

APULEIUS OF MADAUROS
PRO SE DE MAGIA

EDITED BY
VINCENT HUNINK

I
TEXT

GIEBEN

HUNINK

APULEIUS - PRO SE DE MAGIA

TEXT

Pro Se De Magia

**APULEIUS OF MADAUROS
PRO SE DE MAGIA
(APOLOGIA)**

**EDITED WITH A COMMENTARY
BY**

VINCENT HUNINK

VOLUME I

**INTRODUCTION
TEXT
BIBLIOGRAPHY
INDEXES**

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PREFACE

In the 20th century the *Apology* of Apuleius has been rather neglected by classical scholars. Those who have managed to overcome their prejudice against the age of Apuleius with its characteristically 'un-Ciceronian' and archaizing tendencies, commonly focus on his famous novel, the *Metamorphoses*. When the *Apology* is studied, it is mainly as a source of information on biographic details concerning the author and his career, or on some specific subject. For example, historians regularly cite from this speech where it provides bits of information on the social and economic circumstances in 2nd century Roman Africa. It is also regularly used in studies on ancient magic, another area of increasing interest today. Likewise, those who study Roman law and Platonism tend to include only isolated passages from the speech in their material.

Special studies on the *Apology* as a whole are scarce. The ample bibliography included in the present volume may prove somewhat misleading. As a matter of fact, few studies are devoted to the speech as a whole, regarding it as something more than merely a piece of documentary evidence or a philological puzzle. Although translations of the *Apology* continue to be published in several modern languages (except, curiously, English), the latest full commentary on the text, by BUTLER and OWEN, dates from before the First World War and was published in 1914.

Considering all these factors, the time seems ripe for a new, comprehensive commentary on the text as a work of literature in its own right. That is what the present volume proposes to do. Basically, it is not intended to *replace* BUTLER/OWEN (from here: B/O), which is still useful for many matters of style and grammar, but to *supplement* it.

I regret that it has proved impossible to include a new English translation of the text, which is one of the *desiderata* of Apuleian scholarship. The old translation of BUTLER (published in 1909) is still of some use, but its style is outdated and it clearly qualifies for replacement. However, not being a native speaker of English myself, I did not feel qualified to produce a complete translation within a limited amount of time. Such a translation would have to bring out all the nuances of the Latin, particularly the countless Apuleian sound effects and puns. The preparation of my Dutch translation (published in 1992) had already taken me over a year, and I could certainly not expect to finish an English version in less time. So this project would have been delayed beyond reasonable measure if I had decided to include a translation. I do not, however, defend this absence of a translation as a *virtue* of my book, in a time when a reading knowledge of Latin is no longer a prerequisite for students, even in the field of classics.

I hope that this new edition of the *Apology* will be of some use to Apuleian scholars and classical scholars in general. If this book manages to direct new attention to this intriguing and important text and to promote further study, it will have served its purpose well.

It is customary to end a preface on some personal notes and expression of thanks. It is with pleasure that I follow this tradition. My interest in Apuleius dates from the early years of my study of Latin, when I came across an old edition of the *Apology* in a secondhand bookshop. With ever growing admiration I read the entire text, aided by VALLETTE's beautiful French translation: the sheer range of bizarre topics and Apuleius' powerful Latin were pleasant surprises for me after the rather uninspiring prose of Livy and Cicero I had to struggle through for my examinations. Apuleius'

lack of easy moralism and of Roman patriotism were refreshing to me then — and still are today.

In 1990 I started working on a Dutch translation of this 'old love', alongside my work at university, where I prepared a commentary in English on the third book of Lucan's *Bellum civile*. Both books were published simultaneously in 1992. As I translated the speech, I became aware of the many difficulties that required further explanation. This is how the plan arose to prepare a new, comprehensive commentary on the text.

From 1993 to the end of 1996 I was able to work on this project, for which I was granted a scholarship by the Dutch Foundation for Literary Studies, Musicology, and Drama Research, subsidized by the Netherlands Organization for Scientific Research (NWO). I express my gratitude to these organisations, and also thank the Catholic University of Nijmegen, which has been a very pleasant working environment for me during these years. The directors of the Biblioteca Medicea-Laurenziana in Florence granted me access for a few hours to the precious MS F, during a visit in the fall of 1994. For this privilege I feel very grateful. The personal confrontation with this material evidence for our text has strengthened me in the opinion that F is as close to Apuleius as we can get.

The entire text of the commentary has been carefully read and discussed by Prof. Dr. J.H. Brouwers (Catholic University of Nijmegen) and Dr. R. van der Paardt (State University of Leiden). To both I am grateful for their comments, support, and trust. I extend my thanks to the Groningen Apuleius Group, of which I have the pleasure to be a member. Although research in Groningen is directed primarily at the *Metamorphoses*, there have been many occasions to present the results of my work. The discussions in Groningen have also greatly helped me to find out what I really wished to include in a commentary. The result is different from the GCA on many points, but I hope, nonetheless, to be reckoned to the 'Groningen school' of Apuleian studies.

In the last stage of the project, contacts with Dr. Thomas McCreight (Baltimore), have been most fruitful and pleasant. Right from the start, his dissertation on the *Apology* has provided ample material and stimulating ideas for the commentary. During his stay at Groningen as a visiting professor in 1996, we have had the pleasure of exchanging many ideas and suggestions. Dirk-Jan Dekker kindly helped proofreading the Latin text and compiled the Index of Passages — two laborious but important tasks. Dr. Corrie W. Ooms Beck was willing to correct my English, and I wholeheartedly thank her for the countless improvements she proposed. Of course she is in no way responsible for the final version of the text. J.C. Gieben, publisher in Amsterdam, readily agreed to publish this book. For his trust in me and his care for the material side of the book, I express my gratitude.

Finally, I mention my friend Marco Balvers with warm feelings for his unrelenting support and inspiring ideas. His professional activity extends to an entirely different field, but rather than being an obstacle this has proved to be a stimulus. If I wanted to communicate my thoughts, I always had to recapitulate them clearly and in non-specialist language. Although this was not always easy, it invariably proved richly rewarding: it made me express my ideas more adequately — or drop them.

Nijmegen, Christmas 1996

Vincent Hunink

INTRODUCTION

Apuleius of Madauros was by no means a beginner when he found himself confronted with a charge of sorcery. This was in the middle of the 2nd century AD, when his reputation as a philosopher and a public speaker was already well established. Most likely he had often acted as an advocate in court, defending the interests of others. Now he could fully profit from this experience.

The speech which Apuleius delivered in defence of himself, commonly known as the *Apology*,¹ is a unique example of Roman oratory, since it is one of the very few Latin speeches from the Imperial Period to have come down to us in their entirety. In fact, it is the only forensic speech in post-Ciceronian Latin: the other Roman speeches from this period, the *Panegyricus* of Pliny and the late eulogies known collectively as the *Panegyrici Latini*, all belong to the epideictic genre of rhetoric.

For this reason alone, Apuleius' speech is an interesting document. It is a useful source of knowledge in a wide range of areas, like Roman law, magic, middle Platonism, and contemporaneous medical science. But there is more to it: this self-defence may properly be called a *literary* masterpiece, which displays many characteristics of the Second Sophistic. It is literally crammed with learned and playful references to earlier literature and philosophy, and uses countless rhetorical techniques, not excluding outright sophisms and distortions, insults and mean invective. The numerous and often exotic themes of the speech, together with the speaker's brilliant handling of language and his fascinating erudition, make this a highly entertaining work of literature.

This introduction does not aim at providing a comprehensive account of Apuleius' life, works, and style, or of the many problems of the *Apology* as discussed in the commentary. Its aims are rather limited: it attempts to present the speech as a whole in a broader context.

First, attention is paid to the trial Apuleius faced. Second, the place of the *Apology* within Apuleius' oeuvre is discussed. Third, the speech is considered as a published text of a literary nature. These general remarks are supplemented by paragraphs on the transmission of the text, the aims of this commentary, and a survey of abbreviations and conventions.

A THE TRIAL

Basically, nearly all we know about Apuleius' trial is deduced from the published speech as we have it. This immediately poses a huge methodological problem: is Apuleius to be trusted? Is the text as it has come down to us the actual text pronounced in court? Is the speaker's account faithful and accurate, and does he deal with all the facts?

¹. The exact title of the speech is not known. The MSS have the following subscriptions: APVLEI MADAVRENSIS PRO SE APVT CL. MAXIMVM PROCOS DE MAGIA; APVLEI MADAVRENSIS PROSAE DE MAGIA and MADAVRENSIS APVLEI PLATONICI DE MAGIA; the traditional title *Apologia* does not seem to antedate the early printed editions; cf. HUMANS 1994, 1712-3. In the present edition, *Pro Se De Magia* is used as the official title, since it is based on evidence of the MSS. For practical reasons, however, the traditional title (often abbreviated as *Apol.*) is retained in the introduction and notes.

Lacking external evidence, we cannot answer these important questions. We are of course entitled to use the only material we have, Apuleius' speech, but it should always be kept in mind that the speech shows many literary features, and, more importantly, that it is a self-defence, bound to present a coloured view of events. Therefore we should be cautious from the very beginning whenever we deal with 'historical facts' behind the speech. As a matter of fact, we do not even know with absolute certainty that Apuleius faced a trial for magic at all. There is no contemporary evidence for it,¹ nor does Apuleius refer to such a trial in the rest of his works.² The suggestion that there may not have been a trial in the first place, will be dealt with below, in C.2. Until then, this difficult issue will be left undiscussed; in section A it is simply assumed that the trial referred to by the text is real.

The first thing we should do is to reconstruct and analyse the general picture of the trial as it is presented by the speaker. After all, the text produces a fairly consistent and coherent picture of a trial.

A.1 THE SETTING

(1) Date

For a long time there has been a debate on the date of the trial. As a matter of fact, this is one of the very few elements which can be established with some degree of certainty on the basis of external evidence. The judge presiding over this trial is mentioned by name, Claudius Maximus; cf. e.g. 1.1. This man is identified as the proconsul of Africa in 158/9 AD; cf. GUEY 1951 and SYME 1959, 315-6. This date is now generally agreed upon by scholars, as is observed by HIJMANS 1994, 1713. Since the proconsul probably held his tour in the province after the heat of summer and before the heat of spring, the trial most likely took place in winter; that is, in the last months of 158 or early months of 159, as GUEY plausibly specifies.

(2) Place

The place of the trial is mentioned once in the speech itself. Although events had taken place at Oea (cf. on 17,2), the proconsul was in session at a more important place of Roman Africa, Sabrata (cf. on 59,2).

(3) The charge of magical practises

The formal charge Apuleius was confronted with is not immediately clear. According to his own account (c.1-3), he had been slandered by his opponents for his marriage to the rich widow Pudentilla, and for his activities as a philosopher in general. He then

¹ Augustine does refer to the trial; cf. e.g. *C.D.* 8,19 *postremo Apuleius ipse numquid apud Christianos iudices de magicis artibus accusatus est?* (...). But in the time of Augustine, more than two centuries later, legends may have formed already. Furthermore, the speech itself has obviously been interpreted as evidence for the trial.

² It is often assumed that the *Metamorphoses* (*Met.*) allude to Apuleius' experience with accusations in court. Notably the trial of Lucius in *Met.* 3 is considered to be highly relevant. Although this seems perfectly possible, there is no clear comment in that text on any personal experience of the author. As a matter of principle, the text of a work of fiction cannot be used for such biographical testimony.

decided to challenge them on his part, summoning them to substantiate their allegations and bring a formal accusation against him. At first, the accusers seem to have been embarrassed at this unexpected move. Only after some confusion they formally brought a charge of magic (cf. 2,2 *calumniam magiae*) in the name of Apuleius' stepson Sicinius Pudens.

Although prohibitions of magical practises occur in the archaic Laws of the Twelve Tables (cf. 47,3), these are clearly not the laws on the basis of which Apuleius was sued. Scholars generally agree here too: the law in question must have been the *Lex Cornelia de sicariis et ueneficis* (adopted in 81 BC). This law included a clause on magic as such; cf. Just. *Inst.* 4,18,5 *eadem lege (Cornelia) et uenefici capite damnantur, qui artibus odiosis, tam uenenis uel susurris magicis homines occiderunt uel mala medicamenta publice uendiderunt*, as quoted by AMARELLI 1988, 134n.¹ Cf. further MOMMSEN 1899, 639-43; NORDEN 1912, 31-2; MARCHESI 1917; AMARELLI 1988, 131-4 and SÜNSKES-THOMPSON 1994, 126wn80.²

The relevance of this law is beyond doubt, even though Apuleius does not refer to it himself. Meanwhile, we should not try to reconstruct the exact wording of the accusation. At numerous places in the speech we get the impression of hearing literal quotations (e.g. 4,1; 9,4; 13,5; 17,4 and 27,6-11). Even here, caution is due: in this respect, a defendant's text cannot be relied upon; cf. HIJMANS 1994, 1712wn11.

One or two remarks may be added here. Apuleius' account creates the impression that it is he himself who took the initiative (cf. also 67,5-6). Furthermore, on reading the speech as a whole, one becomes aware that he knows quite a lot about magic. Meanwhile, he can refute the charge of magical practises fairly easily. All of this allows for the possibility that the prosecution had not really intended a formal charge of magic at all, but only came up with it under considerable pressure. That is, magic may not have been the fundamental issue at stake in the first place.

From the last part of the speech (66-101) it becomes abundantly clear that matters of finance and property form the heart of the matter. The accusers, who were relatives of Pudentilla (see below), objected to her marriage with someone from outside their family and from a lower social class because this threatened to reduce their influence on her considerable capital and the benefits they obtained from it.

So the basic dispute between Apuleius and his opponents seems to have concerned money and social status rather than magic. There was of course no law against 'marrying a stranger', and the prosecution inevitably had to invent some formal point on which a legal case against the intruder could be made. 'Magical practises' would appear a natural option to them, not only because it is difficult to defend oneself against such a charge, vague and terrifying as it is, but also because sorcery was a capital offence. This means that if Apuleius were to be found guilty of the charge, they would be rid of him. In order to avoid danger to themselves, the charge was formally brought in the name of Sicinius Pudens, who was still a minor; cf. on 2,4. However, things developed in quite a different fashion: a gifted speaker and an expert on Roman

¹ A law called *lex Cornelia* is mentioned by Apuleius himself at *Met.* 8,24 (196,11), but not in any relation to magic. See discussion in GCA 1985, 209-10.

² Many other laws are involved in some way in Apuleius' trial, notably laws regulating issues of property, such as inheritances and dowries. These laws will be in the background of much of c. 66-102, but play no role in the charge leveled against Apuleius.

law,¹ Apuleius could refute these charges and turn their vagueness to his advantage, seizing the occasion to boost his reputation as a proficient orator and a learned philosopher.

Accusations of magical practices are not very frequent in the first centuries of the Empire, though in the period of the Second Sophistic some orators were confronted with them; cf. HUMANS 1994, 1711-2. For accusations of sorcery and magic in late antiquity, cf. also BROWN 1970.

The scholarly literature on ancient magic is vast. Having been considered a disreputable subject for a long time, ancient magic has by now become a popular area of research. Inevitably, there is also much discussion on matters of principle, such as the definition of what magic really is. 'Magic' refers to a class of practices distinct from official religion, but it is open to discussion what the distinctive element exactly is. The difference is often considered to be intrinsic: some acts are religious because their purpose is good, others are bad and therefore magic. In more recent approaches, the difference is of a social kind: the practices of official religion and magic are the same, but they are widely accepted in the first case and rejected in the second. Thus, magic becomes the area of what is excluded, different, and suppressed. For the discussion, cf. e.g. VERSNEL 1991, GRAF 1994, 24-9, SÜNSKES-THOMPSON 1994, 107-12 and FOWLER 1995, 19-22; and see the impressive survey of relevant titles in BRASHEAR 1995, 3446-8n353.

This commentary does not intend to make a contribution to the discussion but takes a practical stand. 'Magic' in this book normally refers to practices aimed at constraining higher powers in a manner not allowed by religious or social convention, often with an apparent purpose of doing harm to others. That is, we may rely on the definition which Apuleius himself provides of the second, 'lower' type of magician; cf. 26,6 *Sin uero more uulgari eum isti proprie magum existimant, qui communione loquendi cum deis immortalibus ad omnia quae uelit incredibili quadam ui cantaminum polleat...* Whoever is engaged in this magic, excludes himself from the community. It is characterized by secrecy, silence, and darkness; it is illegal and terrifying, and operates by means of *carmina* and forbidden substances, cf. 47,3 and 30. For the practical purposes of this book, such a 'commonsense' description (which comprises elements from both sorts of definitions) serves quite well.

The speech forms an important document for our knowledge of ancient magic. It has been thoroughly studied by ABT 1908, a book which is still of immensely great use to scholars, if only for all the material collected in it. Some more recent useful studies of magical elements in Apuleius' speech are ANNEQUIN 1973, 106-16; FICK 1991b; and GRAF 1994, 79-105 (who emphasizes the social structures and relations behind this trial). In general, GRAF's study provides a convenient introduction to the entire field of ancient magic.

¹ There are many instances of legal language in the speech. Repeatedly, Apuleius even uses technical terms of law to make puns. These are launched at the prosecution, and effectively make fun of their ignorance in general and their legal incompetence in particular.

(4) Atmosphere

Throughout the speech, the atmosphere of court is consistently evoked. Not only does Apuleius repeatedly address the judge and the accusers, he also refers to a huge audience attending proceedings, to witnesses and friends, as well as to attendants in court who are asked to perform certain tasks. On the material side, there are many references e.g. to the waterclock, to written testimony, and to a great number of official documents. In addition, the speaker often suggests that he is speaking more or less extempore. Whether this is true or not, the general image is certainly one of a live performance in a busy court.

