive pronoun indicates, *belongs* to him.

A hierarchical structure is central to public Roman discourse about sexual acts.²⁴⁸ In these cases the hierarchical relationship between the participants is already in place before the act, and the sex looks like what we might term "abuse of power." We must not, of course, allow ourselves to be seduced by such apparent short-cuts to comprehension, coloured as they are by our own society's current preoccupation with "child abuse" and "sexual harassment." However, in Latin texts sexual dominance does translate easily into more generalised dominance, especially in invective, and the

²⁴⁵ ...ut Virginem in servitutem adseret Livy 3.44.5. See Livy 3.44-58.7 for the whole story.

²⁴⁶ Hippo is aboard an enemy ship when she throws herself into the sea: *cum hostium classe esset excepta* (ext.1). The wife of Orgiago is among the captives of Cn. Manlius (...*ex parte captis...*), and is damaged by the particular Roman centurion in whose custody she has been placed: *a centurione cui custodienda tradita erat stuprum pati coacta* (ext. 2). The Teutonic wives are Marius' booty (ext. 3).

²⁴⁷ Pp. 83-4.

²⁴⁸ See e.g. Richlin 1992, Walters 1997a, Parker 1997.

sexual act, at least in the rhetorical context if not in the actual experiences of Roman, is seen as a way of exerting and displaying power over another person.²⁴⁹

Valerius comments after Laetorius' tale that he should have been rather the *magister* of the *cornicularius* - *cuius magister esse debuerat* - someone who taught him the ways of the world, perhaps amongst other means by setting an example. This power relationship between an older and a younger, between a higher- and a lower-ranking man, would have been a healthy one. Instead, by contrast, Laetorius tries to set up entirely the wrong kind of relationship: *sanctitatis corruptor temptabat existere*.²⁵⁰ *Magister* and *corruptor* are the two models of how such relationships should and should not work.

It is clear that the notion of possession is an important one, and I shall return to this later in my argument.

*

Seen in the light of the above discussion, men do not come off very well. They are the aggressors, the criminals. When we do come across heroes and heroism in this chapter it is in a perverted form. C. Cornelius, in section 10, is one of the *fortes uiri* - men who embody all that is best about Roman manhood - a man who seems to step right out of the pages of chapter 3.2.²⁵¹ But even as we read the list of his honours, we are aware that the verb is waiting at the end of the sentence. Even before we reach it we pass through the clause which informs us of his crime - sex with a freeborn youth - and when it comes he is hauled off in chains. The circumstances of military glory are set against *deliciae* - the seductive pleasures awaiting soldiers at home.

Perhaps this association of *uiri* with *stuprum* provides another explanation of why they have been named at the chapter head. Perhaps the opening is an admonition: men, do not behave like this! Men and women may be associated with the virtue in entirely different ways: the women to learn to watch out, to guard themselves, the

²⁴⁹ See especially Richlin 1992 on sexual invective and power.

²⁵⁰ Cf. the case of Verginia who would have been *corrupta* by App. Claudius had it not been for her father's action (2).

men to learn how they should not behave. This is the suggestion at any rate of the Pseudo-Quintilian declamation about the molested soldier. After illustrating Rome's preoccupation with *pudicitia* with the stories of Lucretia's suicide and Verginius' murder of his daughter, the author writes: *haec sunt honesta haec narranda feminarum exempla. nam uirorum quae pudicitia est, nisi non corrumpere?* ("But these important heroic *exempla* are of women. What is *pudicitia* for men, if it isn't *not* to corrupt [them?]?"). In other words, *pudicitia* is about defending women from *stuprum* by men; when applied to men it can only mean that they should prevent themselves from being the ones who force *stuprum* on others.²⁵² Men and women, by this account, have different roles to play as regards the virtue of *pudicitia*, despite the *pariter ac*. So we are left to ask: does Valerius Maximus imply that by forcing *stuprum* on another person, a man places his own *pudicitia* in doubt, or only that of ~~the~~ person he attacks? Is this what it might mean to damage one's own *pudicitia*?

*

c) The nominatives

What about the subject of that verb: *...publicis uinculis onerauit*? Who sets the arrest in motion?

There is another way of determining who we think are the important protagonists of these tales, and another way in which men are prominent in this chapter. If we run our finger down the chapter, picking out the names at the head of each section, the names - almost always in the nominative case - which throughout this work tend to signal the start of a new *exemplum* and which provide a 'tag' with which to identify it - run as follows:

Lucretia,

Verginius,

Pontius Aufidianus eques Romanus,

²⁵¹ His lists of honours, for example, recalls that of Dentatus at 3.2.24.

²⁵² It should be noted that the author of this declamation (which is not thought to be written by Quintilian, but was in circulation certainly by the fourth century, and perhaps much earlier) uses a number of interesting arguments in the defence of the murderer, but many of the things said about *pudicitia* are contradictory. In this quotation and in that cited earlier he suggests that men are not vulnerable and in need of *pudicitia* in the same way as women, and yet the defence is based on the assumption that the male murderer *was* sexually vulnerable to the man he murdered.

P. Maenius,
 Q. Fabius Maximus Servilianus,
 P. Atilium Philiscum,
 M. Claudius Marcellus aedilis curilis,
 Metellus...Celer,
 T. Veturius,
 C. Pescennius triumphalis,
 M. Laetor Mergi/Cominius tribunus plebis,
 C. Marium imperatorem,
 [Section (13) is a list of various men],
 Graeca femina nomine Hippo,
 (quite deep into the section) Orgiagontis reguli uxor,
 Teutonorum...coniuges.

It is immediately obvious that most of these are names of Roman men - all but the first, in fact, and the three foreign examples. Some of the men are straight away identified by status as well as by name: *eques*, *uir capitalis*, *tribunus plebis*, *imperatorem*... In addition, Verginius and Servilianus are named as *uiri*: *patricii uir spiritus* (2), *ensorium uirum* (6). So here, at last, are our *uiri*. But who are these heroes? What part do they play in the stories? Are they, although not the ones who are directly, physically threatened by *stuprum*, the true upholders of *pudicitia* and possessors of the virtue?

For the time being I shall leave aside consideration of the female-powered activity which heads and foots the chapter,²⁵³ and concentrate on the men who fill the bulk of it. "What they do" can be divided into three categories corresponding to segments of the text.²⁵⁴ From 2-6 they kill their children,²⁵⁵ from 7-11 they bring criminal

²⁵³ I shall examine these *exempla* in detail below in the section entitled "Framing women" from page 129.

²⁵⁴ Or rather, I shall make this crude division of the material in the chapter to start with, in order to make some kind of analytical inroad. It will become obvious as I progress that the subtlety of Valerius Maximus' arrangement of his material around the subject of *pudicitia* makes such analysis extremely difficult. As I examine the relationships between the different sections and the relationships between the issues which they raise, my story will become ever more complicated.

²⁵⁵ *Killing*: *puellam occidit* (2), *puellam necauit* (3), *in libertum...animaduertit* (4), *exigit poenas a filio* (5), *filiam suam...interemit* (6). This is a potentially controversial category. Firstly, in 4 & 5 the punishment described is not explicitly killing, although this interpretation of the phrases *animaduertit* and *exigit poenas* seems justified given the context. Secondly, it will be noted that in the case of

proceedings against molesters,²⁵⁶ and in 12 and 13 they kill or maim people who are caught red-handed without a trial, and officially approve of this being done.²⁵⁷

If we add to the murder of children and other members of the household by the fathers of 2-6, and the violence done to a series of men in the last two Roman sections, not only the suicides, mass suicides, murder and decapitation of Lucretia and the foreign examples, but also the two accused of sections 10 and 11 who are explicitly said to have died (in the case of 11 possibly executed in prison), there is an overwhelming impression of death and violence in this chapter. Even in the three sections in which no one is said to have died (7, 8, 9), we know that each of the three men who were accused of *stuprum* has been *damnatus* (condemned, but also ruined, damaged - if only legally rather than physically) and there is implicit in this some kind of degrading violent penalty ahead.

We already know that *pudicitia* has associations with violent death, because of the familiar *exempla* of Lucretia and Verginia, and the chapter breaks it to us gently by starting with references to these two stories. But were we really expecting the rest of the chapter to be all about adult men killing and maiming each other?

section 4 the daughter herself is not killed, instead a freedman is sacrificed for the sake of her moral education. However as *paterfamilias* Maenius may have a similar paternal relationship with the freedman who would have still been part of his household. On this see Treggiari 1969. It is not certain what relationship there would have been between a *libertus* and his former master, but this one sounds as if it were close.

²⁵⁶ Accusations: *diem ad populum dixit* (7), *diem ad populum dicendo* (8), *querellam ad consules detulit* (9), *...publicis uinculis oneravit. a quo appellati tribuni...* (10), *diem ad populum dixit* (11).

²⁵⁷ Without trial: *iure caesum pronuntiauit* (12), *deprehensum...flagellis cecidit; deprehensum pernis contudit; deprehensi castrati sunt*, etc.. (13). Note Valerius' final comment on 13 which echoes the pronouncement of Marius in the previous section; Marius' deed was to assert that C. Lusius had been lawfully killed by C. Plotius because he had tried to commit *stuprum* with him, Valerius writes of the summary punishments of 13: *quibus irae suae indulsisse fraudi non fuit*. The author imitates his previous *exemplum* by approving of the violent acts, and thus works himself into this list of illustrious men.

2. The role of death

Once we have read Pudicitia's favourite stories through to the end, it becomes obvious that in Valerius' chapter *pudicitia* is not the innocent, girlish virtue which we might have been expecting. This is not a chapter of exemplary stories about nice boys and girls who manage not to commit *stuprum*, and it is not at first obviously about internal regulation of self, as the English term "chastity" might imply. Clearly we would not really expect this chapter to be a catalogue of people who *did not have sex* - that would be dull; exemplary stories about chastity are bound to be about its transgression - the testing point of the virtue. These stories, however, do not seem to be interested in the sexual act itself at all, but in the act of punishment and retribution which follows. Although sexual misdemeanour is necessarily an element of every story, it is never the element on which the narrative lingers. Rather, almost every single one of these tales which apparently starts out to illustrate *pudicitia* features as its central excitement a violent death.

So, what does this connection between *pudicitia* and violent death entail?

First, although death appears in most of the tales, it is not the same death and does not play the same role. Death happens to different kinds of people, for different reasons and with different consequences. Both within the stories and within the text itself it has various uses. Pudicitia's relationship with death is multifaceted, and below I shall discuss some of its manifestations.

a) Protection: *ut morte pudicitiam tueretur*

The Lucretia-style association between death and *pudicitia*, which involves the noble suicide of the woman who has been violated, is well-known, but not always easy to understand. Lucretia kills herself in order to vindicate her *pudicitia*, and throughout the centuries - at least since the early Christian writers - readers have struggled to make sense of this.²⁵⁸ Somehow, through her violation and suicide, she proves herself to exemplify this quality. This is the reference which heads this chapter in Valerius Maximus, it forms another introduction to the world of *pudicitia*, it is a dense parable

²⁵⁸ See especially the discussion in Donaldson 1989 of the many explications of the story's moral point that have been attempted over the centuries.

about what *pudicitia* might be. In Valerius' version the links between the various parts of the story - rape, words, death, constitutional change - are absent and the story read on its own makes no sense. Valerius' text provides no explanation for why Lucretia might have killed herself or why this might have been a heroic act. Presumably, no explanation was necessary because Roman readers would have been so familiar with this tale and with its implications. The reader brings prior knowledge of how the parts of the story fit together, we can fill in all the gaps ourselves, and we are so accustomed to the abbreviated equation of Lucretia (rape + suicide = *pudicitia*), that we need little more than the name and perhaps a sketch of the action (*stuprum...ferro...regio...*) for the reflex "*pudicitia*" to spring to mind and satisfy us. Exploration of the workings of this equation are unnecessary; we have no need to ask questions about how we reached this satisfactory conclusion. Or do we...?

The relationship of the *exemplum* of Lucretia to Roman understanding of *pudicitia*, and also to our own understanding of the virtue, is an important issue. Indeed Lucretia's story is an exemplary *exemplum*, it is *the* exemplary *exemplum* involving a woman.²⁵⁹ Moreover the fact that Valerius can tell the whole story in one (albeit rather convoluted) sentence, and that the scraps of the story found here in 6.1.1 do not add up to anything very meaningful in themselves, is significant for our understanding of how text and reader are intended to relate. What sort of knowledge is a reader expected to bring to this text? Are we, reading two thousand years later, in a position to make sense of it at all? This *exemplum* in particular pinpoints such issues, which I shall explore more thoroughly in Part III. For the moment, however, I shall take it that Lucretia has, through her suicide, avoided *impudicitia* and saved the world from evil tyranny, without worrying too much about how this has happened. Death, in this case, is about the preservation of *pudicitia*.

The workings of those stories where death occurs *prior* to violation, as a means ultimately of avoiding it, seem on the face of it more straightforward. In these cases, death is the *alternative* to defilement, rather than being subsequent to it. Verginius kills his daughter, whose purity is threatened by Appius Claudius, *ne probro contaminaretur domus sua* - lest his household should be stained with disgrace.

²⁵⁹ See e.g. Sen. *ad Marc.* 16, where her example is used to persuade Marcia that women have the potential for virtue.

Valerius wraps up the alternatives for us at the end of the section when he comments of Verginius: *pudicaeque interemptor quam corruptae pater esse maluit*. For the girl there are two options: *pudica* or *corrupta*. In the latter case she has the benefit of staying within the family (*pater*) but she is an unacceptable pollutant of that family (*contaminaretur*). In the case of the former she must sacrifice her life (*interemptor*). The story is partly about the devil and the deep blue sea.

However, the grammatical construction of this last sentence (as of the whole of section 2 in fact), makes it clear that this is not in fact **Verginia's** dilemma. It is her father, Verginius, who must decide whether to take on one role or the other: *pudicae interemptor* or *corruptae pater*. It is his house (*domus sua*) which is threatened. He prefers (*maluit*). He acts (*necauit*).

In the other cases in which death preempts disgrace, it is the (foreign) women whose bodies are threatened who take action for themselves. Rather than be assaulted by the enemies who have captured her, Hippo throws herself into the sea to drown, *ut morte pudicitia tueretur* - so as to protect her *pudicitia* with death. Hippo uses death as an instrument with which to defend her *pudicitia*. In the last story of the chapter we are dealing again with women in the hands of their enemy (this time specified as Roman). These women first seek another kind of protection from sexual defilement - association with the Vestal Virgins (a reference to the introduction where, as we saw, the hearths they tend are described as the foremost of *Pudicitia's* abodes). When this is denied them, they hang themselves.

b) Teaching the science of chastity: *castitatis disciplinam*

Teaching, as we saw above, is what Laetorius should have done (*magister esse debuerat*). It is almost certainly what the *exempla* in this work are designed to do. It is also another of the functions of violent death within this chapter. In section 4, P. Maenius uses his murder of one of his household as an educational tool in the upbringing of his daughter.

In addition, he plays the role of *pudicitiae custos* - the guardian of *pudicitia* - a title which echoes the introduction where Pudicitia herself is addressed as *custode*.²⁶⁰ This time it is *pudicitia* it/her(?)self that is being protected, and Maenius is the guardian instead. A reversal has taken place whereby the stern imposing goddess of the introduction, whom we last saw bringing about the very stories that we are reading, has evaporated; her place has been taken by an endangered quality. This gives an indication of how hard it is to pin down exactly what we mean by *P/pudicitia*. Valerius is pointing up the difference between the goddess and the state of sexual purity which bears the same name, and indeed suggesting that they are not merely different things, but *opposite*, when he repeats the word *custos*. In the first case, Pudicitia guards over humans. In the second, Maenius protects *pudicitia*. What can we make of this? Is it an indication of the very different perspectives on *pudicitia* which are held by the introductory section and by the body of the chapter? Does it suggest some kind of hierarchy by which the vulnerable members of society (women, young people, children) are protected by the virtue, but the virtue itself is in turn in need of protection from the superior members of that society (men)? I shall come back to these questions later.

What Maenius does is to kill the freedman of whom he had always been fond, because this freedman has kissed his nubile daughter, even though the offending kiss seems to have been a genuine mistake rather than an act of libido: *in libertum namque gratum admodum sibi animaduertit, quia eum nubilis iam aetatis filiae suae osculum dedisse cognouerat, cum praesertim non libidine sed errore lapsus uideri posset*. Maenius earns the epithet *seuerus* for taking this decisive action of punishing the freedman with death despite being hedged in with all these *namques* and *cums*. The *libertus* was a “goody”, his crime was a very slight one, and according to Valerius it could have been explained away without difficulty (...*uideri posset*) - there probably never was any *libido*.²⁶¹ Why then so *seuerus*? Valerius explains:

*ceterum amaritudine poenae teneris adhuc puellae sensibus
castitatis disciplinam ingenerari magni aestimauit, eique tam*

²⁶⁰ Cf. Val. Max. 8.1.absol.2, where the phrase is used of Horatius.

*tristi exemplo praecepit ut non solum uirginitatem inlibatam
sed etiam oscula ad uirum sincera perferret.*

The language and structure of this section conveys a strong sense that in some ways Maenius' action might be considered excessive. In addition to the way in which Valerius indicates that there was no real sexual crime by hedging in the first half of the section, when he describes what Maenius did he writes of *amaritudo poenae* and *triste exemplum*. The violence of the punishment seems out of place and a disproportionate reaction to the crime. But the case of the *libertus* - what he has done and what he therefore deserves - is inconsequential. The goal of the story, the important issue to which all else is subordinated, is the moral education of the *puella*. This is the explanation for Maenius' behaviour, implicitly condoned as a motive by the text (*quam seuerum pudicitiae custodem egit!*)

We may or may not be expected to recall here the words of Lucretia in Livy's account, who claims that she must die in order *not* to be a *bad exemplum* for unchaste women: *nec ulla deinde impudica Lucretiae exemplo uiuet*,²⁶² we could read Valerius Maximus' *grauissimis uerbis* as a reference to these words. The story of P. Maenius and his daughter is the first place in *this* chapter where the reader discovers that it is possible to teach and learn this subject.²⁶³ Indeed, from this chapter one might infer that part of a father's duty was to instruct his daughter in the art of being chaste. He gives her both precept and example - *exemplo praecepit*.

So P. Maenius finds a different way of keeping his daughter pure (*illibata, sincera*) than that of Verginius (*pudica*). Rather than avoiding damage by killing, he seeks to teach the girl herself how to act in such a way that she will remain pure. What is it that will help her to learn? Answer: the *triste exemplum* of somebody else's death. Because the stories in Valerius' collection are so clearly presented in the form of

²⁶¹ What was his *error*? Perhaps a failure to realise that the girl had reached marriageable age, and to treat her inappropriately. For further discussion of the ramifications of this *exemplum* see below p. 125-7 in the section "structure and content".

²⁶² Livy 1.58.10.

²⁶³ Despite my emphasis on the didactic function of Valerius' work, there is a suggestion in the previous book that in fact not all virtues can be learned; certain virtues (such as *pietas* towards one's parents) are natural rather than a result of learning; the story at 5.4.7 ends: *putarit aliquis hoc contra rerum naturam factum nisi diligere parentes prima naturae lex esset*. Or was that just rhetoric?

exempla the word '*exemplum*' in the text should always make us think.²⁶⁴ Here Valerius is telling us a story about an *exemplum* in action. We have, within the world of the story, a real-life, real-death *exemplum*. The girl is not merely *told* the stories about Lucretia and Verginia: sex outside marriage = violent death. She actually witnesses her very own death. The reader sees ~~the~~ the fate of an unlucky freedman teaching a young Roman girl how to stay pure. After the *necauit*, *interemit* etc. of the previous sections, in which a series of young girls die for the sake of *pudicitia*, we may feel that Maenius' daughter has got off lightly; she has been given the second chance that we would have loved to have given the other pure women, had it been possible.

In this second model of death as educational, death is used to teach a girl - the vulnerable one in the story - to maintain her own virginity and more; she must have a very high degree of *castitas*, not simply warding off *stuprum*, but avoiding any behaviour which could be seen to encourage or to be a prelude to *stuprum*. Here the person who learns from such violence is a girl and the lesson learned is regulation of her own behaviour: specifically not to participate in kisses before she is married. By analogy it would be possible to argue that this is what the violent stories of Valerius themselves are hoping to achieve. And this would fulfil the expectations of the introduction, and perhaps our expectations of what it must mean to teach and learn about a virtue. The vulnerable are the important people. They are the ones who need to learn. They are the ones for whom *pudicitia* is important.

c) punishment

Of course, the young and vulnerable are not the only ones for whom *pudicitia* is important, nor who seem to be targeted for moral education by the stories. We have already seen how grammatically important another class of people within the chapter is, and it could also be argued that in many cases the primary moral lesson seems to be acted out by the third person in the story - not the damager or the damaged, but an adult male bystander who deals with the situation and administers justice, the third group of protagonists identified above.

²⁶⁴ The word *exemplum* is used in sections 7. and ext. 2 as well; the deaths of Hippo and the centurion who forced *stuprum* on the wife of Orgiago are *exempla* too, stories which teach about *pudicitia*.

The death of the freedman is not simply murder. It is explicitly a form of punishment. The word *animaduertit*, in fact, means “he [P. Maenius] punished”, rather than “he killed”, and it is only from the context that we realise that the form of punishment is in this case death. The death meted out to the *paedagogus* in the previous section is described as punishment too (this time for his role in betraying the daughter of the punisher): *adfecisse supplicio*. In section 5, Q. Fabius Maximus Servilianus *exegit poenas a filio*. Marcellus Celer is described as an *acer poenitor* (8).

So another of death’s functions is as a form of punishment, another of the jobs that the “nominatives” do is to punish.

What does punishment consist of? Death or mutilation, but in what guise?

i) *pro lege*

At section 13, Valerius describes the men who beat and kill adulterers as being *qui in uindicanda pudicitia dolore suo pro publica lege usi sunt*. These men punish by making use of their own grief rather than by using the public legal system. But Valerius comments that to rely in this way on one’s own anger *fraudi non fuit*. According to this text, this kind of personal reaction to a situation can be acceptably used in place of a legal process.²⁶⁵ Moreover, they are acting in *uindicanda pudicitia* - in a kind of legal defence of the quality of *pudicitia*. Throughout the chapter, the language used to describe violent actions has legal connotations. As well as the phrases mentioned above, which are all most commonly used with regards to behaviour in the law courts, in section 6 Valerius describes the men such as P. Atilius Philiscus, who kills his daughter, as *uindices*, at work in *ciuitate nostra*. The word *uindex* can mean protector in a legal sense, complementing the military-style protection associated with words used elsewhere such as *custos*, *tueretur*, and *munita*.

Vindex also means, more simply, someone who lays legal claim to something, and we have already seen the importance of the possession of one person by another in the

²⁶⁵ The actual legal position of private acts of punishment during the Republic is not certain. See Fantham 1991, p. 268 n. 4.

relationships between the characters in the stories.²⁶⁶ I shall explore below the idea that punishment may be a form of staking one's claim, and that an important driving force behind the tales is the competition between men for the ownership of a human chattel.

In sections 7 to 11 the legal process *is* employed, and the action of the man in the nominative case is to call the accused to some sort of trial.²⁶⁷ After the first accusation the process is very clearly a result of collaboration between this man, the accuser, and whichever body of the state he chooses, the *populus* (7, 8), the consuls and the senate (9), tribunes (10) or in 11, where the accused man runs away before judgement can be passed, the moral weight of the Roman *plebs* and the Roman army. The man's action is always confirmed as right by the fact that the accused is *damnatus*,²⁶⁸ and in one case is executed in prison.²⁶⁹ After these legal punishments, we go back to honorary-legality in 13, as described above, and in 12; in 12 the act of murder which begins outside the law (as do all the acts in section 13), is welcomed back inside its bounds by the pronouncement of C. Marius: *iure caesum pronuntiauit*.

The Roman examples end with these assertions by C. Marius and by Valerius, which legitimise all the violent behaviour in the chapter. As I suggested above, many of these actions are already legitimised by the language which is used to describe them, as if even personal acts of punishment are really performed on behalf of the whole city, and can thus be seen as official. Some of the violent acts are described in terms which do not load them with an positive or legal significance - *caesum*, *necauit* etc. - and these words are perhaps designed to shock - to show the enormity of killing one's own child, for example. But when it comes to describing such actions as forms of punishment, as a reaction to someone else's offence, they are always described as though they were part of the state's machinery. It may be that there is little alternative to such terminology in the Latin; how can one describe a Roman male as wielding any kind of authority, as reacting to the offence of another in a way which is *not* state-sanctioned, implicitly hand in hand with law and city? The point is that the actions of

²⁶⁶ p.86.

²⁶⁷ See above page 90, note 256 for references.

²⁶⁸ *reus...damnatus est* (7); *hoc uno crimine damnando* (8); *in carcerem duci iussit* (9).

²⁶⁹ *in carcere mori coactus est* (10).

these men is prejudged; for the male to assert such authority is always to place himself on the side of the law.

ii) *ultio*

A third meaning of the word *uindex* is avenger, and another aspect to the punishments is that of revenge. The word *ultio* is twice used of the action of the protagonist: it is used of C. Scantinius Capitolinus' conviction (7) and of the death of the Roman centurion at the command of Orgiago's wife. In both cases *ultio* does not refer merely to the relationship between the criminal and the punisher, but rather it is the sensibilities of the damaged person which are involved - it is *their* revenge even though it is carried out by someone else in both cases.

iii) cleansing

Let us go back to section 3. It is clear that Pontius Aufidianus kills the slave as punishment, but why does he kill his daughter? Is it to punish her, by extension - *etiam*? Or is her death of a different kind? Valerius comments: *ita ne turpes eius nuptias celebraret, acerbis exsequias duxit*. This sounds so similar to the end of the previous section which we have discussed above in section a) (p. 93) - the story of Verginius (*pudicaeque interemptor quam corruptae pater esse maluit*) - that it is easy to think that we have just read the same story twice. Again, the death is about avoiding the shameful option and going for the harsh, unpleasant one. In the same way as we saw that death could be a means of avoiding defilement, it is also a way of cleansing the defilement that has taken place through the medium of punishment. The shameful people are removed from society or from the *domus*.

iv) rhetorical force

One explanation of why punishment (and just, justified punishment at that) is such a dominant theme is that these stories either originate from, or are designed to be used in, the context of forensic oratory.²⁷⁰ The stories are formed as legal "precedents"; we can envisage them being retold as part of a speech in defence of a man who had killed an adulterer, or even his own child. Indeed there *are* several examples of the stories told in Valerius' chapter being used elsewhere as a rhetorical device in a defence of

²⁷⁰ This is Fantham's view: "Since Valerius was writing for lawyers he classified his exemplary anecdotes by the disciplinary action...he also selected extreme instances." (1991, p. 277).

murder. For example, the story of the soldier under Marius who murdered an officer is used by Cicero in his defence of Milo,²⁷¹ while in the declamation which is written as a defence of the same soldier's murder the examples of Lucretia and Verginia are adduced. There is certainly a forensic edge to the telling of these stories - they are designed to be striking and over-emphatic. It does not seem likely that we are intended to take the *exempla* in the first batch of stories literally; the murder of one's own innocent child is extreme, anti-social behaviour.²⁷² They are more comfortable as recognisably extreme (although justified) examples to be contrasted to the milder action of a defendant.²⁷³

The killing of his own child is one of the most unpleasant actions that a man can take. It is the worst and most difficult thing which his own loyalty to the state and to various moral principles might call upon a Roman man to do. For this reason it is the perfect exemplary testing point for Roman virtue, the most striking story to tell. So much is made very clear by the stories and comments of the previous book, Book 5, which I shall go on to discuss in the next section.

So finally we may argue that the death in these stories has a rhetorical function. It is an extreme with which other forms of behaviour may be contrasted. It is shocking, harsh, severe, and thus rhetorically forceful, allowing it to be a useful forensic as well as an educational tool.

²⁷¹ Cic. *Mil.* 4.9.

²⁷² Despite arguments based primarily on these very passages that this was law under the early Republic. See Harris 1986 who uses as evidence of Republican *patria potestas* sections 2, 3, 5 and 6.

²⁷³ This would also be a possible explanation for the fact that it is men who take centre stage in the chapter, rather than the women and children that we might have expected.

3. The model of parental authority:

Aside from Lucretia, who is very much the protagonist of her own tale, and the women who appear in the *externa*, the heroes of all the stories seem quite clearly to be men, and specifically men who intervene in other people's sex lives. So, according to the heroics of this chapter, we may have to rethink our understanding of what *pudicitia* as a *virtue* is about. Although lip-service is paid to the idea that *pudicitia* is a sense of modesty which leads people to conduct their *own* lives in the right way, for example in the *castitatis disciplinam* that P. Maenius was trying to inculcate,²⁷⁴ the dominant interpretation of the virtue is that it is a censorious quality of righteous anger, which judges and then strikes down *other people* who behave badly.²⁷⁵ Far from suggesting that *pudicitia* is about the ideal Roman woman, this chapter emphasises its association with magisterial, authoritative Roman men. And it draws in men of various statuses and from various walks of life to play this role: we have, for example, among the first few sections, the plebeian Verginius (although he is described as having patrician *spiritus*) in the second tale, the *eques* Pontus Aufidius in the third, a censor in Q. Fabius Maximus Servilianus (5), and a freedman, P. Atilius Philiscus, who had himself been sexually defiled (6).