A.2 PERSONS INVOLVED

The speech mentions a fairly large number of people who are involved in the trial. They may be divided in five groups: the defence, the prosecution, the judge and the assistants in court, the audience, and some less important figures.¹

(1) The defence

In view of the nature of the speech, the side of the defence is given most attention. In this trial the accused and the advocate are identical: *Apuleius of Madauros*.

Apuleius' biography, as reconstructed by scholars, largely depends on the *Apol.* Particularly the details given by the speaker on his place of birth and his father (23-4), on his stay in Athens (72), his scientific interests and activities, his religious experience (55), and his marriage with Pudentilla are often taken as biographical testimonies. Apuleius' date of birth is commonly assumed to be in the mid-120s AD. It is clear that he had also been in the far east, in Rome, and in Carthage before coming to Oea. Carthage is the place where he lived in later years, shortly after 160, as some of the *Fl.* show (e.g. 18 and 20). We also know that he obtained a priesthood there (cf. RIVES 1994). Finally, there are some indications in the *Met.* that would suggest a date after 180 AD. After this we completely lose trace of Apuleius. Some recent and convenient examples of biographical surveys are VON ALBRECHT 1994, 1050-1, and introductions in Apuleian editions, such as WALSH' recent translation of the *Met.* (1994), p.xi-xiii. Many scholars give longer reconstructions; useful examples are BIRLEY 1968 and GUTSFELD 1992, 260-4.

All in all, our information on the author's life remains scanty and fragmentary. In addition, we may question the reliability of this evidence. In the speeches (*Apol.* and *Fl.*), the speaker naturally paints a positive portrait of himself and avoids all self-criticism. Nonetheless, it is unlikely that he would seriously distort plain facts here. That is, we may trust his word, though with much caution. The *Met.*, on the other hand, is a work of fiction, and we are not entitled to identify the narrator with the author. The work cannot be used directly for biographical purposes, tempting as this may seem, especially in the prologue and the final episodes of the *Met.*

¹ The numerous literary, historical, and philosophical authorities from the past are left out of account, although it may be argued that they seem to support the defendant's case almost as 'living' witnesses.

For convenience's sake, some other persons can be reckoned to the camp of the defence. In the first place, Apuleius' wife, *Aemilia Pudentilla*, is very closely involved. Apuleius was actually pleading in her defence in another lawsuit (1,5) when he was faced with the allegations. His relations with her form the heart of the trial.

Of Pudentilla we know absolutely nothing that is not based on this speech. She is not mentioned in any of Apuleius' other works nor in any external evidence. Inevitably, scholars interested in questions of Roman law, economy, or social history readily use details from the part of the speech referring to her wealth, her biography, and her agreements with Apuleius (c.66-103); cf. esp. GUTSFELD 1992.

However, we must keep in mind that it is not Apuleius' aim to give a correct and full biography of his wife, but to plead 'not guilty' for himself. This influences the portrait he presents of her: she is mainly described as a decent, honourable lady, a rational and self-assured woman weighing the advantages of marriage, and a prudent landowner (esp. 87-8). On occasion, however, she also seems an unattractive bride, who no longer possesses the graces of beauty and virginity (cf. 73,4 and 92,5-11), a woman fallen ill (69), or a devoted admirer of Apuleius (71,1 and 73,8) — the image varies according to the speaker's need. In addition, many points remain unclear when examined closely (cf. e.g. the actual marriage in the countryside or Pudentilla's age, c.87-9). Her wealth is indicated and alluded to, but not catalogued in detail. Finally, literary models, like 'Penelope' (68,5-6) or tragic women (79,1) are in the background of her characterization as well, and there are many cases of melodramatic exaggerations (e.g. 85,5).

If we take all this into consideration, Pudentilla remains much of a shadowy figure to us. It is significant that she is probably not present in court during the trial; cf. on 1,5.

A second person which may be included here is Apuleius' elder stepson, *Sicinius Pontianus*. The two had been in contact in Athens (72,3), and Pontianus functioned as the intermediary for the marriage between his friend and his mother. Later he opposed the marriage, but then repented and reestablished good relations with Apuleius (94-6). He had died before the trial, a point on which Apuleius remains somewhat vague (96-7).

Furthermore, Apuleius' assistants in court must be mentioned. Although he generally creates the impression of defending his case all by himself, he appears to be supported by *Appius Quintianus* (58,4; cf. 57,2), the person with whom he had allegedly celebrated nocturnal sacrifices (57-60) in the house of Crassus (for whom see below); Appius' family is mentioned at 72,2 and 6. Nearly at the end of the speech, the plural *uos... qui tribunal mihi adsistitis* (99,1) points to more than one assistant, but no names are specified. Earlier some friends appeared to be among the audience, carrying some of his books (36,8). A friend mentioned by name is *Scribonius Laetus*, whose *pueri* Apuleius celebrated in two poems (9,2).

A minor figure appearing in support of the defence is the sculptor *Cornelius Saturninus*. He is present in court (61,5), and earlier made a statement to the judge about the statuette he designed for Apuleius. One of Apuleius' slaves, the doctor *Themison*, equally testified in defence of Apuleius when questioned by the judge; cf. 33,3 and 48,3. At the end of the speech, two officials make another declaration substantiating the claims of the defence: *Cassius Longinus*, the tutor of Pudentilla, and *Corvinus Celer*, the tax-inspector; see 101,6-7.

(2) The prosecution

The formal accuser is Apuleius' younger stepson, *Sicinius Pudens*. Being a young boy (see on 2,3), he did not run the risk of being convicted himself if the case were lost. Apuleius consistently pictures Pudens as an irresponsible, perverted, and ignorant boy. At best, he is seen as a victim of the schemes of others (e.g. 97,7 - 98,1).

The person behind the accusation is *Sicinius Aemilianus*, the brother of Pudentilla's first husband. He is described in the darkest possible terms from the very first lines of the speech, in which he is called old and rash (1,1). He is also presented as ignorant, silly, greedy, lacking creativity and insight, and as a man who hides in the dark and shows no reverence towards the gods (56,3-7). The last factor has even led some scholars to believe that he was a Christian, which, however, seems rather unlikely; see on 16,13.

The man who actually brings forward many of the preliminary charges is *Tannonius Pudens*. He is introduced without comment in 4,2. B/O a.l. suppose that he is a relative of Pudens on his mother's side. Curiously, Tannonius is not mentioned in the entire second half of the speech; in 46,4 he seems to be almost literally reduced to silence. The prosecution appears to employ more than one helper, since there are many references to their *patroni* or *aduocati*; e.g. 1,5; 3,6; 25,8; 38,6; 52,3; and 74,5. It looks as if Tannonius was the man in charge of the attacks on Apuleius' reputation, with the allegations about e.g. eloquence and beauty, use of mirrors, and cure of epileptics. The heart of the matter, the marriage with Pudentilla, seems to have been dealt with by another advocate.¹

In Apuleius' view, there is a man operating behind the scenes of the prosecution: *Herennius Rufinus*. He was the father-in-law of Pontianus, and later (97,7 - 98,1) almost became the father-in-law of the other son, Pudens. This man, who is not mentioned before 67,1, is dealt with only from 74,3 onwards. That is, he is closely linked to the essential point of the case, Apuleius' marriage with Pudentilla and its possible financial consequences. As a father-in-law, Rufinus seems to have had considerable economic interests in this case. This prompted him to put pressure on Aemilianus to accuse Apuleius.

Whereas Apuleius' opponents occasionally appear as human beings worthy of some pity at least, the picture painted of Rufinus is as black as can be. He appears largely as a caricature, with traits of the immoral pimp and the greedy legacy-hunter from Roman comedy; cf. on 74,4.

The ranks of the prosecution are supported by the witness *Crassus*. Of him, too, we hear almost nothing that passes the boundaries of invective and caricature. He is pictured as a drunkard, who sold a false testimony. In his reply to the charge of nocturnal sacrifices (57- 61), Apuleius does not take this witness seriously at all. Instead, he makes him the easy target of all sorts of puns on smoke and drink.

Finally, Apuleius' acquaintance *Calpurnianus* may be included here. Apuleius had composed a poem on toothbrushing for him, which was then used against the poet (cf. 6,1), and somehow became part of the various rumours and attacks on Apuleius'

¹ B/O on c.2 (p.7) say that there is no evidence that the accuser was allowed more than one *patronus*, and that the word may be used rather loosely here in the sense of *subscriptor*. Indeed, Tannonius may have been an assistant responsible only for the formal complaints listed at the beginning of the session; cf. 4,2; 13,5; 17,11; 30,5; 33,6; and 46,1-4. However, it becomes clear from the last passage that he is present in court.

reputation. Meanwhile, the exact relation between Calpurnianus and the prosecution remains unclear.

(3) Officials in court

The Roman official leading the trial is judge *Claudius Maximus*. Independent evidence confirms that he was proconsul of Africa in 158-8 AD; he may be the Stoic philosopher mentioned in letters by Marcus Aurelius, and was apparently a man of learning. See on 1,1; for his military career, see on 19,2. Apuleius' addresses to the judge are invariably polite and highly flattering. He openly attempts to bring the judge over to his side, which is presented as the side of philosophy, culture, and education.

The judge is assisted by a *board of advisers*. This *consilium* is mentioned four times in the speech (see on 1,1), but we do not read anything more specific on its activities or the identity of its members.

For various procedures in court *assistants and clerks* are responsible. They must be more than one, but their exact number cannot be established. The first time an attendant of court appears to be addressed is at 36,8. Most references to them occur in the last part of the speech on the marriage with Pudentilla (c.68ff): it is in this section that Apuleius can support his defence by means of documentary evidence, which the clerks are asked to hand to him or quote from; e.g. 69,6.

Two other judges are mentioned in the text: *Lollius Urbicus* and *Lollianus Avitus*. The former is prefect of Rome at the time of the trial; cf. on 2,11. He was involved in a previous lawsuit in which Aemilianus was nearly condemned, and he is mentioned with great respect. The latter is Maximus' predecessor as proconsul in Africa, and he is also referred to with great praise; one of his letters is even quoted by Apuleius (24,1; 94,3 - 95,7). Although there is the suggestion at 3,1 that Lollius Urbicus is present in court, both men are not formally involved in Apuleius' trial. Their names are obviously dropped for the sake of the effect: it creates the impression that the prosecution is facing the authority of more than one judge.¹

(4) The audience

The sympathy of the audience attending the trial is an important element for the speaker, and Apuleius consistently tries to gain it by showing off his education, knowledge, command of Greek and Latin, sense of religion, and respect for authorities. To the educated members of the audience it must have suggested that this was the area they shared with the illustrious speaker, while the rest was bound to feel impressed. Of course, Apuleius makes sure not to humiliate or 'exclude' anyone among the audience, and he duly repeats or explains difficult points. The speech is also clearly meant to amuse the audience, with literary and philosophic allusions for the elite, and jokes and puns for all to enjoy. Apuleius occasionally refers to reactions of the audience (cf. e.g. 65,8), or even directly addresses it; see 55,12; 76,5 and 98,2.²

¹. The combined authority of the three judges seems to threaten the accuser rather than the defendant: if we assume Claudius Maximus to be still 'neutral', Lollius Urbicus at least had shown himself to be against Aemilianus, while Avitus was quite clearly on Apuleius' side.

². Some references to crowds at other occasions may also be mentioned here; cf. e.g. 55,10-11; 56,4; and 73,2.

(5) Other persons

Finally, a fifth group of persons may be discerned, those who are involved in Apuleius' case but appear to be absent in court. Leaving Pudentilla and Pontianus aside (see above on the defence), we may list them as follows. Some persons are no longer alive: Apuleius' father, who is mentioned respectfully (23,1; 24,9); Sicinius Amicus, Pudentilla's first husband and the father of Pontianus and Pudens, about whom we hear nothing more (68,2); the father of Aemilianus, a poor farmer (23,6); the father of Sicinius Amicus and grandfather of the boys, who attempts to force Pudentilla to marry his second son (68); and finally the father and mother of Rufinus, who are pictured as infamous (75,5 and 75,8). Other relatives of Rufinus are alive, but seem to be absent too: Rufinus' wife and children (75,1), and in particular his daughter (76,2). Like Rufinus himself, they are the object of the speaker's scorn and abuse. This could be a sign that they are not present.

The absence of a number of other persons is less easy to explain: the epileptic slave Thallus (mentioned first at 43,8) is said to be sent for, but never seems to arrive (see 44,6). The second patient, an epileptic woman, is not only absent but even remains anonymous (see on 48,1). The lady Capitolina (61,7), apparently a friend or admirer of Apuleius, remains quite shadowy to us (61,7). Whether or not the librarian of Pontianus is present, depends on our interpretation of 53,8. Finally, there is Sicinius Clarus, the man whom Pudentilla was urged to marry (68,3). It is unclear whether he is present; the abuse poured on him at 70,3 would suggest that he is not.

Finally, there are various persons who are referred to but do not seem involved in the trial, e.g. the Granii (1,5), the manumitted slaves of Apuleius (16-7), the neighbours of Aemilianus (17,1), or the servants and slaves of Pudentilla (87,7 and 93,4).

A.3 THE OUTCOME OF THE TRIAL

On reading the speech, most readers will be inclined to believe that Apuleius was fully acquitted or at least not found guilty. The triumphant and self-confident tone of the speaker, the quality of the evidence he presents, and the manifest weakness of most of the charges, especially in the last major section (68-101), strongly suggest this. The fact that the speech was published in the first place, in addition to Apuleius' general renown as a public speaker, would seem to confirm this. Many scholars even assume without further discussion that the trial ended in a success for Apuleius; cf. e.g. FICK 1991b, 27.

As a matter of fact, we do not know what decision Claudius Maximus made. The MSS contain no indication about this, nor does Apuleius refer to the trial elsewhere in his works. Nearly all arguments brought forward on this question ultimately rely on speculation; cf. HJMANs 1994, 1714-5.

After the trial Apuleius came to Carthage, where he served as a *sacerdos Africae*. In HJMANs' view, this is the only fairly decent argument: Apuleius would not have obtained the position if he had not been acquitted in court. Again, this seems fair enough, but it does not constitute proof.

Strictly speaking, the argument must be reduced even further: the only solid evidence we have is our certain knowledge that Apuleius was active in the 160s, as appears from the *Fl*. If he had been found guilty of the charge of magical practises, he would have had to be put to death. *Since he survived the trial, he was not condemned:*

that is all we can say with certainty. Whether the charges were judged to be unfounded, cannot be established.¹

However, even though solid proof is missing, it seems not unreasonable to assume a positive outcome of the trial; cf. also on 103,5 (final remarks).² Nonetheless, Apuleius' fame as a magician was to last for many centuries to come.

B. THE OEUVRE

The literary oeuvre of Apuleius comprises works which show a remarkable variety in length, genre, style, and subject-matter.

Apuleius is, of course, best known for his long and brilliant novel, the *Metamorphoses* (*Met.*). That he was also a prolific public speaker is not only brought out by the *Apology*, but also by his epideictic speeches, twenty-three fragments of which have been preserved in the *Florida* (*Fl.*), and by his philosophical discourse, *De Deo Socratis* (*Soc.*), which deals with the nature of *daemones*. His philosophical interests are also manifest in *De Platone* (*Pl.*), a somewhat schoolish summary of teachings of Plato; *De Mundo* (*Mun.*), a Latin adaptation of the pseudo-Aristotelic treatise *Peri Kosmou*; and *De Interpretatione* (*De int.*), a technical work on logic.

Furthermore, past centuries have associated the name of Apuleius with a number of other extant works. The most important ones are *Asclepius* (*Ascl.*), a Latin version of a Hermetic treatise; a herbal called *De herbarum medicaminibus*, which was widely used in the Middle Ages; and the *De Physiognomonía*, a Latin adaptation of Greek sources on physiognomy; for a full list of these allegedly spurious works, cf. FLAMAND 1989, 311-3; cf. further HIJMANS 1987, 408-12.

Finally, there are some fragments or titles of works by Apuleius which have been lost; this category includes a second novel called *Hermagoras*; playful poems known as *Ludicra*; an erotic poem *Anechomenos*, which is probably an adaptation of some lines from Menander; a Latin adaptation of Plato's *Phaedo*; a treatise *De Republica*; and various works on history, natural history, meteorology, and medicine; for a full list of lost works, see FLAMAND 1989, 311; see further BOURGERY's edition of fragments (*Opusculæ philosophiques*, 169-80).

Given this great variety, we may discuss what place the *Apology* possesses within the Apuleian corpus. This brings up three related issues: the authenticity of the works mentioned, their relative chronology, and their differences or shared characteristics.

¹. Whether the charges were unfounded, is a matter we can at least partly decide on the basis of the text itself. It is obvious that Apuleius has a thorough knowledge of magic, and he can hardly be considered as an 'innocent victim' in this respect. He may even deliberately have left some suspicion among the audience of being rather experienced in the field of magic. On the other hand, there seems hardly any magic connection to his marriage with Pudentilla, and the financial gain he obtained from it appears to be limited.

². In addition to the arguments of probability already mentioned, it is often argued that the trial of Lucius in *Met.* 3, and the general hostility in this novel to legal accusers, may be deliberate allusions to Apuleius' personal experience.

B.1 AUTHENTICITY

Among the extant writings attributed to Apuleius, the most important ones are of undisputed authorship: *Apol.*, *Fl.*, *Soc.*, and *Met.* are all regarded as genuine works;¹ this can also be said for *Pl.*

Of some others, authenticity remains a matter of dispute, notably of the philosophical works *Mun.* and *De int.*² However, recent Apuleian scholarship clearly tends towards accepting Apuleian authorship in these cases, too. In general see HIJMANS 1987, 408-11. For the authenticity of *Mun.* see REGEN 1971, 107-10; MARCHETTA 1992; and BAJONI 1994. The authenticity of *De int.* has been strongly defended by JOHANSON 1983, 131-4; further LONDEY/JOHANSON (1987), 11-9 and KLIBANSKY/REGEN 1993, 18-23. As far as most of the *spuria* are concerned, it is indeed difficult to claim them as possibly authentic. The only exception here is the *Ascl.*, for which solid arguments can be adduced that the Latin adapter was no other than Apuleius; the case was reopened by HIJMANS 1987, 411-2 and was recently defended in detail by HUNINK 1996b.

B.2 RELATIVE CHRONOLOGY

Accepting the conclusions of Apuleian studies mentioned above, we are confronted by the following extant and authentic works: *Apol.*, *Fl.*, *Soc.*, *Met.*, *Pl.*, *Mun.*, *De int.*, and *Ascl.* It remains to be asked in what order of time these writings were composed. Modern scholarship has not reached definitive answers here, but a general tendency may be observed.

In fact, a fairly precise date can be established only for the *Apol.*: the trial must have taken place in 158/9 AD (see A.1 (1)). We may add that this does not automatically mean that the text, as we have it, was put down immediately (see discussion below, C.2); but for convenience's sake, we may hold on to this date. The other works cannot be similarly dated on the basis of external facts, even though some of them contain elements referring to specific dates.

As a result, we have to resort to internal points if we wish to establish a relative chronology. The most important question here is the relation between *Apol.* and *Met.*: was the novel a product of Apuleius' younger years, or was it composed well after the speech? Most scholars now assume that the *Met.* was written much later than the *Apol.* They do so mainly on the basis of a classic *argumentum ex silentio*: in the speech no mention is made of the novel; but had it been written by 158 AD, the prosecution would doubtless have used it, if only because magic dominates much of the novel's tale. In addition, scholars have pointed to some minor matters in the *Met.* that can be regarded as conscious reflections by the author on his own trial (notably the judicial

¹. An exception is the so called *spurcum additamentum* in *Met.* 10,21. Even this disputed, obscene fragment is considered by some to be genuinely Apuleian; see e.g. WINKLER 1985, 193. See however GCA a.l., which firmly rejects Apuleian authorship of the fragment.

². Furthermore, various problems have been raised about the prologue of *Soc.* Its Apuleian authorship, however, seems more or less undisputed. Cf. further HUNINK 1995.

scenes in books 3 and 10) and to some elements suggesting a date well after 160 AD¹; cf. further MÜNSTERMANN 1995, 125-7. It may further be argued that the *Met.* shows such complex patterns, comprising the fields of philosophy, hermetism, and religion, that they seem the work of an even riper talent than that displayed by Apuleius in his speech. Admittedly, much of this remains conjectural (for more doubts, see HUMANS 1987, 414-5). On the whole, however, the case for a date of the *Met.* well after the *Apol.* seems stronger than the reverse.

Some pieces in the *Fl.* are addressed to Roman magistrates, and can therefore be dated to specific years: 163 (*Fl.* 9 and 17) and 166 (*Fl.* 16). Although there are many problems involving the origin and aims of the collection of fragments as a whole (cf. also HUMANS 1994, 1723-4), this does suggest that the *Fl.* must be dated after the *Apol.*

The case is more difficult where the other works are concerned. The philosophical writings are generally dated before the novel and not infrequently considered as early works. An important, though admittedly far from conclusive, argument for this is the relatively uncritical and somewhat schoolish attitude taken by the author. On the other hand, *Soc.* and *Mun.* show many characteristics of advanced and conscious literary modeling (for *Soc.* cf. HUNINK 1995; for *Mun.*, BAJONI 1994). Furthermore, *Pl.* and *Mun.* are addressed to 'Faustinus', who may be Apuleius' son from a marriage with Pudentilla, and who must at least be a younger man; cf. HUMANS 1987, 414.

The date of the *Ascl.* is an even more difficult problem, which needs not to be discussed here; see HUNINK 1996b, 291-2. Traces of Hermetic influence have been detected both in the *Apol.* and in the *Met.*; see MÜNSTERMANN 1995. Nonetheless, we may assume that the *Ascl.* was composed well after the *Apol.*: this is suggested by the sheer complexity and length of the treatise. Generally speaking, many scholars would consider a date late in the 2nd century to be 'early' in the history of Hermetism.

Some of Apuleius' lost works may have been composed before the speech. Evidently, the writings he refers to within the speech itself must be dated earlier. Obvious examples are the poems (6,1 *e ludicris meis*; 6,3; 9,12; 9,14) and some of the scientific writings, as the treatises on fish (36,8; 37,4; 38,5) and the published speech on Aesculapius (55,10-2). One might assume that the extant 'scientific' writings *Mun.* and *De int.* are equally to be dated rather early. In general, it results clearly from the speech that by the time of the trial Apuleius was a distinguished man of letters, who had published several works already.

All in all, the conclusions remain rather meagre and speculative. The most reasonable assumption is that *Fl.* and *Met.* were written well after the *Apol.* With much less confidence, we could opt for an earlier date for *Pl.*, *Mun.* and *De int.*, and a later date for *Soc.* and *Ascl.*; for further discussion see notably MÜNSTERMANN 1995, 122-9.

¹ For instance, in *Met.* 7,6 and 11,17 mention is made of *one* emperor. Given the combined rule of Marcus Aurelius and Verus from 161 to 169, and of Marcus Aurelius and Commodus from 177 to 180, this would imply the period 169-177. However, the argument is not convincing, as it takes no account of the distinction between history and fiction. A general reference in a novel to an 'emperor' may well be timeless and have no further implications.

B.3 THEMES AND INTERESTS

Although at first glance the Apuleian oeuvre may appear to be rather disparate, there are several themes and interests which all his extant works have in common. I will single out three elements here.

The most important common factor is a particular outlook on life. This is not a consistent and logically coherent ideology, but could be described as an unsatiable curiosity in the wide area of religion, mysticism, and philosophy. Apuleius always seems keen on learning something about the Gods, the supernatural, or the essence of nature and cosmos. So, he shows interest in mythology, ancient religion, mystery cults, Hermetism, Platonic teachings, Egyptian wisdom, and whatever crosses his path; cf. e.g. DOWDEN 1997.¹ Where philosophy is concerned, Plato inevitably comes first, since Apuleius regards himself as a *philosophus Platonicus*. But he does not restrict himself to Platonism; he is also involved with Cynics and Stoics, and shows great interest in the early Greek Sophists, like Hippias and Protagoras. Furthermore, throughout his works great interest can be observed for earlier literature, notably early Latin poets like Lucilius or the pre-neoteric poets, and for science in all its aspects; various areas of science have already been mentioned (see B.1).

A second element which unites the oeuvre as a whole, is Apuleius' use of sources and his attitude towards them. Most of his works are based on models in other languages, mostly Greek: this can be said for the *Met.*, *Soc.*, *Pl.*, *Mun.*, *De int.* and *Ascl.* In handling his sources and models, Apuleius invariably behaves in a free way, adding and reducing material, modifying thoughts, and changing the idiom and syntax. In particular, he seems keen on giving his version a specific 'Roman' and 'Latin' colour; cf. e.g. HUNINK 1995, 303 on *Soc.* The *Apol.* is obviously not a free rendering of a Greek original, since it had to respond to specific charges concerning the speaker's personal life. But throughout the speech Apuleius adduces many examples from Greek rhetoric, philosophy, and poetry, and deals freely with them, even to the point of distorting them (as in 26,4-5)).

Finally, Apuleius is a great lover of the Latin language. His works are not written in one, unchanging style; instead, each is given the level of style appropriate to its genre. This ranges from the exuberance of the *Fl.* and the *Met.* to the modest tones of *Pl.* and *De int.* But in all his works he shows his great mastery in handling Latin, inventing new words or resuscitating archaic ones, building elaborate periods or powerful brief lists, and exploiting rhythm and sound by means of all possible forms of rhyme, assonance, and alliteration.

Apuleius' ideological curiosity, his attitude towards Greek sources, and his handling of Latin are perhaps most articulate in the *Met.*, but are also manifest in the *Apol.* Considered in the context of the entire Apuleian oeuvre, the *Apol.* appears to be an important and integral part of it. The speech displays many typically Apuleian features, and prepares for several later works of its author, the *Met.* probably among them.

¹ The sheer range of these religious topics makes it quite likely that Christianity caught Apuleius' interest at an early stage, although his works show no clear proofs of this. On Apuleius and Christianity, see now SCHMIDT 1997. For some possible traces in the *Apol.*, see e.g. on 16,13 and 56,3.

C. THE LITERARY TEXT

The *Apol.* is commonly used as a document about Apuleius' life and works, in particular as a source to reconstruct his trial in 158/9 AD. Since we have no other independent sources of information, this seems inevitable. However, the *Apol.* presents itself above all as a literary text, both in its referring to numerous ancient authors and in its usage of literary models and strategies. The literary character of the text is so pronounced that we are fully entitled to ask to what extent the text reflects a real live performance in court.

C.1 THE USE OF LITERATURE

In the course of his speech, Apuleius refers to countless authorities from the past, both Greek and Roman, and inserts many quotations from texts in various genres, ranging from epic and philosophical prose to lower genres like comedy. Even a quick glance at the pages of the Latin text will easily show this.

Literary elements can also be discerned where no explicit reference is made to ancient authors. In fact, literary patterns and models appear to dominate the development of the speech as a whole. For instance, in the first quarter of the speech the legal issue at stake is hardly ever brought up. Instead, the speaker inserts long digressions on minor points concerning his reputation, taking much time for a self-portrait, for some pieces of poetry, and for illustrations of his wide erudition. When he does enter on the case itself, the facts are mostly dealt with briefly, whereas a considerable part of the defence consists of invective, with much attention for lively images and drama (cf. CALLEBAT 1984, 164-6). For instance, the portraits of Crassus and Rufinus may owe more to stock characters in mime or comedy than to real life: these opponents are pictured as fullblown caricatures. On the other hand, when the occasion demands it, Apuleius can also allude to more positive literary figures, as when he has Pudentilla behave like a Penelope.

Finally, throughout the speech, Apuleius appears to aim at special effects of language: countless are the inserted puns, verbal jingles and sound effects, the cases of etymological play or resuscitation of archaic idiom. Although the *Apol.* is less exuberant in style than some of Apuleius' other works, notably the *Met.* and *Fl.*, it is the special flavour of his Latin which lends the speech a decidedly literary character. Particularly intriguing are the instances where the speaker handles his language so as to convey threats or outright curses; here the speaker becomes a 'magician of words' in an almost literal sense (for examples, see the index of names and subjects s.v. 'magic (verbal)').

This elaborate literary furnishing serves various aims. On the level of style, it functions as an ornament, providing brilliance and dignity to the speaker's defence. But it is much more than merely ornamental: on a social level, it conveys the message that the speaker is a true man of letters and a connoisseur, who towers far above the provincial, trivial daily life of which his accusers are presented as exponents. Furthermore, it establishes a link with the audience: in so far as it recognizes and appreciates the references and quotations, it must have had the pleasant feeling that it 'shared' in the speaker's intellectual and social superiority.

C.2 THE TEXT AND THE TRIAL

The strongly literary appearance of the speech as a whole has, of course, raised questions concerning its status. Is it a faithful and literal account of what was said during the actual trial, or was it partly rewritten for publication? Or, conversely, is it a fictional speech without any relation to a real trial? Between these extremes, scholars have adopted various positions. For the sake of convenience, they may be summarized in three groups.

(1) Revision

Most scholars assume that the speech was revised or rewritten to *some* extent at least. It is not merely the literary nature of various passages (notably the digressions) which would suggest so; other arguments, too, are adduced. To many, for example, the sheer length of the speech seems to have made a live performance unlikely. Other elements, such as the uncommonly strong invective and the rather perilous use of 'magical language', also seem hard to imagine in a real procedure in court; cf. notably the acute remarks on Apuleius' 'insolence' made by GAIDE 1993. It was, furthermore, customary for ancient orators to revise their speeches before having them published. Finally, if we may believe Apuleius' words in the opening paragraphs, he would have had only little time to prepare his defence; it would seem natural, then, that he delivered a relatively brief and simple speech in court, which he afterwards greatly amplified and ornamented before publishing. Some scholars (e.g. ABT 1908 or GAIDE 1993) even point to specific passages which must have been added afterwards; cf. HUMANS 1994, 1715-8 for a useful discussion of these arguments.¹

(2) Stenographic account

The theory of revision has not remained unchallenged. In an important article on the subject, WINTER 1969 rejects all above arguments that the *Apol.* as we have it must have been revised. In his view the speech is, on the contrary, a stenographic account of the speaker's words. According to WINTER, the speech was recorded by stenographers (whose presence in forensic procedures is well attested) and subsequently published. WINTER's position (more or less prefigured by NORDEN 1912, 50-1wn1) is basically accepted by CALLEBAT 1984, 143n1, who assumes only minor corrections in the text. See also HUMANS 1994, 1718-9: while pointing out that *publication* of the speech by stenographers can in no way be proved, HUMANS agrees that the speech as we have it does not suggest a strong reworking for publication: on the contrary, it shows many traces of the actual setting of a historical trial, such as the numerous references to the audience, the pieces of evidence, the waterclock, and also elements that are not immediately clear to the reader.

Certainly, the speech does present itself as a live performance in court, with clear suggestions of improvisation and lively exchanges with the opponents, many details suggestive of 'real action'. But we must be careful not to take the speaker's words for granted all too quickly. After all, even improvisation may be faked; cf. SALLMANN 1995, 140-1.

¹ HUMANS, 1715 rightly observes that 'publication' is a fluid notion in the ancient world, and should not be confused with modern publication practice. On this matter cf. also STARR 1987.

(3) Fiction

A third, equally radical position is also possible: the speech may be entirely fictitious. Forensic speeches need not have been delivered in court at all; the tradition of fictitious speeches remounts to early Greek literature; cf. Gorgias' *Palamedes* or e.g. Isocrates' *Antidosis*; a well known Roman example is Cicero's *In Verrem* (the *actio secunda*). Apuleius may well have wanted to present a fascinating show of his talents and to defend his possibly damaged reputation by faking a trial. This would allow him to use the model of a forensic speech, bound to raise sympathy for himself. This third position is mentioned by some scholars, but rarely seriously defended.¹ HIJMANS 1994, 1712 rejects it almost at once 'as the sort of creative imagination that might do well in a novel,' asserting that it would have to be established by external evidence, if the author himself leaves no clues.

As a matter of fact, there is no 'external evidence' for any of the three positions, while all arguments proposed are liable to criticism and remain inconclusive. Given this state of affairs, the theory that the *Apol.* is a literary fake would deserve at least as much attention as the opposite claim, i.e. that it gives the literal text of Apuleius' self-defence.

(4) A different approach

Ultimately, all of the aforesaid solutions respond to the same question: 'was this speech real or not?', that is, they reflect a *historical* approach. However, we are faced with an impossible task: possessing the speech in the written form as we know it, we have no way to establish with any degree of certainty *whether* and *in what form* it was delivered, and we cannot prove that is it either a revision, a literal account, or a piece of fiction.

The question must, perhaps, be rephrased. If we cannot reach the historical truth concerning the status of the text, what can we say about the text itself?

Indeed, it creates the impression of being a *literary performance*, a work of brilliant art, and accordingly this is how we should interpret it. Everything in the speech is involved in a great move of 'literarisation': numerous elements in the speech are clearly designed in advance to entertain and amuse the reader. The speech then would be a *declamation with practical use* rather than the reverse, a forensic speech with additional, declamatory elements.²

This point has been convincingly made by STOK 1985, 354, who suggests that Apuleius deliberately provoked a trial he was absolutely sure to win, and recently by SALLMANN 1995, who concentrates on the narrative parts of the *Apol.* As SALLMANN points out (p.139), the *narratio* in this speech transcends its original function: providing information is not what the *narratio* in the *Apol.* is about. Stylistically, it rather serves as a 'Schilderung und Beschreibung', and functionally as a 'psychagogisch aufgeladene Unterhaltung'. In the hand of the professed sophist Apuleius, even his own trial becomes a literary event, with many touches of comedy and dramatic

¹ Cf. MCCREIGHT 1991, 29-41, who mentions the example of Isocrates' *Antidosis* (p.39), and points to the 'epideictic' elements in the *Apol.*

² The various literary elements in the speech are briefly analyzed by HELM 1955, who classifies it as a masterpiece of Second Sophistic. Meanwhile, HELM does not question the reality of Apuleius' trial or even discuss this problem.

action. The speech is designed not merely for a trial, but above all for a literary audience. For the reader, SALLMANN concludes (p.154), the entire *Apol.* has become literature: he may take the text for what a sophist could have intended it to be: an exciting tale in the form of a forensic speech. In this approach, the speech rises above the level of historical, biographical, and legal records and is drawn into the world of higher literature, where it receives a place quite close to Apuleius' great novel, the *Met.*

By taking the speech as a literary work of art rather than a more or less reliable account of historical events, we would simply leave aside the vexed question of its relation to Apuleius' trial. Rather than fruitlessly speculating about 'what really happened', this approach would do justice to the work as it presents itself and open up new possibilities of interpretation on a literary level.

C.3 AFTERLIFE

The above problems do not seem to have bothered readers until modern times. For centuries, the *Apol.* was simply taken as a document which could shed light upon the biography of Apuleius.

Nonetheless, its literary qualities did not go unnoticed. For example, more than two centuries after Apuleius' death, Augustine called this speech a *copiosissima et disertissima (...) oratio*.¹ This proves that the speech was known and appreciated in Augustine's time. For Augustine's mostly negative reactions on his fellow African, cf. in recent years MORESCHINI 1978, 240-54; ALIMONTI 1979, 125-34; MAYER 1988; HORSFALL-SCOTTI 1990.