The cumulative effect of these central stories is to build up a complex model of male authority. This is the power of men who exert moral censorship and interfere in the lives of others, constraining or punishing their behaviour. As we have seen above, through the language and the stories used in the chapter this kind of authority is associated with the authority of the law and of the state; the men are acting together with, or on behalf of, the city. It is also, as I shall go on to show, associated with or modelled on the paternal role which is central to sections 2 to 6; the power wielded by the *paterfamilias*.

It is not by chance, then, that these opening chapters involve tales of fathers in difficult relationships with their children, nor that this is the opening chapter of Book 6. This section relates the chapter on *pudicitia* with the material and issues of the

²⁷⁴ And of course in the stories of Lucretia and the foreign women who regulate their own sexual behaviour, which will be discussed in detail below from p. 129.

²⁷⁵ Summed up in the *dolore* and the *irae* of section 13.

previous book, and provides the foundations of this chapter's construction of manhood. For most of the previous book is taken up with stories about the balance of power between parents and children. Chapters 4-6 are *De pietate erga parentes erga fratres erga patriam*, 7 *De parentum amore et indulgentia in liberos*, 8 *De parentum seueritate aduersos liberos*, 9 *De parentum aduersus suspectos liberos moderatione*, and 10 *De parentibus qui obitum filiorum forti animo tulerunt*. If the murder of their children by Roman fathers for the sake of a higher force - that of the sanctity of their *domus*, or of the virtue itself - sounds like a shocking and distressing event, it is all the more so when these stories have been reached through the approach of Book 5.

i) The death of children

To start with, the last chapter of Book 5 celebrates the strong-minded heroism of fathers who bear the deaths of their children. Horatius Pulvillus, whose son's death was announced to him as he dedicated a temple to Jupiter Optimus Maximus, did not falter in the task. Aemilius Paulus, having given away two of his fine upstanding sons to be adopted, then suffered the death of his two remaining sons. There is a twist to this second tale, and Aemilius Paulus has the last word:

*"cum in maximo prouentu felicitatis nostrae, Quirites, timerem ne quid mali fortuna moliretur, Iouem Optimum Maximum Iunonemque Reginam et Mineruam precatus sum, ut si quid aduersi populo Romano immineret totum in meam domum conuerteretur. quapropter bene habet: annuendo enim uotis meis id egerunt ut uos potius meo casu doleatis quam ego uestro ingemescerem."*²⁷⁶

The Roman *exempla* are rounded off with a third prodigy: Q. Marcius Rex, a consul who actually went straight from the pyre of his only son in order to call a meeting of the senate which he was obliged by law to call on that particular day. Among the foreigners, Pericles makes perfect speeches in public whilst in mourning for his sons, Xenophon carries on performing his religious rites (like Horatius Pulvillus), and the book comes to an end with the brave words of Anaxagoras on learning of the death of his son, which, according to Valerius, are worth listening to and learning from:

²⁷⁶ 5.10.2.

*"nihil mihi...inexpectatum aut nouum nuntias: ego enim illum ex me natum sciebam esse mortalem."*²⁷⁷

Valerius tells us that these words are imbued by *uirtus* with *utilissimis preceptis*.

quas si quis efficaciter auribus receperit, non ignorabit ita liberos esse procreandos ut meminerit iis a rerum natura et accipiendi spiritus et reddendi eodem momento temporis legem dici atque ut mori neminem solere qui non uixerit, ita ne uiuere aliquem quidem posse qui non sit moriturus.

*

Inevitably these tales are not merely about men who felt no urge to mourn, or simply did not mourn. They are about fathers whose natural and understandable impulse to mourn the death of their children is required to be suppressed because of some more pressing need. Under normal circumstances they would mourn - any ordinary soul would be unable to stop themselves - but these men are, as heroes, being put to the test.

ii) Choosing between two roles

These men must choose between two roles, that of the grieving father (which is dismissed) and the other which he decides to play or to continue playing. This idea of "playing roles", the theatrical metaphor, is found in the Latin. Of Horatius Pulvillus, Valerius comments that he continued apparently unmoved in his dedication of the temple because he did not want to be seen to be acting the part of a father rather than that of a priest: *ne patris magis quam pontificis partes egisse uideretur*.²⁷⁸ Horatius weighs up father and priest as options. Aemilius Paulus sacrifices his role as a father for his role as a patriotic member of the Republic when he chooses to call on the gods to destroy his *domus* rather than the *populus Romanus*. Q. Marcius Rex puts aside his role as a mourning father in order to act as a consul. Pericles (whom Valerius

²⁷⁷ 5.10.ext.3.

²⁷⁸ Cf. *quam seuerum pudicitiae custodem egit!* of 6.1.4, where P. Maenius plays a harsh guard of *pudicitia*.

describes as *princeps*) goes on as a fine orator - his public duty. Xenophon carries out religious duties. All the men have to make decisions about how to prioritise their loyalties, and they are praised for attending to public rather than to domestic duties.

This is not just about choosing which role to play, it is at the same time about choosing in which arena to act - *domus* or *urbs* (or their Greek equivalents). But although all the men choose public, the chapter is not about how much more important the city must always be than one's domestic affairs. On the contrary, it seeks to demonstrate the difficulty of attempting to compare the two, and the pain involved in having to do so. The authority associated with fatherhood, priesthood and political positions brings with it struggles. It is not that strong men should not weep and that mourning is dispensable, but that sometimes, rarely, a really strong man (*forti animo*) will be able to dispense with it against the odds.²⁷⁹

This concept of choosing between two unhappy alternatives is part of the parental dilemmas of 6.1, as we saw earlier. Verginius sacrifices his *filia* in order to save his *domus* from pollution; we might say that he chooses the role of *interemptor* above that of *pater*. Pontius Aufidianus has to suffer *acerbas exsequias* in order to avoid *turpes...nuptias*. It is clear that these are not easy decisions, or at least that they are not painless.

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In Chapter 5.8, on the severity of parents towards their children, we find the same patterns of dilemma and choice; the fathers must sacrifice their children for the good of the state, although this time the crime is usually political rather than sexual (if such a distinction may be made). Brutus must execute his sons when they support the Tarquins, in order to preserve *urbs* and *libertas*.²⁸⁰ Cassius executes a rabble-rousing son, who tries to win the favour of the masses by distributing land. In these and the following examples the choice of roles is made very clear; each man must sit in

²⁷⁹ Although Valerius tells us in the introduction to 5.6 that ultimately one's loyalty must be to the *patria*, since without the city there can be no *penates*, no families. (Clearly one could argue the opposite.)

²⁸⁰ Chapter 6.3, illustrating *seueritas*, opens with the harsh punishment of those who in some way or another threaten *libertas*.

judgement on his son and executes him in his position as magistrate, putting his inclinations as a father aside. It is interesting, however, that Valerius dwells on the picture of Torquatus sitting among his family's *imagines* after he has condemned his son and his son has killed himself. Torquatus thinks of himself as having drawn the authority for his behaviour from his ancestry and from *mores maiorum*, and in this way the family is drawn back into politics just as it seemed to be distancing itself.

iii) Severity: from family to state

There is in this last example a sense of a complexity in the relationship of the family to the state, and in the way that men should balance their roles as *paterfamilias* and as magistrate. The way that the chapters of Book 5 are arranged in relation to one another introduces another uncertainty: what sort of attitude should one take towards one's children? It is far from clear that severity is always the best option. As we have seen, chapters 8 and 10 provide models of fathers with a strong moral and patriotic sense which is able to override their natural instincts to protect the lives of their children and to mind very much when they die. But weaving in and out of these chapters is the alternative message of chapters 7 and 9. Chapters 7 to 10 oscillate between two different kinds of behaviour: from *amor* and *indulgentia*, to *seueritas*, back to *moderatio* and then to hard-heartedness (*forti animo*). The cumulative effect of these chapters is to make it difficult to know what sort of line one should take towards one's children in any given situation - if that were indeed what one were hoping to learn.

However, although each chapter appears to be presenting laudable behaviour, they are structured differently. First, as Combès points out, chapters 8 and 9 do not have any foreign examples, which is unusual, as if *seueritas* and *moderatio* of parents were specifically Roman virtues.²⁸¹ Combès also notes here that Valerius is making a reference to the stereotypes of Roman theatre in the sentence which heads the chapter on *seueritas*: *comicae lenitatis hi patres, tragicae asperitatis illi* – in other words, *exempla* about *seueritas* are the stuff of tragedy, whereas the *exempla* of *indulgentia* and *amor* are more like the subjects of Roman comedy.²⁸²

²⁸¹ Combès 1997, p. 130, n. 1 and 1995, p. 32.

²⁸² This reference to the medium of theatre provides food for thought: what does it mean to describe stories as *comicae*? Roman comedy traditionally takes the difficult relationship between father and children as its subject matter, and in this respect this chapter parallels this literary form. There may

Valerius tells the reader that these are “nice” stories, more pleasant to read than the stories about *seueritas* which follow: *det nunc uela pii et placidi adfectus parentium erga liberos indulgentia, salubrique aura prouecta gratam suauitatis dotem secum adferat*. The sailing metaphor draws our attention to our progress through the book, insists that we relate this chapter to those surrounding it. At this point in the work, Valerius seems to suggest, we are plain sailing. This is a particularly pleasant and agreeable part of the text. When he reaches the preface to the chapter on severity in Book 6, by contrast, he warns the reader of the horror which is to follow:

Armet se duritia pectus necesse est, dum horridae ac tristes seueritatis acta narrantur, ut omni mitiore cogitatione seposita rebus auditu asperis uacet. Irae enim destrictae et inexorabili uindictae et uaria poenarum genera in medium procurrent, utilia quidem legum munimenta, sed minime in placido et quieto paginarum numero reponenda.

He presents *seueritas* as something which is really too awful and disruptive to belong in his work, a maverick virtue.

Yet in fact, at least to the modern reader, the stories contained in the chapter on love and indulgence seem, in their own way, to be as disturbing as those in the chapters on *seueritas*. In 5.7.1 a father follows his son in a triumph, a reversal of hierarchies which must have sounded bizarre, if not distressing, to Roman ears; in 5.7.2 the son is being prosecuted by Caesar, which given the Julio-Claudian context of this work must place him on the wrong side of the fence; 5.7.3 ends with the humiliating murders of both father and son. In the foreign examples, as we might expect, the weirdness is even more outlandish: Antiochus smiles on his son’s incest with his wife and Ariobarzanes hands over his kingdom to his son while he is still alive.

also be a suggestion that there is a humorous element to the tales in this chapter, and we might wonder how comic tales function educationally. It is not necessarily the case that there is no need to take them seriously, but there is the implication here that some *exempla* function differently from others, just as the genres of tragedy and comedy in the theatre deal with similar issues of human relationships but within differing conventions and using different approaches.

So *seueritas* is horrible but heroic, while *indulgentia* is perverted yet pleasant and amusing: this appears to be one confusing message of these books. In addition, by the time we reach 6.1, we have learnt that the parental role is a complex one, consisting of a combination of virtues, which are sometimes conflicting; the virtuous behaviour of a man who is both father and citizen, who has authority in both family and state, may involve resolving the difficulty of conflicting loyalties. Last but not least, there may not be an easy answer to his problems.

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There is another element to this progression through the work which Valerius alludes to with his sailing metaphor; as we move from *pietas erga parentes* through the end of one book and into the next towards *seueritas* at 6.3, we are moving towards civilisation, towards *litterae*. The early chapters make it quite explicit that the virtue of *pietas* towards one's parents, for example, is a universal virtue held even by the most savage and untutored of races.²⁸³ There are several women among the parents and children of the first chapters, but as we progress mothers and daughters disappear from the stories. As noted before, there are no foreign examples in the chapters on *moderatio* and *seueritas*, and the foreign examples with which the book draws to its philosophical close are Pericles, Xenophon and Anaxagoras - famous men of skilful words. We have moved from the instinctive moral qualities with which nature endows every human no matter how lowly, which can be possessed by any uneducated fool, towards the relationships of the educated and civilised which are regulated by harsher rules - hence the need for *asperitas* and *aspera seueritas*.²⁸⁴

I would argue that chapter 6.1 effects a transition between the censorious paternal role and the censorious⁹ role of a Roman male in public life.²⁸⁵ To a certain extent the parallel between the role that a Roman man plays as father and that which he plays as magistrate has already been drawn up in Book 5. Already in chapter 8 we can see

²⁸³ E.g. 5.4.7: *quo non penetrat aut quid non excogitat pietas* etc. or 5.4.ext.5: *quid ergo doctrina proficit? ... uirtus nascitur magis quam fingitur*.

²⁸⁴ 5.8.praef. and 5.9.praef.

²⁸⁵ By censorious I mean the quality of someone who has the authority to intervene in the lives of others and restrict moral behaviour, as the censor in Rome did.

fathers acting towards their sons in the capacity of magistrate rather than *paterfamilias*. Above I have argued that the moral behaviour in many of these stories is based on men making decisions about how to act by choosing to play one role rather than another. But now I shall argue that the story is more complicated: these different roles come from the same mould. Choosing to be a priest rather than a father is not about choosing to act in an entirely different way. It is about choosing where and how to play that role of authority. The stories are all about wielding various forms of *auctoritas*.

Even the stories earlier on in the book which are about *pietas*, turn out in fact to be about *auctoritas*. The two virtues are the complement of one another, belonging to the same relationship, as is made clear when, by 5.4.5, the story exemplifying the *pietas* towards his father, which prevents C. Flaminius from dividing up the Gallic land, is introduced as a story about *auctoritas patria aequae potens*. This suggests that piety is not simply a virtue possessed by a child, but is inspired by the authority of the parent, which is the driving force of the child's pious behaviour. The phrase *auctoritas patria* is nice because the word *patria*, used here as an adjective modifying the word *auctoritas*, to mean "paternal", is also a noun in its own right, meaning the state, the fatherland. Even when we appear to be right in the middle of an *exemplum* about *pietas* and intimate family relations, we stumble across this word and realise that the notion of the state is central to such familial relationships.

Indeed political *auctoritas* in Roman society generally, and within Valerius Maximus' text specifically, was analogous to the authority held by a man as *paterfamilias*. This is true of the emperor's political role; *Pater patriae* was one of the titles used by Augustus to describe his relationship to the Roman people in official language - an indication that the workings of the power relations within the state were understood in terms of an analogy with the family. A similar phrase is used of Tiberius by Valerius in this very book, when he is described as *princeps parensque noster* (5.5.3).

iv) Coercive power

The power of the Roman male is also treated in another way in this chapter. The men within these tales are constantly establishing hierarchies and then re-establishing new hierarchies. First the rapist demonstrates his power over another man by claiming

either his own body or that of someone who belongs to him. This may be done by physical force, by offering money, or by virtue of a social relationship already in place between the two people. The third figure in the stories reasserts his own state-sanctioned power over the rapist, and honour is satisfied. This reassertion is necessary because it is not only the status of the “vulnerable” that is at risk from the sexual defilement that threatens or takes place. The integrity of other men, of the *domus* and of the state and its institutions is also liable to be wounded by their association with the vulnerable. “As is well known, a woman’s chastity is associated with the honor of her male kin,”²⁸⁶ and it goes further too: not just women’s chastity, but that of any free-born Roman, and not just the honour of his or her male kin, but of all Roman citizens. This is why institutions such as the senate and the army are involved in the regulation of transgressions of *pudicitia* in this chapter.²⁸⁷ It might also suggest an explanation for the *uiri ac feminae* of the introductory line; they are the respectable citizens for whom *pudicitia* is fundamental. The whole state is rocked by each act of *stuprum*, every wrongful sexual act is loaded with political implications which could affect the lives of us all. Every man who kills an adulterer is saving the world and all the important people in it...

The significance of a daughter’s sexual behaviour for her environment - in this case the *domus*, which her father can only save by killing her - is illustrated by the story of Verginia. In killing her, he not only gets rid of a gateway by which shame might enter his household, but he also stakes a claim to Verginia over and above that which Appius Claudius is trying to assert. In the end, despite Appius Claudius’ attempts to gain possession of her by making her the slave of one of his clients, Verginius shows that he is the one who has power over her when he takes her life away. His murder of her is the ultimate gesture of possession.

Earlier (pp. 86-7) I looked briefly at the way that the language of possession was used to describe the relationship between M. Laetorius Mergus and his *cornicularius*: *cornicularium suum*. The possessive pronoun occurs often in this chapter to describe

²⁸⁶ Joshel 1992, p. 121. See also Gardner 1993 where Ulpian is cited: “Any insult or injury to a woman was deemed to have been directed at her husband or father” (p. 118). It is to her husband that Orgiago’s wife takes the severed head of her rapist.

²⁸⁷ E.g. section 9: [senatus] *in qualicumque enim statu positam Romano sanguini pudicitiam tutam esse uoluit*.

a father's "possession" of his child: *filiae suae* (3), *filiae suae* (4), *filiam enim suam* (6), *filium suum* (7) and also *filiae eius* (2). In the case of the father/child relationship, the possession is clearly associated with the way that the father manifests a right to kill either his child or anyone who threatens the child's *pudicitia*. The rapists claim possession of their victims, by asserting that they have the right to do as they please with the victims' bodies. The fathers claim their children back by showing that they have the power to destroy these bodies entirely. The fact that *stuprum* is a way of "possessing" another person is what makes it shocking - it is a form either of stealing (claiming to possess what really belongs to another man) or of humiliating a fellow free citizen.

The idea that in the ancient world rape affected those who were not the actual physical victims of it has been explored by other scholars. For example, Joshel, in her article on the political significance of Livy's version of Lucretia's rape, writes in a footnote: "In effect, Roman patriarchy associates all women with sons in paternal power. Apprehension about their vulnerability to aggressive non-kindred males would seem to stem from the "rightful" power that their fathers (and husbands) wielded over their bodies."²⁸⁸

When the stories are seen in these terms - as competitions between two men about who will have possession of a third person - then the roles of the rapist and the man who punishes him are actually very similar. The punisher mirrors the behaviour of the *stuprator*, tit for tat. This is echoed in the way in which the same vocabulary of power is used for what the damagers and the punishers do. The word *cogo*, for example, is used in the repeated phrase *stuprum pati coacta* as part of the description of the sexual defilement which Lucretia and the wife of Orgiagio undergo. It conveys the sense that the women have had to submit to the power of the men who have had sex with them. In 6, P. Atilius Philiscus' sexual relationship with his master when he was a slave is described using the same term: *in pueritia corpore quaestum a domino facere coactum*. But *cogo* also turns up in the punishments which are meted out to the *stupratores*. It is used of C. Pescennius' death in prison: *in carcere mori coactus est*. C. Scantinius Capitolinus (7) mistakenly believes that because of his power as a

²⁸⁸ Joshel 1992, p. 130, n. 8. See also Richlin 1983, pp. 220-26.

tribune, no one has power over him and he cannot be punished: *adseuerante se cogi non posse ut adesset, quia sacrosanctam potestatem haberet*. It is as if the men who punish must match force with force.

Another coincidence of behaviour or vocabulary between *stuprator* and punisher comes in the use of the words *compellare* and *appellare* to describe the attempted *stuprum*. These are the words used for the way in which the *stupratores* attempt to force their victims to submit, again within what is apparently a clichéd formulation:²⁸⁹ *quod filium suum de stupro appellasset* (7); *quod cornicularium suum stupri causa appellasset* (11); *quia eum de stupro compellare ausus fuerat* (12). One of the means by which Valerius evokes a crime against *pudicitia* is this idea of the “call to *stuprum*”. These words, when separated from the idea of *stuprum*, however, have another common meaning - in a legal context they mean to accuse or to arraign.²⁹⁰ As we have seen, accusation and bringing to trial is one of the main ways in which men in this chapter achieve their punishment of the *stupratores*. When the words *appellare/compellare* are used of the *stupratores*’ actions, they recall the judicial process which the *stupratores* are forced to undergo. Although we are actually talking about two different kinds of behaviour, the fact that the same words stand for both of them draws our attention once again to similarities between the actions of these two groups of people. In each case their behaviour is an exercise of power over someone else. And of course the most impressive display of power is that which is exerted over someone who is themselves manifestly powerful, as the *stupratores* are, having just asserted their own power over another.

Consider a quotation from Sandra Joshel, again taken from her article about Lucretia. Here she is writing about the virtue of chastity as being about the **self**-control of Roman men, and, as such, as exemplifying the control which these men wield over *other* kinds of people. This understanding of the virtue clearly has resonance in the context of an analysis of this chapter, where we have seen that so far *pudicitia* seems to be about the regulation of other people’s behaviour rather than of one’s own behaviour. She writes: “A rule of his own body provides an image of Roman

²⁸⁹ *Appellare* occurs several times with the same sense in Ps.-Quint. *Dec.* III, for example.

²⁹⁰ E.g. *appellare*: Cic. *Off.* 1.89 (*appellentur* used to mean “called to account” in the context of reasonable punishment); Sall. *Cat.* 48.7; *compellare*: Cic. *Red. in Sen.* 12; *Att.* 2.2.3; Livy 43.2.11,

domination and a model of sovereignty - of Roman over non-Roman, of upper-class over lower, of master over slave, of man over woman, and of Princeps over everyone else.”²⁹¹

All the relationships of domination which Joshel refers to here are immediately familiar from Valerius’ chapter on *pudicitia*. Yet the correspondence is not straightforward; rather than being the relationship of the virtuous Roman man to the transgressor, these pairings are all of rapist and victim - they are not models for the *right* kind of domination (*magister?*), but for the *wrong* kind (*corruptor?*). “Roman over non-Roman” can be seen in the stories of the Roman soldiers and their rape of, or threat to, the wives of Orgiago and the Teutons in ext.2 and 3; “upperclass over lower” is an important element of the relationship between Appius Claudius and the Verginian family, where the narrative can be seen as representing a struggle between patrician and *plebs*. As shown above, it manifests itself in various ways throughout the rest of the chapter as well. “Master over slave” is in the past of P. Atilius Philiscus in section 6, when he was abused by his master, and in section 9 the victim is in debt-bondage to his attacker; the patron treats his servant as though he were a slave - *seruilibus...uerberibus*. This story, Valerius tells us, is an indication of the fact that the state wished to protect the *pudicitia* of *any* Roman, however lowly: *in qualicumque enim statu positam Romano sanguini pudicitiam tutam esse uoluit [senatus]*.²⁹² “Man over woman” is of course found in several of the sections, and sex as a means of male domination of women has been extensively discussed in recent scholarship.

Yet the last of Joshel’s formulations is “...and of Princeps over everyone else” and certainly neither Augustus nor Tiberius appear as *stupratores* in this chapter. Indeed, as we saw, the chapter opened by explicitly describing the imperial household as one of the most chaste sites in Rome, although we saw indelible references to imperial *stuprum* written into this description.

²⁹¹ Joshel 1992, p. 120.

²⁹² It should be noted that it is really a bit of a cheat to say that any of the rapist/victim relationships are actually master/slave. Philiscus’ abuse by his master is not the main story of section 6 but a piece of background to the tale of his murder of his daughter. There is only the *threat* of slavery for Verginia. T. Veturius is precisely not a slave, despite his bondage - it is this which makes it so shocking that he is beaten by his patron as though he were. When Valerius talks of Roman blood he does not specify *free*,

This chapter provides a picture of masculine and paternal authority of which the emperor is undoubtedly the ultimate embodiment in Rome. But, as this correlation between its patterns of relationship between *stuprator* and victim and Joshel's patterns of restraining authority suggests, it shows us both sides of the coin; such power of one member of society over another can be benevolent or abusive. Some of these tales raise the issue of the relationship between political and sexual tyranny; Tarquinius and Appius Claudius are cast as usurpers whose sexual behaviour is a reflection of their abusive treatment of others more generally. This topos of *stuprum* as a manifestation of abusive power is common, of course, in the later discourse of imperial power; Suetonius often describes the abuse of imperial authority, including that of Tiberius himself, in terms of the enormities of sexual transgression.²⁹³ We may choose to see the story of Tiberius' humiliating treatment of Mallonia as a second-century means of talking about the delicate balance of hierarchy rather than as a dark historical smudge on Tiberius' biography.²⁹⁴ However, such stories at least remind us that however justly he rule, the emperor cannot help but be implicated in tales of abuse of power.

However it is the benevolent aspect of authority which should be uppermost in our mind at this point in the chapter. The men who punish or cleanse on behalf of *pudicitia* – fathers, senators and generals – represent state-sanctioned Roman power, and are small scale models of the emperor's role in Roman society. They intervene to regulate the sexuality of others in much the same way as the emperor does when he lays down or enforces laws. However harsh their behaviour might seem it is explicitly condoned by the text: *fraudi non fuit*. Mentioning Julia, recalling her banishment by Augustus, her exclusion from the family tomb, her starvation on the orders of Tiberius – all this need no longer look like an awkwardness which casts a shadow over imperial *pudicitia*, but an episode which, through its very harshness, serves to emphasise the uncompromising virtue of the imperial household.

but we assume this, and the implication of the preceding tale is that being in debt-bondage to someone else is about as low as you can go.

²⁹³ E.g. Suet. *Aug.* 68-71, *Calig.* 24 and 36, or *Ner.* 28-9.

²⁹⁴ Suet. *Tib.* 45. If we take Suetonius' tale seriously as a contemporary event about which contemporary readers of Valerius may have known, then it has disturbing similarities with the stories in this chapter. We might even be tempted to see direct allusion to Tiberius' misbehaviour which would

The chapter provides a commentary on the issue of the relationship between power and sexuality, and since the work is at least formally addressed to Tiberius it makes sense to see this as reflecting more specifically on imperial power.

undermine the praise of the imperial family seen in the preface. For more on the implications of reading Valerius in the light of later sources about the Tiberian age, see below pp. 197-204.

4. STRUCTURE AND CONTENT – A RE-READING

So far I have maintained the consistency of my analysis of this chapter by sweeping out of the way and relegating to the footnotes anything which does not fit my patterns of interpretation. Now that I have told the dominant story about domination and re-domination, it is time to rescue these footnotes and bring them back into the main text, using these anomalies and contradictions to break up the lucidity of the moral message we have been reading.

One of the features of this chapter (and indeed of the work as a whole), as I shall go on to demonstrate, is that a range of in fact very disparate material is woven together in such a way that one is not always aware of the disparity. This chapter contains *exempla* which portray *pudicitia* in different, even contradictory ways, so that on analysis the picture of *pudicitia* which it communicates is a complex and puzzling one. Yet the *exempla* are arranged in such a way, and the transitions between them made so smoothly, that each story looks very like the one before (up to the point where the Roman examples end) and the chapter appears to be a homogenous whole. Using coincidence of theme or detail, and connecting words and phrases which remind the reader of each story's relationship to the story which precedes it, Valerius makes the progression between stories seem seamless and inevitable, disguising the fact that through the little changes in every story - a sort of "Chinese whispers" effect - the chapter is taking us towards a very different place.

This smoothness is achieved partly through explicit comparisons between sections and partly through gentle emphases on similarities between adjoining narratives.²⁹⁵ For example, the link between sections 2 and 3 - *nec alio robore animi praeditus fuit Pontius Aufidianus...* - points out the similarity between the protagonists of each, Verginius and Pontius, both of whom possess the strength of mind necessary to kill their daughters. Furthermore, the summary phrase at the end of 3 echoes that of 2 with its wrapping up of the father's bleak alternatives, and this too gives us the impression that there is little to choose between the two stories: *ita ne turpes eius*

²⁹⁵ As we saw in the case of 3.3, see above pp. 37-8.

*nuptias celebraret, acerbas exsequias duxit and pudicaeque interemptor quam corruptae pater esse maluit.*²⁹⁶

We then come to section 4, where the now established pattern of the strong-willed and principled father forced to intervene violently in his daughter's sex life is evoked with a simple *quid P. Maenius?* (and at section 5 we need no more than *Q. uero Fabius...* to lead us on to the next variation on the theme). Sections 3 and 4 share the theme of the father's discovery of the shenanigans going on under his roof: compare *comperit* and *cog^ouerat*. In 3, however, the issue is the *uirginitas* of the daughter, while 4 elaborates on this: the father's concern is *non solum uirginitatem...sed etiam oscula*.

The transition between 6, 7 and 8 is equally smooth. Section 6 prompts a brief eulogy from Valerius of Roman *ciuitas*. These stories of private individuals reflect on the Roman society which produced them, as *exempla* should: *quam sanctam igitur in ciuitate nostra pudicitiam fuisse existimare debemus...* This comment shifts the emphasis neatly from the domestic to the civic, thereby setting the scene for the following *exempla* which unfold in public space. In the next *exemplum* the vindication of *pudicitia* and the protection of the child takes place *ad populum*, and actually involves Roman society *en masse*. This *exemplum* follows smoothly (Valerius uses the term *sequitur* which also appears in 11) because this too is a story about a stern father, Marcellus, who is protecting his child.