During the Middle Ages Apuleius' fame relied mainly on the *Met.* and the philosophical works, notably *Soc.*; see e.g. SCHLAM 1990. In this period there are only a few instances where the *Apol.* has clearly influenced other texts. Rare exceptions are some remarkable passages in two rather obscure early Christian authors: Claudius Mamertus (5th cent.) and Zeno Veronensis (6th cent.); see on 8,3 and 84,8n.

After the Middle Ages, the text raised new interest. Some imitations have been detected in the works of Petrarca (see on 90,6) and Shakespeare's *Othello* (see 53,2). In addition, one may refer to Erasmus' collection of expressions and proverbs, in which some lines from the *Apol.* figure; see ELSOM 1988.²

In the other arts, like music and opera, sculpture, pictorial arts, and film, the *Apol.* has exerted less inspiration. I do not know of any significant example.³

¹ *Huius autem philosophi Platonici copiosissima et disertissima extat oratio, qua crimen artium magicarum a se alienum esse defendit seque aliter non vult innocentem uideri nisi ea negando, quae non possunt ab innocente committi.* (C.D. 8,19). Cf. also Ep. 137,13 *Apuleium se contra magicarum artium crimina copiosissime defendentem*; and Ep. 138,19.

² To these relatively few names, some more may have to be added; a more systematic inquiry into the *Apol.*'s 'Nachleben' would be most welcome.

³ On a somewhat curious note, I found a reference in the newspaper *Liechtensteiner Vaterland* to a stage performance of the *Apol.* by Hans Peter Minetti (October, 24th, 1992).

D. TRANSMISSION OF THE TEXT

For the transmission of Apuleius' *Apology*, *Florida*, and *Metamorphoses*, our main witness is a Florentine MS (F = Laur. 68,2) of the 11th century. On this all other MSS depend. Cf. HELM (introduction to his *Fl.*); B/O, xxix-xliv; REYNOLDS 1983, 15-6.

Recently this position has been challenged by PECERE 1987, who argues for a tradition independent from F; the so-called Assisi fragments (C) would be an example of this. However, his examples are hardly of any consequence for our constitution of the text. For this, not even PECERE denies the central importance of F.

Closely related to F is ϕ (= Laur. 29,2), which often presents the correct reading when F is illegible. Some more recent MSS appear useful in other cases where F ϕ agree in obviously wrong readings. On the whole, the authority of F ϕ has been widely accepted in modern Apuleian scholarship. For the *Metamorphoses* cf. especially the *Groningen Commentaries on Apuleius* (GCA), where readings of F ϕ are consistently defended wherever possible; cf. also HIJMANS 1994, 1770-80 and HIJMANS 1995. Among earlier scholars defending F in difficult places, cf. e.g. ARMINI 1928.

As far as the *Apology* is concerned, the same trend can be observed, but the practice of making new emendations still continues. Recently a number of them have been brought forward by FRASSINETTI 1991 and WATT 1994. Most of these proposals to change the text are unnecessary, since they concern passages where F's reading makes good sense and is otherwise undisputed. In the majority of problematic passages, emendation can be discarded in favour of readings found in F ϕ . A selection of striking illustrations from the *Apol.* was also published separately as HUNINK 1996. For the principles followed in this edition, see further below (E.1).

E. SCOPE AND AIMS OF THE PRESENT EDITION

This new edition with commentary has two basic aims. First, it intends to provide an updated version of the Latin text. Second, it contains a complete commentary with particular attention to matters neglected in older commentaries, notably B/O. It is important to stress that the commentary does not aim to *replace* that of B/O, but to *supplement* it; see further below (E.2).

E.1 THE TEXT

In this edition the practice of GCA has been adopted. That is, the text as constituted by HELM has been taken as the starting-point, and no new collation of the MSS has been made; on some points, however, I have attempted to improve on HELM's text. These points may be briefly listed as follows:

(1) Readings and spelling

In a fairly large number of places it appeared possible to defend the reading of F ϕ , even where HELM had judged that emendation was required.

In matters of *orthography*, too, I have followed HELM and GCA: the spelling of F is retained even where it is deviant from standard classical practice, provided that it is

attested elsewhere as an alternative spelling (a mention in OLD is the test here). Inner consistency has not been sought and normalization has been avoided; thus, this edition reads e.g. *nuptias* (22,5) and *nubtiae* (47,5); *uerti* and *uorti* (see on 3,12).

This text does *not* pretend to reconstruct the spelling and readings chosen by Apuleius himself, to which we simply have no access.¹ The closest we can get is F, which probably most closely resembles the emended copy by Sal(l)ustius (for whom see on 65,8). The edition as presented here is, therefore, a fairly modest attempt to approach the text; cf. HIJMANS 1994, 1772-3.

As in the GCA, no critical apparatus has been added, but all instances where the reading in this edition differs from HELM's are listed separately. A full discussion can be found in the appropriate places in the commentary.

(2) Presentation

Punctuation of an ancient Latin text is a matter for its editor to decide. Normally, the practice followed in the editor's native language is tacitly adopted as a guideline. For example, German editions tend to print far more comma's than English or French ones.

This edition is aimed at an English-speaking readership. Therefore, on a fairly large number of places, HELM's punctuation has not been followed. Notably, many comma's have been omitted, more use has been made of colon and semicolon, and some of HELM's longer sentences have been split. Meanwhile, no attempt has been made to radically apply English (or, for that matter, Dutch) standards. Usually, a practical compromise seemed the best solution.

Like punctuation, the manner of *visually presenting* the text depends on the individual habits and taste of the editor. I have basically wished to provide a text which is pleasant and easy to read. To achieve this, I have chosen a 'classic' font, in a fairly large pitch, surrounded by broad margins and headers. The opening letter of a sentence is printed as a capital, as are first letters of names, in accordance with modern practice.

Chapters are indicated by large numbers in the margin; for the *subdivision* of chapters, the arrangement of VALLETTE's French edition has been applied. For convenience's sake, this arrangement has been preferred to the inconvenient references to page and line of HELM's Teubner edition.²

The division of the text into *paragraphs* (with the first line indented) has been executed with some care, equally on the basis of modern standards. For instance, a new paragraph is normally started where a new thought is dealt with or where another person is addressed. By doing this, I have consciously avoided the common practice of editors of classical texts, who all too often present the reader with Greek or Latin texts that look like 'impenetrable blocks.' It is my firm conviction that we should be cautious and 'conservative' where the *readings* of the MSS are concerned, but

¹ It is, moreover, not unlikely that Apuleius fancies unclassical spellings, just as he has a taste for archaic and new words.

² Only in places where the *Met.* is quoted, HELM's numbers have been added. For the *Fl.*, VALLETTE's arrangement has been followed. For Apuleius' *philosophica*, the traditional arrangement in chapters has been added in brackets.

unhesitatingly apply our own, contemporary standards where the *presentation* of the text is concerned.

E.2 THE COMMENTARY

B/O's commentary is very useful for matters of grammar and style, as well as for various 'realia'. Therefore it seemed pointless to repeat all their remarks, or try to rephrase these even where they were clear and satisfactory. Simply including all this basic material would, moreover, have limited the possibilities to approach new areas in the present book without unduly extending the number of pages.

Therefore, this commentary has been arranged as a *supplement* or *sequel* to B/O rather than a replacement. It has been assumed throughout that readers will consult B/O for matters of grammar, idiom, and style. Only where a new element could be added, or where I disagreed with B/O, a remark has been included here.

The principal aim of the commentary is to shed light upon elements of the text that until now have remained hidden or unnoticed. In particular, literary aspects and elements of rhetorical strategy are paid much attention to, in order to get a better understanding of the speech as a work of art.

To give readers easier access to the text, it has been divided into a number of sections. Each of these is introduced by a separate paragraph, which consists of a paraphrase of the text (printed in italics) and a short analysis of the argumentation and matters of general interest. This division into sections is made only for the sake of convenience, and does not claim to reconstruct any scheme of Apuleius himself.

(1) Textual problems

Any interpretation or analysis of a Latin text must start by establishing whether the text itself is sound. In the case of the *Apol.* we may safely say that the text as a whole is fairly reliable. Nonetheless, there remain a number of problematic or even disputed passages which require some attention. Therefore, even though this commentary is mainly of a literary nature, textual problems are discussed whenever necessary. For the general policy followed here, see above (E.1).

(2) Events and realia

Since we have no independent sources relating to Apuleius' trial, the text itself is inevitably used to reconstruct it. Even though this trial is not necessarily a 'historical event' (see discussion above, C.2), we may analyze how Apuleius wants us to imagine it, and we are entitled to reconstruct events as they are told or implied by the words of the speaker. In the end, what matters most is not what happened, but how Apuleius wants us to read it.

What seems the most interesting pursuit here, is to combine various pieces of information and to fill in the gaps in his account. Notably in the commentary on 66-101, a close reading of the text proved fruitful in this respect. It brought to light a fairly large number of questions, dubious aspects, or even weak points in Apuleius' defence.

Of course, non-literary realia (e.g. the waterclock or rare animal species) are duly explained. Attention is also paid to matters of magic, to social and economic aspects (areas of current interest among historians), and to the various matters of law and science that Apuleius brings up.

(3) Literature

On a literary level, there are numerous occasions where Apuleius quotes from or refers to ancient authors. Here the commentary provides elementary help to the reader by referring to the most modern editions. In addition, it tries to add something more. For instance, one may ask *why* a specific author is included, or why a text is quoted only partly or, on the other hand, at unnecessary length. It can also be interesting to ask *from what source* Apuleius has taken his material. Especially in the case of works which have been lost, some *encyclopedical* information is sometimes added.

Equally on a literary level, Apuleius' own artistry as a 'magician of words' is focused upon. His clever use of images, examples, striking words, and sounds effects is highlighted in a great number of places. Comparisons to his other literary works, notably the *Met.* and *Fl.*, are also included. These illustrate the unity and coherence of his literary oeuvre, even where their content shows inner inconsistencies.

(4) Strategy

Throughout the commentary an attempt has been made to have a critical look at the words of the speaker, and to uncover aspects he seems to be hiding. For instance, the notes make the speaker's insinuations explicit, point out vague aspects, and clarify possible double meanings of words and clever puns. Inconsistencies, deliberate falsehoods, twisted or misleading arguments are noticed, as are, on the other hand, cases of conspicuous display of his learning and familiarity with authorities, and instances of threatening language, insults, and invective. Of course, the main aim of the speaker is to present his case as favourably as he can, while painting his opponents in the darkest possible colours.

Because of its attempts to get 'behind the speaker's words' and bring to light elements which have remained hidden, the method applied in this commentary could be called *deconstruction*. Meanwhile, abstract discussions have been avoided, and the commentary remains as close to the text and as succinct as possible.¹

(5) This commentary and the GCA

Although this commentary shares a number of principles and methods followed in the *GCA*, it also differs considerably from them. If the *Apol.* were to be dealt with in the detailed fashion of the *GCA*, the commentary alone would far exceed 1,000 pages. Such a project was impossible to execute.² Moreover, it seemed undesirable, since its result would probably prove an obstacle for readers rather than a convenient tool to approach the text. Being a less popular and less studied text than the novel, the *Apol.* seemed to require a commentary of different dimensions and nature.

So, for reasons of space, discussions of secondary literature have been restricted to the utmost minimum, in comparison to the *GCA*. Naturally, references to relevant books and articles on the *Apol.* are duly included. The focus is, moreover, on the most

¹. The analysis has been made *for the sake of understanding the text*, not as an illustration for a method of literary theory. In addition, the more traditional elements in the commentary, such as discussions about textual matters and references to realia, do not allow to call this 'a deconstructionist commentary.'

². It would take more than ten years to complete. In the present circumstances, no Dutch university or scientific institution would support such a major enterprise.

recent contributions; only occasionally, secondary literature from before 1900 is referred to. The textual notes also confine themselves to the essence, and do not refer to *all* previous scholars who defended the text or proposed to change it.

Furthermore, the sections of the commentary are arranged differently, as a quick comparison with the *GCA* will easily show. I have, for instance, not included a Latin text and translation for every new pericope. Within individual notes the order is different, too: as a rule, the most 'important' aspects for a first-time reader are dealt with first, followed by less important ones, while minor observations and more speculative points are relegated to footnotes; so, dependent on the circumstances, a textual problem may come either first, at the end, or in a note. Here the commentary aims to be more flexible than what is allowed by the more rigid standards adopted in the *GCA*; as a result, it is also less complete and more personal. Consequently, given its different character, the present edition has not been included in the *GCA* series.

E.3 BIBLIOGRAPHY AND INDEXES

See the introductory lines to the items at the end of this volume.

F. ABBREVIATIONS

Apart from references to scholarly literature and ancient authors (as set out at the beginnings of the Bibliography and the Index of Passages respectively), the following abbreviations have been employed:

Abbreviations

AD	:	Anno Domini (in the year of our Lord)
a.l.	:	ad locum (on the passage mentioned)
a.o.	:	and others (also 'e.a.')
<i>Apol.</i>	:	<i>Apologia</i> (<i>Apology</i>)
BC	:	before Christ
B/O	:	BUTLER / OWEN (see Bibliography)
c.	:	caput
cc.	:	capita
cent.	:	century
cf.	:	confer (also used is 'see' ¹)
ch.	:	chapter
comm.	:	commentary
crit.app.	:	critical apparatus
diss.	:	dissertation

¹. Often these two terms are used interchangeably to refer to ancient texts, scholarly literature, works of reference, or places elsewhere in this commentary. However, sometimes a slight distinction is made, 'cf.' indicating direct references, and 'see' indicating more remote, less important references.

e.a.	:	et alia (and others) (also 'a.o.')
ed(d).	:	editor(s)
e.g.	:	exempli gratia (for example)
esp.	:	especially
ff.	:	and following
forthc.	:	forthcoming
<i>GCA</i>	:	<i>Groningen Commentaries on Apuleius</i>
<i>GCN</i>	:	<i>Groningen Colloquia on the Novel</i>
i.a.	:	inter alia (among others)
ibid.	:	ibidem (at the same place)
intr.	:	introduction (also 'introd.')
LHSz	:	Leumann, Hofmann, Szantyr, <i>Lateinische Syntax und Stilistik</i>
LSJ	:	Liddell, Scott and Jones, <i>A Greek-English lexicon</i>
MS	:	manuscript
MSS	:	manuscripts
n	:	note
n.v.	:	<i>non uidi</i> (I have not seen (this item))
OLD	:	<i>Oxford Latin Dictionary</i>
RE	:	Pauly-Wissowa-Kroll a.o., <i>Paulys Realencyclopädie der classischen Altertumswissenschaft</i>
repr.	:	reprinted
sc.	:	scilicet (that is; namely)
s.v.	:	sub voce (under heading)
t.	:	text
tr.	:	translation
TLL	:	<i>Thesaurus Linguae Latinae</i>
v.l.	:	<i>uaria lectio</i> (variant reading)
vols.	:	volumes
wn	:	with note

Numbers:

34f	:	34-35
34-5	:	34-35
34ff	:	34 and following
134-69	:	134-169
8,34 (...) 89	:	8,34 and 8,89 (mainly in lists of parallels)

Signs (with words or letters):

w... w	:	the combination of indicated words that do not immediately follow each other
w - w	:	the entire phrase included between the first word and the last word

(w)	:	in headword of an entry: the word occurs in the next or previous lemma
(...)	:	words in a quotation have been left out
< ll >	:	words or letters added by editors or translators
[ll]	:	words or letters omitted by editors

MSS:

MSS are indicated according to the conspectus siglorum of B/O

F = Laurentianus 68.2

φ = Laurentianus 29.2

Codices deteriores

L1 = Laurentianus 54.32

L2 = Laurentianus 54.12

L3 = Laurentianus 54.13

A = Ambrosianus N 180

V1 = Vat. (Lat.) 2193

V2 = Vat. (Lat.) 3384

V3 = Ottob. Vat. 2047

V4 = Ottob. Vat. 2091

V5 = Urb. Vat. 199

N = Neapol. IV. G. 55

M1 = Marcianus L. Z. 469

D = Sandaniensis 91

T = Tolosan 827

δ = Cod. Doruillianus (Leid. Oud. 34)

B = Mus. Brit. Add. 24893

v = lectiones vulgatae

TEXT

APVLEI PRO SE DE MAGIA

[1] ⁽¹⁾ Certus equidem eram proque uero obtinebam, Maxime Cl. quique in consilio estis, Sicinium Aemilianum, senem notissimae temeritatis, accusationem mei prius apud te coeptam quam apud se cogitatam penuria criminum solis conuiciis impleturum; ⁽²⁾ quippe insimulari quiuis innocens potest, reuinci nisi nocens non potest. ⁽³⁾ Quo ego uno praecipue confisus gratulor medius fidius, quod mihi copia et facultas te iudice optigit purgandae apud imperitos philosophiae et probandi mei. ⁽⁴⁾ Quanquam istae calumniae ut prima specie graues, ita ad difficultatem defensionis repentinae fuere.

⁽⁵⁾ Nam, ut meministi, dies abhinc quintus an sextus est, cum me causam pro uxore mea Pudentilla aduersus Granios agere aggressum de composito necopinantem patroni eius incessere maledictis et insimulare magicorum maleficiorum ac denique necis Pontiani priuigni mei coepere. ⁽⁶⁾ Quae ego cum intellexerem non tam crimina iudicio quam obiectamenta iurgio prolata, ultro eos ad accusandum crebris flagitationibus prouocaui.

⁽⁷⁾ Ibi uero Aemilianus cum te quoque acrius motum et ex uerbis rem factam uideret, quaerere *occepit* ex diffidentia latibulum aliquod temeritati. [2] ⁽¹⁾ Igitur Pontianum fratris sui filium, quem paulo prius occisum a me clamitarat, postquam ad subscribendum compellitur, ilico oblitus est; ⁽²⁾ de morte cognati adulescentis subito tacere. Tanti criminis descriptione *<ne>* tamen omnino desistere uideretur, calumnia *<m>* magiae, quae facilius infamatur quam probatur, eam solum sibi delegit ad accusandum.

⁽³⁾ Ac ne id quidem de professo audet, uerum postera die dat libellum nomine priuigni mei Sicini Pudentis admodum pueri et adscribit se ei assistere, ⁽⁴⁾ nouo more per alium lacessendi, scilicet ut optentu eius aetatae ipse insimulationis falsae non plecteretur.

⁽⁵⁾ Quod tu cum sollertissime animaduertisses et iccirco eum denuo iussisses proprio nomine accusationem delatam sustinere, ⁽⁶⁾ pollicitus ita facturum ne sic quidem quitus est ut comminus ageret percelli, set iam et aduersum te contumaciter eminus calumniis uelitatur. ⁽⁷⁾ Ita totiens ab accusandi periculo profugus in assistendi uenia perseuerauit.

⁽⁸⁾ Igitur et priusquam causa ageretur, facile intellectu cuius fuit, qualisnam accusatio futura esset, cuius qui fuerat professor et machinator idem fieri auctor timeret, ⁽⁹⁾ ac praesertim Sicinius Aemilianus, qui, si quippiam ueri in me explorasset, nunquam profecto tam cunctanter hominem extraneum tot tantorumque criminum postulasset, ⁽¹⁰⁾ qui auunculi sui testamentum quod uerum sciebat pro falso infamarit, ⁽¹¹⁾ tanta quidem pertinacia, ut, cum Lollius Urbicus V. C. uerum uideri et ratum esse debere de consilio consularium uirorum pronuntiasset, contra clarissimam uocem iurauerit ueridicissimus iste, tamen illud testamentum fictum esse, ⁽¹²⁾ adeo ut aegre Lollius Urbicus ab eius perniciem temperarit.

[3] ⁽¹⁾ Quam quidem uocem et tua aequitate et mea innocentia fretus spero in hoc quoque iudicio erupturam, quippe qui sciens innocentem criminatur eo sane facilius, quod iam, ut dixi, mentiens apud praefectum urbi in amplissima causa conuictus est. ⁽²⁾ Namque peccatum semel ut bonus quisque postea sollicitus cauet, ita qui ingenio malo est confidentius integrat ac iam de cetero quo saepius, eo apertius delinquit. ⁽³⁾ Pudor enim ueluti uestis quanto obsole[n]tior est, tanto incuriosius habetur. ⁽⁴⁾ Et ideo necessarium arbitror pro integritate pudoris mei, priusquam ad rem aggrediar, maledicta omnia refutare.

⁽⁵⁾ Sustineo enim non modo meam, uerum etiam philosophiae defensionem, cuius magnitudo uel minimam reprehensionem pro <ma>ximo crimine aspernatur, ⁽⁶⁾ propter quod paulo prius patroni Aemiliani multa in me proprie conficta et alia communiter in philosophos sueta ab imperitis mercennaria loquacitate effutierunt.

⁽⁷⁾ Quae etsi possunt ab his utiliter blaterata ob mercedem et auctoramento impudentiae depensa haberi, iam concessa quodam more rabulis id genus, quo ferme solent linguae suae uirus alieno dolori locare, ⁽⁸⁾ tamen uel mea causa paucis refellenda sunt, ne is, qui sedulo laboro ut ne quid maculae aut inhonestamenti in me admittam, uidear cuiquam, si quid ex friuolis praeteriero, id agnouisse potius quam contempsisse. ⁽⁹⁾ Est enim pudentis animi et uerecundi, ut mea opinio fert, uel falsas uitu <pe>riones grauari, cum etiam hi, qui sibi delicti alicuius conscii sunt, tamen, cum male audiunt, impendio commouentur et obirascantur, ⁽¹⁰⁾ quamquam, exinde ut male facere coeperunt, consueuerint male

audire, quod, si a ceteris silentium est, tamen ipsi sibimet conscii sunt posse se merito increpari. ⁽¹¹⁾ Enimuero bonus et innoxius quisque rudis et imperitas auris ad male audiendum habens et laudis assuetudine contumeliae insolens multo tanta ex animo laborat ea sibi immerito dici, quae ipse possit aliis uere obiectare.

⁽¹²⁾ Quod si forte inepta uidebor et oppido friuola uelle defendere, illis debet ea res uitio uerti, quibus turpe est etiam haec obiectasse, non mihi culpa dari, cui honestum erit etiam haec diluisse.

[4] ⁽¹⁾ Audisti ergo paulo prius in principio accusationis ita dici: 'accusamus apud te philosophum formonsum et tam Graece quam Latine' — pro nefas! — 'disertissimum.' ⁽²⁾ Nisi fallor enim, his ipsis uerbis accusationem mei ingressus est Tannonius Pudens, homo uere ille quidem non disertissimus.

⁽³⁾ Quod utinam tam graui formae et facundiae crimina uere mihi opprobasset! Non difficile ei respondissem quod <H>omeri-cus Alexander Hectori:

οὐ τοι ἀπόβλητ' ἐστὶ θεῶν ἐρικυδέα δῶρα,

⁽⁴⁾ ὅσσα κεν αὐτοῖς δῶσιν, ἐκὼν δ' οὐκ ἄν τις ἔλοιτο,

⁽⁵⁾ munera deum gloriosissima nequaquam aspernanda; quae tamen ab ipsis tribui sueta multis uolentibus non obtingunt. Haec ego de forma respondissem.

⁽⁶⁾ Praeterea: licere etiam philosophis esse uoltu liberali. ⁽⁷⁾ Pythagoram, qui primum se esse philosophum nuncuparit, eum sui saeculi excellentissima forma fuisse; ⁽⁸⁾ item Zenonem illum antiquum Velia oriundum, qui primus omnium sollertissimo artificio ambifariam dissoluerit, eum quoque Zenonem longe decorissimum fuisse, ut Plato autumat; ⁽⁹⁾ itemque multos philosophos ab ore honestissimos memoriae prodi, qui gratiam corporis morum honestamenti ornauerint.

⁽¹⁰⁾ Sed haec defensio, ut dixi, aliquam multum a me remota est, cui praeter formae mediocritatem continuatio etiam litterati laboris omnem gratiam corpore deterget, habitudinem tenuat, sucum exsorbet, colorem obliterat, uigorem debilitat. ⁽¹¹⁾ Capillus ipse, quem isti aperto mendacio ad lenocinium decoris promissum dixere, uides quam sit amoenus ac delicatus: ⁽¹²⁾ horrore implexus atque impeditus, stuppeo tomento adsimilis et inaequaliter hirtus et globosus et congestus, prorsum inenodabilis diutina incuria non

modo comendi, sed saltem expediendi et discriminandi. ⁽¹³⁾ Satis, ut puto, crinium crimen, quod illi quasi capitale intenderunt, refutatur.

- [5] ⁽¹⁾ De eloquentia uero, si qua mihi fuisset, neque mirum, neque inuidiosum deberet uideri, si ab ineunte aeuo unis studiis litterarum ex summis uiribus deditus omnibus aliis spretis uoluptatibus ad hoc aeuo haud sciam anne super omnis homines impenso labore diuque noctuque cum despectu et dispendio bonae uoletudinis eam quaesisset. ⁽²⁾ Sed nihil ab eloquentia metuant, quam ego, si quid omnino promoui, potius spero quam praesto.

⁽³⁾ Sane quidem, si uerum est quod Statium Caecilium in suis poematibus scripsisse dicunt, innocentiam eloquentiam esse, ego uero profiteor ista ratione ac praefero me nemini omnium de eloquentia concessurum. ⁽⁴⁾ Quis enim me hoc quidem pacto eloquentior uiuat, quippe qui nihil unquam cogitavi quod eloqui non auderem? ⁽⁵⁾ Eundem me aio facundissimum esse, nam omne peccatum semper nefas habui; eundem disertissimum, quod nullum meum factum uel dictum extet, de quo di<s>serere publice non possim ⁽⁶⁾ ita, ut iam de uorsibus dis<s>ertabo quos a me factos quasi pudendos protulerunt, cum quidem me animaduertisti cum risu illis suscensentem, quod eos absone et indocte pronuntiarent.

- [6] ⁽¹⁾ Primo igitur legerunt e ludicris meis epistolium de dentifricio uersibus scriptum ad quendam Calpurnianum, qui cum aduersum me eas litteras promeret, non uidit profecto cupiditate laedendi, si quid mihi ex illis fieret criminis, id mihi secum esse commune.

⁽²⁾ Nam petisse eum a me aliquid tersui dentibus uersus testantur:

⁽³⁾ Calpurniane, salue properis uersibus.
Misi, ut petisti, <tibi> munditias dentium,
nitelas oris ex Arabicis frugibus,
tenuem, candificum, nobilem puluisculum,
complanatorem tumidulae gingiuulae,
conuerritorem pridianae reliquiae,
ne qua uisatur tetra labes sordium,
restrictis forte si labellis riseris.

⁽⁴⁾ Quaeso, quid habent isti uersus re aut uerbo pudendum, quid omnino quod philosophus suum nolit uideri? ⁽⁵⁾ Nisi forte in eo reprehendendus sum, quod Calpurniano puluisculum ex Arabicis frugibus miserim, quem multo aequius erat spurcissimo ritu Hiberorum, ut ait Catullus, sua sibi urina

'dentem atque russam pumicare gingiuam.'

- [7] ⁽¹⁾ Vidi ego dudum uix risum quosdam tenentis, cum munditias oris uidelicet orator ille aspere accusaret et dentifricium tanta indignatione pronuntiaret, quanta nemo quisquam uenenum.

⁽²⁾ Quidni? Crimen haud contemnendum philosopho, nihil in se sordidum sinere, nihil uspiam corporis apertum immundum pati ac fetulentum, ⁽³⁾ praesertim os, cuius in propatulo et conspicuo usus homini creberrimus, siue ille cuipiam osculum ferat seu cum qui[c]quam sermocinetur siue in auditorio dissertet siue in templo preces alleget. ⁽⁴⁾ Omnem quippe hominis actum sermo praeit, qui, ut ait poeta praecipuus, dentium muro proficiscitur. ⁽⁵⁾ Dares nunc aliquem similiter grandiloquum: diceret suo more cum primis cui ulla fandi cura sit impensius cetero corpore os colendum, quod esset animi uestibulum et orationis ianua et cogitationum comitium. ⁽⁶⁾ Ego certe pro meo captu dixerim nihil minus quam oris illuuiem libero et liberali uiro competere. ⁽⁷⁾ Est enim ea pars hominis loco celsa, uisu prompta, usu facunda. Nam quidem feris et pecudibus os humile est et deorsum ad pedes deiectum, uestigio et pabulo proximum; nunquam ferme nisi mortuis aut ad morsum exasperatis conspicitur. Hominis uero nihil prius tacentis, nihil saepius loquentis contemplare.

- [8] ⁽¹⁾ Velim igitur censor meus Aemilianus respondeat, unquamne ipse soleat pedes lauare; uel, si id non negat, contendat maiorem curam munditiarum pedibus quam dentibus inertiendam. ⁽²⁾ Plane quidem, si quis ita ut tu, Aemiliane, nunquam ferme os suum nisi maledictis et calumniis aperiat, censeo ne ulla cura os percolat neque ille exotico puluere dentis emaculet, quos iustius carbone de rogo obtuerit, neque saltem communi aqua perluat. ⁽³⁾ Quin ei nocens lingua mendaciorum et amaritudinum praeministra semper in fetutinis et olenticetis suis iaceat. ⁽⁴⁾ Nam quae, malum, ratio est linguam mundam et laetam, uocem contra spurcam et tetram possidere, uiperarum ritu niueo denticulo atrum uenenum inspirare? ⁽⁵⁾ Ceterum qui sese sciat <o>rationem prompturum neque inutilem neque iniucundam, eius merito os, ut bono potui poculum, praelauitur.

⁽⁶⁾ Et quid ego de homine nato diutius? Belua immanis, crocodillus ille qui in Nilo gignitur, ea quoque, ut comperior, purgandos sibi dentis innoxio hiatu praebebat. ⁽⁷⁾ Nam quod est ore

amplo, set elingui et plerumque in aqua recluso, multae hiru[n]dines dentibus implectuntur. Eas illi, cum egressus in praeripia fluminis hiauit, una ex auibus fluuiialibus amica auis iniecto rostro sine noxae periculo exculpit.

- [9] ⁽¹⁾ Mitto haec. Venio ad ceteros uorsus ut illi uocant amatorios, quos tamen tam dure et rustice legere, ut odium mouerent. ⁽²⁾ Sed quid ad magica maleficia, quod ego pueros Scriboni Laeti, amici mei, carmine laudauit? ⁽³⁾ An ideo magus, quia poeta? Quis unquam fando audiuit tam similem suspicionem, tam aptam coniecturam, tam proximum argumentum? ⁽⁴⁾ 'Fecit uorsus Apuleius.' Si malos, crimen est, nec id tamen philosophi, sed poetae; sin bonos, quid accusas? ⁽⁵⁾ 'At enim ludicros et amatorios fecit.' Num ergo haec sunt crimina mea, et nomine erratis, qui me magiae detulistis?

⁽⁶⁾ Fecere tamen et alii talia, etsi uos ignoratis: apud Graecos Teius quidam et Lacedaemonius et Ciu[i]s cum aliis innumeris, ⁽⁷⁾ etiam mulier Lesbica, lasciuie illa quidem tantaque gratia, ut nobis insolentiam linguae suae dulcedine carminum commendat; ⁽⁸⁾ apud nos uero Aedituus et Porcius et Catulus, isti quoque cum aliis innumeris. ⁽⁹⁾ 'At philosophi non fuere.' Num igitur etiam Solonem fuisse serium uirum et philosophum negabis, cuius ille lasciuissimus uersus est:

μηρῶν ἰμείρων καὶ γλυκεροῦ στόματος.

- ⁽¹⁰⁾ Et quid tam petulans habent omnes uersus mei, si cum isto uno contenduntur, ⁽¹¹⁾ ut taceam scripta Diogenis Cynici et Zenonis Stoicae sectae conditoris, id genus plurima?

Recitem denuo, ut sciant me eorum non pigere:

⁽¹²⁾ Et Critias mea delicia est et salua, Charine, pars in amore meo, uita, tibi remanet.

Ne metuas, nam me ignis et ignis torreat ut uult; hasce duas flammis, dum potiar, patiar.

Hoc modo sim uobis, unus sibi quisque quod ipse est; hoc mihi uos eritis, quod duo sunt oculi.

- ⁽¹³⁾ Recitem nunc et alios, quos illi quasi intemperantissimos postremum legere:

⁽¹⁴⁾ Florea sarta, meum mel, et haec tibi carmina dono.

Carmina dono tibi, sarta tuo genio, carmina uti, Critia, lux haec optata canatur quae bis septeno uere tibi remeat,

sarta autem ut laeto tibi tempore tempora uernent, aetatis florem floribus ut decores.

Tu mihi da contra pro uerno flore tuum uer, ut nostra exuperes munera muneribus.

Pro implexis sertis complexum corpore redde, proque rosis oris sauia purpurei.

Quod si animum inspires, dona et iam carmina nostra cedent uicta tuo dulciloquo calamo.

- [10] ⁽¹⁾ Habes crimen meum, Maxime, quasi improbi comisatoris de sertis et canticis compositum.

⁽²⁾ Hic illud etiam reprehendi animaduertisti, quod, cum aliis nominibus pueri uocentur, ego eos Charinum et Critian appellitarim. ⁽³⁾ Eadem igitur opera accusent C. Catul<um>, quod Lesbiam pro Clodia nominarit, et Tigidam similiter, quod quae Metella erat Perillam scripserit, et Propertium, qui Cunthiam dicat, Hostiam dissimulet, et Tibullum, quod ei sit Plania in animo, Delia in uersu. ⁽⁴⁾ Et quidem C. Lucilium, quanquam sit iambicus, tamen improbarim, quod Gentium et Macedonem pueros directis nominibus carmine suo prostituerit. ⁽⁵⁾ Quanto modestius tandem Mantuanus poeta, qui itidem ut ego puerum amici sui Pollionis bucolico ludicro laudans et abstinens nomen sese quidem Corydonem, puerum uero Alexin uocat.

⁽⁶⁾ Sed Aemilianus, uir ultra Virgilianos opiliones et busequas rusticanus, agrestis quidem semper et barbarus, uerum longe austerior, ut putat, Serranis et Curiis et Fabriciis, negat id genus uersus Platonico philosopho competere. ⁽⁷⁾ Etiamne, Aemiliane, si Platonis ipsius exemplo doceo factos? Cuius nulla carmina extant nisi amoris elegia. Nam cetera omnia, credo quod tam lepida non erant, igni deussit. ⁽⁸⁾ Disce igitur uersus Platonis philosophi in puerum Astera, si tamen tantus natus potes litteras discere:

ἀστὴρ πρὶν μὲν ἔλαμπες ἐν ζωοῖσιν Ἐῶρος

νῦν δὲ θανὼν λάμπεις Ἐσπερος ἐν φθιμένοις.

- ⁽⁹⁾ Item eiusdem Platonis in Alexin Phaedrumque pueros coniuncto carmine:

νῦν ὅτε μὴδὲν Ἀλεξίς ὅσον μόνον εἶφ' ὅτι καλός,

ᾧ πται καὶ πάντῃ πᾶσι περιβλεπεται.

θυμέ, <τί> μηνύεις κυσὶν ὁστέον; εἴτ' ἀνήσει

ὑστερον. οὐχ οὕτω Φαίδρον ἀπωλέσασθαι;

⁽¹⁰⁾ Ne pluris commemorem, nouissimum uersum eius de Dione Syracusano si dixerō, finem faciam:

ὦ ἐμὸν ἐκμήνας θυμὸν ἔρωτι Δίῳ.