At the beginning of section 8 the phrase *Metellus quoque Celer...acer punitor* appears to draw a comparison between this Marcellus and the Metellus of the following tale. Yet Marcellus has not been especially *acer* in the preceding section, and the epithet *acer punitor* echoes rather the *atrox* deeds of sections 5 and 6, tying this section in more closely to the earlier part of the chapter. However, in both tales the mechanism of punishment is a call to justice before the people, and the crime is attempted *stuprum*. The authorial comments in the two sections again draw out similarities in the structures of the stories; the phrases *uno teste* and *uno crimine*, which echo one another, both convey the same message: one may be convicted (*damnatus est/damnando*) of attempted *stuprum* on slender evidence - just one witness or one

²⁹⁶ Sections 1 and 2 are linked with a casual *atque haec*, but there will be more discussion of what Valerius picks out as similar in the first two stories from p. 129 below.

accusation. Within these similarities of place, crime and method of punishment, a crucial change in the story has taken place which will aid the transition to the next set of tales: the intended victim of *stuprum* is not the child of her champion – indeed there is no indication that Metellus is any relation of the *materfamilias* at all.

Other connecting phrases draw attention to similarities which may mask small differences between stories; between 8 and 9 *contionis haec, illa curiae gravitas* suggests that we are about to hear a similar story transposed to a different part of the forum, and *hoc mouit C. Marium...*, introducing 12, emphasises the shared elements of abuse of military rank which motivate Cominius and Marius.

We saw in Part I that these devices of clustering *exempla* of similar theme together, and arranging them so that progression is evident, are features of Valerius' work which were designed partly to help the reader to assimilate and retain the tales and then to recall them with ease.²⁹⁷ Yet we also saw that this technique allows for complexity within a satisfyingly consistent whole. In this particular chapter the smoothness of transition between one section and the next partly glosses over the fact that there are several different models of *stuprum* and *pudicitia* offered in this chapter, even within the apparently very similar collection of sections 2-6. Far from adhering more or less to the same model, this series of stories provides us with a range of variations. And with these variations in basic plot come, more importantly, variations in the moral messages which are conveyed by these narratives, creating a challenge to a coherent reading of the chapter. The model shifts almost imperceptibly between sections so that the chapter in fact contains a complex network of associations and conflicting configurations of sexual crime and virtue.

Rescuing anomalies

For my use of footnotes as a hiding place for complications which hinder the argument in my main text, one need only look at the contortions I go to in note 255;²⁹⁸ here I am supporting with references my statement that sections 2-6 are all about

²⁹⁷ p. 37. This may also explain why the hero of *exemplum* number five is called Quintus!

²⁹⁸ One device I have used to simplify my argument is excluding discussion of the first and last stories from this first part of my analysis, which is why it has been so easy to argue that the chapter is about male authority. In chapter II.5, below, I shall turn at last to these sections for a further, subversive reading of Valerius' chapter. Other devious footnotes include 242, 274, and 292.

killing children, but am forced to admit that this generalisation can barely contain all the complexities of these five tales. Already in this footnote I have back-tracked even on this basic common feature: the verbs in 4 and 5 (*animaduertit* and *exegit poenas*) do not *necessarily* mean kill, although execution is often the punishment referred to by these terms; in 4 the daughter does not die at all. However, it makes sense for us to understand that P. Maenius killed his *libertus* and Servilianus his son, because of the reactions to the punishments which Valerius describes - the impression on the young girl, the self-imposed exile of the father.

But push a little harder and the fragility of the coherence of these sections is exposed. Although at first sight the stories are all about the paternal intervention in the child's sex life, all the killings are in fact of different kinds and for different reasons:

Verginius (2) kills his daughter in order that she should *not* be raped, Aufidianus (3) kills his daughter *because* she has been violated in order that she should not have to go on with the shameful relationship (*ne turpes eius nuptias celebraret*) and the tutor himself as punishment for her betrayal (*supplicio*). As I have said, in 4 the daughter does not die, and the purpose of the death of the freedman is partly punishment (*animaduertit*) and partly education. In 5 the child is killed not to protect him (n.b. a male child for the first time) from *stuprum* or from the consequences of *stuprum*, but as a punishment of himself: *exegit poenas a filio*. This is apparently the case in 6 too.

Yet an effect of homogeneity is achieved by the sequence of the *exempla*. Each story is very similar to the one that it follows, similar enough that the transition to a new section almost seems like repetition of the previous section. At the same time, as we move through the chapter the Roman examples gradually shift their emphasis. In the opening sequence, for example, there is a radical change in the role of the child in the sexual act between sections 2 and 6. From our starting point of Verginia (2), a *pudica uirgo*, we arrive eventually at the daughter of P. Atilius Philiscus (6), who *stupri se crimine coinquinauerat*. Clearly we are dealing in these two cases with very different situations: in the former a chaste daughter is protected by her father against the evils of the world, and in the latter it is the daughter who pollutes herself and must be punished. How was it that we managed to move so imperceptibly between the two, without being aware how violently the paradigm had changed over the course of these sections?

Transformation of the model

Virginia was *pudica* and also passive, at the mercy of the pursuer and ultimately of her father. The narrative gives her no active role, even in resisting rape. Pontius Aufidianus' daughter likewise has a virginity which is betrayed by the tutor - again a situation in which the implication is of innocence disrupted by a malign male influence. On first sight we may find the situation in 4 very similar:²⁹⁹ the daughter of the house is again passive and threatened within her own home by a third person. Yet this girl ends up by being taught a lesson about *pudicitia*, and surely the implication of this must be that she was initially inadequate in this area. After being kissed by a freedman she learnt that she must keep her kisses to herself until marriage. Allowing the freedman to kiss her, then, was clearly an error on her part, and she has to learn that she must never let it happen again. Although she may be passive in terms of the sexual act of receiving a kiss itself, her subjectivity clearly comes into play in that she must to some extent control the situation herself.

The *poenas* in this section, through whose bitterness she learns, is ambiguous: is it the *freedman* whom the father is punishing with his death or the *daughter*? He is the one who dies, but she, after all, experiences the bitterness of the death too. There is a suggestion that the girl is at fault, and meanwhile the freedman himself represents a considerable modification of the lustful tyrant whom we expect to take the third role in these tales. The narrative expresses doubt about whether the freedman has done anything wrong at all - *non libidine, sed errore lapsus uideri posset...* - and suggests that there may not even have been any *libido*. So this puzzling tale, which raises so many questions of its own,³⁰⁰ can be seen as one which shifts the moral burden somewhat from the *stuprator* to his victim: the freedman is not such a bad rapist, neither is the daughter so very good.

This provides a step in a smooth transition to our following tales where the rapists are elided from the tales altogether and the fault lies with the children. In sections 5 and 6

²⁹⁹ Indeed close to identical if we were to conclude that the *paedagogus* himself were the *stuprator*, as many do. However I follow Linderski in believing that Fannius Saturninus is a different person from the tutor, who betrayed the girl to him. See Linderski 1990 for bibliography on this issue.

³⁰⁰ For some discussion see Linderski 1990. Cf. Fantham 1991, p. 277: "this is an odd case, as Valerius makes clear that the girl was little more than a child, and the freedman had acted from affection".

we encounter a new and troubling paradigm. As yet I have avoided the uncomfortable issue of the status of these children of 5 and 6 who have not been threatened externally, but seem to have defiled *themselves*. They disrupt the pattern of the powerful *stuprator* who defiles another person - the basic formulation of *stuprum* which underlay the earlier part of my chapter. No second person is cited in either of these cases (although we may assume there to be one), and no perpetrator from either outside or inside the *domus* is mentioned.

Instead the phrase *se...inquinauerat* (6), with its reflexive form, suggests the possibility of **self**-molestation. It is still the body of the child - i.e. a vulnerable member of society who must not be penetrated - which is the site of sexual crime, yet this time there seems no other perpetrator. This challenges one of the assumptions so far held unexamined throughout my chapter: that the body which is vulnerable to *stuprum* is also a passive body when it comes to the initiation of *stuprum* - *stuprum* is something you inflict on someone else's body. Passivity and activity have been one way of deciding who is the *stuprator* and who is the victim in these tales (not that we have had much trouble deciphering this - although the victim/soldiers of 11 and 12 have already given us some cause for concern.) In 6, however, we have somebody who in sexual terms (in terms of her relationship to the *stuprum*) seems to be both passive and active, as the grammatical structure reflects. Since she is the one who is punished, she could be set up as the *stuprator*, yet she has not inflicted *stuprum* on some else; the *se* indicates that she is the damaged person, and that hers is the vulnerable body. These children appear to take on a double role: that of the vulnerable child whose sex life needs the intervention of the father, just like the children in the previous and following sections, and that of the perpetrator of bad sexual acts who I have previously maintained is embodied in a powerful male.

Our previous model of *stuprum* involved an active and a passive participant, and defined it as transgressive sex inflicted by one person upon another. Where the act involves a lustful man and a virgin girl all seems straightforward: *stuprum* must be sexual intercourse where the man penetrates the girl (whom he has not married). As regards sex between two males the situation is already more problematic, but we transfer the male/female model: a male *stuprator* penetrates (or attempts to penetrate or suggests penetration to) his male victim as he does his female (this is what we

presume is taking place in sections 7, 9, 10 and 11.) It is less clear what the nature of the *stuprum* is which children can inflict on themselves. This source does not make clear what act has taken place and between whom.

In the case of the son in section 5 the assumption of the modern reader tends to be that he has been penetrated by a man rather than that he himself has penetrated or had other sexual intercourse with a woman;³⁰¹ his *pudicitia* has been placed in doubt because he has been the willing (or even unwilling) victim of another man's advances. But there are other possibilities; could it be, for instance, that he himself has approached others, whether men or women? It is difficult to be clear about what has taken place because within this passage the son manifests neither activity nor passivity in sex; it is left to the reader to try to understand the situation that has led up to his punishment. What might have gone on between the boy and whoever the other participant/s in his transgressive sexual acts was/were is left to the imagination or to the prior knowledge of the reader. Since this story is not found elsewhere in our surviving sources we are constrained, and it also becomes clear that we are largely in the dark about what the conceptual possibilities would have been for the Roman reader.

It is also difficult to be clear about what has happened in section 6, where the daughter has defiled herself (*se...coinquinauerat*)? What does it mean to defile *oneself*? Previously we have understood *stuprum* to be something which is transferred by the *stuprator* to the victim but we may ask what effect the act has upon its perpetrator: does the standard male *stuprator* defile himself too when he messes with a virgin, or is it only she who is defiled? It seems unlikely that the act we are being asked to imagine here is that of a girl debauching somebody else. More likely her crime has been not so much to instigate sexual activity as to permit it – willingly to take on the passive role. Yet if this is the case, we are facing a new problem. If it is a punishable crime to allow a man to inflict *stuprum* on her by penetrating her, then what is there to

³⁰¹ E.g. Sussman 1994 who asserts that *castitas* in this context means “freedom from homosexual sex” (p. 102). Even if it is the case that the boy in this tale is suspected of being penetrated by a man, in the light of the analysis of Roman sexual norms in Walters 1997a we can see that Sussman's formulation is misguided: it is not because this sex is between two men (“homosexual”) that it is transgressive, it is because it involves the penetration of a free Roman.

differentiate her from P. Aufidius' daughter in section 3, for instance, who is described as passively *proditam*, or even from Verginia?

We might be tempted to suggest that the answer to this question is that it is *consent* which would differentiate an innocent victim of *stuprum* from someone who had participated in the *stuprum* willingly. In our own society lack of consent is what defines an act of rape. Another section in this chapter suggests that there was at least one Roman who believed that the willingness of the passive partner should lessen the guilt of the active: C. Cornelius in section 10. He denies that he has committed *stuprum* at all and argues that the freeborn young man with whom he has been having sex was perfectly happy with the arrangement: ...*de stupro nihil negaret...quod adulescens ille palam atque aperte corpore quaestum factitasset*. This sounds very acceptable to modern ears – it is the kind of argument that would be likely to be offered today in defence of a relationship which was perceived by others as being abusive – where one partner is very young, for example, or in the case of sado-masochistic relationships.

However, we know that the “consent” played a very different role in Roman conceptions of transgressive sex. Indeed it is not presented as a relevant issue in these first stories as Valerius narrates them. In the case of Verginia and Lucretia it is not what they *want* that is important, it is what has *happened to their bodies*. This is one of the fundamental differences between the modern understanding of rape and ancient concepts of sexual crime.³⁰² In these earlier stories (2 and 3) the narrative has not offered the reader any sense of what the daughters wanted; they have been entirely passive to the desires of men either for sex or for preservation of family honour. It makes no difference whether they resist their *stuprator* or not - their fate is the same. Indeed, if resistance and lack of consent were an issue, Lucretia and Verginia would not have had to die. They die because it is their physical state that matters, rather than their internal attitudes.

Part of the problem is that in the Roman understanding of such matters a woman's inner state is unknowable. In Livy's more extended version of the story, it is made

³⁰² See e.g. Tomaselli & Porter (eds.) 1986 and Omitowaju 1997, pp. 1-2.

explicit that Lucretia's suicide is necessary because it is the only way in which a woman can prove that her participation in a sexual act was unwilling. Any woman, Lucretia implies, might *claim* after the act that she had been unwilling, but Lucretia *proves* her own unwillingness by giving up her life - a gesture of integrity. If she had lived then she could have provided an *exemplum* of *impudicitia* for other women because they could have had sex with men who were not their husbands and then claimed that they were forced into it against their will, citing Lucretia as a chaste precedent. Because the willingness of a woman is invisible there is no way of proving otherwise.³⁰³ It is not so much that Romans were uninterested in whether a woman was a willing participant in sex or not, but that (from a male point of view) it would be too dangerous for them to allow this to be a factor in deciding guilt. In addition, the physical state is more important; Verginia, succumbing to the forces of Appius Claudius, would no longer be a *pudica uirgo* no matter how vigorously she protested. We have no need to know how Verginia felt towards Appius Claudius, just as we have no way of telling.

So what is it then which distinguishes these unmotivated women from the daughter in section 6 if a girl who is penetrated is in all cases a girl defiled? What is the distinction between the daughter in 3 and the daughter in 6? One has been *proditam*, the other *se crimine coinquinauerat*. It may be that in physical terms there is nothing to differentiate them, but there surely is a difference - the respective positions of their stories in the chapter demand that we read the two stories differently: Aufidius' daughter follows Lucretia and Verginia, who are both judged as retaining their *pudicitia* according to the stories. Therefore we figure her too as an innocent victim of another's lust. By the time we get to 6 we are following a different pattern - the children are being punished, there is no longer a sense of their innocence.

I have argued that sections 1, 2 and 3 suggest that the physical state of the victim is all important and the purity of her intention is irrelevant. This distinction between 3 and 6 makes a contradictory suggestion: that the interpretation of the body's state can vary according to the internal state, the attitude of the participant towards the sex. It seems that what makes 6 different from 3 is the attitude of the girl. In sections 4-6 we have

³⁰³ Later authors played around with this loophole by imagining that Lucretia was in fact a willing participant in an ongoing steamy affair with Tarquinius. See Donaldson 1990.

moved from situations where the women/children are entirely passive to stories where the children are allowed control over their own sexuality, as well as an inner life of virtue and vice. The daughter in 4 learns how she must behave sexually, in 6 the daughter is on some level a sexual actor. This opens up the possibility of seeing *pudicitia* as an internalised virtue of control over one's *own* sexuality, akin to the Christian notion of chastity. Has the girl in 6 given in to temptation? Alternatively, it may be that what differentiates her from Verginia is the fact that her father was unable to save her in time and the polluting deed had already been committed; perhaps, had Appius Claudius had his way we would be sneering at the vice of Verginia.

Is *pudicitia* an internal virtue or a physical state of purity? Sections 5 and 6 too offer some kind of approach to this issue. It is not only *we* who are uncertain about what has happened to these children. The narrative *itself* expresses uncertainty about what took place. We do not know for sure that either of the children actually had sex. We do not *know* that either is guilty of anything. It is merely that the boy's chastity invites question (is *dubiae*),³⁰⁴ ^{whereas} the girl has been *accused of stuprum (crimine)*.

These stories imply that the *stuprum* does not need to have actually taken place for the child to be blamed; it is enough that it might be *thought* to have taken place. These children are unchaste because it has been possible to accuse them of transgression rather than because of any transgressive act. In other words *fama*, appearance and reputation have an important role to play in regulating sexuality, as we saw in the introduction to Part II. Section 7 provides confirmation of this: the accused is convicted after the young man he is accused of molesting appears on the *rostra*: *constat iuuenem productum in rostra defixo in terram uoltu perseueranter tacuisse, uerecundoque silentio plurimum in ultionem suam ualuisse*. This young man is manifestly *pudicus* - he acts the part perfectly with his shame-faced silence and his eyes fixed on the ground; it is plain for all to see. In this story *pudicitia* is not what you are, it is how you look (although of course what these signals are indicating is an internal sense of shame).

³⁰⁴ This rests on a certain reading of the ambiguous word *crimen*, which can mean the crime itself, but also the accusation of the crime.

Earlier I argued that the behaviour of Maenius in killing the *libertus* who has kissed his daughter is described as being excessively harsh, and that this was because it was not the punishment of the *libertus* that was at issue in this section but the education of the daughter: "this is the explanation for Maenius' behaviour."³⁰⁵ The *libertus*' kiss seems to rest on *error* rather than on *libido*, and hence should not deserve in itself quite such harsh treatment. In view of the above discussions of motive and of reputation the *uideri posset* of this section takes on a new significance. As in the cases of 5 and 6 there is significant ambiguity in this tale.

In a footnote to this argument (note 261) I ask what the nature of the freedman's mistake could have been, and suggest the possibility that he made the mistake of not realising that the girl was no longer a child, but had reached marriageable age. This whole *exemplum* centres on a mistake or a misunderstanding, but because of our cultural distance and the lack of detail provided in the *exemplum*, we do not know enough to be able to pinpoint precisely what the *error* was. Was the kiss itself an accident, as seems unlikely? Or perhaps it was the *libertus*' failure to realise that a change had taken place in the status of the girl because she had now reached marriageable age, which meant that behaviour which had hitherto been acceptable was now no longer. In which case how would such a change be marked, and how did the father know that it had taken place? It is possible that a girl was considered *nubilis* from the onset of menarche, but we know of no rite of passage for a Roman girl.

If the status of the girl is one ambiguity in the tale, another is the *osculum*; what sort of kiss was it? One interpretation of the passage might be that the freedman kissed the girl believing that she was too young to be sexually active, or marriageable, and thus that what passed between them was a chaste kiss, such as you would give a child, rather than what might be termed a "sexual" kiss. Our own culture understands a wide range of different actions within the general category of "kissing", from air-kissing with its non-sexualised social function, to tongue-kissing which is generally a sexual activity between lovers or parody or mimicry of this. In between these two extremes, kisses on the cheeks and mouth can denote many different kinds of

³⁰⁵ In "*disciplina castitatis*" section above, p. 95.

affection and intimacy, and can often be ambiguous or misunderstood. Ancient sources imply that the Romans too distinguished between different kinds of kisses;³⁰⁶ kissing with tongues is explicitly erotic,³⁰⁷ and Ovid distinguishes these kind of kisses from the kind a woman would give her brother:

*improba tum uero iungentes oscula uidi
(illa mihi lingua nexa fuisse liquet),
qualia non fratri tulerit germana se uero,
sed tulerit cupido mollis amica uiro.*³⁰⁸

The kind of kisses which he sees his girl engaged in involve tongues and are the kind which an *amica* gives her *uir* rather than a sister her brother: a clear distinction between sexual and non-sexual kisses.

But there is room for ambiguity in this distinction too. First, sexual kisses do not have to involve tongues. In Apuleius' *Metamorphoses* Venus offers as a reward *septem saua suavia et unum blandientis adpulsu linguae longe mellitum*: all eight of these kisses are sexy - they will be bestowed by the goddess of love herself - but only the last is tongue-in-mouth.³⁰⁹ Second, there may be ambiguity in the fraternal kisses themselves. Suetonius implies that there was a *ius osculi* in ancient Rome, whereby a woman was permitted to kiss male relatives in a way which she was not any other man, which privilege Agrippina abused in order to arouse the passions of her uncle Claudius, whom she then married: *uerum inlecebris Agrippinae, Germanici fratris sui filiae, per ius osculi et blanditiarum occasiones plectus in amorem*.³¹⁰ What sort of kisses were exchanged between Agrippina and Claudius and were permitted by this convention? Clearly kisses which might be interpreted as chaste in some circumstances, but as erotic in others, depending, in this case, on what one

³⁰⁶ Ov. *Met.* 14.658-9.

³⁰⁷ Ov. *Am.* 3.7.9: *osculaue inseruit cupide luctantia labellis*; 14.23: *illic purpureis condatur lingua labellis*; Plaut. *Pseud.* (1259-1260): *nam ubi amans complexust amantem, ubi ad labra labella adiungit, ubi alter alterum bilingui manifesto inter seprehendunt...*; id. *Poen.* 1235; Tib. 1.8.37: *et dare anhelanti pignantibus umida linguis oscula et in collo figere dente notas*.

³⁰⁸ Ov. *Am.* 2.5.23-6.

³⁰⁹ Apul. *Met.* 6.8. Cf. 2.10 (*iam patentis oris inhalatu cinnameo et occurrentis linguae*) where before bringing the tongue into play she has already been kissing him in a different but nevertheless always sexualised way.

³¹⁰ Suet. *Claud.* 26.

understands the relationship between the kissers to be. In Ovid's *Metamorphoses* Byblis gives her brother kisses which are similarly ambiguous: they *could* be felt to be *not* sisterly (an awkward formulation, reflecting the awkwardness of the situation), but he has not even noticed this: *quae, si forte notasti, oscula sentire non esse sororia possent*.³¹¹ The *sentire...possent* is very like the *videri posset* of our *exemplum*, underlining the fact that these kisses are *open to interpretation* as either sexual or non-sexual. Perhaps there is significance in Ovid's use of the word *seuero* in the lines I cited above: it is a particularly *strict* brother who would not countenance these sort of kisses from a sister. The freedman's mistake may have been to misunderstand the nature of his relationship with the girl, believing that he had the *ius osculi*.

Finally there is ambiguity in the term *error*. In its contrast to *libido* I have so far taken it to denote the relative innocence of the freedman, but *error* is not about innocence. Far from it - *error* is one of the "vices" included in the ninth chapter of Valerius' work, where misunderstandings lead to tragic consequences: *temeritati proximus est error, quem ad modum ad laedendum par, ita cui facilius quid ignouerit, quia non sua sponte sed uanis concitatus imaginibus culpa se implicat*.³¹²

Our uncertainty about what has happened and what the mistake has been is not only due to our ignorance of the nuances of kissing and marriageability of girls in Roman culture, it is also a deliberate feature of this story, whose message is partly that lack of certainty itself is a dangerous thing. This *exemplum* exposes the hazy borders of *pudicitia*; a father must be harsh in such circumstances precisely because it is not always easy to see what is going on and therefore to police when it comes to sexual behaviour. Sex is a private activity, and internal desires are even harder to regulate than their realisation.

This analysis has shown that even the apparently straightforward grouping of sections 2-6 yields, under pressure, a considerable amount of contradictory information about *pudicitia*, and works through a lot of very different models. The progression continues throughout the rest of the chapter too. In fact, the nature of the stories changes over the course of the chapter and through these different stories the chapter

³¹¹ Ov. *Met.* 9.538-9.

³¹² Val. Max. 9.9.praef.

conveys conflicting messages about key issues such as the definition of *stuprum*, the boundaries of guilt and innocence, the relationship between reputation and purity and the importance of intention.

None of this is to say that my initial grouping of these stories together was naive or overly superficial or a waste of time. On the contrary, it was an important way of reading the chapter. Both the coherence which I attempted to convey initially and the subsequent collapse of this coherence which I have just effected are there in the text itself. Re-reading the chapter with the wrinkles ironed back in is not a random analytical device; it is not just about my need to shake out all the loose ends. It is the nature of the text itself which makes it necessary. Part of Valerius' skill, it seems to me, is to make it sound as though he is retelling the same story - or at least stories based around the same model - again and again.

Valerius Maximus himself invites us to notice that his smooth structure is duping us into not realising how many contradictory things we are being asked to believe at once. When we reach the break in the chapter where the Roman examples end and the foreign begin, the return to the suicidal female protagonist in ext.1 reminds us, with a jolt, how far we have come since the beginning of the chapter and the story of Lucretia. My next section analyses this break, the recall of the Lucretia story, and its effect on our reading of the chapter.

5. THE FRAMING WOMEN

One of the most striking structural features of the chapter is that it has a frame of stories which have female protagonists, and it is now time to examine in more detail what these stories are about and what difference they make to the overall reading of the chapter.

The non-Roman examples

We have seen that the separation of Roman examples from *externa* is a standard feature of Valerius' work, and that foreign *exempla* have a different rhetorical and moral status from Roman ones and tend therefore to function differently in their exemplarity.³¹³ In the case of this chapter Valerius signals the transition with the phrase *ut domesticis externa subnectam*, simply suggesting that the progression from one to another is inevitable. The summary nature of the last Roman section, where five tales are packed into one paragraph in what is little more than a list of names and punishments, is also part of this transition. It implies that the examples dealt with are of less importance than those covered in more detail earlier in the chapter and that we are therefore nearing the bottom end of the scale.³¹⁴ In this chapter the inferior status of the protagonists of the external examples is compounded by the fact that in all three cases they are not only foreign but also female, and thus doubly other to the Roman males lauded so far throughout the chapter.

In any case, when we move from section 13 to ext.1, we know we are entering a different kind of zone. Roman culture has been the context for the unfolding of all the previous stories, and the actual physical context of Roman history - the city of Rome - has been sketched out, as we saw, in the introductory address to Pudicitia. Within the tales we had passing references to landmarks at the geographical centre of Rome.³¹⁵ From ext.1 we have left this cultural space and occupy a world beyond these limits.

³¹³ Above pp. 33-4.

³¹⁴ This brevity is not always an indication of the low status of *exempla* of course, since often in ancient literature the more well-known and celebrated a tale the more slender the reference to it may be on the understanding that the details can be supplied by the reader. However here we do get a sense of the dwindling importance of the figures who are cited.

Here married women are not *matronae*, their husbands are not Roman citizens, and the rules of Roman society need not apply. We already expect, as we move outside Rome, that the deeds enclosed in this section of the chapter will manifest a different kind of *pudicitia* and will relate to the virtue in a different way.

We saw in Part I that Valerius' chapters begin with a figure from the top of the hierarchy, just as they end with those from the bottom.³¹⁶ Thus the story of Lucretia with which we begin this chapter, and the foreign female examples with which we end it, stand at opposite ends of a spectrum of rhetorical and moral weight: they are contrasted with one another. Lucretia's is the most Roman (*dux Romanae pudicitiae*), the most serious, the most important of stories; theirs fall under a section which already makes us view them as inferior. Lucretia's is a name which resonates throughout Roman literature and, one presumes, oral culture, whereas the women in ext.2 and ext.3 have no names at all (*Orgiagontis reguli uxor, Teutonorum vero coniuges*).

Yet it is clear that however strong the pull of this separation between the beginning and end of the chapter we are meant at the same time to close the gap (and we have already seen how far we have travelled in the intervening twelve sections): the stories to be found in the foreign section are designed to recall the story of Lucretia with which we began the chapter. They draw her story to the fore once more before we leave the chapter, throw a new light on it, and use it to throw new light upon the rest of the Roman examples that have been sandwiched between the two sections. They make us realise how far we have come from the first story in the chapter precisely because they replicate some of its details.

I shall begin by briefly looking at the Lucretia story, and at the model that it sets up at the start of the chapter, before going on to compare it with the foreign sections.

Dux Romanae pudicitiae Lucretia...

Lucretia is number one of all the *exempla*, but the word which Valerius uses to describe her position at the forefront of the tradition is *dux*. This word is of course

³¹⁵ E.g. the *forum* (2), *rostra* (7 and 8), *curia* (9) and *carcer* (10).

³¹⁶ p. 37.

usually used of men and commonly means a military leader, an *imperator*.³¹⁷ It immediately conveys a sense of force and control about Lucretia. The military flavour which is apparent in the defensive vocabulary of the introduction is enhanced by the notion that Lucretia leads the troops on the attack - an active combatant on behalf of *pudicitia*.³¹⁸ Then Lucretia is described as possessing a *uirilis animus*, a striking phrase which could be translated in various ways, from "forceful courage" to "a man's soul." She uses a sword to kill herself with³¹⁹ and her death is again described as courageous, full of *animus: animoso interitu*. She controls all the active verbs in the passage: *deplorasset, attulerat, interemit, praebuit* - she speaks out against her attacker, she kills herself, she sets the cogs of constitutional change in motion.

What is interesting about this story is that the sexually vulnerable and wounded person and the manful avenger of the crime are one and the same. Although in the end vengeance will come through the actions of others (the *necessarii* mentioned briefly in the passage as the audience of her lamentation), it is brought about by what she says - she is a speaker of weighty words in council³²⁰ - and by the use of her corpse, which her suicide has provided. She is the one who *causam...praebuit*. The stress on the bravery of her death (*animoso interitu*) suggests that it was the *animus* manifested in her use of the sword against herself which was an inspiration to others.