[11] ⁽¹⁾ Sed sumne ego ineptus, qui haec etiam in iudicio? An uos potius calumniosi, qui etiam haec in accusatione, quasi ullum specimen morum sit uersibus ludere? ⁽²⁾ Catullum ita respondentem maliuolis non legistis:

‘Nam castum esse decet pium poetam
ipsum, uersiculos nihil necesse est?’

⁽³⁾ Diuus Adrianus cum Voconi amici sui poetae tumulum uorsibus muneraretur, ita scripsit:

‘Lasciuus uersu, mente pudicus eras,’
quod nunquam ita dixisset, si forent lepidiora carmina argumentum impudicitiae habenda. ⁽⁴⁾ Ipsius etiam diui Adriani multa id genus legere me memini. Aude sis, Aemiliane, dicere male id fieri, quod imperator et censor diuus Adrianus fecit et factum memoriae reliquit.

⁽⁵⁾ Ceterum Maximum quicquam putas culpaturum, quod sciat Platonis exemplo a me factum? Cuius uersus quos nunc percensui tanto sanctiores sunt, quanto apertiores, tanto pudicius compositi, quanto simplicius professi. ⁽⁶⁾ Namque haec et id genus omnia dissimulare et occultare peccantis, profiteri et promulgare ludentis est; quippe natura uox innocentiae, silentium maleficio distributa.

[12] ⁽¹⁾ Mitto enim dicere alta illa et diuina Platonica, rarissimo cuique piorum ignara, ceterum omnibus profanis incognita: geminam esse Venerem deam, proprio quamque amore et diuersis amatoribus pollentis; ⁽²⁾ earum alteram uulgariam, quae sit percita populari amore, non modo humanis animis, uerum etiam pecuinis et ferinis ad libidinem imperitare uel immodica trucique percussorum animalium serua corpora complexu uincientem; ⁽³⁾ alteram uero caelitem Venerem, praedita[m] quae sit optimati amore, solis hominibus et eorum paucis curare, nullis ad turpitudinem stimulis uel illecebris sectatores suos percellentem; ⁽⁴⁾ quippe amorem eius non amoenum et lasciuum, sed contra incom[i]tum et serium pulchritudine honestatis uirtutes amatoribus suis conciliare, et si quando decora corpora co<m>mendet, a contumelia eorum procul absterre; ⁽⁵⁾ neque enim quicquam aliud in corporum forma diligendum quam quod ammoneant diuinos animos eius pulchritudi-

nis, quam prius ueram et sinceram inter deos uidere. ⁽⁶⁾ Quapropter, ut semper, eleganter Afranius hoc scriptum relinquat:

‘amabit sapiens, cupient ceteri’;

tamen si uerum uelis, Aemiliane, uel si haec intellegere unquam potes, non tam amat sapiens quam recordatur.

[13] ⁽¹⁾ Da igitur ueniam Platoni philosopho uersuum eius de amore, ne ego necesse habeam contra sententiam Neoptolemi Enniani pluribus philosophari. ⁽²⁾ Vel si tu id non facis, ego me facile patiar in huiusmodi uersibus culpari cum Platone.

⁽³⁾ Tibi autem, Maxime, habeo gratiam propensam, cum has quoque appendices defensionis meae iccirco necessarias, quia accusationi rependuntur, tam attente audis. ⁽⁴⁾ Et ideo hoc etiam peto, quod mihi ante ipsa crimina superest audias, ut adhuc fecisti, libenter et diligenter.

⁽⁵⁾ Sequitur enim de speculo longa illa et censoria oratio, de quo pro rei atrocitate paene diruptus est Pudens clamitans: ‘Habet speculum philosophus! Possidet speculum philosophus!’ ⁽⁶⁾ Vt igitur habere concedam — ne aliquid obiecisse te credas, si negaro —, non tamen ex eo accipi me necesse est exornari quoque ad speculum solere. ⁽⁷⁾ Quid enim? Si choragium thymelicum possiderem, num ex eo argumentarere etiam uti me consuesse *tragoedi[i]* *syrmate*, *histrionis* *crocota*, + *orgia*, *mimi* *centunculo*? Non opinor. Nam et contra plurimis rebus possessu careo, usu fuor.

⁽⁸⁾ Quod si neque habere utendi argumentum est neque non utendi non habere, et speculi non tam possessio culpatur quam inspectio, illud etiam docear necesse est, quando et quibus praesentibus in speculum inspexerim, quoniam ut res est, magis piaculum decernis speculum philosopho quam Cereris mundum profano uidere.

[14] ⁽¹⁾ Cedo nunc, si et inspexisse me fateor, quod tandem crimen est *imaginem* suam nosse eamque non uno loco conditam, sed quoquo uelis paruo speculo promptam gestare? ⁽²⁾ An tu ignoras nihil esse aspectabilius homini nato quam formam suam? Equidem scio et filiorum cariores esse qui similes uidentur et publicitus simulacrum suum cuique, quod uideat, pro meritis praemio tribui. ⁽³⁾ Aut quid sibi statuae et *imagines* uariis artibus effigatae uolunt? Nisi forte quod artificio elaboratum laudabile habetur, hoc natura

oblatum culpabile iudicandum est, cum sit in ea uel magis miranda et facilitas et similitudo.

⁽⁴⁾ Quippe in omnibus manu faciundis imaginibus opera diutino sumitur, neque tamen similitudo aequae ut in speculis comparet. ⁽⁵⁾ Deest enim et luto uigor et saxo color et picturae rigor et motus omnibus, qui praecipua fide similitudinem repraesentat, cum in eo uisitur imago mire relata, ut similis, ita mobilis et ad omnem nutum hominis sui morigera. ⁽⁶⁾ Eadem semper contemplantibus aequaeva est ab ineunte pueritia ad obeuntem senectam, tot aetatis uices induit, tam uarias habitudines corporis participat, tot uultus eiusdem laetantis uel dolentis imitatur. ⁽⁷⁾ Enimuero quod luto fictum uel aere infusum uel lapide incussum uel cera inustum uel pigmento illitum uel alio quopiam humano artificio adsimulatum est, non multa intercapedine temporis dissimile redditur et ritu cadaueris unum uultum et immobilem possidet. ⁽⁸⁾ Tantum praestat imaginis artibus ad similitudinem referendum leuitas illa speculi fabra et splendor opifex.

[15] ⁽¹⁾ Aut igitur unius Hagesilai Lacedaemonii sententia nobis sequenda est, qui se neque pingi neque fingi unquam diffidens formae suae passus est, ⁽²⁾ aut si mos omnium ceterorum hominum retinendus uidetur in statu et imaginibus non repudiandis, cur existimes imaginem suam cuique uisendam potius in lapide quam in argento, magis in tabula quam in speculo?

⁽³⁾ An turpe arbitraris formam suam spectaculo assiduo explorare? ⁽⁴⁾ An non Socrates philosophus ultro etiam suasisse fertur discipulis suis, crebro ut semet in speculo contemplarentur, ⁽⁵⁾ ut qui eorum foret pulchritudine sibi complacitus, impendio procuraret ne dignitatem corporis malis moribus dedecoraret, ⁽⁶⁾ qui uero minus se commendabilem forma putaret, sedulo operam daret ut uirtutis laude turpitudinem tegeret? ⁽⁶⁾ Adeo uir omnium sapientissimus speculo etiam ad disciplinam morum utebatur. ⁽⁸⁾ Demost^{<h>} enen uero, primum dicendi artificem, quis est qui non sciat semper ante speculum quasi ante magistrum causas meditatam? ⁽⁹⁾ Ita ille summus orator cum a Platone philosopho facundiam ^{<h>} ausisset, ab Ebulide dialectico argumentationes edidicisset, nouissimam pronuntiandi congruentiam ab speculo petiuit. ⁽¹⁰⁾ Vtrum igitur putas maiorem curam decoris in adseueranda oratione suscipiendam rhetori iurganti an philosopho obiurganti,

apud iudices sorte ductos paulisper disceptanti an apud omnes homines semper disserenti, de finibus agrorum litiganti an de finibus bonorum et malorum docenti?

⁽¹¹⁾ Quid quod nec ob haec debet tantummodo philosophus speculum inuisere? ⁽¹²⁾ Nam saepe oportet non modo similitudinem suam, uerum etiam ipsius similitudinis rationem considerare: num, ut ait Epicurus, profectae a nobis imagines uelut quaedam exuuiæ iugi fluere a corporibus manantes, cum leue aliquid et solidum offenderunt, illisae reflectantur et retro expressae contrauersim respondeant; ⁽¹³⁾ an, ut alii philosophi disputant, radii nostri seu mediis oculis proliquati et lumini extrario mixti atque ita uniti, ut Plato arbitrat, ⁽¹⁴⁾ seu tantum oculis profecti sine ullo foris amminiculo, ut Archytas putat, seu intentu aëris facti, ut Stoici rentur, ⁽¹⁵⁾ cum alicui corpori inciderunt spisso et splendido et leui, paribus angulis quibus inciderant resultent ad faciem suam reduces atque ita, quod extra tangant ac uisant, id intra speculum imagentur.

[16] ⁽¹⁾ Videtur uobis debere philosophia haec omnia uestigare et inquirere et cuncta specula uel uda uel suda [soli] uidere? ⁽²⁾ Quibus praeter ista quae dixi etiam illa ratiocinatio necessaria est, cur in planis quidem speculis ferme pares optutus et imagines uideantur, ^{<in>} tumidis uero et globosis omnia defectiora, at contra in cauis auctiora; ⁽³⁾ ubi et cur laeua cum dexteris permutentur; quando se imago eodem speculo tum recondat penitus, tum foras exerat; ⁽⁴⁾ cur caua specula, si exaduersum soli retineantur, appositum fomitem accendant; ⁽⁵⁾ qui fiat ut arcus in nubibus uarie, duo[s] soles aemula similitudine uisantur, alia praeterea eiusdem modi plurima, ⁽⁶⁾ quae tractat uolumine ingenti Archimedes Syracusanus, uir in omni quidem geometria multum ante alios admirabilis subtilitate, sed haud sciam an propter hoc uel maxime memorandus, quod inspexerat speculum saepe ac diligenter.

⁽⁷⁾ Quem tu librum, Aemiliane, si nosses ac non modo campo et glebis, uerum etiam abaco et puluisculo te dedisses, mihi istud crede, quanquam teterrimum os tuum minimum a Thyesta tragico demutet, tamen profecto discendi cupidine speculum inuises et aliquando relicto aratro mirarere tot in facie tua sulcos rugarum.

⁽⁸⁾ At ego non mirer, si boni consulis me de isto distortissimo uultu tuo dicere, de moribus tuis multo truculentioribus reticere. ⁽⁹⁾

Ea res est: praeter quod non sum iurgiosus, etiam libenter te nuper usque albus an ater esses ignoravi, et adhuc <h>ercle non satis noui. ⁽¹⁰⁾ Id adeo factum, quod et tu rusticando obscurus es et ego discendo occupatus. ⁽¹¹⁾ Ita et tibi umbra ignobilitatis a probatore obstitit, et ego numquam studui male facta cuiusquam cognoscere, sed semper potius duxi mea peccata tegere quam aliena indagare. ⁽¹²⁾ Igitur hoc mihi aduersum te usu uenit, quod qui forte constitit in loco lumine conlustrato atque eum alter e tenebris prospectat. ⁽¹³⁾ Nam ad eundem modum tu quidem, quid ego in propatulo et celebri agam, facile e tenebris tuis arbitraris, cum ipse humilitate abdita et lucifuga non sis mihi mutuo conspicuus.

[17] ⁽¹⁾ Ego adeo seruosne *tu* habeas ad agrum colendum an ipse mutuarias operas cum uicinis tuis cambies, neque scio neque laboro. ⁽²⁾ At tu me scis eadem die tris Oeae manu misisse, idque mihi patronus tuus inter cetera a te sibi edita obiecit, quanquam modico prius dixerat me uno seruo comite Oeam uenisse. ⁽³⁾ Quod quidem uelim mihi respondeas, qui potuerim ex uno tris manu mittere, nisi si et hoc magicum est. ⁽⁴⁾ Tantamne esse mentiendi caecitatem dicam an consuetudinem? 'Venit Apuleius Oeam cum uno seruo'; dein pauculis uerbis intergarritis: 'Apuleius Oeae una die tris manu misit.' ⁽⁵⁾ Ne illud quidem credibile fuisset, cum tribus uenisse, omnes liberasse. Quod tamen si ita fecissem, cur potius tris seruos inopiae signum putares quam tris libertos opulentiae?

⁽⁶⁾ Nescis profecto, nescis, Aemiliane, philosophum accusare, qui famulizii paucitatem obprobraris, quam ego gloriae causa ementiri debuissem, quippe qui scirem non modo philosophos, quorum me sectatorem fero, uerum etiam imperatores populi Romani paucitate seruorum gloriatos. ⁽⁷⁾ Itane tandem ne haec quidem legere patroni tui: M. Antonium consularem solos octo seruos domi habuisse, Carbonem uero illum, qui rebus potitus est, uno minus, at enim Manio Curio tot adoreis longe incluto, quippe qui ter triumphum una porta egerit, ei igitur Manio Curio duos solos in castris calones fuisse? ⁽⁸⁾ Ita ille uir de Sabinis deque Samnitibus deque Pyrro triumphator paucioris seruos habuit quam triumphos. ⁽⁹⁾ M. autem Cato nihil oppertus, ut alii de se praedicarent, ipse in o[pe]ratione sua scriptum reliquit, cum in Hispania <m> consul proficisceretur, tris seruos solos ex urbe duxisse; ⁽¹⁰⁾

quoniam ad uillam publicam uenerat, parum uisum qui uteretur, iussisse duos pueros in foro de mensa emi, eos quinque in Hispaniam duxisse.

⁽¹¹⁾ Haec Pudens si legisset, ut mea opinio est, aut omnino huic maledicto supersedisset aut in tribus seruis multitudinem comitum philosophi quam paucitatem reprehendere maluisset.

[18] ⁽¹⁾ Idem mihi etiam paupertatem obprobrait, acceptum philosopho crimen et ultro profitendum. ⁽²⁾ Enim paupertas olim philosophiae uernacula est, frugi, sobria, paruo potens, aemula laudis, aduersum diuitias possessa, habitu secura, cultu simplex, consilio benesuada. ⁽³⁾ Neminem umquam superbia inflauit, neminem in potentia deprauauit, neminem tyrannide efferauit, delicias uentris et inguinum neque uult ullas neque potest. ⁽⁴⁾ Quippe haec et alia flagitia diuitiarum alumni solent. Maxima quaeque scelera si ex omni memoria hominum percenseas, nullum in illis pauperem reperies, ⁽⁵⁾ ut contra *haut* temere inter inlustris uiros diuites comparent, sed quemcunque in aliqua laude miramur, eum paupertas ab incunabulis nutrita est. ⁽⁶⁾ Paupertas, inquam, prisca aput saecula omnium ciuitatum conditrix, omnium artium reperitrix, omnium peccatorum inops, omnis gloriae munifica, cunctis laudibus apud omnis nationes perfuncta. ⁽⁷⁾ Eadem est enim paupertas apud Graecos in Aristide iusta, in Phocione benigna, in Epaminonda strenua, in Socrate sapiens, in Homero diserta. ⁽⁸⁾ Eadem paupertas etiam populo Romano imperium a primordio fundauit, proque eo in <h>odiernum diis immortalibus *simpulo* et catino fictili sacrificat.

⁽⁹⁾ Quod si modo iudices de causa ista sederent C. Fabricius, Gn. Scipio, Manius Curius, quorum filiae ob paupertatem de publico dotibus donatae ad maritos ierunt portantes gloriam domesticam, pecuniam publicam, ⁽¹⁰⁾ si Publicola regum exactor et Agrippa populi reconciliator, quorum funus ob tenuis opes a populo Romano collatis <s>extantibus adornatum est, ⁽¹¹⁾ si Atilius Regulus, cuius agellus ob similem penuriam publica pecunia cultus est, ⁽¹²⁾ si denique omnes illae ueteres prosapiae consulares et censoriae et triumphales breui usura lucis ad iudicium istud remissae audirent, auderesne paupertatem philosopho exprobrare apud tot consules pauperes?

[19] ⁽¹⁾ An tibi Claudius Maximus idoneus auditor uidetur ad irridendam paupertatem, quod ipse uberem et prolixam rem familiarem sortitus est? ⁽²⁾ Erras, Aemiliane, et longe huius animi frustra es, si eum ex fortunae indulgentia, non ex philosophiae censura metiris, si uirum tam austerae sectae tamque diutinae militiae non putas amiciorem esse cohercitae mediocritati quam delicatae opulentiae, fortunam uelut tunicam magis concinnam quam longam probare; ⁽³⁾ quippe etiam ea si non gestetur et trahatur, nihil minus quam lacinia praependens impedit et praecipitat. ⁽⁴⁾ Etenim omnibus ad uitae munia utendis quicquid aptam moderationem supergreditur, [h]oneri potius quam usui exuberat. ⁽⁵⁾ Igitur et inmodicae diuitiae uelut ingentia et enormia gubernacula facilius mergunt quam regunt, quod habent irritam copiam, noxiam nimietatem.

⁽⁶⁾ Quin ex ipsis opulentioribus eos potissimum uideo laudari, qui nullo strepitu, modico cultu, dissimulatis facultatibus agunt et diuitias magnas administrant sine ostentatione, sine superbia, specie mediocritatis pauperum similes. ⁽⁷⁾ Quod si etiam ditibus ad argumentum modestiae quaeritur imago quaequam et color paupertatis, cur eius pudeat tenuioris, qui eam non simulate, sed uere fungimur?

[20] ⁽¹⁾ Possum equidem tibi et ipsius nominis controuersiam facere, neminem nostrum pauperem esse qui superuacanea nolit, poscit necessaria, quae natura oppido pauca sunt. ⁽²⁾ Namque is plurimum habebit, qui minimum desiderabit; habebit enim quantum uolet qui uolet minimum. ⁽³⁾ Et idcirco diuitiae non melius in fundis et in fenore quam in ipso hominis animo aestimantur, qui si est auaritia egenus et ad omne lucrum inexplabilis, nec montibus auri satiabitur, sed semper aliquid, ante parta ut augeat, mendicabit. ⁽⁴⁾ Quae quidem uera confessio est paupertatis. Omnis enim cupido acquirendi ex opinione inopiae uenit, nec refert, quam magnum sit quod tibi minus est. ⁽⁵⁾ Non habuit tantam rem familiarem Philus quantam Laelius, nec Laelius quantam Scipio, nec Scipio quantam Crassus Diues, at enim nec Crassus Diues quantam uolebat; ⁽⁶⁾ ita cum omnis superaret, a suamet auaritia superatus est omnibusque potius diues uisus est quam sibi. ⁽⁷⁾ At contra hi philosophi quos commemorauimus non ultra uolentes quam poterant, sed congruentibus desideriiis et facultatibus iure meritoque dites et beati fuerunt. ⁽⁸⁾

Pauper enim fis appetendi egestate, diues non egendi satietate, quippe qui inopia desiderio, opulentia fastidio cernuntur.

⁽⁹⁾ Igitur, Aemiliane, si pauperem me haberi uis, prius auarum esse doceas necesse est. Quod si nihil in animo deest, de rebus extrariis quantum desit non laboro, quarum neque laus in copia neque culpa in penuria consistit.

[21] ⁽¹⁾ Sed finge haec aliter esse ac me ideo pauperem, quia mihi fortuna diuitias inuidit easque, ut ferme euenit, aut tutor imminuit aut inimicus eripuit aut pater non reliquit: hocine homini opprobriari, pauperiem, quod nulli ex animalibus uitio datur, non aquilae, non tauro, non leoni? ⁽²⁾ Equus si uirtutibus suis polleat, ut sit aequabilis uector et cursor pernix, nemo ei penuriam pabuli exprobrat: tu mihi uitio dabis non facti uel dicti alicuius prauitatem, sed quod uiuo gracili lare, quod paucioris habeo, parcius pasco, leuius uestio, minus obsono?

⁽³⁾ Atqui ego contra, quantulacumque tibi haec uidentur, multa etiam et nimia arbitror et cupio ad pauciora me coercere, tanto beatior futurus quanto collectior. ⁽⁴⁾ Namque animi ita ut corporis sanitas expedita, imbecillitas laciniosa est, certumque signum est infirmitatis pluribus indigere. ⁽⁵⁾ Prorsus ad uiuendum uelut ad natandum is melior, qui onere liberior; sunt enim similiter etiam in ista uitae humanae tempestate[s] leuia sustentui, grauiam demersui. ⁽⁶⁾ Equidem didici ea re praecedere maxime deos hominibus, quod nulla re ad usum sui indigeant, igitur ex nobis cui quam minimis opus sit, eum esse deo similiorem.

[22] ⁽¹⁾ Proinde gratum habui, cum ad contumeliam diceretis rem familiarem mihi peram et baculum fuisse. ⁽²⁾ Quod utinam tantus animi forem, ut praeter eam supellectilem nihil quicquam requirerem, sed eundem ornatum digne gestarem, quem [so]Crates ultro diuitiis abiectis appetiuit. ⁽³⁾ [so]Crates, inquam, si quid credis, Aemiliane, uir domi inter Thebanos procures diues et nobilis amore huius habitus, quem mihi obiectas, rem familiarem largam et uberem populo donauit, multis seruis a sese remotis solitatem delegit, arbores plurimas et frugiferas prae uno baculo spreuit, uillas ornatissimas una perula mutauit, ⁽⁴⁾ quam postea comperta utilitate etiam carmine laudauit flexis ad hoc Homericis uersibus, quibus ille Cretam insulam nobilitat. ⁽⁵⁾ Principium dicam, ne me haec ad defensionem putes confinxisse:

[κρήτη] <πήρη> τις πόλις ἐστὶ μέσῳ ἐνὶ οἴνοπι τύφῳ
[πόντῳ],

iam cetera tam mirifica, quae si tu legisses, magis mihi peram quam nuptias Pudentillae inuidisses.

⁽⁶⁾ Peram et baculum tu philosophis? Exprobrares igitur et equitibus faleras et peditibus clipeos et signiferis uexilla ac denique triumphantibus quadrigas albas et togam palmatam? ⁽⁷⁾ Non sunt quidem ista Platonicae sectae gestamina, sed Cynicae familiae insignia. Verum tamen hoc Diogeni et Antist^{<h>}eni pera et baculum, quod regibus diadema, quod imperatoribus paludamentum, quod pontificibus galerum, quod lituus auguribus. ⁽⁸⁾ Diogenes quidem Cynicus cum Alexandro magno de ueritate regni certabundus baculo uice sceptri gloriabatur. ⁽⁹⁾ Ipse denique Hercules inuictus — quoniam haec tibi ut quaedam mendicabula [a]nimis sordent —, ⁽¹⁰⁾ ipse, inquam, Hercules lustrator orbis, purgator ferarum, gentium domitor, is tamen deus, cum terras peragraret, paulo prius quam in caelum ob uirtutes as[s]citus est, neque una pelli uestitior fuit neque uno baculo comitator.

[23]

⁽¹⁾ Quod si haec exempla nihili putas ac me non ad causam agendam, uerum ad censum dis< s >erundum uocasti, ne quid tu rerum mearum nescias, si tamen nescis, profiteor mihi ac fratri meo relictum a patre HS XX paulo secus, ⁽²⁾ idque a me longa peregrinatione et diutinis studiis et crebris liberalitatibus modice imminutum. ⁽³⁾ Nam et amicorum plerisque opem tuli et magistris plurimis gratiam retuli, quorundam etiam filias dote auxi. ⁽⁴⁾ Neque enim dubitassem equidem uel uniuersum patrimonium impendere, ut acquirerem mihi quod maius est contemptu patrimonii. ⁽⁵⁾ Tu uero, Aemiliane, et id genus homines uti tu es inculti et agrestes, tanti re uera estis quantum habetis, ut arbor infecunda et infelix, quae nullum fructum ex sese gignit, tanti est in pretio, quanti lignum eius in trunco.

⁽⁶⁾ At tamen parce postea, Aemiliane, paupertatem cuiquam obiectare, qui nuper usque agellum Zarathensem, quem tibi unicum pater tuus reliquerat, solus uno asello ad tempestiuum imbrem triduo exarabas. ⁽⁷⁾ Neque enim diu est, cum te crebrae mortes propinquorum immeritis hereditatibus fulserunt, unde tibi potius quam ob istam teterrimam faciem Charon nomen est.

[24]

⁽¹⁾ De patria mea uero, quod eam sitam Numidia et Gaetuliae in ipso confinio mei< s > scriptis ostendi scis, quibus memet professus sum, cum Lolliano Auito c.u. praesente publice dissererem, 'Seminumidam' et 'Semigaetulam': ⁽²⁾ non uideo quid mihi sit in ea re pudendum, haud minus quam Cyro maiori, quod genere mixto fuit Semimedes ac Semipersa. ⁽³⁾ Non enim ubi prognatus, sed ut moratus quisque sit spectandum, nec qua regione, sed qua ratione uitam uiuere inierit, considerandum est. ⁽⁴⁾ Holitori et cauponi merito est concessum holus et uinum ex nobilitate soli commendare, uinum Thasium, holus Phliasium; quippe illa terrae alumna multum ad meliorem saporem iuuerit et regio fecunda et caelum pluuium et uentus clemens et sol apricus et solum sucidum. ⁽⁵⁾ Enimuero animo hominis extrinsecus in hospitium corporis immigranti quid ex istis addi uel minui ad uirtutem uel malitiam potest? ⁽⁶⁾ Quando non in omnibus gentibus uaria ingenia prouenire, quanquam uideantur quaedam stultitia uel sollertia insigniores? Apud socordissimos Scythas Anacharsis sapiens natus est, apud Athenienses catos Meletides fatuus.

⁽⁷⁾ Nec hoc eo dixi, quo me patriae meae paeniteret, etsi adhuc Syfacis oppidum essemus. ⁽⁸⁾ Quo tamen uicto ad Masinissam regem munere populi R. concessimus ac deinceps ueteranorum militum nouo conditu[s] splendidissima colonia sumus, ⁽⁹⁾ in qua colonia patrem habui loco principis Iuiralem cunctis honoribus perfunctum. Cuius ego locum in illa re p., exinde ut participare curiam coepi, nequaquam degener pari, spero, honore et existimatione tueor. ⁽¹⁰⁾ Cur ergo illa protuli? Vt mihi tu, Aemiliane, minus posthac suscenseas, potiusque ut ueniam inperias, si per neglegentiam forte non elegi illud tuum Atticum Zarat, ut in eo nascerer.

[25]

⁽¹⁾ Nonne uos puditum est haec crimina tali uiro audiente tam adseuerate obiectare, friuola et inter se repugnantia simul promere et utraque tamen reprehendere? ⁽²⁾ At non contraria accusastis? Peram et baculum ob auctoritatem, carmina et speculum ob hilaritatem, unum seruum ut deparci, tris liberos ut profusi, praeterea eloquentiam Graecam, patriam barbaram? ⁽³⁾ Quin igitur tandem expergiscimini ac uos cogitatis apud Claudium Maximum dicere, apud uirum seuerum et totius prouinciae negotiis occupatum? ⁽⁴⁾ Quin, inquam, uana haec conuicia aufertis? Quin ostenditis

quod insimulauistis: scelera immania et inconcessa maleficia et artis nefandas? Cur uestra oratio rebus flaccet, strepitu uiget?

⁽⁵⁾ Aggredior enim iam ad ipsum crimen magiae, quod ingenti tumultu ad inuidiam mei accensum frustrata expectatione omnium per nescio quas anilis fabulas defraglauit. ⁽⁶⁾ Ecquandone uidisti, Maxime, flammam stipula exortam claro crepitu, largo fulgore, cito incremento, sed enim materia leui, caduco incendio, nullis reliquiis? ⁽⁷⁾ Em tibi illa accusatio iurgiis inita, uerbis aucta, argumentis defecta, nullis post sententiam tuam reliquiis calumniae permansura. ⁽⁸⁾ Quae quidem omnis Aemiliano fuit in isto uno destinata, me magum esse, et ideo mihi libet quaerere ab eruditissimis eius aduocatis, quid sit magus.

⁽⁹⁾ Nam si, quod ego apud plurimos lego, Persarum lingua magus est qui nostra sacerdos, quod tandem est crimen, sacerdotem esse et rite nosse atque scire atque callere leges cerimoniarum, fas sacrorum, ius religionum? ⁽¹⁰⁾ Si quidem magia id est quod Plato interpretatur, cum commemorat, quibusnam disciplinis puerum regno adulescentem Persae imbuant — uerba ipsa diuini uiri memini, quae tu mecum, Maxime, recognosce:

⁽¹¹⁾ δις ἐπτά δὲ γενόμενον ἐτῶν τὸν παῖδα παραλαμβάνουσιν οὗς ἐκεῖνοι βασιλείους παιδαγωγοὺς ὀνομάζουσιν· εἰσὶν δὲ ἐξειλεγμένοι Περσῶν οἱ ἄριστοι δόξαντες ἐν ἡλικίᾳ τέτταρες, ὃ τε σοφώτατος καὶ ὁ δικαιοτάτος καὶ ὁ σωφρονέστατος καὶ ὁ ἀνδρειότατος. ὧν ὁ μὲν μαγείαν τε διδάσκει τὴν Ζωροάστρου τοῦ Ὀρομάζου· ἔστι δὲ τοῦτο θεῶν θεραπεία· διδάσκει δὲ καὶ τὰ βασιλικά.

[26]

⁽¹⁾ Auditisne magiam, qui eam temere accusatis, artem esse dis immortalibus acceptam, colendi eos ac uenerandi pergnaram, piam scilicet et diuini scientem, ⁽²⁾ iam inde a Zoroastre et Oromaze auctoribus suis nobilem, caelitem antistitam, ⁽³⁾ quippe qui inter prima regalia docetur nec ulli temere inter Persas concessum est magum esse, haud magis quam regnare? ⁽⁴⁾ Idem Plato in alia sermocinatione de Zalmoxi quodam Thraci generis, sed eiusdem artis uiro ita scriptum reliquit:

τὰς δὲ ἐπὶ δὲ εἶναι τοὺς λόγους τοὺς καλοῦς.

⁽⁵⁾ Quod si ita est, cur mihi nosse non liceat uel Zalmoxi bona uerba uel Zoroastri sacerdotia?

⁽⁶⁾ Sin uero more uulgari eum isti proprie magum existimant, qui communione loquendi cum deis immortalibus ad omnia quae uelit incredibili[a] quadam ui cantaminum polleat, oppido miror, cur accusare non timuerint quem posse tantum fatentur. ⁽⁷⁾ Neque enim tam occulta et diuina potentia caueri potest itidem ut cetera. ⁽⁸⁾ Sicarium qui in iudicium uocat, comitatus uenit; qui uenenarium accusat, scrupulosius cibatur; qui furem arguit, sua custodit. ⁽⁹⁾ Enimuero qui magum qualem isti dicunt in discrimen capitis deducit, quibus comitibus, quibus scrupulis, quibus custodibus perniciem caecam et ineuitabilem prohibeat? Nullis scilicet. Et ideo id genus crimen non est eius accusare, qui credit.

[27]

⁽¹⁾ Verum haec ferme communi quodam errore imperitorum philosophis obiectantur, ut partim eorum qui corporum causas meras et simplicis rimantur irreligiosos putent eoque aiant deos abnuere, ut Anaxagoram et Leucippum et Democritum et Epicurum ceterosque rerum naturae patronos, ⁽²⁾ partim autem, qui prouidentiam mundi curiosius uestigant et impensius deos celebrant, eos uero uulgo magos nomenclant, quasi facere etiam sciant quae sciant fieri, ut olim fuere Epimenides et Orpheus et Pythagoras et Ostanes, ⁽³⁾ ac dein similiter suspectata Empedocli catharmoe, Socrati daemonion, Platonis τὸ ἀγαθόν. ⁽⁴⁾ Gratulor igitur mihi, cum et ego tot ac tantis uiris adnumeror.

⁽⁵⁾ Ceterum ea quae ab illis ad ostendendum crimen obiecta sunt uana et inepta, simplicia, uereor ne ideo tantum crimina putes, quod obiecta sunt. ⁽⁶⁾ 'Cur,' inquit, 'piscium quaedam genera quaesisti?' Quasi id cognitionis gratia philosopho facere non liceat, quod luxurioso gulae causa liceret. ⁽⁷⁾ 'Cur mulier libera tibi nupsit post annos XIII uiduitatis?' Quasi non magis mirandum sit quod tot annis non nubserit. ⁽⁸⁾ 'Cur prius, quam tibi nuberet, scripsit nescio quid in epistula quod sibi uidebatur?' Quasi quisquam debeat causas alienae sententiae reddere. ⁽⁹⁾ 'At enim maior natu non est iuuenem aspernata.' Igitur hoc ipsum argumentum est nihil opus magia fuisse, ut nubere uellet mulier uiro uidua caelibis, maior iuniori. Iam et illa similia: 'Habet quiddam Apuleius domi quod sancte colit'. Quasi non id potius crimen sit, quod colas non habere. ⁽¹¹⁾ 'Cecidit praesente Apuleio puer.' Quid enim si iuuenis, quid si etiam senex adsistente me corruisset uel morbo corporis impeditus uel lubrico

soli prolapsus? ⁽¹²⁾ Hiscine argumentis magian probatis, casu puerili et matrimonio mulieris et obsonio piscium?

[28] ⁽¹⁾ Possem equidem bono periculo uel his dictis contentus perorare. Quoniam mihi pro accusationis longitudine largiter aquae superest, cedo, si uidetur, singula consideremus. ⁽²⁾ Atque ego omnia obiecta, seu uera seu falsa sunt, non negabo, sed perinde atque si facta sint fatebor, ⁽³⁾ ut omnis ista multitudo, quae plurima undique ad audiendum conuenit, aperte intellegat nihil in philosophos non modo uere dici, sed ne falso quidem posse confingi, quod non ex innocentiae fiducia, quamuis liceat negare, tamen potius habeant defendere.

⁽⁴⁾ Primum igitur argumenta eorum conuincam ac refutabo nihil ea ad magian pertinere. Dein etsi maxime magus forem, tamen ostendam neque causam ullam neque occasionem fuisse, ut me in aliquo maleficio experirentur. ⁽⁵⁾ Ibi etiam de falsa inuidia deque epistulis mulieris perperam lectis et nequius interpretatis deque matrimonio meo ac Pudentillae disputabo, idque a me susceptum officii gratia quam lucri causa docebo. ⁽⁶⁾ Quod quidem matrimonium nostrum Aemiliano huic immane quanto angore quantaque diuidiae fuit. Inde omnis huiusce accusationis obeundae ira et rabies et denique insania exorta est.

⁽⁷⁾ Quae si omnia palam et dilucide ostendero, tunc denique te, Claudii Maxime, et omnis qui adsunt contestabor puerum illum Sicinium Pudentem priuignum meum, cuius obtentu et uoluntate a patruo eius accusor, nuperrime curae meae eruptum, ⁽⁸⁾ postquam frater eius Pontianus et natu maior et moribus melior diem suum obiit, ⁽⁹⁾ atque ita in me ac matrem suam nefarie efferatum, non mea culpa, desertis liberalibus studiis ac repudiata omni disciplina, scelestis accusationis huius rudimentis patruo Aemiliano potius quam fratri Pontiano similem futurum.