The story could be turned on its head syntactically and told a very different way: it could be more simply a story about crime and punishment. "Sextus Tarquinius raped Lucretia. Her relatives and friends took revenge on his family, to the benefit of Rome." But the story is not told like that. In Valerius' version, Lucretia is not merely

³¹⁷ There are other instances in Latin literature where the term is used to describe a woman. For example Virg. *Aen.* 1.364 of Dido: *dux femina facti* (on which Servius comments *pronuntiandum quasi mirum*) and Livy 2.13.6 of Cloelia: *dux agminis puellarum*. However, in both these cases the juxtaposition of the female terms (*femina, puellarum*) seem designed to make the use of the word startling (as Servius believes), implying that *dux* is not a term to be applied to Roman women and girls. This is also the implication of the passage where Boudicca is described as *dux* in Tac. *Ann.* 14.35.

³¹⁸ For the idea of Roman morality as a kind of psychological battleground, see for example Cic. *Cat.* II, where the virtue of *pudicitia* is amongst those marshalled against the ranks of vices displayed by Catiline's supporters. In Valerius' account, Lucretia is the one who is fighting, and the virtue appears rather as the trophy which must be protected. Elsewhere in this chapter, however, as I have noted before, *pudicitia* herself appears as the protector of men and women.

³¹⁹ See below pp. 153 ff. on the gender significance of this and of the suicide itself.

³²⁰ Albeit a council made up of members of her family and extended family, and thus remaining the proper domestic setting for her actions.

a pawn in the dealings of men, and thus she does not fit easily into the pattern of paternal authority which we have discerned in the other stories.

Models for two different kinds of *pudicitia*? - Lucretia and Vergini...

Verginia, on the other hand, *is* the passive element in her story, and what we may term “her” story is really a story about somebody else, her father. Verginia’s name does not even appear, and she is described only and tellingly as *deductam puellam*, literally the opposite of Lucretia’s *dux*. Her father is her leader, and she is the one who is being dragged along behind...³²¹

Now is the time to clarify the distinction between these two archetypal *pudicitia* stories. They often appear both in ancient and post-classical literature, including modern scholarship, as a pair, but there is a crucial difference between their ancient and modern categorisations. Modern sources tend to call them the stories of Lucretia and **Verginia** (the daughter),³²² to liken Lucretia and Verginia as two female bodies which play similar narrative roles as sacrifices for institutional change,³²³ and indeed to see them as more or less the same tale.³²⁴

The ancient sources, on the other hand, think of the protagonists as being Lucretia and **Verginius** (the father). Consider the following references to these exemplary tales in Roman declamations and speeches:

*hanc uim Verginius parricidio fugit; propter hanc Lucretia pectus suum
ferro fodit* (Calpurnius Flaccus, *Declamations* 3.15-16)

Lucretia...se ipsa interemit. L. Verginius...uirginem filiam sua manu occidit.
(Cic. *Fin.* II.20.66)

³²¹ See also section 7, where the young man who has been the victim of attempted *stuprum* is *productum in rostra*. The word *deductam*, which is used of Verginia, likens her to a young bride, since this is the term used to describe the process of leading the bride to her husband’s house during a Roman wedding. It reminds us that her death is a bitter alternative for marriage - as in the following section.

³²² E.g. Moore 1993, p. 39; Joshel 1992 whose subtitle is “Livy’s Lucretia and Verginia”; Cantarella 1987, pp. 129-30.

³²³ Calhoon 1997, p. 151: “Together with Verginia’s, [Lucretia’s] story is representative of an established narrative tradition that employs sexual offenses as a metaphor for political oppression...”

³²⁴ E.g. Cantarella 1987, pp. 129-30: “The syntactic structure of the two legends is almost identical.” Cf. Donaldson 1982, p. 7: “The story of Appius and Verginia appears to be merely a reworking of the story of Lucretia.” Moore (1993) puts both in his category of “suffering women.”

In both of the above citations there is a deliberate echoing of one action by another - *fugit/fodit; se ipsa/sua manu* - so that the two stories are brought into comparison; yet the comparison being made is always between Lucretia and Verginius - Verginia does not appear as an actor. The same emphasis is found in the pseudo-Quintilian *Declamation III*:

*Dicam nunc ego praecipuam semper curam Romanis moribus pudicitiae fuisse? referam **Lucretiam** quae condito in uiscera sua ferro poenam a se necessitatis exegit et, ut quam primum pudicus animus a polluto corpore separaretur, se ipsa percussit, quia corruptorem non potuit occidere? Si nunc placet tibi miles, quid ego **Verginium** narrem qui filiae uirginitatem, qua sola poterat, morte defendit raptumque de proximo ferrum non recusanti puellae immersit?*³²⁵

Donaldson, studying the varying receptions of the story of Lucretia over the centuries, suggests that whom one judges the protagonist of the tale to be depends on why one is reading the tale: "Those who saw the story as primarily concerned with questions of sexual behaviour saw Lucretia as its central actor. Those who saw the story as primarily political in its meaning, on the other hand, saw Brutus as the central actor."³²⁶ We may not wish to stay with the crude sexual/political division, but Valerius' choice of these two as the actors in his tale is clearly significant, as is the fact that he draws such a close comparison between them.

The comparison being made in all ancient sources, including Valerius' work, is between the difficulty, and therefore the nobility, of killing oneself and of killing one's own daughter. In one case this is the *pudicitia* of the woman, defending herself from ill-fame, in another the paternal virtue of a man with the power over the life of another. In the stories of Lucretia and Verginius, then, which are the most well known of the chapter, and which provide the opening pair, we have one answer to the question of how *pudicitia* relates to men and to women. Answer: there are two kinds

³²⁵ These passages also draw attention to the echo of the daughter's virginity in the family name with juxtapositions such as "Verginius...virginem" and "Verginium...virginitatem."

³²⁶ Donaldson 1982, p. 10.

of story we can tell about *pudicitia*; you know both of them well: there is one which has a female protagonist and another which has a male.

*

Lucretia and Verginius are compared not merely in the phrase which makes the transition from one story to the next: *atque haec inlatam iniuriam non tulit*, but also because both of them in their identities are both one thing and another at the same time; in both cases the exemplary figure possesses a courageous soul, which raises them out of their self, and the lower status conferred by their birth and physical being. Lucretia, inferior because she is a woman rather than a man, possesses a *uirilis animus*. Verginius, a plebeian, is a *patricii uir spiritus* - a man of patrician courage.

It is interesting to find the status differentiation between a man and a woman being compared to that between a patrician and a plebeian. This latter distinction was no longer, by the period in which Valerius was writing, a fully-functional system of categorisation in Roman hierarchy. The boundary between patrician and plebeian had become a fluid boundary, and this, significantly, as a result of changes in the Roman constitution which had been brought about by characters such as Verginius himself - or so the Roman stories go. In practice, a plebeian could rise as high through the ranks, could be as wealthy and as highly thought of as a patrician. In fact, the very premise of the story is the arrogance of the patrician and the assertion of plebeian power. Status boundaries are rocking. One message of the stories seems to be that the apparently lower being hides a greater *animus* or *spiritus* which will triumph. The way in which these opening stories are told - the means by which Valerius Maximus chooses to compare Verginius with Lucretia³²⁷ - produces a frisson to start the chapter: just as, once upon a time, social boundaries were challenged with deeds such as these, will traditional boundaries between maleness and femaleness be challenged by the tales which follow...?

³²⁷ Another example of an apparent thematic connection made through the structure of the chapter.

Lucretia and the foreigners

Verginia is nothing like Lucretia, then, and Lucretia's tale is the only one amongst the Roman examples in which a female protagonist possesses, manifests and has control over her own *pudicitia*. But there *are* other women in the chapter who are like Lucretia in this respect, and they are the women whose stories make up the non-Roman section of the chapter: Hippo, the wife of Orgiago, and the Teuton women. Like Lucretia, these women take on active roles, are characterised as warlike, and are explicitly associated with praise and exemplarity, as I shall go on to demonstrate.

It may seem odd at first sight that a figure described in the opening of the chapter as

dux Romanae pudicitiae

or

the most important example of specifically **Roman** *pudicitia*

should be strongly associated, both linguistically and thematically, with a ragbag of foreigners at the chapter's foot. Clearly this association of the most Roman, the most exemplary of all *exempla* with the lowest of the low is an important factor to take into account in an attempt to understand how the chapter works to convey its messages about virtue and gender. As I shall show, these last stories draw the chapter away from the issues of sexual purity and punishment, and into the arena of war. If the stories of male dominance at the centre of the chapter looked out towards the *exempla* of *seueritas* and the complications of family relationships in book 5, the stories of Lucretia and the foreign women turn towards a different sort of moral arena - the heroics of the battlefield which echo particularly chapters in book 3.

I shall begin by examining the elements of the three foreign sections which draw on (and thus recall) Lucretia's opening story, and shall explore the similarities and echoes which bind all four stories together and apart from the others. It will become clear that with their strong association with the virtues of war which are usually associated with men, and their insistent references to the tale of Lucretia which the

Roman part of the chapter has worked hard to forget, the final stories provide a new twist to the chapter as we have seen it so far.

a) Activity

First, like Lucretia, these women are grammatically active within these stories: *in mare se...abiecit, tueretur* (which has Hippo explicitly controlling the crucial virtue of *pudicitia* by guarding over it), *imperavit, exposuit, adfirmantes...spiritum eripuerunt* - all these verbs have female subjects. In such condensed and abbreviated narratives as those presented by Valerius, the grammatical structure of the action is always significant: it is of paramount importance who is in control of the verbs. These verbs echo those of the Lucretia tale in content as well as in form: the courses of action which the women take through these verbs are similar to those of Lucretia. Lucretia speaks and then she kills herself, and this is what the women in the last three examples do too.

b) Speaking

All the women except Hippo get a chance to speak, and their speaking plays a crucial role in their stories. It is only because they speak, through their speaking, that we are able to learn of their *pudicitia*, and that they can become exemplary. Lucretia and the wife of Orgiogo, both defiled by rape, need to explain to their kin what has happened to them in order (presumably) that they be exonerated from the charge of adultery. Without the speaking that stands between the rape and her death, Lucretia's suicide would be meaningless and pointless - she might as well have been slain beside the slave as Tarquinius had threatened in Livy's version, because without an explanation from her lips revealing the preceding events her inner purity would remain concealed. Orgiogo cannot understand why his wife is throwing the head of a Roman centurion at his feet if the narrative that leads to this point is missing. These two women tell stories about what has happened to them which result in their subsequent actions being interpreted as virtuous.

One might even say that up to a certain chronological point in each tale the woman (within the text) is in control of her own narrative. In fact, if one pushes this point harder, it is on the testimony of these women alone that we know the first part of these stories (the circumstances and the fact of the rape) at all. This is not an approach to

the stories that the text encourages particularly; Roman historical *exempla* such as these function within a system of suspended disbelief where the reader does not question too closely where these stories come from or how we know details of things that take place behind closed doors. Most *exempla*, because of the public, spectacular nature of Roman heroism, are less susceptible to this narratological problem; tales such as Lucretia's or Porcia's (3.2.15), which take place in the bedroom, rely on the reports of the individuals concerned. Valerius puts no emphasis on the idea of the women as the producers of their own exemplary tales: we do not hear in any detail what they say and they are not presented as story-tellers. Yet in terms of the story, if they had not spoken out then, we would not be reading and re-telling their stories now, and these women also explicitly *employ* narratives to their own ends.

At this point we may think of Hippo and wonder how we ever began to tell her story. She hurls herself silently into the sea from an enemy ship. Was it the enemy or the other captives who circulated the tale? Valerius is not interested in this side issue; what is at issue here is the garrulous Greeks who according to Valerius have a tendency to brag about their own heroes.³²⁸ Of course we know about Hippo, she is a *Graeca femina*. She even has a name, not to mention a huge tomb, and the Greeks sing her praises as is their wont: *sanctitatis uero gloriam aeternae traditam memoriae Graecia laudibus suis celebrando cotidie florentiorem efficit*. In this tale another major actor is Greece herself, who trumpets Hippo's deed through her literature.

The case of the Teutons' wives is slightly different in that, like Hippo, but unlike the others, they are *avoiding* rape rather than reacting to it. They do not make their chastity known, then, by narrating a rape that has taken place; nevertheless they do make it known through what they say: *Marium uictorem orarunt ut ab eo uirginibus Vestalibus dono mitterentur, adfirmantes aequae se atque illas uiriliter concubitus expertes futuras*. We know that these women were chaste, and we can interpret their

³²⁸ See 3.2.22: *at Cynegirum Atheniensem simili pertinacia in consecrandis hostibus usum uerbosa cantu laudum suarum Graecia omnium saeculorum memoriae litterarum praeconio inculcat*. The connection between these two passages is also noted by Blömgren (1956, p. 221), who uses the earlier passage to make sense of the reading *suis* in 6.1.ext 2 in several manuscripts, which Briscoe adopts but which previous editors had amended to *summis*. *Laudibus suis* draws out the slightly sarcastic anti-Greek tone of the passage. It is ironic too that despite the fact that Valerius claims that the Greeks lavish praises upon this woman, we no longer have a single other reference to her in all extant classical literature – Valerius' is the only one.

suicide as a chaste act, because of their prior request that they be handed to the Vestals and their assertion that they will remain celibate.

In all these cases the women's speech is necessary for the progress of the story. It enables the correct interpretation of the actions which they then perform, and in this way allows them to become *exempla pudicitiae*.

Let us look more closely at the role of speaking in the stories of Lucretia and of Orgiagio's wife. There are several parallels between the two stories which mean that each story provides a similar framework within which the speech of the woman functions. Orgiagio's wife (ext.2) is violated and then acts upon this, roping in her kin to bring about the downfall of the perpetrator of the violation. In these parts of the story she is like Lucretia, and the vocabulary used in her story reflects this. First, precisely the same phrase is used to describe her sexual encounter as to describe Lucretia's: both women are *stuprum pati coacta*. Then there is the repetition of the word *necessariorum/necessarios*. In the first section Valerius writes of Lucretia: *cum grauissimis uerbis iniuriam suam in concilio necessariorum deplorasset...* This is a very brief reference to the part of the story in which Lucretia reveals to her husband and various other relatives what has happened to her (*iniuriam suam*) and causes Brutus to swear that he will avenge her and kill her rapist.³²⁹

All these elements are present in the story of Orgiagio's wife; Lucretia's tale has been dismembered and reassembled: the revelation to the husband, the tale of the *iniuria*, the presence of the *necessarii*, the enlisting of their help and their subsequent vengeful violence. Of course, in the Lucretia tale the death of *Tarquinius* is not mentioned; the death is *hers*. The foreign tale, on the other hand, explores a different kind of ending (a particularly satisfying ending for a modern reader): the villain bites the dust and the heroine lives, albeit soiled.

If the Lucretia tale is the paradigm for stories about *pudicitia* and women's suicide, then inevitably a story which is made up to an extent of its constituent parts re-

³²⁹ Of course we know of this "event" only from other sources, such as Livy, which raises yet again the problems of how far we should/must/do employ our knowledge of other sources to enhance and enable our reading of Valerius Maximus.

ordered, as I have suggested ext.2 is, may be seen as a failure - a messy, disfigured version of the first. The latter story ends not with death and constitutional change, but on a cliff-hanger: the last act is the woman's visit to her husband and her explanation of events, but we do not discover what his reaction was. Did he believe her version? Did he continue to live with her as her husband? Or did he repudiate her after her intercourse with another man? It is possible we are expected to know these details already, and supply our own ending, but in any case this narrative shows no interest in these questions.³³⁰ The implication of the story ending at this point and going no further may be that the woman suffers no more, that no reaction is expected from the husband. But in contrast to the Lucretia story, which thrusts onwards to change the course of Roman history (*causam... praebuilt*), this story is undeniably a dead-end. There is no consequence, no implication, no *point* to it.³³¹ And rightly so, one might say, for who cares anyway about the non-existent "constitution" of the Gallogreci? Since this is not a Roman story, it takes place more or less in a cultural vacuum; there can be no historical "point" to it, since there is no momentous course of history for it to alter.³³² For this reason, if for no other, *this* version of the *pudicitia* story can only be unsatisfactory and sub-Lucretian.

Lucretia speaks in the weighty words (*grauissimis uerbis*) of a Roman politician. The wife of Orgiagio (a labour to mention every time because she does not have her own name) speaks *Gallograecis lingua gentis*. She succeeds in bringing about her revenge because she shares with her kin something which she does not share with the Roman centurion who assaults her - a common language.

This centurion is characterised as greedy: it is because his attention is so transfixed by the gold, his prize, that he is not alert to his danger: *in eius pondus animo oculisque intento*. But there is also another reason for his lack of awareness: the plot which is formed in his presence is in code, it is impenetrable to him, in a way that the woman's body was not. Like Lucretia, Orgiagio's wife has power which lies in her speech and in the help from her kin that speech can muster.

³³⁰ In Livy's version a happy ending is implied by the *exempla*-style conclusion to the narrative: *ut traditur, sanctitate et gravitate uitae huius matronalis facinoris decus ad ultimum conseruauit* (38.24).

³³¹ Here I am speaking strictly in narrative terms; there is, of course, an exemplary, moral point to the story, which is summarised by the authorial comment with which the section ends.

³³² Just as in 3.3.ext.6 there is no point to what the Indians do.

How did that Roman centurion let a foreigner order her people to kill him right in front of his very eyes? Why did it not occur to him to listen to the foreign tongue and pay attention to the communication going on between this group of people? The woman he is treating as an object of exchange, and is about to hand over to her own people for money, speaks out imperiously: *imperavit*. But so little respect does this man have both for a language he cannot understand, and for the phenomenon of a woman speaking, that he pays no attention. He has no idea that: *imperavit ut eum occiderent*.

*

These stories, then, demonstrate the power of speech, and the power that the women wield through their speaking, which enables them to have control over themselves and over other people. This is true initially in the sense that through speaking they are able to enlist the help of other people and therefore avenge themselves - altering the future course of the narrative. It is also true in the sense that the women are shown, as I argued above, as having power over the narrative itself, and, particularly, over the way in which their stories are understood and retold. It is because the women say the things that they do that they are judged chaste, and that they become paragons of *pudicitia*. In other words, in cases such as these, knowledge about the virtue of a woman can only come from the words of the woman herself. This contradicts and enriches implications in previous stories that *pudicitia* can be judged from behaviour and even demeanour, and particularly that of 7, where it is his very *silence* - *uerecundoque silentio* - which signals the purity of the young man. The women in these stories had power over the way in which they were viewed by other people, and in the end it was *they* who created their own exemplarity.

In these various ways the speaking which they do is an indication of the power and subjectivity which these stories grant these women, and through their speech the reader is given access to female moral subjectivity.

c) Suicide

Another thing that the women have in common is that they kill themselves: Lucretia stabs herself to death with a sword which she has been concealing beneath her robes, the captive Hippo throws herself from the enemy's ship into the sea and drowns, and the wives of the Teutons hang themselves during the night - three different means of suicide, depending on the opportunities available to the women - sword for the Roman, drowning and hanging for the captive foreigners.³³³ Lucretia kills herself, as we have noted before, as a consequence of *stuprum* which has already been inflicted on her, while the others kill themselves in order to preserve themselves from *stuprum*; in each case the self-inflicted death is the means by which *pudicitia* is preserved.³³⁴

Whereas the bulk of the Roman stories in this chapter, those which I have already studied at length, were about violence inflicted by one person upon *another*, in three out of the four cases where women are the subjects of the *exempla* and inflict violence, the violence that they inflict is upon *themselves*. Within the logic of the narratives this makes perfect sense, and we have already seen that in some cases the best way to protect a woman from dishonour is to kill her.³³⁵ But this element of self-killing makes these stories of a very different kind from the others in this chapter.

The self-reflexivity of self-killing

Like Lucretia, the foreign women have control over their own bodies (Hippo and the Teuton women) or those of other people (Orgiago's wife). In the case of the former, this "control" that they have means, in terms of the narrative, being able to take their own lives, to kill themselves. In this respect it mirrors the male authority which we saw being manifested in some of the intervening stories; for instance, we saw that Verginius' murder of his own daughter was a way of asserting his possession of her over and above that of the Appius Claudius.³³⁶ Like those males in all the other

³³³ The means are of course significant in themselves - hanging and drowning have very different resonances from death by the sword, and I shall discuss this at greater length below.

³³⁴ The story of Orgiago's wife at ext. 2, although not containing a suicide, is extremely similar in structure and presentation to these other stories, and throughout my discussion I shall bring it in as a parallel case. Here the killing of the centurion which the woman brings about seems to perform a similar function to that played by the suicides in the other stories - it is a sign that proves the *pudicitia* of the woman. One function of death is as proof; cf. the section on the role of death in 6.1 above (from p. 91).

³³⁵ Sections 2, 3 and 6.

³³⁶ p. 109.

stories we have read, these female protagonists are bringers of violence and death, but - and this is an important distinction signalled by the grammatical construction of what they do - the women's actions are self-reflexive - they inflict the violence on themselves: *se abiecit, se interemit, sibi spiritum eripuerunt*.

These women might be said, then, by analogy, to be exercising control and authority over themselves; perhaps we might even permit ourselves to use the term "self-control". For by killing themselves, the women manifest the inner moral strength to protect themselves from *impudicitia* which has so far largely been missing in the account of *pudicitia* which this chapter is offering. The story of the little girl and the dead slave from whom she is expected to learn (6.1.4) comes closest to outlining this idea of *pudicitia*; there the girl herself was being taught how to regulate her own sexuality by avoiding certain situations - kisses. Earlier I wrote: "the person who learns from such violence is a girl and the lesson learned is regulation of her own behaviour."³³⁷ We did not, however, see the girl's self-discipline in action. These women, however, are seen to make (difficult) choices about their *own* behaviour based on moral principles. Rather than imposing judgement and punishment from outside on other people's behaviour, as the men have done, these women regulate themselves.

These stories, then, articulate the virtue of *pudicitia* in a way which perhaps more closely approximates our own notion of what a "virtue" is; their protagonists are moral agents working not through the law, but on their own behalf. This is *pudicitia* not as spotting and rooting out other people's bad behaviour in society, but as possessing the moral strength to avoid such situations oneself - refusing to succumb to temptation or to compulsion.

*

This new³³⁸ conception of the virtue as an internal regulation of self (moral self-reflexivity) is clearly connected to the grammatical and narratological self-reflexivity of the women. Even while women have grammatical and moral subjectivity, even

³³⁷ On p. 96.

³³⁸ In terms both of Valerius' chapter and my own.

when they are in control of their own stories, they are still, at the same time, the disposable objects of Roman society, and of male lust: they are the objects of desire, but further they are taken into the possession of men, handed around and used as objects of exchange (*excepta, tradita erat, mulieris pretium, quo eam redimerent..., dono mitterentur*). This double status is part of the paradoxicality of such figures, and, in the light of the previous stories, is highlighted by the fact that the verbs used to describe them show them to be taking on the roles of both the authority figure and the sexual victim - roles which in the preceding stories have always had two different actors.³³⁹

Body and *animus*

Because of these women's double role, all these framing stories raise issues about the relationship between the passive and the active parts of the individual, about the relationship between the *corpus* and the *animus*, and about where the identity of the individual lies. For example, Lucretia appears to have a body which is gendered in one way and a soul which is gendered in another: a *uirilis animus* in a *muliebre corpus*; Orgiagio's wife has a body which is overcome and humiliated, but a soul which escapes this humiliation: *huius feminae quid aliud quisquam quam corpus in potestatem hostium uenisse dicat? nam neque animus uinci nec pudicitia capi potuit*.

With regard to the virtue of *pudicitia*, what is primarily at stake, as we have discussed, is the physical integrity of the body; *pudicitia* is the protection of the body from sexual violation. And it is because of their bodies that the women are vulnerable in the first place, as well as being because of their bodies that they are women (see Lucretia and her *animus*) and because they are women that they are vulnerable. It is Lucretia's *muliebre corpus* - a body which is weak and, because it is female, very violable (or, because it is female, weak, and therefore very violable) - which is violated. Because of the other part of her - the *animus* - which is characterised as "manly" or *uirilis*, she manages to transcend her defilement and become an *exemplum*.

³³⁹ E.g. in 2, Verginius and Verginia; in 3, Aufidius and his daughter etc..

Lucretia, cuius uirilil animus maligno errore fortunae muliebre corpus sortitus est

In Lucretia's case body and soul are very different, and they do not fit together well, as Valerius' striking phrase indicates. Her "virile" soul has been allotted to this female body by a cruel twist of fate. The phrase calls to mind the notion of the transmigration of souls, souls waiting in the underworld to be allotted new bodies for rebirth, which we find in Book 6 of the *Aeneid*.³⁴⁰ It implies that the soul and the body have, as well as different characteristics, their own existence independently of one another.

As with all of the stories which Valerius tells of female heroism, Lucretia's puts pressure on the conventional categories of male and female. But in her case Valerius expresses the paradox of her heroism in a particularly striking and resonant way, making her embody in her one person the moral divide between the sexes: she is in two parts, one male and one female. This configuration of the heroic woman is part cliché but it is the fact that Valerius chooses to frame it with the disturbing notion of misfortune and allotment, the coming together of body and soul, that gives this conventional gender word-play new life.

In this scenario we are directed to identify with and sympathise with the soul, and the misfortune which the soul has suffered in being given a female (implicitly, rather than a male) body. It is not simply that the two do not match each other which constitutes the misfortune, the *maligno errore fortunae*, it is the fact that the soul has had a rough deal. The soul is masculine (*uirilis*); if not actually *male*, it is at least male-like, male-

³⁴⁰ 6. 703-751. E.g. *animae quibus altera fato corpora debentur* (713-4). Note that the term used throughout Virgil's passage for soul is *anima* rather than *animus*; the two Latin terms are not strictly distinguished in their meanings, and there is some overlap: broadly, *anima* refers in general to the life force which all living beings share, whereas *animus* refers to the soul as a governing force over the body, embracing notions of courage, intellectual force, self-restraint. Virgil is outlining his own idiosyncratic and poetic ideas about life, death and souls in this passage, and it cannot be taken as representing general Roman beliefs; however his picture draws on ideas about the soul found in the works of Plato and in Pythagorean, as well as Stoic, philosophy. Not only does Virgil implement here ideas which must have been previously well-known, but his own passage must have been extremely influential on Roman thought. There is no way of proving that Valerius had the Virgilian passage in mind when he wrote his line about Lucretia, yet I find it interesting that the passage outlining the transmigration of the soul is sandwiched between the two passages in the *Aeneid* which are closest to Valerius Maximus' project: the list of particularly bad crimes which must be avoided and which are being punished, which comes in the mouth of the Sibyl at 608-627 (which includes, amongst other sins which correspond to Valerius' chapters, *quique ob adulterium caesi*, and which has a distinctly contemporary Roman feel to it - e.g. *fraus innexa clienti*) and the pageant of heroes which I referred to in Part I (752ff.) of which Williams writes "it is a list of *exempla* familiar in rhetorical writing..." (Williams 1972 p. 505).

identified. Hence readers are directed to identify with the masculine element of Lucretia, and regret the female part of her, her body.

Notions of “man” and “woman” are disrupted by this formulation of Lucretia’s predicament. We know that primarily she is a woman, although the only verbal markers of this are the adjective *muliebre* which describes her body, and the participle/adjective *coacta* which describes her passive role in the sexual encounter with Tarquinius, both of which emphasise the sexual and physical vulnerability associated with her femaleness. We do know, however, that she is a woman, despite the confusion which might be caused by the first word of the story; her name alone tells us so, both in its form and in the narrative associated with it: she is a wife. However, the part of her which directs the action, which is dominant, the *animus*, and which permeates her death (described as *animoso interitu*) is characterised as *uirilis*. The female part of this woman, her body, is the part which we rue; it has brought her to ruin. The *uirilis* part is what we admire. In this phrase Valerius makes Lucretia’s body sound like the unfortunate burden which Lucretia has to bear, yet it is also the defining part of her - the part which gives her social meaning in Roman culture. On a very strong reading of the phrase, but one which I would argue the Latin directs the reader to take, we are invited to identify with the masculine part of Lucretia - the soul - to think of her as a man, and to imagine the horror of ending up inside the humiliating vessel of a female body.

The horror of being a man “trapped” inside a woman’s body in this context is not based on the same preoccupations as it might be in contemporary Britain - that is to say issues of identity confusion and of being forced to take on gender roles which feel inappropriate. The situation is sinister because of all that being female implies for a Roman, partly summed up by the Lucretia story itself: submission to others, restriction of power, susceptibility to *stuprum*. “We”, “anyone” (i.e. with the identity one must assume in order to read this story) would find it horrible to be a woman. The implication of this is that this text does not expect a reader who identifies herself as a woman, or rather who is identifying herself as such during the process of reading. Yet “we” as male *are* asked to identify with a woman, Lucretia (and this is made easier because the part of her which we are asked to identify with is characterised as masculine).

Having introduced this interesting scenario of a split-sex being (remembering the Roman horror/fascination with hermaprodites),³⁴¹ Valerius lets it lie as background to the rest of the Lucretia story, and does not explore the idea in detail any further. But its implications are manifold, and it is possible, and also very tempting, to push it in any one of a variety of directions, some of which use the idea to close the gap between “man” and “woman”, and others to prise it apart. Here are three possibilities:

- a) The tale promotes sympathy for women and for a Roman woman’s situation by allowing a man to imagine what it might be like to be in that situation. It suggests that a woman could possess a mind with which a man could identify, and that being female might be an accident of birth.
- b) The tale emphasises the fact that a heroic woman such as Lucretia cannot in fact exist at all by highlighting the impossible paradox of such an identity.
- c) The tale writes women and a woman’s experience out of the picture altogether: the part of Lucretia which *experiences* is actually male. Valerius is not interested in a woman’s point of view, but twists this story in his telling so that even this most female of experiences becomes an experience for men.

This passage might be interpreted either as an invitation to men to identify with a woman or as asking men to recognise the impossibility of *ever* identifying with a woman at all; it could be argued that in order to make sense of the story the author must remove the female from the protagonist’s body and replace her with a male. One might also argue that to put oneself in the position of a woman might be to elide the differences between oneself and “them,” differences in which one, as a Roman male, has been taught to believe, to come close to understanding what it might be like to *be* a woman, to see it as a similar experience of a different situation, rather than a state of incomprehensible otherness.

³⁴¹ On which more in Part III, pp. 179 ff.

As I mentioned above, Valerius does not explore these questions himself; they are questions which his text seems to provoke. It is valid to ask whether ancient Roman readers would have found this phrase quite as rich and intriguing as I do.

Undoubtedly few would have pressed it so hard, but would these questions have seemed so relevant and interesting? Perhaps it does not matter what a postulated "average" Roman reader would have made of it, since unpacking from the text the moral tangles which lie unexplored behind what seem to be the most transparent of statements is at least as important as cataloguing the ideas that we believe the Romans themselves would have recognised as problematic and thought worthy of exploration.

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It is certainly the case that in these stories the act of killing oneself is always a separation of body from soul. This is so not merely because in death one leaves the other, but because the act requires that one person becomes two - autolysis. The verb which describes Hippo's death implies this: *se...abiecit*. To be both agent and object of the same verb in this case is to become two, to have two separate identities. On a practical level, in suicide the will must turn against the physical being.³⁴² The verb *abdicere* ("to throw away") reflects the extraordinary violence of such an act: the *ab-* prefix is distancing, as though part of Hippo stands on the deck flinging the part that she no longer wants into the sea. In the next section the same verb is repeated in such a way as to emphasise the different outcome of each tale; this time the agent (Orgiagio's wife) remains integral, while the object of her violence is a fragment of somebody else - the severed head of the destroyed Roman centurion, flung at Orgiagio's feet (*abiecta...ante pedes*). This woman, unlike the rest, has succeeded in externalising her violence - wreaking it on someone else. She throws down away from her, separates herself from, *another* body; the very body, in fact, which, in joining itself sexually to hers, has violated her in the first place.

Self-killing as escape from dishonour

The women kill themselves in order to avoid the dishonour of *stuprum* (whether suffered or threatened). Amongst all the modern works on suicide in ancient Rome

³⁴² As we shall see later on, this intangible part of the person - the will, the spirit, the soul - is free from humiliation in a way that the body is not; it is here that the moral rectitude of the person rests.

this motive for suicide is recognised as a major category. In her article on Stoic attitudes towards suicide in Rome, Miriam Griffin sets out the kinds of voluntary death which were practised throughout Roman history. After the category of the general's self-sacrificial *devotio* before battle, she writes:

"Next come suicides undertaken out of adherence to a social code of conduct to avoid or make up for failure to meet social expectations. One can include here, for example, women preserving their chastity or atoning for its loss; generals anticipating defeat or killing themselves for shame; accused persons anticipating condemnation."³⁴³

There is no need for us to work with this system of categorisation of ancient suicides, but Griffin's reference to "social code of conduct" and "social expectations" initially seems helpful for our understanding of the mechanisms of these stories: for these women suicide provides a means of avoiding the social opprobrium which they would incur upon the loss of their *pudicitia*; it is an escape-route from censure.

Yet note the terms which Griffin associates with such a model:

"Next come suicides undertaken out of adherence to a social code of conduct to avoid or make up for **failure** to meet social expectations. One can include here, for example, women preserving their chastity or atoning for its **loss**; generals anticipating **defeat** or killing themselves for **shame**; accused persons anticipating **condemnation**."

The implication of this for these stories is that to suffer *stuprum* is, in society's terms, to fail. If their suicides are to be viewed in this light then the women fall into the same category as M. Laetorius Mergus, the military tribune of section 11 who ran away from his trial and killed himself before he could be convicted for the crime of attempting to force *stuprum* upon his assistant.³⁴⁴ Laetorius, in other words, is a perfect example of Griffin's "accused persons anticipating condemnation."

³⁴³ Griffin 1986, p. 193.

³⁴⁴ This, at any rate, is what we understand to have happened. The manuscripts are unclear since there is a lacuna at this point in the text. Briscoe's version is *ante iudicii tempus fuga prius deinde etiam*

Yet it is patently clear that, in the context of this passage at least, the suicides bring about very different ends; Laetorius does not in fact avoid dishonour - indeed Valerius makes it clear that he is held up as a social disgrace even after his death. His death does not halt the processes of judgement, and he is convicted even when he is no longer there to stand trial: *fato tamen functus uniuersae plebis sententia crimine impudicitiae damnatus est* (note the legalistic language used here). The point is rammed home in the next sentence where we learn that the Roman standards, symbolising all that is morally upright about Roman society, pursue Laetorius as we might put it "beyond the grave": *signa illum militaria, sacratae aquilae, et certissima Romani imperii custos, seuera castrorum disciplina, ad inferos usque persecuta est*. Perhaps this emphasis on the continuation of the "prosecution" even after death is necessary precisely because a suicide *was* thought to lift the sting of dishonour, and Valerius wants to make it quite clear that despite appearances Laetorius does not, in fact, escape.

It is Laetorius' *scientia* or *conscientia rei* which drives him to kill himself.³⁴⁵ Again the text is uncertain here, and it is not clear how we should translate the phrase. It might merely describe his "awareness of the situation" and of his impending lawsuit and punishment. Yet it is logical and tempting for a modern reader to interpret this "knowledge" as a "guilty conscience" - an inner sense that he has done wrong. The *nec sustinuit* supports this latter interpretation, since the verb is often used to describe people's difficulty in bearing unpleasant emotions. In any case, whether he is driven by an internal sense of his own wrongdoing, or whether he is afraid of the external retribution for this wrongdoing which is coming his way through the trial and punishment which it will entail, there is no question but that the situation *has* arisen due to his own wrongdoing. The reason for the suicide is crime, and the death itself is introduced by Valerius as a *foedus exitus*.

[...]. *naturae modum expleuerat*... In Paris' epitome this missing part of the story is resolved as *morte se puniuit*, which some editions supply (see Briscoe 1998 ad loc.), and this makes it fairly certain that however it was originally phrased the story told of Laetorius' self-killing. The phrase *naturae modum expleuerat* is also awkward, as Shackleton Bailey argues (1996, p. 180): "*Naturae* cannot be right, for a man who commits suicide does not fill out his natural span, quite the reverse." He suggests substituting *poenae* or *supplicii*.

All this contrasts greatly with the way we are directed to understand the self-killing of sections 1, ext. 1 and ext. 3. These women are not escaping their own failure, but the failure of men – men, indeed, such as Laetorius.³⁴⁶ Unlike Laetorius, Lucretia is not judged after her death as having been *impudica* because of her sexual intercourse with Tarquinius – quite the opposite: she is *dux pudicitiae*. And despite the possibility of interpreting the deaths of Hippo and the Teutons as escapes from *stuprum* this is not in fact how the deaths are formulated in the text – the word *fuga* is not used of them as it is of Laetorius' actions. Hippo's self-killing is described rather in terms of its positive effect: *ut morte pudicitiam tueretur*. These deaths are not simply about defeat and failure (although this may be an unavoidable feature). They are not attempts to escape the shame of *stuprum*, as one might escape the shame of a conviction.³⁴⁷ I shall argue that they work on a very different model of suicide; Valerius presents them to us as triumphant deeds, deeds of heroism modelled on the Stoic notions of death before dishonour.

Triumphant self-killing

The Greek woman Hippo's sea-shore tomb, which stands forever as a monument to her valour, recalls the better-known tomb of that archetypal Roman Stoic, Cato of Utica, who also took his own life. The story of this exemplary suicide is told earlier by Valerius Maximus, at 3.2.14 – where it illustrates the quality of *fortitudo*:

Tui quoque clarissimi excessus, Cato, Utica monumentum est, in qua ex fortissimis uulneribus tuis plus gloriae quam sanguinis manuit: si quidem constantissime in gladium incumbendo magnum hominibus documentum dedisti quanto potior esse debeat probis dignitas sine uita quam uita sine dignitate.

The final sentence of this section – “how much better it is for honourable people to have dignity without life than life without dignity” – fits much better as an epithet to the lives of these women too than does the notion that they are merely fleeing

³⁴⁵ *nec sustinuit eius rei [con]scientiam Laetorius*. The earlier manuscripts have *scientiam*, but *conscientiam* appears in an eighteenth-century edition.

³⁴⁶ Ext. 2, a subversive tale where the woman lives and the man is punished, suggests this model.

³⁴⁷ Although one scholar describes Lucretia's self-killing as “committed for pure shame” (van Hooff 1990, p. 50).

disgrace.³⁴⁸ Yes, the choice is still between death and dishonour, but the emphasis is on the achievement of choosing the one above the other, the heroic valour needed to do so. There is no question in 3.2.14 that Cato's self-killing is glorious: it is described as a *clarissimus excessus* (a direct contrast to Laetorius' *foedus exitus*). The stories of the women in 6.1 echo several elements of 3.2.14: like Hippo, Cato has a *monumentum* to his *gloria*, like Lucretia, his death is brought about by the sword and is described as courageous: *ex fortissimis uulneribus, in gladium incumbendo*; like the Teutonic women, his deed offers a lesson to others: *hominibus documentum dedisti*.³⁴⁹

We might compare the situation of the foreign women who find themselves in the hands of enemies and vulnerable to dishonour on that account to another tale from 3.2, that of P. Crassus. This man is captured by the Thracians and, while he is being taken to their commander, escapes the dishonour of capture by provoking one of his guards into killing him by poking the guard in the eye. Valerius comments: *dedecus arcessita ratione mortis effugit*.³⁵⁰ Again this death is considered glorious, and is an *exemplum* of *fortitudo*.

A further parallel between the two chapters of *fortitudo* and *pudicitia* can be found in the authorial comments at the end of 3.2.7 and 6.1.ext.2. Compare the way that Valerius lauds the courage of the Roman magistrates who elect to remain in the centre of Rome rather than take up space in the fortified Capitol during the invasion of the Gauls, with his praise for Orgiago's wife:

...capi ergo uirtus nescit, patientiae dedecus ignorat, fortunae succumbere omni fato tristius ducit, noua ac speciosa genera interitus excogitat, si quisquam interit qui sic extinguitur. (3.2.7)

huius feminae quid aliud quisquam quam corpus in potestatem hostium uenisse dicat? nam neque animus uinci nec pudicitia capi potuit. (6.1.ext.2)

³⁴⁸ See too Griffin's description of Stoic self-killing as "one way of accepting death as the price of preserving virtue" (Griffin 1986 I, p. 74).

³⁴⁹ Gris  1983, pp. 227-8 offers a long list of further examples of Valerius praising suicide.

³⁵⁰ 3.2.12. Note that here the avoidance of dishonour is described as flight or escape - *effugit* - but not a shameful one.

The sentiments are similar: one's enemies may be able physically to humiliate and destroy one, but the essence of virtue manifested under these circumstances is immune to this humiliation and destruction. It cannot be captured, conquered, made to succumb, and the words used to describe the fates to which the virtue (*uirtus*, *animus* or *pudicitia*) cannot be forced to endure (*capi*, *succumbere*, *uinci*) all recall what the people themselves are suffering, and recall too the context of war which is the setting for both of these stories. The virtue of the Roman magistrates, we are told, knows not *patientiae dedecus* - the shame of passivity - precisely the shame to which Orgiagio's wife (and the other women) are exposed - *stuprum pati coacta* - and yet triumph over. The phrases in the passages above which I have highlighted in bold are particularly alike, speaking of the intangible virtue of the hero which cannot be seized by the enemy.

So through such echoes between the two chapters, the deaths of these women are associated with the deaths of famous Roman heroes, and are thus raised to the level of heroic deeds themselves. Yet Lucretia's death by the sword already has the characteristics of a glorious act simply because of what it is: self-killing using the soldier's weapon.

The Roman way

Lucretia uses a sword to kill herself (*ferro se...interemit*) - a sword which she has brought to the meeting with her relations hidden among her clothes (*quod ueste tectum attulerat*).³⁵¹ Analysis of the ancient sources suggests that in Roman culture this kind of self-killing, striking oneself with a sharpened metal (*ferrum*, *gladium* etc.), was in itself an act which was both prestigious and inevitably therefore gendered as masculine. Yolande Grisé calls this act "suicide viril par excellence"³⁵² and writes:

³⁵¹ The fact that the weapon is hidden until the crucial moment may also be significant; even during this act of courage and virility a woman is forced to be devious and cunning as well. The man's weapon which is drawn out from beneath the matron's *stola* also recalls the story of "Androgyne" at Val. Max. 8.3, which I shall discuss in Part III - there is something sinister about a woman who appears to be a woman in her dress and looks but who reveals herself to have masculine properties under stress. This element in Lucretia's story also echoes 3.2.15 in which Porcia is similarly devious in the way that she procures for herself a sharp weapon and tests her own capacity for self-killing. However, Romans also told tales of tussles between male self-killers and those around them; in Plutarch's version of the death of Cato at Utica, those around him attempt to thwart his attempts to kill himself by hiding his sword and then by sewing up his wound (Plut. *Cat. Min.* 68-71).

³⁵² Grisé 1983, p. 96. Cf. van Hooff 1990, pp. 21-22; in a section entitled "Virtus of Women" he argues that according to the sources self-killing in Rome was a man's game. Whereas in Greek myth

“Car, aux yeux des Romains, le glaive incarnait non seulement le courage et l’honneur du combattant, mais aussi la volonté, la détermination, donc l’action, la puissance, la liberté en regard de la soumission, de l’impuissance, de la servitude.”³⁵³ This description of what killing oneself with a soldier’s weapon is all about accords well with my analysis of the Lucretia story above; to translate the French terms is almost to replicate the vocabulary I have so far used to describe the passage: courageous, militaristic, active, powerful.

Self-killing by the sword was also an act which was considered particularly Roman as opposed to foreign:

“Ainsi, que les historiens ne réprouvent pas souvent les suicides, tant romains qu’étrangers, qu’ils relatent est un fait attesté. Ils aiment s’attarder sur l’image prestigieuse de personnages héroïques qui s’enlèvent la vie pour secourir leur patrie ou sauver leur honneur.”³⁵⁴

In other words, for Romans, suicide of a certain kind (for the right reasons and with the right weapon) was nothing short of an act of heroism. Lucretia’s suicide fits nicely with the pattern observed by modern scholars who have analysed the ancient sources - except so far as she is not a man.³⁵⁵

Suicide as a foreigner

Until now I have emphasised the similarities between Lucretia’s story and the foreign examples, but it is clear that if Lucretia draws much of her heroism from the classic Roman-ness of her suicide that comes from her use of the sword, the foreign women, despite the praise they receive and the military touches which appear in their tales, are in a different category.

women are “strikingly well represented”, when we come to Roman society “in every respect [self-killing] is characterised - also with regards to motives and means - by *virtus* in its essential meaning of manliness.” This idea is supported by the statistics which he adduces: 358 cases of men committing suicide in the Roman sources, as against 69 for women. “Among the Romans there is a very small number of women who achieved a manly exit by dagger or sword: seventeen as against 135 for men.”

³⁵³ Grisé 1983, p. 98.

³⁵⁴ Grisé 1983, p. 226.

³⁵⁵ Which van Hooff sees as problematic for Valerius: “According to Valerius Maximus (6.1.1) in the case of Lucretia there had been implanted a male soul in a female body by a freak of nature. Only in this way could the editor of the lexicon of the Memorable Facts and Sayings account for her noble suicide” (p. 21).

The Teutonic women hang themselves; hanging is a common death for women in Greek tragedy.³⁵⁶ However, the two recent monographs on the subject of suicide both emphasise that despite this Greek precedent (or perhaps as a development out of it), in Roman society hanging was considered to be the death of inferior people, and was regarded with revulsion.³⁵⁷ Van Hooff notes that in Senecan tragedies the women who in their Greek setting killed themselves by hanging, in the Roman versions use cutting implements.³⁵⁸ In the *Aeneid*, the noose with which Amata hangs herself is described as *nodum informis leti* (*Aen.* 12.603), emphasising the disfigurement of this way of dying, and Servius *ad loc.* writes of ancient Roman taboos against hanging, which Grisé explores more thoroughly.³⁵⁹

Both books further suggest that hanging may be gendered, and associated with effeminacy: "Il n'est pas impossible, non plus, que les Romains aient considéré la pendaison comme un procédé efféminé..."³⁶⁰ and more confidently from Van Hooff: "Hanging was the method which distinguished a cissy from a man" and "Within the framework of Roman values only contempt for such unmanly behaviour is dominant."³⁶¹ What is more, such a means of suicide, according to Van Hooff again, is "pictured as un-Roman."³⁶²

Grisé also suggests a reason why upper class Roman women in particular might have found suicide by hanging a revolting idea: it was the means of death used for the capital punishment of this section of Roman society. "Les femmes de haut rang dédaignèrent tout à fait ce procédé particulièrement infamant pour elles si l'on songe que la loi réservait aux femmes libres le châtement de la strangulation en guise d'exécution capitale."³⁶³ In fact, the only women recorded in Roman literature who

³⁵⁶ Cf. Loraux 1987 *passim*, and especially p. 9: "hanging is a woman's way of death."

³⁵⁷ E.g. "Nevertheless, in real life hanging is counted as vulgar, in the double sense of the word. Especially in the Roman world there is an outspoken disgust" (Van Hooff 1990, pp. 65-66) and "La pendaison semble avoir été l'une des formes traditionnelles de suicide dans les classes inférieures de la société romaine" (Grisé 1983, p. 108).

³⁵⁸ Van Hooff 1990, p.66.

³⁵⁹ Grisé 1983, pp. 141-149 under the heading "Le tabou de la pendaison".

³⁶⁰ Grisé 1983, p. 146.

³⁶¹ Both citations Van Hooff 1990, p. 67.

³⁶² *Ibid.*, p. 69.

³⁶³ Grisé 1983, p.108.

kill themselves in this way are the freedwomen Epicharis and Phoebe, with their Greek-sounding names.³⁶⁴

In other words, this form of suicide is the polar opposite of the soldierly stab which we found in Lucretia's story; rather than being masculine, heroic and Roman, the death of the Teutonic women has associations with effeminacy, shame, inferiority and foreignness. This is the case with Hippo's death too; throwing oneself into water was a method of death similar in association to hanging: "At the bottom of the scale of respectability are jumping and hanging," "methods such as hanging and jumping in general are looked on as base..."³⁶⁵

So although up until now we have seen Lucretia and the foreign women as falling into the same category of heroic and highly-praised avoidance of *stuprum*, it is also clear that in other ways these women whose stories are told at the foot of the chapter are sharply differentiated from Lucretia. Their status, in the context of Roman society, is very different, and the means that they use to kill themselves clearly reflect this. Lucretia is a traditional Roman hero, and a *matrona*, and she kills herself in the traditional heroic Roman way. The women who appear in the "foreign" sections do not belong to Roman society - in fact in the latter two cases they explicitly belong to societies which are enemies of Rome; they are prisoners of war, compounding their inferior status as women and foreigners by also having the shameful status of the conquered. The shameful and desperate measures that Hippo and the Teuton women use to take their own lives reflect the shameful desperation of their circumstances.

In a practical sense, in terms of the narrative of the tales, we might argue that the methods which these women employ are a reflection of the constraints of their situation. What option is available to Hippo, for example, a prisoner on an enemy ship, other than to cast herself into the sea? Neither she nor the Teutonic women would be likely to be in possession of knives or swords, since they are prisoners. They have to improvise, which is not always inglorious; compare Crassus' need (3.2.7) to improvise a new way of dying heroically, since in his captive position he possesses no weapon, or Valerius' praise for Porcia who manages to die by

³⁶⁴ Tac. *Ann.* 6.20.2; 15.58.4 and Suet. *Aug.* 65.

³⁶⁵ Van Hooff 1990, p. 77.

swallowing hot coals when there was no sword handy (3.2.15). Further, to an extent their desperate measures reflect the fact that their suicides are means of escaping from sexual violation, rather than Lucretia's tying up of loose ends after the deed is done. The foreign women choose their methods of self-killing according to their inferior station as non-Romans and captives, and according to their consequent lack of choice.

But the difference between these foreign women and the most Roman Lucretia is not just about practicalities; it is significant in terms of the structure of the chapter and in terms of the moral force of the tales – and these things are of course intimately connected in Valerius' work.

Two structures

Structurally, we can see that from *dux* Lucretia to a nameless mass of pendulous captive Teutonic women is a descent all the way, as we would expect of one of Valerius' chapters. And it is also, by the same token, a journey outward from the heart of Rome, Roman institutions and Roman values, to the margins of the Roman world (in geographical as well as moral terms). Lucretia's Romanness is accentuated at the beginning and end of the *exemplum* which starts *dux Romanae pudicitiae* and ends *populo Romano prae-buit*; the second and the penultimate words are "Roman." Then throughout the chapter we move away from the forum and the senate house, into the Roman military camps and eventually to the final stories dispersed in the Greek sea, at the foot of Mount Olympus, and in Gaul. Moreover, Lucretia's is a name which resounds throughout Latin literature and presumably through Roman culture, whereas the women in the final stories have no name.³⁶⁶ The high to the low, the centre to the periphery, the beginning to the end: this is one way in which the chapter is structured according to the conventions I discussed in Part I (pp. 37-8). This hierarchy works in opposition to the structure which I outlined previously, where the "frame" of Lucretia and the foreign women contrasts with the "central part" of the stories with male protagonists; the two overlapping structures interact in interesting ways: Lucretia has a foot in both camps - she is fundamentally Roman and fundamentally other. The foreign women are both modelled on Lucretia and as far

³⁶⁶ Hippo is introduced as: *Graeca femina nomine Hippo*, as though the author is not expecting that her name will mean anything to the reader. Even more significantly, the women of ext.2 and 3 have no names at all - they can only be known in terms of their husbands: *Orgiagontis ... uxor* and *Teutonorum*

away from her as it is possible to be. The chapter is both progressively linear, and a loop which ends where it began.

The problems of inversion and subversion

From one perspective, then, these foreign women are the lowest of the low, as befits their position in the chapter. They are nothing but booty - the possessions of the Romans, captured by victorious Roman soldiers.³⁶⁷ Yet the Roman soldier who treats Orgiago's wife as though she *were* his chattel (uses her and then tries to sell her) is characterised as vicious in his greed and his lust.³⁶⁸ Conversely, Gris  can write of Valerius' treatment of Hippo: "L'historien pousse des cries d'admiration en faveur de la femme grecque Hippo..."³⁶⁹

These last stories deepen the paradox which was present already in the story of Lucretia: the methods the women use to kill themselves heighten our awareness of the fact that they are almost as far from a traditional Roman *uir* (or, to use Van Hooff's phrase, from a "representer of *virtus*"³⁷⁰) as it is possible to be. Yet in their deaths two models of self-killing - the desperate and base, and the heroic and Stoical - become one. The Teutons become the ultimate "representers of *virtus*" when Valerius suggests that they could teach their own soldier husbands a lesson about *uirtus*.

This last sentence offers us a model of men learning from exemplary women, which demonstrates the interaction between gender and exemplarity. It also epitomises the problems inherent in such a situation, where the generically superior is to learn from an inferior. The quality which these women should teach men is *uirtus* itself: how to be a man.³⁷¹ How can such a lesson be learned from such *exempla*? One way is by the mechanism of "the argument from the greater", which is outlined by Quintilian using just such a kind of example: since courage in a woman is more extraordinary than in a man, stories of courageous women have more rhetorical force.³⁷²

Underpinning this is, of course, the assumption of female inferiority; and men who

... *coniuges*.

³⁶⁷ Or an unknown enemy in the case of Hippo.

³⁶⁸ Cf. *stuprum, pretium, aurum*.

³⁶⁹ Gris  1983, p. 228.

³⁷⁰ Van Hooff 1990, p. 77.

³⁷¹ Cf. Cloelia in 3.2.2.

³⁷² Quint. 5.11.10-11.

read these stories are shamed by the achievements of women which should be less than their own. Alternatively, we might read this final section as an indication that virtues can be manifested in different ways according to the identity of the virtuous: here *uirtus* for a woman is suicide in the face of *stuprum*, whereas for a man it would be fighting on the battlefield. It is quite clear once more that "imitation" does not describe the process by which the Teutonic men would have learnt from their women, despite the use of the word *imitari* in the Latin. The men are not expected to hang themselves; they need to *translate* the virtue of the women's actions into behaviour which is appropriate for their own circumstances.

However, neither model of exemplarity captures the complexity of what is going on at the end of this chapter. The stories create an inversion of values, a significant series of exchanges of roles between different kinds of human beings.

Names

I have noted that the women in these last two stories are unnamed - a strange thing for exemplary figures and an aspect which underlines their low status. Yet if we look again at these stories we see that there *are* after all names in these stories - Roman, exemplary names which can serve as pegs on which to hang the stories, names which set the stories in place and time, which have resonance for Roman readers: Cn. Manlius and Marius. These names appear close to the beginning of the stories, exactly as the names of the protagonists of these tales should. In fact it is odd that we should not have thought when we started to read these stories initially, or if our eye flickered over them, that they were about these men, that these Roman generals were the central characters. Further, the names are characterised by words which indicate their high-ranking positions: *Cn. Manlio consule*; *Marium uictorem*. Both men are shown in situations of military victory.

In terms of the narratives related in these two sections we might very well say that these men barely play a part at all. They are tools of scene-setting, as I suggested above, making up the background against which the events of the narrative unfold: "this happened after that famous battle of Cn. Manlius against the Gallogreci; that took place after that famous conquest of the Teutons by Marius". Indeed, we have got along perfectly well until now without any reference to them. Yet once we have

noticed the prominence of their names, against the anonymity of the women in the stories, and how very much like *exempla* they look in terms of the formal structure of the sections, it is clear they deserve more attention.

As *exempla*-style names, and very illustrious names at that, their position at the foot of the chapter is problematic. It is all very well for far off, nameless women to be stuck out here on the margins of Rome-centred virtue, but Roman consuls are in the wrong place. Of course, they are there in their positions as victorious Roman generals engaged in expanding and policing the boundaries of the empire. But when Roman soldiers rub shoulders with foreign types and with women, something is likely to rub off on them, as we know from generations of Roman historians.

In this context, the name of Cn. Manlius and the reference to his Asian campaigns is most significant, since it is Manlius and his campaigns in Asia in the second century BCE that were described by Livy as having corrupted the morals of the Roman soldiers.³⁷³ His lax military discipline, combined with the temptations on offer in this exotic region, meant that *luxuria peregrina* was imported for the first time into the city of Rome; from this point of pollution Livy traced the moral degeneration of the Romans. So the name of this Manlius is already evocative of the moral dangers of such far-away places. To drive the point home, the centurion who forces sex upon the wife of the Gallogrekan chief and then tries to ransom her to her family is very much modelled upon this antitype of the Manlian soldier who is unable to resist the gold and the beautiful women (*aurum, mirae pulchritudinis*); the woman's beauty is mentioned explicitly in this tale as in no other in the chapter, to emphasise the luxury, the exotic nature of the situation.³⁷⁴

This framing of the tale of foreign *pudicitia* within the context of Manlius' campaigns adds another new dimension to the role played by these women; at the same time as being morally staunch and heroic, they are also corrupting influences, and contact with them causes *male* Roman virtue to weaken and crumble. Yet as well as being

³⁷³ Livy 39.6.5: *disciplinam militarem seuere ab eo conseruatam successorem ipsum [i.e. Manlius] omni genere licentiae corrupisse fama attulerat. luxuriae enim peregrinae origo ab exercitu Asiatico inuecta in urbem est...*

³⁷⁴ In Livy's version of this tale (38.24) the emphasis on the (typical) corruption of the centurion is even more explicit: *cuius custodiae centurio praeerat et libidinis et auaritiae militaris.*

partly identified as the root of this Roman weakness, they are also set up in contrast to it, subverting traditional Roman expectations about the distribution of moral strength and weakness.

As I said, the man who plays the bad character in ext.2, the *stuprator*, is a centurion from the victorious Roman army. In this tale the part of the virtuous Roman family who avenge the *stuprum* is played by a bunch of defeated Gallograeci, headed by a woman. "We", the Roman readers, are being asked to identify with the foreigners, to step over the line, to stand against our own army. Further, because of the fact that this woman, and the women in the other two stories, are described in terms which are borrowed from descriptions of virtuous Roman soldiers, in heroic and military terms, as I argued above, the shabby appearance of the *real* Roman soldiers is all the more striking in contrast.

In ext 3. there are no actual *stupratores*, since the hanging pre-empts any *stuprum*, but the threat lies implicitly in the Roman soldiers in whose power the women are being held. There is even a sense in the passage that the women are being taken from the battlefield back to Rome (Marius is *uictor*, as if he is about to lead the women through Rome in a triumph, and the women make reference to the Vestal Virgins at the heart of the city); in this case it is the whole population of the city that poses a threat. Moreover, in appealing to the Vestals, the foreign captive women are showing themselves to be in tune with Roman morality and religion, more Roman than the Roman general who refuses them that refuge; Marius is not a rapist, but in this tale he places himself in opposition to the chaste devotion of his captives.

The reference to Marius takes us back to section 12 of the Roman *exempla*, where he was in a different role, pronouncing judgement on the behaviour of others. That section was about the lust of a military tribune within the army, as was the preceding section. In section 11 the lustful man is again a centurion (*libidinosi centurionis*) and section 10 is particularly interesting from the point of view of tarnished Roman soldiery. The soldier and *stuprator* C. Cornelius, as we saw above in my discussion of the protagonists of the chapter, despite his low rank is figured initially as the archetypal Roman hero on the battlefield. Consequently the next phrase (*quod cum ingenuo adolescentulo stupri commercium habuisset*) is a shocking change of tone:

from the exalted to the wicked. Note that he is the one Roman man who actually has sex with a freeborn Roman male - in other cases the *stuprum* is described as attempted rather than achieved. At the end of this section, when we have been dragged through the humiliation of his accusation, his being clapped in chains, his pathetic attempt to divert some blame onto the youth, his sordid death in prison, Cornelius is again described as being one of the *fortes uiri*, and in the last opposition we are reminded again of his military achievements: *externis periculis domesticas delicias*.

This section shows us a man who is the best kind of Roman soldier, yet the worst kind of *stuprator*; the emphasis on his military excellence and his membership of that exclusive club of *fortes uiri*, can only mean that his sexual degradation reflects badly on the military. Even before we reach the foreign sections, the chapter has made the association of the Roman soldier with moral corruption.

In these tales, then, the foreign captive women are modelled on Roman heroes of the battlefield such as Crassus and Cato (as I have argued above). Meanwhile, the Roman soldiers come to embody sexual threat - which is one of the crucial elements of this chapter of course - and moral laxity: they stand for excess and lack of self-control. These final stories undermine the figure of the authoritative, paternalistic Roman man which we saw being set up in the central stories of this chapter.

6. CONCLUSION

What then is the intended impact upon the reader of this chapter? The relationship between the tales and the moral messages which they convey has once again proved a complex one. I set out to see where the virtue lay among these exemplary figures, and have found a variety of different manifestations of *pudicitia*, relating in different ways to different kinds of protagonists and readers.

Several of the stories, for example, shape the subjectivity of an authoritative male, encouraging him to regulate the sex lives of others. However, the representation of female subjectivity and female learning in the chapter raises the possibility of an intended female readership for the chapter, which would learn different ways to relate to *pudicitia*. Female subjectivity is also problematised, in particular in the figure of Lucretia whose male and female parts are far from reconciled. The military resonances of the stories told about female *exempla* in this chapter may suggest that female experience of sexual threat and responses to this are being translated into terms that men can understand and relate to their own experiences (for example on the battlefield). This relationship between the themes of military and sexual virtue may also explain the phenomenon of male soldiers learning from the chaste deeds of women.

Once again we have seen that the messages which Valerius' work conveys are communicated not by isolated *exempla*, but by the interplay between all the elements of the chapter, and between chapters in the work, as well as through reference to alternative versions of the stories which exist outside the text, and were available to Roman readers through their own pool of shared cultural knowledge (and to us only as fragments from surviving sources). This interplay and flexibility allow a far more nuanced exploration of virtue and morality than we might have expected. The chapter, through its variations and contradictions, lets us know that *pudicitia*, *stuprum* and the threat of *stuprum* affect the whole of Roman society. Everyone needs to be aware of the boundaries, and all, regardless of status, have regulatory roles to play of various kinds. However, these boundaries themselves are blurred and difficult to regulate and hence the difficulty of pinning down the precise nature of *pudicitia* or the exact lesson which a reader should learn. The questions which are raised by the

juxtaposition of this diverse range of stories cannot easily be resolved. They are clearly live issues for Valerius and we might also suppose them to be so more generally for the Roman society of the period.

PART III

A study of Valerius Maximus 8.3

Valerius Maximus 8.3: text and translation

Ne de his quidem feminis tacendum est, quas condicio naturae et uerecundia stolae ut in foro et iudiciis tacerent cohibere non ualuit.

1. Maesia Sentinas rea causam suam, L. Titio praetore iudicium cogente, maximo populi concursu egit, motusque omnes ac numeros defensionis non solum diligenter sed etiam fortiter exsecuta, et prima actione et paene cunctis sententiis liberata est. quam, quia sub specie feminae uirilem animum gerebat, Androgynen appellabant.

2. C. Afrania³⁷⁵ uero, Licini Buccionis senatoris uxor, prompta ad lites contrahendas, pro se semper apud praetorem uerba fecit, non quod aduocatis deficiebatur, sed quod impudentia abundabat. itaque inusitatis foro latratibus adsidue tribunalia exercendo muliebris calumniae notissimum *exemplum* euasit, adeo ut pro crimine improbis feminarum moribus C. Afraniae nomen obiciatur. prorogauit autem spiritum suum ad C. Caesarem iterum P. Seruilius consules: tale enim monstrum magis quo tempore extinctum quam quo sit ortum memoriae tradendum est.

3. Hortensia uero Q. Hortensi filia, cum ordo matronarum graui tributo a triumuiris esset oneratus nec quisquam uirorum patrocinium eis accommodare auderet, causam feminarum apud triumuiros et constanter et feliciter egit: repraesentata enim patris facundia impetrauit ut maior pars imperatae pecuniae iis remitteretur. reuixit tum muliebri stirpe Q. Hortensius uerbisque filiae aspirauit, cuius si uiriliter sexus posterum uim sequi uoluissent, Hortensianae eloquentiae tanta hereditas una feminae actione abscissa non esset.

Neither should I be silent about those women whose natural condition and the modesty associated with their *stola* was not strong enough to prevent them from speaking out in the forum and the law courts.

1. Maesia of Sentinum pleaded her own case, with the praetor L. Titius presiding and in front of a vast crowd of people, carrying out every aspect of her defence not only diligently but also courageously, and she was acquitted after her first speech and almost unanimously. Since she wore under her feminine appearance a virile mind, they called her Androgyne.

2. Indeed C. Afrania, the wife of the senator Licinius Buccio, was always keen to litigate, and she always made her own speeches before the praetor, not because she lacked advocates, but because she was overflowing with impudence. So, by constantly wearing out the tribunal with barking to which the forum was unaccustomed, she became a well-known exemplum of female calumny, to the extent that the name of C. Afrania is used as a way of accusing women of bad behaviour. She prolonged her life until the year that C. Caesar and P. Seruilius were consuls: of such a monster one should hand down to posterity the time of death rather than of birth.

3. Indeed Hortensia, the daughter of Q. Hortensius, when the group of *matronae* had been burdened by the triumvirs with a heavy tribute, and there was no man who would speak on their behalf, pleaded their cause before the triumvirs both steadfastly and successfully: manifesting the eloquence of her father she managed to get most of the demand lifted. Q. Hortensius lived again in the words of his daughter, and if the male descendants had wished to follow her, such a great inheritance of Hortensian eloquence would not have been cut off by the action of a woman.

³⁷⁵ Note that here and with C. Afrania below my text differs from Briscoe's – see Part III.2 for discussion, p. 167 pp. 171-2 and p. 182.

Introduction:

The deed to which an *exemplum* refers need not actually have happened; it need only seem plausible enough to be an authoritative conveyer of the *exemplum*'s message. If there is a real event behind the *exemplum* it has been transformed not only into a meaningful story, as with all history, but into a spare and pointed reference to such a story where rhetorical spin is all important. Both these aspects of *exempla* - the rhetorical and the referential - pose problems for the Roman historian who would use Valerius as a source, and in Part III I shall examine amongst other things the issue of the knowledge which we bring to our interpretation of the text and the hidden narratives which lie behind *exempla*.

I shall focus here on chapter 8.3, which features three women who make speeches in public: Maesia conducts her own defence trial before magistrates, Afrania brings a series of cases in court, and Hortensia makes a speech in the forum petitioning the triumvirs on behalf of Roman *matronae*. This material has been used as a source in several works on Roman history and society, and I shall use these instances to illustrate the way scholars misunderstand Valerius' work and the nature of *exempla*.

Exempla are generally familiar, well-worn tales, and in this chapter Valerius makes it explicit that the names of the first two exemplary figures are expected to resonate with the reader. Afrania, for instance, is described as a *notissimum exemplum* and her name is said to have become a proverbial term of abuse, while Maesia is given the name Androgyne in recognition of her deed much as, for example, Mucius earns the *cognomen* Scaevola. The irony in this case is two-fold. First, for the modern reader these stories are far from familiar – this is virtually our only ancient source for both.³⁷⁶ Second, it is not clear what the names of these women whom I am calling

³⁷⁶ A possible reference to the story in 8³.1 is found in Plut., *Lyc. et Num.* 3.6, although here the woman is unnamed; the context is Numa's regulation of women's behaviour by not allowing them to speak in public, and Plutarch writes: λέγεται γοῦν ποτε γυναικὸς εἰπούσης δίκην ἰδίαν ἐν ἀγορᾷ πέμψαι τὴν σύγκλητον εἰς Θεοῦ, πυνθανομένην τίνος ἄρα τῇ πόλει σημεῖον εἶη τὸ γεγενημένον. "At any rate, it is said that when a woman once pleaded her own cause in the forum, the senate sent to inquire of an oracle what the event might portend." (Loeb translation). A possible reference to 8:2 is found in Ulp. *Dig.* 3.1.1.5, where the name is slightly different; this passage is discussed in the following chapter.

Maesia and Afrania actually were: there are several variants of their names in the manuscripts, and the discrepancies have stimulated considerable controversy. Indeed, on the basis of a comparison with Ulpian, Briscoe has amended the text to read Carfania where most manuscripts read C. Afrania; I shall continue to call her Afrania, partly to maintain the distinction between the two sources, which are discussed in more detail below.³⁷⁷

Such a lack of familiarity or even certainty about basic details underlines the ignorance of the modern reader and our distance from the Roman world in which this text was produced. We can fairly assume that the Roman reader was expected to know something about these women and their stories prior to reading Valerius' accounts. There were narratives to which they had access and to which Valerius' text refers. As in the case of the story of Lucretia which we studied in Part II, readers are expected to supply knowledge from outside to flesh out the bare bones of the *exemplum*. We have no idea what this knowledge was, and are therefore in a very different position from the contemporary Roman reader.

In the case of Hortensia's story, the problem of how we deal with the incompleteness of the exemplary narrative is just as acute, although the issue is a slightly different one. Hortensia's name may have a resonance for the modern reader which the others lack; she is identified as the daughter of the well-known orator Q. Hortensius Hortalus (114-50 BCE), of whom we know from many other sources, in particular Cicero's writings,³⁷⁸ the events to which Valerius refers are corroborated by later sources and can be dated to 42 BCE,³⁷⁹ and the fate of the family during the period in which Valerius was writing is also mentioned in ancient sources.³⁸⁰ She has a rich historical context which can augment our understanding of what is going on in

³⁷⁷ For the variants see Briscoe 1998, p. 511. On the variants of the woman's name in 8.1 (Maesia, Amaesia, Amesia, Maesta and Mesta) and the implications of these see Marshall 1990, who settles on translating her name as "Maesia of Sentinum" – Sentinum being a town in Umbria (pp. 46-7, n. 1). For 8.2 the manuscripts offer C. Afrania and C. Afrinia, but not Briscoe's Carfania or the Cafrania suggested by Shackleton Bailey 1996.

³⁷⁸ Especially the *Brutus*, written as a tribute to Hortensius shortly after his death (especially 1-6, 229-32 and 301 onwards). See also the lengthy article in Pauly-Wissowa, *RE* 8: 2470-81. He is also mentioned by Valerius Maximus at 3.5.4, 5.9.2, 8.5.4, 8.10.2 and 9.4.1.

³⁷⁹ Quint. 1.1.6 and App. *BC* 4.31-34. Quintilian mentions Hortensia's speech and Appian actually preserves what purports to be a transcript of the speech she delivered.

³⁸⁰ Val. Max. 3.5.4 on the shame of Q. Hortensius Corbio; Tac. *Ann.* 2.37-8 on M. Hortalus' unsuccessful petition to Tiberius in 16 CE.

Valerius' account and which makes it easier for historians to write about her as a historical figure.

However, the issue remains of which aspects of the story we can assume were part of the knowledge of the contemporary Roman reader. Aside from Cicero on Hortensius and Valerius himself, all our other sources are *later* than Valerius. In addition, this is an *exemplum* and *exempla* are designed to look real, as we have seen; they must be plausible and give the impression of being historical, to the extent of attaching neat moral tales to recognised names of historical individuals. By juxtaposing sources, we can supply our own outside knowledge for a more informed reading of Valerius, but it is important that we are very careful and self-aware when we do this. Other sources are not further pieces of a jigsaw, as historians have tended to see them, but alternative variations of the story, recontextualisations and retellings of the *exemplum*. Each time Hortensia's story is retold it is retold for a reason, and we should not confuse the messages of later tellings with Valerius' own.

In Part III I shall first discuss scholars' interpretations of Valerius' passage. I shall then read the stories within the context of Valerius' project and argue that to do so makes a considerable difference to the way we interpret the stories and hence may use them as source material. Next I shall examine in detail the later ancient sources and discuss what they can contribute to interpretations of Valerius' text and suggest ways in which they have affected scholars' readings.

1. CURRENT READINGS

Doubtless partly as a result of the historical context apparently provided by other sources, it is the third section of Valerius' chapter, which features Hortensia, which is most often cited in modern scholarly works. Despite considerable changes in attitudes both in society as a whole and in academia in the past decades, the figure of Hortensia has continued to be linked with ideas of "emancipation". It is striking how many of the recent references to Valerius' tale occur in a chapter or section entitled something like "The Emancipation of Women", from Balsdon's textbook on Roman women (early in the history of scholarship on women in the ancient world) where it appears in a chapter headed "Female Emancipation,"³⁸¹ to the recent and far more sophisticated work on women in ancient Rome which has it under the heading of "l'emancipazione."³⁸²

In Sarah Pomeroy's work on women in the ancient world, Hortensia is mentioned in a section entitled "Education and Accomplishments", and here and elsewhere her story is taken as evidence for a high level of education among Roman women of the elite in this era of the late Republic.³⁸³ In many of these works the speech given by Hortensia, attested by Valerius as well as Appian and Quintilian, is understood as an actual historical event which can provide us with evidence for the degree of freedom which women possessed at this stage of Roman history. For others the speech itself is seen as the very moment of breakthrough when women first achieved this freedom for themselves: it is the very act of emancipation. The suggestion is that Hortensia was pushing back the frontiers of what was acceptable for Roman women. In his recent book on women in Roman politics, for example, Bauman goes so far as to write of Hortensia's "feminist philosophy"; he comments "the new woman has arrived"³⁸⁴ and "what does seem certain is that she took the question of women's rights much further

³⁸¹ Balsdon 1962, p. 45.

³⁸² Cantarella 1996, p. 70. Other examples include Lefkowitz 1983, where the article is entitled "Influential Women", Jane Gardner's work on women on Roman law, where the heading is "The emancipation of women" (Gardner 1986, Chapter 12, p. 287), and Evans 1991, where the subheading in Chapter 2 in which the story is cited is "the emancipation of Roman women" (p.13).

³⁸³ Pomeroy 1975, p. 171, pp. 175-6. See also Balsdon 1962, p. 45.

³⁸⁴ Bauman 1992, p. 64.

than anyone had done before.”³⁸⁵ It is clear that such scholars see this as a tale about empowerment, in which an educated woman of high birth has control over her own actions and, through persuasive speech, exerts power over the actions of others too.

The terms used to describe Hortensia’s action, beginning with the term “emancipation” itself with its implications of rights and liberation, are very much bound up with twentieth-century concerns about women and society, so we might immediately wonder how far they in fact reflect the concerns of the Roman culture which produced the story of Hortensia in the first place. In addition, using such an anecdote to generalise about women’s behaviour is bad historical practice. It could well be objected that the very fact that Hortensia’s speech was felt worth recording suggests that, on the contrary, women did *not* generally do this sort of thing at all, and hence it is the exception which proves the rule.³⁸⁶ There are no stories of women after Hortensia benefiting from greater freedom.

Although there is debate about whether the stories indicate emancipation or repression, scholars are very consistent in their interpretation of Valerius’ attitude to the story he tells: he is described over and over again as *praising* Hortensia. Pomeroy, for example, summarises this part of the chapter as follows: “Hortensia, the daughter of a famous orator, was *praised* for the speech she delivered in 42 BC.”³⁸⁷ According to Judith Hallett, whose discussion of this chapter is one of the most subtle there is, Hortensia was “*much praised* as bringing credit to her late father”, and in the same work we read: “Valerius Maximus....featuring Hortensia as the last of three *exempla*, *pays lavish tribute* to her performance here...and condones and *extols* her behaviour.”³⁸⁸ Lefkowitz introduces her story: “Hortensia was *praised*...probably what she said would have won male approval.”³⁸⁹

This notion that Valerius’ account of Hortensia’s speechifying is unproblematic praise is one that I shall be challenging in my own reading. First, however, I shall go on to

³⁸⁵ Ibid. p. 81. Further references to works in which Hortensia’s story is seen as one of emancipation are given by Rantz 1986 (p. 179 n. 3) and Marshall 1989 (p. 38, n. 13).

³⁸⁶ Rantz 1986 and Marshall 1989 make this point.

³⁸⁷ Pomeroy 1975, p. 175 (my emphasis).

³⁸⁸ Hallett 1984, p. 234 & pp. 58-9 (my emphasis).

³⁸⁹ Lefkowitz 1983, p. 60 (my emphasis). See also Marshall 1989 “praised without stint” (p.40), Rantz 1986 “éloge” and the more guarded “recounted with no word of blame” (Gardner 1993, p. 104).

look briefly at the way that the two other stories in Valerius' chapter and the chapter as a whole have been read and made use of.

C. Afrania or Carfania

In direct contrast to Hortensia, Afrania is seen by modern scholars as the object of Valerius' censure; she is "castigated"³⁹⁰ and "criticised"³⁹¹ and her story has "a palpably hostile tone."³⁹² In some sources she is listed alongside Hortensia without comment as further evidence of "emancipation,"³⁹³ but scholars have been most interested in the connection that can be made between this story in Valerius Maximus and the much later reference in the *Digest* to a Carfania (and sometimes to Carfinia in Juvenal).³⁹⁴ Ulpian describes Carfania as being the reason for the passing of an edict that prevented women from pleading on behalf of others; after citing the edict he adds the comment that it was the direct result of the immodest and irritating behaviour of a woman named Carfania:

sexum: dum feminas prohibet pro aliis postulare. et ratio quidem prohibendi, ne contra pudicitiam sexui congruentem alienis causis se immisceant, ne uirilibus officiis fungantur mulieres. origo uero introducta est a Carfania improbissima femina, quae inuerecunde postulans et magistratum inquietans causam dedit edicto.

It is easy to see why scholars have wanted to identify the two stories: the tone of them is very much the same, with a similar emphasis on lack of modesty and on the effect of the woman on the men who have to listen to her. The vocabulary is also similar and *improbissima femina*, for example, seems to echo *improbis feminarum moribus*. Most striking of all, the names are very close, and the variant that appears most commonly in the manuscripts of Valerius Maximus, *C. Afrania*, poses the problem of a woman who apparently has a *praenomen* – hence Briscoe's emendation. Discussions have focused therefore on whether the two women are one, the

³⁹⁰ Gardner 1993, p. 101.

³⁹¹ Gardner 1993, p. 104.

³⁹² Benke 1995, p. 208. Cf. Farrell forthcoming, p. 99: "unremittingly disapproving tone."

³⁹³ E.g. Cantarella 1986, p. 141.

³⁹⁴ See Gardner 1993, p. 100 ff., Marshall 1989 (further bibliography n. 26 on p. 44) and Labruna 1964 (further bibliography in n. 3 on p. 415). The sources are Ulp. *Dig.* 3.1.1.5 (in the *Digest* of Justinian) and Juv. 2.65-70. The latter is discussed by Benke 1995, p. 231 n. 29.

relationship between the two sources and on how to reconcile inconsistencies between the two accounts. In his notes (note 29 on page 231) Bauman 1992 discusses the identification of the two, pointing out that a *praenomen* such as *C.* seems to stand for (Caia) would be very rare for a woman (so that Valerius' name is likely to be an error). Others surmise that Valerius is Ulpian's source, and that it is Ulpian who has made the mistake in copying the name; Gardner, for example, writes of Valerius as the "garbled source" of Ulpian's account.³⁹⁵ The difficulty that Ulpian's edict is passed against women pleading *pro aliis*, whereas Valerius specifically mentions that Afrania spoke *pro se*, is mentioned as a problem by Gardner 1993, discussed by Marshall 1989 and dismissed by Benke 1995.

Bauman's use of the two sources is the most positivist. In his main text he has no difficulty in identifying the two as one, and concludes firmly that "Afrania/Carfania's excessive zeal was responsible for a change in the law." Later he assumes that the law was passed shortly after the date assigned by Marshall 1989 to the event, and that both Afrania's action and the edict affected women's life thereafter, despite there being no further evidence: "Although the edict against Afrania/Carfania was probably already in place, the repercussions of what she had started were strong and clear..."³⁹⁶ Labruna, on the contrary, concludes that it was *not* because of Afrania that the edict was passed.³⁹⁷ Benke, with the longer perspective of comparison with twentieth-century legal history, examines the story not so much as a historical event as a way of thinking about women and law: "Carfania became an instrumental part of a patriarchal strategy,"³⁹⁸ "[the story] first arouses Roman men's fears that women might achieve some autonomous position in the gender discourse by styling Carfania as a monster. The *exemplum* then relieves their fears by defeating Carfania herself and, at the same time, by eliminating the danger of such monsters arising in the future."³⁹⁹ This interpretation is once again concerned with thinking of the narrative in modern terms (women's suffrage in a patriarchal system). However, Benke acknowledges that the story is an *exemplum* and has a didactic role; it seems

³⁹⁵ Gardner 1993, p. 104.

³⁹⁶ Bauman 1992, p. 51 and p. 67.

³⁹⁷ Labruna 1964. Cf. Gardner 1993 p. 101: "as she plainly was litigating on her own behalf, her activity is irrelevant to the ban discussed by Ulpian" and 1986 p. 263: "Ulpian cannot be right in making the connection."

³⁹⁸ Benke 1995, p. 208.

³⁹⁹ Ibid., p. 212.

that it is easier to think of Afrania's tale in this way than Hortensia's.

Maesia the ambiguous

The first story in the chapter, that of Maesia Sentinas, barely appears in secondary literature at all, a fact noted by Anthony J. Marshall, whose article is (as far as I know) the only lengthy discussion of this tale that exists: "Maesia does not...deserve the disregard shown by the minor and perfunctory appearances allowed her in modern discussions of Roman women."⁴⁰⁰ Marshall puts this disregard down to the fact that there is no secure dating for the tale, nor any further evidence for the event in extant sources.⁴⁰¹ I would suggest that it is also the difficulty of understanding quite what we are to make of the tale which has put scholars off. While Hortensia's story is "praise" and Afrania's "censure", Maesia's appears to be an uneasy mixture of the two: what Marshall describes as "some grudging admiration for her rhetorical expertise"⁴⁰² combined with "moral...censure."⁴⁰³

Marshall views Maesia's story as both educational and historical: she is "a striking object lesson of abandonment of womanly decorum and breach of the taboo on self-representation in court by women", but nevertheless, and despite the absence of any other evidence, "Valerius Maximus' narrative need not be held suspect as a mere moralising fiction." He discusses and dismisses the use of the story in debates about emancipation,⁴⁰⁴ suggests that "such rhetorical expertise indicates that Maesia was well-educated...",⁴⁰⁵ but is primarily interested in what the tale can tell us about legal procedures: "her case may be seen as a challenge to the prevailing axiom that women, like slaves, could not be tried in any of the criminal *quaestiones* of the late Republic."⁴⁰⁶

⁴⁰⁰ Marshall 1990, p. 49. As he goes on to say, most mentions of Maesia in modern works (some listed in his note 8) are no more than that, and there is virtually no analysis of the story. Her story is almost never lifted from the context of Valerius' chapter as the others are, so that when she is mentioned it is as part of the list of three women. In some works she is even omitted where there is reference to the stories of Hortensia and Afrania (e.g. Cantarella 1986, p. 141).

⁴⁰¹ Bauman 1992 tries to date the event (p. 231 n. 28) as does Marshall: "The praetor named is of uncertain date and cannot be identified with any assurance, but he is probably to be assigned to the first half of the first century B.C." (Marshall 1990, p. 47 with n. 2 and cf. pp. 56-8).

⁴⁰² Ibid. p. 47 and Marshall 1989 "awards praise," p. 41.

⁴⁰³ Marshall 1990, p. 48.

⁴⁰⁴ Ibid., p. 49 n. 9.

⁴⁰⁵ Ibid., p. 47.

⁴⁰⁶ Ibid., p. 49.

The chapter as a whole - contradictions

When one sees the opposing ways in which the stories of Afrania and Hortensia have been interpreted as "praise" and "blame," it is clear that at first sight there are contradictions within Valerius' chapter. Some scholars have looked at the chapter as a whole and tried to address these contradictions. Rantz, for example, argues that the tales are not evidence of emancipation at all, but that, on the contrary, the extremely hostile reactions to the women's behaviour and the revulsion of the introduction are evidence of the repression of women at this time. The anomaly of Hortensia is then explained by the fact that Valerius is not suggesting that he wishes Hortensia could have had a career in oratory, but only that her male relatives should.⁴⁰⁷ Marshall urges caution in even entering this debate: "caution must...be exercised against the imposition of any preconceived perspective or theory of interpretation drawn from modern social attitudes, especially those of progressive 'emancipation' or intensifying 'repression.'"⁴⁰⁸ Rather, as in the article on Maesia, he seeks to use the material to answer questions about legal practice. "Important and intriguing questions remain as to the conditions under which the Roman woman might appear and act for herself by suing in person etc..."⁴⁰⁹

Judith Hallett, who provides the most sophisticated reading of the chapter, makes sense of the contradictions within her framework of "Same" and "Other". Her thesis is that Roman men thought about Roman women using a bipartite model, which could simultaneously view them as weak and morally inferior, and, in certain circumstances, as "in many respects similar and equal to individual men in their families and social circles."⁴¹⁰ Women are most often described as "Same", she argues, when they are being compared to members of their own families: "we find the clearest articulation of this concept in descriptions...of kindred individuals." Hallett discusses passages which provide evidence of "Sameness",⁴¹¹ but draws attention to the fact that all the

⁴⁰⁷ Rantz 1986.

⁴⁰⁸ Marshall 1989, p. 38.

⁴⁰⁹ Ibid, p. 39.

⁴¹⁰ Hallett 1993, p. 49.

⁴¹¹ Cicero's description of his own daughter as *effigiem oris, sermonis, animi mei* (*Q. Fr.* 1.3.3); his praise of the daughters of C. Laelius and L. Licinius Crassus (*Brut.* 211-2); Pliny's comparison of the *mores* of Fundanus and his dead daughter (*Ep.* 5.16); also Agrippina displaying the qualities of a military leader while calling on Agrippa and Augustus as ancestral precedents (*Tac. Ann.* 1.41ff) and Porcia's invocation of her father Cato (*Plut. Brut.* 13).

authors from which they come also write elsewhere about women in terms of “Otherness”; so these two views, quite distinct from one another and even contradictory, nevertheless “coexist” and “cohabit” with one another, sometimes even within the same passage. She uses Valerius Maximus 8.3 as an example of this coexistence in action; whereas Afrania and Maesia are presented in a bad light for their public speaking, Hortensia is praised, and the reason for this is that she is being compared to a male relative – her father.

Rantz, Hallett and Benke then (and to some extent Marshall) have read the stories as indicative of male attitudes towards women in ancient Rome (whether during Valerius’ time or in the era in which the events described are thought to have occurred): of changing, liberalising attitudes, of repressive attitudes, or of the idea that it is acceptable for a woman to be praised for possession of a family quality, in the context of her kin. The very fact that the same passage has been used as evidence of such differing attitudes indicates how difficult it is to analyse sources in this way. Other scholars have tended, more or less skilfully, more or less polemically, to treat Valerius’ chapter as historical material, and to try and see the reality of women’s lives or of the legal situation (as in the case of Gardner and Marshall) behind the tales.

These approaches to the text as a source reflect different methodologies and shifting interests. They also illustrate the fact that even today these ancient *exempla* are able to provide ways of thinking about such issues as women’s history, education and the law; indeed Benke 1995 and Cantarella 1996 explicitly recontextualise the stories within modern debates about women in society. However, in the following chapter I shall draw attention to the context which is largely ignored by scholars: that of Valerius’ work and its didactic aims. A literary analysis of Valerius’ text, reading the chapter as a coherent piece within a coherent whole, brings us to a new understanding of the material.

2. READING THE TEXT

The introduction:

Ne de his quidem feminis tacendum est... Valerius begins the chapter with these words - a compelling opening which seems to promise that in some way or another the stories about women which follow will be worth reading. Why is it, we want to know, that one must not be silent about these women? What qualities do stories that must be told, that must be handed down, possess? Should this opening phrase be read with a tone of indignation or one of enthusiasm? Are the stories to be read for entertainment ("I must tell you the one about..."), as a warning ("Watch out for this sort of thing..."), or for edification ("These stories are important")? *Ne quidem tacendum est* clearly refers to Valerius' own telling of the following tales (I cannot be silent...), but can also be read as an instruction that these stories should continue to be told by those who are reading them, and passed on to others. At any rate, there is a suggestion that it is imperative that these stories be told, that there is a purpose and a reason for telling them, which makes the reader wonder - what are we supposed to get out of them?

This introductory sentence sets up a relationship between the author, the reader and the protagonists of the tale, by the repetition of the word *tacere* (*tacendum*, *tacerent*); Valerius and the reader *must not be silent* about these women, who were themselves *unable to be silent*. They could not, or would not, shut up; we should not. It is the fact that these women spoke which forces Valerius to speak too, and anyone else who retells the stories afterwards. Speaking women must not silence men.

Another interesting element of this introductory phrase is the formulation of *condicio naturae* and the *uerecundia stolae*. These are the two factors which ought to hold a woman back from speaking publicly: her natural condition and the sense of modesty associated with her *stola*, which represents her matronal status.⁴¹² Speech here is associated with lack of decorum, a lack of the proper *uerecundia* or sense of modesty, so that public speaking is immediately identified both as gendered (inappropriate for a woman) and as a moral issue.

The construction of the sentence presents female identity in a certain way. There are two aspects of being female to which it alludes: *natura* and *stola*. These may stand for two separate aspects of what it means to be a woman - the physical or biological (*natura*) and the social or cultural (*stola*) - which should have prevented the women from behaving as they did.⁴¹³ What this suggests is that being female is a question of repression: because, in this case, the essence and trappings of being female - nature and dress - fail to do their jobs, are not strong enough to inhibit (*cohibere*) these women, the women do not fulfil their accustomed role of silence. Since femaleness is usually associated in Roman thought with weakness, this way of expressing the situation creates a strange paradox, where it is the womanly *weakness* that is not *strong* enough to keep the women in their place.⁴¹⁴ In addition it may suggest that it is more natural to be male than to be female, and that womanhood is achieved through additional, inhibiting factors which suppress one's natural masculinity.

MAESIA

The first example in the chapter is that of Maesia Sentinas, and on one reading, this passage is admiring of Maesia, who is described as brave and skilled in rhetoric. The phrase used to describe the rhetorical skill of her speech uses technical terms echoing the rhetorical handbooks: *motusque omnes ac numeros*.⁴¹⁵ This gives a stamp of authority to the praise - this is serious public speaking by someone who knows the ropes, rather than an improvised speech. In the story, Maesia impresses almost all who hear her speak and she is immediately acquitted: *et prima actione et paene cunctis sententiis liberata est*. Her speech is successful, and, given the importance of the persuasive skill of rhetoric in Valerius' time, this is no mean achievement. She is described as conducting her defence *non solum diligenter, sed etiam fortiter* and this vocabulary, as we saw in the case of the women in Part II, associates her with male

⁴¹² Cf. p. 77 above.

⁴¹³ We must be wary however of falling into the trap of seeing them as corresponding to the categories of "nature" and "culture", which we might expect today.

⁴¹⁴ As in the legal phrase *infirmitas sexus* which was used to justify the limits placed on women's legal rights.

⁴¹⁵ Cf. Val. Max. 8.10 on the importance of movement in an orator's delivery. An alternative reading in some manuscripts is *modus* for *motus*, and Marsh all 1990 taking this reading gives some references to classical instances of the use of the terms *modus* and *numeros* in "rhetorical prose-rhythm" in n. 3, p. 47. Either way, the terms refer to skilled oratory.

Roman heroes fighting in battle, whom Valerius has written of in preceding sections (such as 3.2) as the pinnacle of Roman virtue.

Then, in the concluding sentence of the section, Valerius explains that they called Maesia "Androgyne", and they did this because: *sub specie feminae uirilem animum gerebat*. In this formulation of the situation, her effective speechifying has betrayed a *uirilis animus* - a virile mind, or soul - which lies under her female appearance or *species*. We may note that the verb used is *gerebat* as though she is also "wearing" her virility, just as she wears the symbol of her femininity, her *stola*, as if what we might term "gender" is always a question of dressing up. However, here the fact that Maesia looks and dresses like a woman is not enough to prevent her virile soul from dictating her behaviour. In fact, the female side of Maesia can now be seen to be flimsy and insubstantial - literally superficial, it resides only in her *species*. As in the introduction, where the nature and trappings of femaleness were not enough to prevent women from speaking out, Maesia's masculine part has triumphed over her female, just as Lucretia's did in 6.1. The reader may identify (with) her as an honorary man.

As we have already seen, the words *fortis* and *uirilis* are usually used to praise men; indeed it is their association with masculinity which lends them their positive moral significance. Thus this use of "masculine" language of approval to describe Maesia's defence could be thought of as another linguistic device to make her behaviour seem inappropriate for someone of her sex. Yet it is also the case that even if this is one effect of using such vocabulary, in a language which genders morality and capability as explicitly as Latin, another effect must be to align Maesia with the positive side of the gender/morality polarity.

But what are the implications of calling someone Androgyne (Man-Woman)? Is it a compliment (calling attention to her positive, virile qualities, as the above favourable reading of the section might encourage us to feel), an insult (taunting her as no longer being a woman, as strange and unnatural) or is it designed to call attention to the fact that her behaviour, admirable in itself, is also inappropriate for a woman?

This uncertainty as to how the term "Androgyne" should be interpreted is reflected in

the different responses which modern scholars have to this story (and it may well be, as I have suggested above, that the reason why this story is so rarely cited is that it is so unclear from the beginning what is going on). The situation is summed up neatly by the way the word Androgyne - as a name - is treated by the major Latin/English dictionaries, since the translations which they provide are in both cases derived from this passage and thus show clearly how it has been interpreted by the compilers.⁴¹⁶ The translation given in Lewis and Short is: "a masculine, heroic woman." There is no qualification offered, and this leads to the conclusion that to call a woman Androgyne is to praise her unambiguously. The authors of the *OLD*, on the other hand, have read the story slightly differently, and have preserved some ambiguity by defining Androgyne as "a nickname given to a *mannish woman*" (my emphasis). The difference between the terms "heroic" and "mannish" is a crucial one, and we are once again free, as far as the *OLD* is concerned, to deplore Maesia's action. "Mannish" describes *misplaced* masculinity - you wouldn't call a *man* "mannish" - without bringing with it any of the confusing positive moral connotations.

Of course, the name Androgyne is itself intended to convey ambiguity and the inability to define someone as one thing or another, so I would argue that this confusion is deliberate and instructive. No translation of the name is necessary or possible, and indeed the word itself is Greek, suggesting that the state of being defies definition in Latin too.

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Gender confusion:

One function of the nick-name "Androgyne" is to call attention to the paradoxical nature of Maesia's behaviour, paradoxical *because* of her sex. The word *uirilis*, which is used to describe her spirit, is juxtaposed with the word *feminae*, so that there is no forgetting that as well as meaning *forceful* or *courageous* the word is first and

⁴¹⁶ Both Lewis and Short and the *OLD* treat this instance of the word as a case apart from other appearances of the word in ancient literature, and as a proper noun. It is difficult to distinguish between a nickname and a common noun in Latin (especially in an instance such as this) and the word appears in the manuscripts with both upper and lower cases for the initial letter. In fact, given the nature of the word, it probably doesn't matter too much if we think of it as a name or as a description - just as if you taunt someone in the school playground by calling them an "it" the whole point of doing so is to take away their personhood and make them into a "thing".

foremost an indication of gender. As we have seen, this linguistic problem or formulation is often encountered in Latin literature; Roman authors love to play with it. The word for “moral excellence” is *uirtus* which also means “manhood”, the state of being a man. Therefore, praising a woman in Latin is *always* paradoxical and Valerius deliberately draws attention to this in several places. To praise Maesia as an orator must be to describe her in terms of *being* a man or being *like* a man. Equally, by speaking, Maesia has rendered herself man-like, since oratory is an activity for men to excel at.

However, the nickname “Androgyne” makes this difficulty of gendered characteristics explicit, and even, by analogy, real and physical. Valerius’ version of the story can be seen as exploring the tensions surrounding the position of women in a system of moral thinking gendered as the Roman system was - where to say “manly” is to say “morally excellent”, “strong” “brave”, and to say “womanly” is to say “cowardly”, “weak”, “morally weak”. Ultimately, in such a conceptual framework, for a woman to display certain qualities is to compromise her sexual status, to become androgynous, and Maesia’s new name hammers this point home.

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Prodigies:

However, the word *androgyne* has more resonance to it than simply that of gender confusion. As we have already seen, the dictionaries treat this as the only place in Latin literature where the word is used as a name.⁴¹⁷ More usually, it is used as a common noun (along with *androgynus*) of hermaphrodites: people who are born half-male and half-female - with both sets of genitals. These are mentioned by Livy among the prodigies for which the consuls were atoning in 209 BCE: *Sinuessae natum ambiguo inter marem ac feminam sexu infantem, quos androgynos uolgens ut pleraque, faciliore ad duplicanda uerba Graeco sermone, appellat...*,⁴¹⁸ and are also mentioned by, for example, Cicero: *ortus androgyni nonne fatale quoddam monstrum fuit* (Div. 1.43) and Lucretius: *multaque tum tellus etiam portenta creare/ conata est*

⁴¹⁷ This does not of course mean that it was not in common parlance as in insult, simply that there is no other such occurrence in literature; we cannot rule out the possibility that it was a common term.

⁴¹⁸ Livy 27.11.

mira facie membris coorta/ androgynem, inter utrasque nec utrum utrimque remotam (5.837-9). A quick glance through this collection of instances makes it clear that in every case the birth of an *androgynus* or *androgyne* is regarded as a prodigy: a sinister event which portends disaster.⁴¹⁹ In the citations from Cicero and Livy, the birth of such a person is recorded among lists of many other portents of doom, at times of national crisis.⁴²⁰ Cicero describes such a creature as *fatale monstrum* - an ill-omened freak, a death-dealing monster.⁴²¹

So let us ask the question again: what would it mean to call a woman Androgyne?

Commonly, the word is used to describe something which is sinister and against nature, and it would not be unreasonable to assume that it was precisely these aspects of Maesia's behaviour which those in the story who gave her the nickname (*appellabant*) - and also Valerius, in using the name again - wished to bring out. Later, Plutarch too will make the same connection; he tells the story of the Roman senate asking an oracle what this unusual phenomenon portended for the city: "at any rate, it is said that when a woman once pleaded her own cause in the forum, the senate sent to inquire what the event might portend for the city."⁴²²

The first tale of the three, then, fits most appropriately with what we have read in the introduction, where the speech of the women is described as being by implication against nature, or, at least, against women's nature: it is the women's *condicio naturae* which is not strong enough to prevent them from speaking out in the courts and in the forum.

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⁴¹⁹ For more on prodigies in Roman society and the implications of such a birth see McBain, 1982 pp. 65 f. and the Appendix which gives references to relevant passages in Latin literature.

⁴²⁰ At a later date Pliny (*HN* 7.3.34) confirms that *androgyni* (now called *hermaphrodites*) used to be thought of as prodigies - supernatural signs about coming disaster - although "now", they are found entertaining, perhaps even used as sexual playthings (*deliciis nunc*).

⁴²¹ Which is of course Horace's phrase for Cleopatra, another woman who looks transgressive to Roman eyes.

⁴²² See note 376 above.

AFRANIA

The second story, that of **C. Afrania**, the next talking woman, also supports this interpretation of the significance of the name Androgyne. In contrast to the skilled speech of Maesia, Afrania's speech is described with the term *latratibus* (barking), a term which is resonant of *bad* oratory rather than good.⁴²³ There are also shades here of the Scylla - another threatening and monstrous female - with her barking loins.⁴²⁴ A barking woman is also a grotesque inversion of another common prodigy, the talking animal. This passage also conveys a sense of Afrania's shocking invasion of a male preserve: the word *exerendo* suggests that she has worn out the tribunal; the word *prorogavit* is a formal term describing the extending of a magistracy, as if she is on the verge of usurping male political roles too. Even the version of her name which appears in the manuscripts, and has worried scholars, may be deliberately transgressive; the C. or Caia which precedes Afrania looks like a male *praenomen*.

Most striking, however, is the last sentence of this passage. Here Valerius describes Afrania as a *monstrum* - something both unnatural and portentous, which must surely resonate with the use of the name Androgyne above, confirming that we may think of these women as freaks.⁴²⁵ Moreover, Valerius writes that one must record the death of such a creature rather than her birth: *quo tempore exstinctum quam quo sit ortum memoriae tradendum est*. As we see from the citations from Livy and Cicero, it is the *birth* of monsters which is the significant event, and Roman tradition held that such a baby had to be killed immediately as a form of expiation, to prevent horrible consequences for Rome. Valerius makes a fuss about avoiding writing about the birth, while at the same time drawing attention to it with the word *ortum*. He stresses instead that it is the death which should be spoken of, suggesting perhaps a sort of textual re-enactment of the approved reaction to such prodigies: the passage literally kills her off.

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⁴²³ See e.g. Cic., *Brut.* 15.58: *latrant enim iam quidam oratores, non loquuntur*, where the verb is used to describe bad oratory. Cf. Hor. *Sat.* 1.3.136.

⁴²⁴ E.g. at Ov. *Met.* 14.52ff.

HORTENSIA

By this point we have come all the way down through the text which precedes the Hortensia story, and, while it is unclear precisely what we are to make of the chapter, it seems to be parading some sort of freak show. So far, Maesia has been tagged “*androgynē*”, and her narrative becomes, after comment, the most unusual story of a woman who pleaded her own defence - behaviour so unnatural and disturbing that she was nick-named “Freak” because she had conducted herself in a way which should have been alien to a woman. Next we have Afrania, who is explicitly described as an *exemplum* of behaviour to be avoided: *muliebris calumniae notissimum exemplum euasit*, whose name has itself become a way of insulting other women: *pro crimine improbis feminarum moribus C. Afraniae nomen obiciatur*, and whose birth is too sinister to be mentioned. These two stories, it may be noted, indicate the power of names in such an exemplary situation: in both cases women are called names as a way of describing and perhaps controlling their behaviour – in the first case the woman is labelled, and in the second the idea is taken a step further when the woman’s name itself becomes a label with which to blacken the reputation of other women.

Clearly this freakish context will influence our understanding of what the Hortensia section is all about. As in the case of the other sections, it is the concluding sentence of the *exemplum* (the authorial comment upon the narrative) which really ties Hortensia’s story into this framework, and the final authorial comment puts an interesting and ambiguous spin on the narrative. However, before I talk about this I shall look at the meat of the *exemplum*, the narrative which precedes it, and draw out some of the differences between Hortensia and the two preceding women.

First, Afrania is described as *prompta ad lites contrahendas*. It is made explicit that it was not that there was any lack of men who could plead on her behalf (*non quod aduocatis deficiebatur*), but that she wanted to speak herself – an indication that she was overflowing with *impudentia*. In direct contrast, Hortensia is *forced* to take on her own public performance because there is no man who will dare to speak on the women’s behalf: *nec quisquam uirorum patrociniū eis accommodare auderet*. The

⁴²⁵ Cf. the juxtaposition of these two terms in Cicero at *Div.* 1.43.98.

implication here is that Hortensia is reluctant - the sense in the passage is that they have tried all the men (all their husbands?) before realising that she is going to have to do the deed herself.

This passage gives us a little more sense of the context of her speech and of what she is pleading than in the previous two cases. She is speaking on behalf of a group described as *ordo matronarum* and *feminae* – the most respectable of Roman women - and her intention is to release them from the payment that is being sought by the *triumviri*. The narrative appears sympathetic to this aim, with its suggestion that the imposition of tax is unreasonable: the group of women is described as *gravi tributo...oneratus* – loaded terms.

Following Hallett's argument, Hortensia's eloquence may also be seen as a praiseworthy quality because it occurs within a kinship context. It can be thought of as *Hortensian* eloquence, rather than *Hortensia's* eloquence.

Like Maesia, she achieves her purpose through speaking and her rhetorical skill is described in positive terms; there is an echo of Maesia's *non solum diligenter sed etiam fortiter* in Hortensia's *et constanter et feliciter*. However, Hortensia's adverbs are slightly less troublesome; as we saw, *fortiter* is a term associated with masculinity, and this is not so clearly the case for *feliciter* and *constanter*.

Finally, not only has Hortensia no desire to speak, but when she does, it is not with her own voice, but with the voice of her father that she speaks, and her female body becomes the vessel through which her father may live again: *reuxit tum muliebri stirpe Q. Hortensius...*

Unlike Afrania's *notissimum exemplum*, Hortensia seems to be a positive model in that she is to be fully involved in passing down the quality of eloquence – *facundia*. She inherits a skill from her orator father, which Valerius tells us the male Hortensii should have learnt and should learn: *si uirilis sexus posteri uim sequi uoluissent...* In standing as a potential *exemplum* for the younger generations of Hortensii, Hortensia is fulfilling a role which we read in other sources is most appropriate for a female family member – the education of the young male. Several ancient authors make

reference to the importance of the mother's role in the early education of sons.⁴²⁶ Her involvement in passing down excellent family qualities through the generations also mirrors another important female role within the family – that of reproduction.

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Hortensia appears to play a pivotal role in the handing down of family traits: she receives eloquence from her father and is ready to pass it on down (although unfortunately the descendants do not want to learn, which inhibits the process).⁴²⁷

Yet, even so, a re-examination of her (grammatical) role within Valerius' narrative reveals that she is not, after all, the driving force behind the events. In both sets of relationships – which we might formulate as: Hortensia learning from her ancestors, Hortensia teaching descendants – it is in fact the *males* in the story who claim the active verbs.⁴²⁸ It turns out on closer reading that it is not so much that Hortensia has imitated her father but rather that he re-lives in her and inspires her words: *reuixit tum muliebri stirpe Q. Hortensius uerbisque filiae aspirauit*. The word *aspirauit* so coming after *reuixit* almost suggests that he is literally breathing his speech through her mouth, much in the manner, perhaps of (the male) Apollo's inspiration of the (female) Sibyl. Seen in these terms, Hortensia is the instrument of her father's talent. In the structure of the sentence, his "actions" mark out the frame of Hortensia's. Grammatically her actions are subordinated to his.

In the same way, it is not so much that Hortensia's *exemplum* actively fails to inspire through any explicit fault of its own; it is the men who come after her who lack the will to imitate – *cuius si uirilis sexus posteri uim sequi uoluissent...* In addition, it is not entirely clear to whom the *cuius* half-way through the last sentence refers; does it

⁴²⁶ See further Hallett 1989 and Dixon 1986. The figure of Cornelia is much lauded in ancient sources for the excellent education she gave her sons.

⁴²⁷ We may note that the two formulations of female-on-male and male-on-female imitation do not have the same status in the text. Hortensia *does* successfully imitate her father – so successfully indeed that he seems to live again in her as she speaks. Meanwhile, the male descendants (*uirilis sexus posteri*) fail to follow the precedent that Hortensius has set and that she has newly set. There is no need to find this particularly significant for our understanding of the relationship between gender and exemplarity: we can read it instead as saying something about the decline of virtue through time. But it is worth bearing in mind that here female as imitator worked, female as *exemplum* did not.

depend on the *filiae* or on *Q. Hortensius*? Whose *uis*, in other words, should the male descendants have followed? It may be that Hortensia is not the model at all, but that Valerius is lamenting that they did not directly follow the model of Quintus. In which case Hortensia has been written out of the equation altogether, and it is Hortensius whose eloquence is of importance. Further, even when it is Hortensia who is speaking, the eloquence belongs to her father, and he is living again through her.

The stress on the sex of the *posterī* (*uirilis sexus*) also tends to write Hortensia out of the picture. There is no real need to stress their sex - *posterī* is a masculine noun in any case - except to underline the contrast between Hortensia's sex and theirs. This insistence that it is specifically *male* relatives who should have been eloquent suggests that there is little merit in the eloquence of a woman. The deliberate exclusion of female descendants from the picture suggests that female eloquence does not count for anything, and that eloquence could never be expected or looked for in a woman - even a Hortensian woman - as it is in a man; there is no sense that Hortensia's daughters or great-great-grand-daughters might rekindle the flame. Or rather, it is not that the possibility of thinking about Hortensia's daughters is not there, but that the text deliberately steers us away from this kind of thought. Perhaps Valerius needs to reassure the reader that women have no place in the world of oratory, since merely by telling the stories in 8.3, however critically, he seems to assert the opposite.

If it is only a man's eloquence which is important, Hortensia is no more than a vehicle for conveying a male quality from man to man. Denigrating the eloquence of a woman in its own right, Valerius' final comment of the chapter laments the fact that Hortensian eloquence ended with Hortensia, and did not follow its natural course and find a proper residence in male Hortensii: its trajectory through the generations was prematurely aborted because of the fact that it (came to reside in a woman, and then) stopped. All this cuts across the reading of Hortensia as a courageous female orator in her own right. Indeed, the praise of Hortensia which appears in this passage and can point the way towards a positively nuanced telling of her story can be read as cruelly ironic: a male-identified reader understands that no matter how eloquent and effective Hortensia was, her performance is ultimately useless, because its *telos* was male excellence, not female excellence.

⁴²⁸ As in the case of Verginia above, p. 93 and 132 ff..

Hortensia is both the pivotal point of the exemplary workings of this tale, and at the same time a figure whose autonomy can be seen to be grammatically reduced to nothing in its telling. At once playing a crucial role and yet scarcely existing, this version of Hortensia embodies the puzzle set for the woman who tries to enter the exemplary world. Neither wanting to speak, nor in fact speaking in her own voice, nor being grammatically active, Hortensia, therefore, avoids the vituperation incurred by the previous two women. However, her decision to step forward in this way has perhaps done damage elsewhere.

Abscis(s)a:

Let us examine the word *abscissa* in the hypothetical final sentence of this section:

Hortensianae eloquentiae tanta hereditas una feminae actione abscissa non esset.

After Hortensia's speech, Hortensian eloquence failed to follow its trajectory through the generations and was *abscissa* - prematurely aborted. There are two possibilities offered in the manuscripts: *abscissa* (from *abscindere*, to tear off) and *abscisa* (from *abscidere*, "to cut with a sharp instrument").⁴²⁹ Both are extremely violent verbs - to cut, break or tear away, (often of parts of the body). "Cut off" is about as neutral a translation as is possible. Of the two options I prefer *abscidere* because of the scope it offers for word play⁴³⁰; it is also a technical rhetorical term used to describe concise speech, another sideways compliment for Hortensia's speechifying, perhaps. However, both verbs are also used in rhetorical contexts to describe breaking off in the middle of speaking. Briscoe 1998 vol. II has *abscissa*, but for *abscisa* as a plausible variant see his notes on p. 512.

The word is accompanied by the phrase *una feminae actione* - the single action (pleading) of a woman. But the ablative of this phrase is ambiguous; how exactly does it relate to *abscis(s)a*? One explanation is that Hortensian eloquence was brought to an end "in one speech from a woman"; this was its last manifestation and

⁴²⁹ Definitions from Lewis and Short. The terms were sometimes confused by Roman authors too, according to *TLL*.

⁴³⁰ The term is also used frequently by Valerius elsewhere in his work, e.g. 3.3.ext.4, 4.7.4, 6.8.3, 1.1.18 and 3.2.22, in the context of physical violence and even castration.

Hortensia performed the swan-song. Even so, the emphasis on the sex of the final Hortensian orator is clearly important, as is the emphatic *una* - it only took one speech - and we can hardly fail to wonder whether there is a causal connection being drawn between Hortensia's speech and the death of Hortensian eloquence: Hortensia's one show of eloquence somehow ended the possibility of handing down such eloquence to future generations. This would take us back to the introduction, and the repetition of *tacere*, which drew a connection between female inability to remain silent and man's imperative not to. This story makes Valerius' opening injunction not to remain silent all the more poignant; talking women *have been known* to silence men, even in a single speech.

Another way of interpreting the grammar of this sentence takes this idea a step further. A violent word such as *abscindere* or *abscidere* seems to demand an instrument, and this would be neatly provided by the ablative phrase *una feminae actione*: the inheritance was curtailed *by* this one *actio* of a woman. But how might Hortensia's eloquence have performed such a violent act?

One explanation is that it comes about because, despite the fact that she is speaking on behalf of an *ordo matronarum*, she fails to perform her matronal role within the family properly. I noted earlier in this chapter the parallels between Hortensia's role as an *exemplum* for future generations and the traditional generative and educational roles of the mother in Roman society. Yet this association of women with the generation of offspring in a family works against Hortensia too. For *this* woman has, through her behaviour, aligned herself (or Valerius has aligned her by placing her at number three in chapter eight) with prodigies and freaks, androgynous creatures which are necessarily sterile, and associated in any case with the death of babies. As the introduction tells us, she is acting against the womanhood of the *stola* by participating in activities with which a *matrona* should not be involved. Hortensia too can be seen as a freak who transgresses gender boundaries and bodes ill for her family.

Read in the context of Valerius' whole chapter, 8.3 is revealed as neither simply "praise" of Hortensia, nor a straightforward narration of events. It is thematically bound with the other two stories and with the introduction to form a piece which addresses the issue of the gendering of Roman oratory. The chapter embraces the

contradictions inherent in the notion of female orators - the acknowledgement of talent, the wonder, the sense of danger, the disgust - and Hortensia's story does this no less than the others.

Valerius is explicit that these tales have didactic purpose, but less explicit about what it is they are designed to teach, and as in the case of 6.1 we find that there is a variety of different messages which can be conveyed by the *exempla* in this chapter. In 8.3.2 Afrania is described as an *exemplum* of the abstract quality of *muliebris calumnia*. Valerius' use of the term *exemplum* for Afrania suggests that she provides a model of behaviour, and we infer from his portrayal of her that it is one to be avoided rather than imitated. The double meaning of the word *evasit* - to end up/escape - encourages this: it describes Afrania becoming an *exemplum*, but also hints at the reaction of other women who flee before her example. The tale may be an illustration of true female unpleasantness for a male audience, but there is also the implication, as in the case of 6.1, of a female audience who can learn from this how they should *not* behave: how to avoid *improbi mores* and the vice of *impudentia*.

8.3.3, on the other hand, can be read as providing a model of a positive *exemplum*, as well as warnings about the failure of the exemplary process: Hortensia's male descendants view her positive example but fail to follow it: *cuius si uirilis sexus posterius uim sequi uoluissent*. This family itself stands as an *exemplum* from which non-Hortensian readers may draw more general lessons for their own benefit: the familiar message that it is important for the reader to learn from *exempla*.

Specifically, this chapter communicates the idea that it is a terrible pity if male descendants do not inherit the laudable qualities of their ancestors; readers learn from this story about the importance of striving to imitate the qualities of ancestors, and of passing down these qualities to succeeding generations. The passage also exemplifies the virtue of rhetorical excellence, which the Hortensian descendants should have learnt; Hortensia potentially stands as an *exemplum* of rhetorical skill for a broader audience.

How a reader applies such lessons to their life will depend on their specific circumstances. For example if the reader were a mother (or a potential mother), she

might focus on the female relative's role in this process. In the context of the importance of male descendants' emulation of the virtues of their forebears, a mother of sons might well be drawn to think in terms of her own duty to inspire her sons in this direction. The message would be that she must involve herself after all in this process of learning about eloquence (or whatever her family speciality is) for the sake of her male off spring. A male reader might focus on the importance of imitating his ancestors and on the cultivation of family traits in himself.

Hortensia's story may also be read as a warning about female transgression and its effect on family inheritance and tradition. It undermines the excellence of Hortensia's behaviour by suggesting that it is destructive, by framing the narrative within the idea that this is a highly unsuitable action for a woman to be taking. The chapter provides something for both men and women to shudder at and be fascinated by: a display of freakishness. One message is that women and oratory do not belong together; their congruence is dangerous, disgusting and something to be avoided.

The lesson which this teaches will again to some extent depend upon the reader and how they identify themselves. For instance, there could be a direct lesson here for a female (or female-identified) reader: do not speak. The chapter warns a woman not to get involved in oratory for fear either of *becoming* a monster, or, at the very least, of being *labelled* as one by those around you. It describes the kinds of reactions that women can expect if they step out of the sphere of activity which should be limited both by their natural condition and by the restraints of their position in society - the names they will be called, the infamy they will earn for themselves. For a male reader, the way the chapter applies to his own life might be subtly different. It might have a message something like that which Benke finds in the Carfania tradition: a creation of a threatening figure - the effective female orator - combined with a defusing of its potency (through name-calling) which brings reassurance. Even if women do sometimes break out of the limits imposed on them by their sex (*condicio naturae/ uerecundia stolae*), when they cross into male territory they destroy their own feminine identity in the process, without ever reaching true virility - all they can achieve is androgyny.

In the modern literature we have seen quite another reading of these tales, one which sees them as potential inspiration for other women – proof that in the past women have spoken well and effectively and have reached the heights of eloquence that are usually reserved for men. The actions of Maesia, Afrania and Hortensia can be read as something for women to aim for.

To read this chapter is to participate in a dramatisation of the issues that present themselves when we think about the relationship between speaking and identity, and try to understand how male and female *exempla* functioned in Roman thought. The figures of these women challenge conventional Roman notions about the unsuitability of women performing in a “masculine” sphere of oratory; they also confirm them, as well as stimulating us to wonder and to worry about them. In a work which is very likely designed to be read by those who are involved in a rhetorical training or in oratory as a profession, a chapter which writes about the rhetorical skill and performance of three women is poignantly directed towards the self-conception and education of the reader.

3. THE READER'S "KNOWLEDGE"

As I mentioned in my introduction to Part III, these stories are references to apparently familiar stories rather than full narratives, and one of the questions the modern reader is faced with is what sort of knowledge or guides to interpretation they might bring to the chapter from outside it.

Certainly, once we accept that Valerius' text has been designed as a coherent and sequential whole it is acceptable to bring to bear upon interpretation of 8.3 material from earlier in the work, and to view Book 8 as valuable context. I shall briefly suggest (although there is scope for much detailed work in this area) a couple of thematic threads and interconnections in the work, and show that awareness of them enriches our reading of this particular chapter. I shall then look at 3.5.4 where we again encounter the Hortensii and where I shall continue to explore the difference a bit of "knowledge" makes to interpretation.

But, to begin with, let us look at the transition into chapter 3 from the preceding chapter to see how we would have come to it through a sequential reading. The text reads as follows:

quid aliud hoc loci quam uerecundiam illius saeculi laudemus in quo tam minuti a pudore excessus puniebantur?⁴³¹ ne de his quidem feminis tacendum est, quas condicio naturae et uerecundia stolae ut in foro et iudiciis tacerent cohibere non ualuit.

I began my analysis of chapter 8.3 by asking what the tone of this first sentence is, and why we are to conclude such stories as those that followed *must* be read. This lead-in from the previous set of examples (of notable private lawsuits) adds further nuances to this ambiguous opening. First, the sense of imperative which I noted as

⁴³¹ "What can we do at this point other than praise the *uerecundia* of that age, in which such trivial aberrations from modesty were punished?" The trivial aberration referred to is the story of a man

being present in this sentence (*tacendum est*), and which makes such a compelling start to the chapter, is also there in the previous sentence: *quid aliud...quam...?* – “what else can we/I do?” In the case of that sentence we can do no other than praise (*quam...laudemus*). The smooth transition to the following sentence (*ne de his feminis quidem...*) might lead the reader to conclude that the following stories will inspire praise as well (and of course we have seen that this is one possible reading of parts of the chapter.) Indeed, Valerius does not specify here what his reaction to the stories is (hence our difficulty with interpretation) as he does in the previous sentence with the verb *laudemus*. At first reading, then, we might be thinking that what prevents him from being silent about these women is the need to praise them.

The triviality of the previous example is also notable: Valerius writes of *tam minuti...excessus* – such insignificant aberrations. With this concluding sentence he is painting a picture of a previous age of moral exactitude whose pedantry, by implication, is extraordinary to his own age. It is the reactions of those who convicted this poor chap who rode the borrowed horse one hill too far which Valerius presents as the *exemplum* for the reader to wonder at, rather than the behaviour of this man himself, which is barely transgressive at all. This effects a distance from the morality of the past which is present in many other places in the work.⁴³² The past is held up as a model of moral probity, yet it is also the subject of a detached awe which in this case might be bordering on amusement; the *quid aliud...quam* has the sense of someone shaking their head at the eccentricities of another era: “one can only admire their extraordinary sense of justice...”

In the light of this it is possible that the following tales too are to be taken as evidence of the excessive strictures of the past, where women were expected to be kept from public speaking and those who spoke were vilified; perhaps 8.3 should be read in the same light-hearted tone.

convicted of theft because he had borrowed a horse to ride to Aricia, but had ridden the horse slightly beyond the town. For the translation of the rest see p. 165.

⁴³² Cf. 8.1.damn.8 where the convicted man is described as *innocens, nisi tam prisco saeculo natus esset* – with perhaps a slightly regretful and sympathetic tone. See also especially the opening chapters of Book 2, where Valerius sketches various customs of his Roman forebears, and the discussion about the tension between past and present at the beginning of Part II.

The repetition of the word *uerecundia*, however, sets up an opposition between the two sentences: the previous story shows the reader an example of *uerecundia*, the next chapter examples of behaviour which *uerecundia* was unable to prevent. This may signal a switch in tone which emphasises the gravity of the tales to come. *Verecundia* is a theme which links the two sets of tales, suggesting that ideas of propriety and restraint should be at the forefront of the reader's mind in approaching 8.3.⁴³³

In the early chapters of Book 8 references to women all draw attention to the importance of chastity and of reputation, and prepare us to assess the morals of the women in 8.3. 8.1.abs.1 is the story of Horatius' vindicated murder of his sister because of her expressed love for one of his enemies: he is described as a *pudicitiae custos*. 8.1.abs.5 is the story of Tuccia, the Vestal accused of *incestum crimen* who proves her *castitas* and *sinceritas* by carrying water in a sieve. In chapter 8.2 the women are the mistress of C. Visellius Varro (*cum qua commercium libidinis habuerat*) and Fannia, whose husband's attempts to divorce her because she was unchaste were scuppered because it was judged that he had been aware of her reputation before he married her: *memor quod impudica iudicata esset suis moribus*. The two stories in the final section of 8.1 are about defendants whose situations were so ambiguous that they were neither convicted nor acquitted, and these defendants are also women: a mother and daughter pair and a Smyranean *materfamilias*. In both cases the women have killed their own family members yet have done so on behalf of further family members. Like the first and third stories in 8.3 these are about women about whose actions it is hard to come to any firm conclusion.

Later in Book 8 the reader's attention is drawn to the power of eloquence - its political and social efficacy - and this adds to the sense of danger involved in finding such a powerful tool in the hands of women. The first phrase of the chapter is *potentiam uero eloquentiae...*⁴³⁴ and the examples are all of statesmen who use their speech to achieve great feats. The first two Roman examples show men bringing peace in times

⁴³³ The close association between shame and modesty and public speaking was also noted in my discussion of the term *pudicitia* in Part II; this association between oratory and morality is also made explicitly by Valerius at 7.3.5, where a relationship is set up between M. Antonius' exercise of his *eloquentia* and his abuse of his *uerecundia*: *non solum eloquentia sua uti, sed etiam uerecundia abuti erat paratus*.

of sedition: *uerbis ergo facundis ira consternatio arma cesserunt*;⁴³⁵ they show the employment of eloquence for the considerable benefit of the state. The last of the foreign examples on the other hand conveys a sense of how dangerous such verbal power can be in the wrong hands:

*quantum eloquentia ualuisse Hegesian Cyrenaicum philosophum arbitramur?
qui sic mala uitae repraesentabat ut eorum miseranda imagine audientium
pectoribus inserta multis uoluntariae mortis oppetendae cupiditatem
ingeneraret: ideoque a rege Ptolomaeo ulterius hac de re disserere prohibitus
est. (8.9.ext.3)*

This brief survey of some of the elements of Book 8 and indeed further afield in Valerius' work gives a sense of the context in which chapter 8.3 should be placed. *Exempla* themselves are part of a rhetorical armoury to be primed and guarded by the Roman male elite; the boundaries of society must be kept in place by a shared sense of propriety and justice⁴³⁶ which, as we see in these examples and in chapter 6.1 examined in Part II, are often hard to regulate. All this adds weight to the sense of horror that can be found in 8.3 at the idea of finding such a powerful tool in the hands of women.

The decline of the Hortensii:

An earlier chapter in the work, 3.5.4, provides further information about the Hortensii which we may also bring to bear on our interpretation of 8.3. In 8.3.3 Valerius' closing reference to the fate of the Hortensian descendants expresses regret, as we have seen, that they did not imitate their predecessor's eloquence. All we learn from this is that there were no great Hortensian orators after 42 BCE. We may wonder what readers of Valerius' day would have known about the later Hortensii which would have flavoured their reading of this passage. Cicero makes a reference to the inferiority of Hortensius' son,⁴³⁷ but Valerius himself writes about a contemporary in

⁴³⁴ The given rubric for 8.9 is QUANTA VIS SIT ELOQUENTIAE, and even if we do not accept that the chapter titles are original, this phrase recalls that of 8.3, where it is the *uis* of the eloquent Hortensia that the *poster*i should be following

⁴³⁵ VM 8.9.1. One thinks too of Virgil's famous simile at *Aen.* 1.148ff.: *ac ueluti magno in populo cum saepe coorta est/ seditio...furor arma ministrat...ille regit dictis animos..*

⁴³⁶ And sometimes, as in the case above, by the intervention of the ruler.

⁴³⁷ *Att.* 10.6.2.

a chapter whose theme is the moral degeneracy of those who were born to noble parents: Hortensius Corbio, the grandson of the great orator, and hence either the son or nephew of our Hortensia:

*Nam Q. quidem Hortensi, qui in maximo et ingenuorum ciuium et
amplissimorum prouentu summum auctoritatis atque eloquentiae gradum
obtinet, nepos Hortensius Corbio omnibus scortis abiectiorem et obsceniorē
uitam exegit, ad ultimumque lingua eius tam libidini cunctorum inter
lupanaria prostitit quam aui pro salute ciuium in foro excubuerat.*

This passage emphasises the connection between oratorical excellence, moral fibre and service to Roman society; Quintus' civic standing amongst the foremost citizens and his contribution to his fellow citizens through his speaking are emphasised at the beginning and end of the section by the repetition of the word *ciuium*. Meanwhile, Corbio's inversion of this *auctoritas* and *eloquentia* is brought out by the comparison drawn between the ways in which the two men use their tongues: the one in public speaking for the benefit of his compatriots, the other in sexual practices for the satisfaction of lusts.⁴³⁸ The two Hortensii demonstrate the moral extremes which the tongue can serve; the one the lowest forms of sexual depravity, the other the most crucial of public roles on behalf of the Roman citizens.

The description of Q. Hortensius *in foro* calls to mind Hortensia, for she too makes use of the Hortensian *lingua* to serve her fellow citizens - the *ordo matronarum* in the forum.⁴³⁹ Yet, as we have seen, she is also transgressive like Corbio, and perhaps herself, therefore, symptomatic of her family's decline. In an appendix to the second edition of *The Garden of Priapus*, Amy Richlin notes a connection between these two

⁴³⁸ The Latin does not make it quite clear whether the *libido* is his or everyone else's.

⁴³⁹ *Ordo matronarum* is a phrase that occurs twice in Valerius Maximus, here and at 5.2.1 where Valerius writes of the privileges awarded this group (as a result of Veturia's persuasion of Coriolanus). Bauman 1992 raises the question of whether this *ordo* might be a formal rank with some "corporate identity" (pp. 82-3), with appropriate duties and privileges, a female equivalent to the *ordines equitum et senatorum*. It certainly sounds as though we are being invited to make this comparison. However, the question is whether this is an ironic or playful usage, referring to women in quasi-political terms because of the unusual situation, or a straight-faced one, referring to an actual order in society. Bauman considers that irony is unlikely - "Is he being facetious - a quality not prominent in his gossip column....?" (p.82) - but it seems to me a distinct possibility. Although Valerius does not make it explicit that Hortensia speaks in the forum, it is likely that this is information which the reader might be expected to know; the detail is provided elsewhere in the later sources which I shall go on to discuss.

passages and also between praise of Hortensia and implicit criticism of the male relatives in 8.3.3: "Valerius' encomium on the eloquence of Hortensia also includes a nasty sideswipe at the *virilis sexus posterius* of the family."⁴⁴⁰ In other words, when the reader is aware of who the Hortensii are (as Richlin is), this apparent praise of Hortensia conveys an insult to her family.

This intriguing glimpse of the Hortensii in first-century Rome afforded by 3.5.4 is vague about the nature of Corbio's degeneracy and contains the conventional elements of invective which might lead us to suspect some kind of political, personal or imperial motivation behind Valerius' depiction. Yet this knowledge about the Hortensii from within Valerius' text has made Hortensia's tale all the more pointed, and brought us closer to the position of a contemporary Roman reader. Since this story and the thematic strands I looked at above are drawn from the text itself, it is fair to assume that they were part of a body of attitudes and narratives common to many of Valerius' readers. Yet it is also clear that a reader would have known more than we can find in the pages of Valerius' work, and that such knowledge would change our understanding of the text. No doubt the intriguing ambiguity of Maesia's tale would yield more if we contributed to our reading of it knowledge about what her case involved, who she was related to and what happened to her in the end (as we feel we do in the case of Lucretia, for instance), and knowledge of who Licinius Bucco or Buccio was would be extremely illuminating in the case of Afrania.⁴⁴¹

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Which brings me on to my next consideration: how far is it good practice for historians to interpret Valerius' text in the light of other later sources, and to attempt

⁴⁴⁰ Richlin 1992, p. 280, in additional notes to p. 93.

⁴⁴¹ As noted by Marshall: "If it were possible to recover the historical context of the Afrania episode, our perspective would be greatly sharpened" (1989, p. 45). In note 23 on p. 43 he gives references for some discussions of who Bucco may have been. It is plausible that the name Bucco, which means a garrulous idiot, and is similar to the term *bucca*, meaning wind-bag declaimer (see Lewis and Short), is related somehow to this episode involving his wife: perhaps he derives his nickname by association with her, or perhaps the story is told of her because of her association with a man who was also renowned as an irritating orator. This is a suggestion also made by Farrell (forthcoming, p. 100): "it seems likely that Valerius ostentatiously mentions Afrania...as the wife of Senator Babblers in order to make the point that they are a matched pair." In most *exempla* the name at the start is intended to be immediately evocative, so it is more than likely that Roman readers would have been able to put a story to this. Note however that Briscoe amends the name to Buccio.

to plug the gaps in our knowledge by using the information which these can provide? For instance, Tacitus also tells us a story about the decline of the Hortensii in which Tiberius himself is involved, and which took place in 16 CE, not long before the latest date assigned to the *Facta et Dicta Memorabilia*.⁴⁴² In Tacitus' account the young Hortensius Hortalus, a great-grandson of the orator, makes a petition to the emperor. It seems that in the previous generation Augustus had granted his father a large sum of money on the condition that he marry and bring up children, in order that such an illustrious family should not die out: *ne clarissima familia extingueretur*. The son, who has contributed nothing to the family himself (*nam ego, qui non pecuniam, non studia populi aequae eloquentiam, gentile domum nostrae bonum...accipere uel parare potuissem*) asks for the same generosity from Tiberius, but is refused in a manner which Tacitus describes as arrogant, despite the fact that this means the ruin of the family: *quamuis domus Hortensii pudendam inopiam delabere tur*.⁴⁴³

It seems most probable that Valerius and his first-century readers would have known all about the *pudenda inopia* of Hortensius' unworthy descendants, and that this is yet another external narrative to which 8.3 is referring. But can we assume that knowing "all about" this story in around 30 CE was similar to having, two thousand years later, read a passage from Tacitus which was written in 116 CE, a hundred years after the event is supposed to have taken place? In Part II, when discussing the relationship of Valerius Maximus 6.1 to the contemporary imperial context, I cited the story of Tiberius' abuse of Mallonia which is found in Suetonius' life of Tiberius.⁴⁴⁴ This was another contemporary tale which had extraordinary resonances with the narratives found in Valerius' work.

Yet because of its formulaic nature and the extent to which it is clear that ancient authors used such standard descriptions of sex lives among other themes to characterise their subjects,⁴⁴⁵ I was reluctant to believe that this was a current tale which Valerius was expecting his readers to bear in mind as they read his own chapter of sexual crimes. Why should we be any keener to pull stories out of Tacitus? It seems perfectly plausible that just as sexual abuse by tyrants was a familiar moral and

⁴⁴² For the dating of the work see above n. 11, pp. 8-9.

⁴⁴³ Tac. *Ann.* 2.37-8.

⁴⁴⁴ Above pp. 113-4.

literary *topos* in ancient Rome, so was the decline of noble families (as Valerius' chapter 3.5 suggests), and that the renowned family of the Hortensii attracted such stories, which had plenty of time to develop in the hundred years before Tacitus was writing.

In order to address the issue of alternative sources further I shall now examine the way the story of Hortensia is treated by Appian and Quintilian who provide what I shall broadly categorise as political and rhetorical contexts for the tale which have influenced recent interpretations of Valerius' own account.

Appian *Bellum Civile* 4.31-34 - a political context

Appian's account of the event (written more than one hundred years after Valerius') offers a whole new context within which to read the story: an overtly political one. For here it is made explicit that the *triumviri* to whom Hortensia delivers her speech are Octavius, Antonius and Lepidus and it is from this source that commentaries on Valerius 8.3.3 are able to date the occasion to 42 BCE. For Appian includes his account of the story of Hortensia as part of a digression about the suffering of Roman citizens during the proscriptions imposed by these men in 43-42 BCE, which is told in *Bellum Civile* 4.5-51.

The sympathetic tone I have deduced from Valerius' *gravi tributo...oneratus* is borne out by Appian's angle on the affair (and may perhaps have informed my own interpretation of the words.) For in his account the *triumviri* are inevitably the villains of the piece. Motivated by avarice – they are short of money for their preparations for war – and with an unacceptable disregard for citizen rights they decide to exact tribute from one thousand four hundred of the richest women in Rome. At first, the women try to deal with the situation by approaching the wives and mothers of the *triumviri* in order to air their grievances; they appear to be concerned to keep the matter in the female domain. It is only after a rebuff from Fulvia (who is often painted as a villainess of this era in subsequent literature) that they are forced to take their complaints before a tribunal of triumvirs in the forum, and Hortensia delivers her

⁴⁴⁵ See e.g. Barton 1994 on Suetonius' *Nero*.

speech on their behalf.⁴⁴⁶ Although unimpressed at first, when the triumvirs realise that the women have the support of the masses they agree to relax the requirements: the end of the tale is far less triumphant than in Valerius' version.

This reluctance of the women to approach the men directly in some ways echoes Valerius' own sketching of the situation - *nec quisquam uirorum patrociniū eis accommodare auderet* – although it is an inversion of it. Valerius' women try to find a man to represent their case, but failing that send Hortensia; Appian's women try to negotiate with other women and it is only when this fails that they address the men directly. Both narratives, however, express the notion that direct communication of this sort between the sexes is unorthodox and undesirable.

Like Valerius, Appian also touches in his narrative on the relationship between the silence of men and the speech of the women. Although *all* the citizens, men and women alike, are affected by the behaviour of the triumvirs and by their proscriptions, none of the men has dared to speak out about it. The triumvirs are particularly angry at Hortensia's speech because of its contrast with the silence of the men: τοιαῦτα τῆς Ὀρτενσίας λεγούσης οἱ τρεῖς ἡγανάκτουν, εἰ γυναῖκες ἀνδρῶν ἡσυχάζόντων θρασυνοῦνταί τε καὶ ἐκκλησιάσουσι... Their reaction is one of indignation that a woman should be speaking while the men have remained silent.

Since no one has stood up to the triumvirs before this, the women's action represents the resistance of the people against the triumvirs, and in some sense they are speaking on behalf of the silent men too, who have not dared to speak out for themselves.⁴⁴⁷

Hortensia's speech, although focusing on the issue of the injustice of taxing *women*, is a speech on behalf of the liberty of the Roman people. The idea that Hortensia is speaking on behalf of Roman citizens is borne out by the behaviour of the crowd in the forum as Appian describes it: the crowd offers tacit encouragement to Hortensia as she enters the forum to address the triumvirs by standing aside to allow her an easy

⁴⁴⁶ Amongst other things she argues that it is unfair that women should have to pay taxes when they do not enjoy the privileges afforded to male citizens, and she refers to the voluntary donations of jewellery that their Roman foremothers have made in the past; giving up their jewellery is not threatening to the lives of women as would be giving up part of their land, dowry or house.

⁴⁴⁷ This is reminiscent of the line in Valerius 8.3.3 cited above: *nec quisquam...auderet*.

passage through: ἐς τὴν ἀγορὰν ἐπὶ τὸ βῆμα τῶν ἀρχόντων ὥσάμεναι, δισταμένων τοῦ τε δήμου καὶ τῶν δορυφόρων, (32), and then supports her after she has made her speech (with inarticulate cries); in 34 the triumvirs try to drive the women away but the shouts of the crowd persuade them to postpone decisions until the following day: μέχρ' ἂν βοῇς ἔξωθεν ἐκ τοῦ πλήθους.

The historical context of the civil war is clearly a most important aspect of this narrative; not only does the story appear within a work entitled *Bellum Civile* and devoted to civil war, but it is clear that civil conflict is the very reason for Hortensia's speech. This is a desperate time for the Roman people, a time when extreme and extraordinary measures, such as the public speech of a woman, are required. This motif of *even women* being spurred to action in times of national crisis is a recurrent one throughout Roman literature, and the emphasis on the contrast between the impotence of the men and the action of women is characteristic.⁴⁴⁸ In the light of this pattern Hortensia's sex is important because it is a measure of the desperation of the Roman people that they are obliged to rely on a woman to defend their rights. This is explicit in Valerius' version, since he tells us that there was no man available to speak on the women's behalf.

However Valerius does not emphasise the civil war context at all and is telling the story with a very different slant. Whereas Appian includes the tale in his narrative in order to illustrate the extraordinary lengths that people are driven to in a civil war situation, and Hortensia's speech becomes a heroic gesture on behalf of the state, Valerius is focusing on the gendering of Roman oratory. How much of what is included in Appian's version of the tale might have been conjured up for a Roman reader by Valerius' spare structure?

⁴⁴⁸ See e.g. Livy 2.13.6, where the threat of Porsenna's army leads to a desperate situation for Rome in which *feminae quoque* (this is the story of Cloelia's crossing of the Tiber) are driven to brave deeds, or Virgil *Aeneid* 9.891-5 where as the Latin troops are routed and flee to their city the mothers themselves join the battle, throwing missiles from the battlements: *ipsae de muris summo certamine matres/tela manu trepidae iaciunt...*

Quintilian: a rhetorical context

Quintilian's reference to Hortensia gives us another slant on the story, and it is easy to see why scholars who have placed it beside Valerius' text have labelled Valerius' chapter "praise". For Quintilian writes that Hortensia's speech is still read in his own day, and not simply as a compliment to her sex: *et Hortensiae Q. filiae oratio apud triumuiros habita legitur non tantum in sexus honorem*.⁴⁴⁹ This is a thoroughly captivating idea; we have testimony from the master of rhetoric himself that Hortensia was an excellent orator, appreciated by many others, whose speech survived to be circulated and read by those learning about oratory one hundred and fifty years later.

This mention of Hortensia comes in a much examined passage about women and oratory in the introduction to his work on rhetorical training, the *Institutio Oratoria*, where he is writing of the importance of the earliest education on the incipient Roman orator; it is crucial that a child be exposed to the right kind of speech from those around him from an early age. The parents must be eloquent, Quintilian tells us, and not just the fathers, but the mothers too.⁴⁵⁰ He goes on to give us examples of eloquent women, of whom Hortensia is the last:

in parentibus uero quam plurimum esse eruditionis optauerim nec de patribus tantum loquor. nam Gracchorum eloquentiae multum contulisse accepimus Corneliam matrem, cuius doctissimus sermo in posteros quoque est epistulis traditus: et Laelia C. filia reddidisse in loquendo paternam elegantiam dicitur, et Hortensiae Q. filiae oratio apud Triumuiros habita legitur non tantum in sexus honorem.

Farrell points out that although this early passage seems to value female eloquence, the text subsequently deals only with male orators and "[w]omen...are almost entirely written out of Quintilian's book."⁴⁵¹ Here, as in Valerius' passage, women's eloquence is the means to the end of male eloquence rather than something to be

⁴⁴⁹ Quint. 1.1.6.

⁴⁵⁰ For some recent discussions see e.g. Dixon 1988, pp. 109-11, 121-2; Hallett 1984, pp. 338-40 and 1989; Bauman 1992, p. 47; Farrell forthcoming, pp. 86ff. A similar theme appears in Cic. *Brut.* 210-11: *sed magni interest quos quisque audiat cotidie domi, quibuscum loquatur a puero quemadmodum patres, paedagogi, matres etiam loquantur*. Note here that mothers are included but only as an afterthought: *matres etiam*. This is also the case in the Quintilian passage, and is reminiscent of the pattern of female heroics referred to in n. 448 above.

sought for its own merit. The eloquence of a mother is valuable in that it contributes to the eloquence of her sons, as in the case of Quintilian's first example, Cornelia.

The examples which follow, including that of Hortensia, seem less appropriate for Quintilian's argument. Laelia and Hortensia both represent women who *learn from* their fathers, rather than teaching their sons. It may be, of course, that Quintilian is drawing attention to the role of the fathers in these cases, who have been such good influences on the oratory of their (female) children – this would give some status to female eloquence again. As far as I know, no one who discusses this passage addresses this discrepancy. In any case, the context of this passage is rhetorical education and the general suggestion is that although it is unusual it can be beneficial to have female erudition in this area.

Valerius, Appian and Quintilian work well together as corroborating sources. However, just as in the case of Afrania, there are discrepancies, which suggest that these are not so much records of fact as re-casting of an *exemplum* to suit the context. Quintilian's admiration of her *oratio* and the suggestion that it is read in his own day as a model of rhetorical excellence implies that Hortensia herself has been systematically trained in the art of rhetoric; her speech must have been carefully prepared beforehand, using all the resources of a formal rhetorical training, and later published and circulated. Yet in the versions of Valerius and Appian she trespasses on this male territory only in extreme circumstances and as a last resort. Her need to speak seems so contingent on historical context that it is hard to square with the years of dedicated practice necessary for the attainment of excellence comparable to the great male orators.⁴⁵² Cicero, for example, writes of her father Hortensius' *exercitatio* and *studium*,⁴⁵³ and tells us that the orator made a point of keeping himself in shape by delivering a public speech every single day (*Brut.* 302).

It is not good historical practice to assume that details present in later sources must be essential to the tale and therefore have formed part of the background knowledge which Valerius took for granted in his contemporary reader. Nor should we assume

⁴⁵¹ Farrell forthcoming, p. 87.

⁴⁵² Cf. Farrell forthcoming, p. 98: "She can hardly have had much experience if any of speaking in public, particularly in a forensic setting."

⁴⁵³ *Brut.* 327.

that because Appian casts this as a tale about civil war and Quintilian as a tale about female excellence in the field of oratory that this is what we are meant to take from Valerius' version too. We are such ignorant readers of Roman *exempla* that we must read everything we can get our hands on from the ancient world in order to aid our understanding, but we must remain alert. *Exempla* are *exempla* and are subject to the same manipulation and rhetorical direction in whatever text they appear. The sources which survive are arbitrary and in this case three very different texts all draw on the story of Hortensia for their own ends. Nothing is more tempting to the historian than to draw together disparate sources about the same event and in the moment of fusion to imagine that they catch a glimpse of Roman history. But such synthesis glosses over meaningful variation and attempts to erase traces of the original rhetorical contexts in which the *exemplum* was cast and re-cast.

GENERAL CONCLUSION

My analysis of the text has demonstrated the potential of the *Facta et Dicta Memorabilia* both as a literary work and as a rich source of information about moral thought in ancient Rome. It is clear, however, that *exempla* are complex devices, and that an understanding of how they functioned in their Roman context is vital if we are to make full use of them. This thesis goes some way towards unravelling the mysteries of the exemplary process, and, in particular, the role of gender within this, and provides a demonstration of how one might go about exegesis of *exempla*.

My experiment with close literary reading of this text has yielded so much that I have been unable to do much more than scratch the surface of the text within the scope of this thesis. There is a vast range of material in Valerius' work which is of interest to the Roman scholar, and his *exempla* have the potential to "yield an astonishingly deep insight into Roman mentality."⁴⁵⁴ It is to be hoped that scholars will begin to take full advantage of this material, and there is no doubt that the recent publication of the Loeb translation will encourage many to take a deeper interest in Valerius' work. However, this interest must be combined, as I have shown, with an appreciation both of the complexity of the text and of the issues surrounding exemplarity, and the interpretation of Roman *exempla*.

⁴⁵⁴ Dihle 1989, p. 66.

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