[29] ⁽¹⁾ Nunc, ut institui, proficiscar ad omnia Aemiliani huiusce deliramenta orsus ab eo, quod ad suspicionem magiae quasi ualidissimum in principio dici animaduertisti, nonnulla me piscium genera per quosdam piscatores pretio quaesisse. ⁽²⁾ Vtrum igitur horum ad suspectandam magian ualet? ⁽³⁾ Quodne piscatores mihi piscem quaesierunt? Scilicet ergo phrygionibus aut fabris negotium istud dandum fuisse atque ita opera cuiusque artis permutanda, si uellem calumniis uestris uitare, ut faber mihi piscem euerreret, ut

piscator mutuo lignum dedolaret. ⁽⁴⁾ An ex eo intellexistis maleficio quaeri pisciculos, quod pretio quaerebantur? Credo, si conuiuio uellem, gratis quaesisset. ⁽⁵⁾ Quin igitur etiam ex aliis plerisque me arguitis? Nam saepe numero et uinum et holus et pomum et panem pretio mutauit. ⁽⁶⁾ Eo pacto cuppedinariis omnibus famem decernis: quis enim ab illis obsonare audebit, si quidem statuitur omnia edulia quae depenso para<n>tur non cenae, sed magiae desiderari?

⁽⁷⁾ Quod si nihil remanet suspicionis, neque in piscatoribus mercede inuitatis ad quod solent, ad piscem capiendum (quos tamen nullos ad testimonium produxere, quippe qui nulli fuerunt), ⁽⁸⁾ neque in ipso pretio rei uenalis (cuius tamen quantitatem nullam taxauere, ne, si mediocre pretium dixissent, contemneretur, si plurimum, non crederetur) — ⁽⁹⁾ si in his, ut dico, nulla suspicio est, respondeat mihi Aemilianus, quo proximo signo ad accusationem magiae sit inductus.

[30] ⁽¹⁾ 'Pisces,' inquit, 'quaeris.' Nolo negare. Sed, oro te, qui pisces quaerit, magus est? Equidem non magis arbitror quam si lepores quaererem uel apros uel altilia. ⁽²⁾ An soli pisces habent aliquit occultum aliis, sed magis cognitum? Hoc si scis quid sit, magus es profecto; sin nescis, confitearis necesse est id te accusare quod nescis. ⁽³⁾ Tam rudis uos esse omnium litterarum, omnium denique uulgi fabularum, ut ne fingere quidem possitis ista uerisimiliter? ⁽⁴⁾ Quid enim competit ad amoris ardorem accendendum piscis brutus et frigidus aut omnino res pelago quaesita? Nisi forte hoc uos ad mendacium induxit, quod Venus dicitur pelago exorta.

⁽⁵⁾ Audi sis, Tannoni Pudens, quam multa nescieris, qui de piscibus argumentum magiae recepisti. ⁽⁶⁾ At si Virgilium legisses, profecto scisses alia quaeri ad hanc rem solere. ⁽⁷⁾ Ille enim, quantum scio, enumerat uittas mollis et uerbenas pinguis et tura mascula et licia discolora; praeterea laurum fragilem, limum durabilem, ceram liquabilem, nec minus quae iam in opere serio scripsit:

⁽⁸⁾ 'Falcibus et messae ad lunam quaeruntur aenis
pubentes herbae nigri cum lacte ueneni.
Quaeritur et nascentis equi de fronte reuulsus
et matri praereptus amor.'

⁽⁹⁾ At tu piscium insimulator longe diuersa instrumenta magis attribuis, non frontibus teneris detergenda sed dorsis squalentibus excidenda, nec fundo reuellenda sed profundo extrahenda, nec falcibus metenda sed hamis inuncanda. ⁽¹⁰⁾ Postremo in maleficio ille uenenum nominat, tu pulmentum, ille herbas et surculos, tu squamas et ossa, ille pratum decerpit, tu fluctum scrutaris.

⁽¹¹⁾ Memorassem tibi etiam Theocriti paria et alia Homeri et Orpheï plurima, et ex comoediis et tragoediis Graecis et ex historiis multa repetissem, ni te dudum animaduertissem Graecam Pudentillae epistulam legere nequiuisset. ⁽¹²⁾ Igitur unum etiam poetam Latinum attingam; uersus ipsos, quos agnoscent qui Laetium legere:

⁽¹³⁾ 'Philtro omnia undique eruunt:
antipathes illud quaeritur,
trochiscili, ung<u>es, taeniae,
radiculae, herbae, surculi,
saurae inlices bicodulae, hin-
nientium dulcedines.'

[31] ⁽¹⁾ Haec et alia quaesisse me potius quam pisces longe uerisimilius confinxisses (his etenim fortasse per famam peruulgatam fides fuisset), si tibi ulla eruditio adfuisset. Enimuero piscis ad quam rem facit captus nisi ad epulas coctus? Ceterum ad magian nihil quicquam uidetur mihi adiutare. Dicam unde id coniectem.

⁽²⁾ Pythagoram plerique Zoroastri sectatorem similiterque magiae peritum arbitrati tamen memoriae prodiderunt, cum animaduertisset proxime Metapontum in litore Italiae suae, quam subsiciam Graeciam fecerat, a quibusdam piscatoribus euerriculum trahi, ⁽³⁾ fortunam iactus eius emisse et pretio dato iussisse ilico piscis eos, qui capti tenebantur, solui retibus et reddi profundo; ⁽⁴⁾ quos scilicet eum de manibus amissurum non fuisse[t], si quid[em] in his utile ad magian comperisset. ⁽⁵⁾ Sed enim uir egregie doctus et ueterum aemulator meminerat Homerum, poetam multiscium uel potius cunctarum rerum adprime peritum, uim omnem medicaminum non mari, sed terrae <a>scripsisse[t], cum de quadam saga ad hunc modum memorauit:

ἢ τόσα φάρμακα ἤδη, ὅσα τρέφει εὐρεῖα χθών,
⁽⁶⁾ itemque alibi carminum similiter:
τῇ πλείστα φέρει ζείδωρος ἄρουρα

φάρμακα, πολλὰ μὲν ἐσθλὰ μεμιγμένα, πολλὰ δὲ λυγρά,
⁽⁷⁾ cum tamen numquam apud eum marino aliquo et piscolento medicauit nec Prot[h]eus faciem nec Vlixes scrobem nec Aeolus follem nec Helena creterram nec Circe poculum nec Venus cingulum. ⁽⁸⁾ At uos soli reperti estis ex omni memoria, qui uim <h>erbarum et radicum et surculorum et lapillorum quasi quadam colluione naturae de summis montibus in mare transferatis et penitus piscium uentribus insuatis. ⁽⁹⁾ Igitur ut solebat ad magorum cerimonias aduocari Mercurius carminum uector et illex animi Venus et Luna noctium conscia et manium potens Triuia, uobis auctoribus posthac Neptunus cum Salacia et Portuno et omni choro Nerei ab aestibus fretorum ad aestus amorum transferentur.

[32] ⁽¹⁾ Dixi cur non arbitrer quicquam negotii esse magis et piscibus. ⁽²⁾ Nunc, si uidetur, credamus Aemiliano solere pisces etiam ad magicas potestates adiutare. Num ergo propterea quicumque quaerit et ipse magus est? Eo quidem pacto et qui myoparonem quaesierit pirata erit, et qui uectem perfoissor, et qui gladium sicarius. ⁽³⁾ Nihil in rebus omnibus tam innoxium dices, quin id possit aliquid aliqua obesse, nec tam laetum, quin possit ad tristitudinem intellegi. ⁽⁴⁾ Nec tamen omnia idcirco ad nequiores suspicionem trahuntur, ut si tus et casiam et myrram ceterosque id genus odores funeri tantum emptos arbitreris, cum et medicamento parentur et sacrificio.

⁽⁵⁾ Ceterum eodem piscium argumento etiam Menelai socios putabis magos fuisse, quos ait poeta praecipuus flexis hamulis apud Pharum insulam famem propulsasse. ⁽⁶⁾ Etiam mergos et delfinos et Scyllam tu eodem referes; etiam gulones omnes, qui inpendio a piscatoribus merguntur; etiam ipsos piscatores, qui omnium generum piscis arte adquirunt.

⁽⁷⁾ 'Cur ergo tu quaeris?' Nolo equidem nec necessarium habeo tibi dicere, sed per te, si potes, ad hoc quaesisse me argue. ⁽⁸⁾ Vt si elleborum uel cicutam uel sucum papaueris emissem, item alia eiusdem modi quorum moderatus usus salutaris, sed commixtio uel quantitas noxia est, quis aequo animo pateretur, si me per haec ueneficii arcesseres, quod ex illis potest homo occidi?

[33] ⁽¹⁾ Videamus tamen, quae fuerint piscium genera tam necessaria ad habendum tamque rara ad repperiendum, ut merito statuto praemio quaererentur. ⁽²⁾ Tria omnino nominauerunt, unum falsi,

duo mentiti; ⁽³⁾ falsi, quod leporem marinum fuisse dixerunt qui alius omnino piscis fuit, quem mihi Themis[c]on seruus noster medicinae non ignarus, ut ex ipso audisti, ultro attulit ad inspiciendum; nam quidem leporem nondum etiam inuenit. ⁽⁴⁾ Sed profiteor me quaerere et cetera, non piscatoribus modo, uerum etiam amicis meis negotio dato, quicumque minus cogniti generis piscis inciderit, ut eius mihi aut formam commemorent aut ipsum uiuum, si id nequierint uel mortuum ostendant. Quam ob rem id faciam, mox docebo.

⁽⁵⁾ Mentiti autem sunt callidissimi accusatores mei — ut sibi uidentur —, cum me ad finem calumniae confinxerunt duas res marinas impudicis uocabulis quaesisse. ⁽⁶⁾ Quas Tannonius ille cum utriusque sexus genitalia intellegi uellet, sed eloqui propter infantiam caudidicus summus nequiret, multum ac diu haesitato tandem uirile 'marinum' nescio qua circumlocutione male ac sordide nominauit; ⁽⁷⁾ sed enim feminal nullo pacto repperiens munditer dicere ad mea scripta confugit et quodam libro meo legit: 'interfeminiū tegat et femoris obiectu et palmae uelamento.'

[34] ⁽¹⁾ Hic etiam pro sua grauitate uitio mihi uortebat, quod me nec sordidiora dicere honeste pigeret. ⁽²⁾ At ego illi contra iustius exprobrarim, quod qui eloquentiae patrociniū uulgo profiteatur etiam honesta dictu sordide blateret ac saepe in rebus nequaquam difficilibus fringuliat uel omnino ommutescat. ⁽³⁾ Cedo enim, si ego de Veneris statua nihil dixissem neque interfeminiū nominassem, quibus tandem uerbis accusasses crimen illud tam stultitiae quam linguae tuae congruens? ⁽⁴⁾ An quicquam stultius quam ex nominum propinquitate uim similem rerum coniectam?

⁽⁵⁾ Et fortasse an peracute repperisse uobis uidebamini, ut quaesisse me fingeretis ad illecebras magicas duo haec marina, ueretillam et uirginal. — Disce enim nomina rerum Latina, quae propterea uarie nominaui, ut denuo instructus accuses. — ⁽⁶⁾ Memento tamen tam ridiculum argumentum fore desiderata ad res uenerias marina obscena, quam si dicas marinum pectinem comendo capillo quaesitum uel aucupandis uolantibus piscem accipitrem aut uenandis apris piscem apriculam aut eliciendis mortuis marina caluaria. ⁽⁷⁾ Respondeo igitur ad hunc uestrum locum non minus insulse quam absurde commentum me hasce

nugas marinas et quiscilias litoralis neque pretio neque gratis quaesisse.

[35] ⁽¹⁾ Illud etiam praeterea respondeo, nescisse uos, quid a me quaesitum fingeretis. ⁽²⁾ Haec enim friuola quae nominastis pleraque in litoribus omnibus congestim et acruatim iacent et sine ullius opera quamlibet leuiter motis flucticulis ultro foras euoluuntur. ⁽³⁾ Quin ergo dicitis me eadem opera pretio impenso per plurim[is]os piscatoris quaesisse de litore conchulam striatam, testam hebe[n]tem, calculum teretem; praeterea cancrorum furcas, echinum caliculos, lolliginum ligulas; ⁽⁴⁾ postremo assulas, festucas, resticulas et ostrea [Pergami] uermiculata; denique muscum et algam, cetera maris eiectionamenta, quae ubique litorum uentis expelluntur, salo expuuntur, tempestate reciprocantur, tranquillo deseruntur? ⁽⁵⁾ Neque enim minus istis quae commemoraui accommodari possunt similiter ex uocabulo suspensiones.

⁽⁶⁾ Posse dicitis ad res uenerias sumpta de mari spuria et fascina propter nominum similitudinem; qui minus possit ex eodem litore calculus ad uesicam, testa ad testamentum, cancer ad ulcera, alga ad quercerum? ⁽⁷⁾ Ne tu, Claudii Maxime, nimis patiens uir es et oppido proxima humanitate, qui hasce eorum argumentationes diu hercle perpessus sis. Equidem, cum haec ab illis quasi grauiora et uincibilia dicerentur, illorum stultitiam ridebam, tuam patientiam mirabar.

[36] ⁽¹⁾ Ceterum quam ob rem plurimos iam piscis cognouerim, quorundam adhuc nescius esse nolim, discat Aemilianus, quoniam usque adeo rebus meis curat. ⁽²⁾ Quanquam est iam praecipiti aevo et occidua senectute, tamen, si uidetur, accipiat doctrinam seram plane et postumam. ⁽³⁾ Legat ueterum philosophorum monumenta, tandem ut intellegat non me primum haec requisisse, sed iam pridem maiores meos, Aristotelen dico et Theop[hrastum] et [t]Eudemum et Lyconem ceterosque Platonis minores, ⁽⁴⁾ qui plurimos libros de genitu animalium deque uictu deque particulis deque omni differentia reliquerunt.

⁽⁵⁾ Bene quod apud te, Maxime, causa agitur, qui pro tua eruditione legisti profecto Aristotelis περὶ ζῴων γενέσεως, περὶ ζῴων ἀνατομῆς, περὶ ζῴων ἱστορίας multiuga uolumina, praeterea problemata innumera eiusdem, tum ex eadem secta ceterorum, in quibus id genus uaria tractantur. ⁽⁶⁾ Quae tanta cura conquisita si

honestum et gloriosum illis fuit scribere, cur turpe sit nobis experiri, praesertim cum ordinatius et cohibilius eadem Graece et Latine adnitar conscribere et in omnibus aut omissa adquirere aut defecta supplere?

⁽⁷⁾ Permittite, si opera est, quaedam legi de magicis meis, ut sciat me Aemilianus plura quam putat quaerere et sedulo explorare.

⁽⁸⁾ Prome tu librum e Graecis meis, quos forte hic amici habuere sedulique, naturalium quaestionum, atque eum maxime, in quo plura de piscium genere tractata sunt. Interea, dum hic quaerit, ego exemplum rei competens dixero.

[37] ⁽¹⁾ Sophocles poeta Euripidi aemulus et superstes — uixit enim ad extremam senectam —, cum igitur accusaretur a filio suomet dementiae, quasi iam per aetatem desiperet, protulisse dicitur Coloneum suam, peregre iam tragoediarum, quam forte tum in eo tempore conscribebat, ⁽²⁾ eam iudicibus legisse nec quicquam amplius pro defensione sua addidisse, nisi ut audacter dementiae condemnarent, si carmina senis displicerent. ⁽³⁾ Ibi ego comperior om[ni]s iudices tanto poetae adsurrexisse, miris laudibus eum tulisse ob argumenti sollertiam et coturnum facundiae, nec ita multum omnis afuisse quin accusatorem potius dementiae condemnarent.

⁽⁴⁾ Inuenisti tu librum? Beasti. Cedo enim experiamur an et mihi possint in iudicio litterae meae prodesse. Lege pauca de principio, dein quaedam de piscibus. At tu interea, dum legit, [t]aquam[quam] sustine. (...)

[38] ⁽¹⁾ Audisti, Maxime, quorum pleraque scilicet legeras apud antiquos philosophorum. ⁽²⁾ Et memento de solis piscibus haec uolumina a me conscripta, qui eorum coitu progignantur, qui ex limo coalescant, quotiens et quid anni cuiusque eorum generis feminae subent[ant], mares suriant, ⁽³⁾ quibus membris et causis discrerit natura uiuiparos eorum et ouiparos — ita enim Latine appello quae Graeci ζωτόκα et ψοτόκα — ⁽⁴⁾ et, ne <o>perose animalium genitum pergam, deinde de differentia et uictu et membris et aetatibus ceterisque plurimis scitu quidem necessariis, sed in iudicio alienis.

⁽⁵⁾ Pauca etiam de Latinis scribtis meis ad eandem peritiam pertinentibus legi iubebo, in quibus animaduertes cum re<s> cognitu raras, tum nomina etiam Romanis inusitata et in hodiernum

quod sciam infecta; ea tamen nomina labore meo et studio ita de Graecis prouenire, ut tamen Latina moneta percussa sint. ⁽⁶⁾ Vel dicant nobis, Aemiliane, patroni tui, ubi legerint Latine haec pronuntiata uocabula. De solis aquatilibus dicam nec cetera animalia nisi in communibus differentis attingam. ⁽⁷⁾ Ausculta igitur quae dicam. Iam me clamabis magica nomina Aegyptio uel Babylonico ritu percensere: ⁽⁸⁾ σελάχεια, μαλάκεια, μαλακόστρακα, χονδράκανθα, ὀστράκόδεσμα, καρχαρόδοντα, ἀμφίβια, λεπιδωτά, φολιδωτά, δερμόπτερα, στεγανόποδα, μονήρη, συναγελαστικά,

— ⁽⁹⁾ possum etiam pergere; sed non est operae in istis diem terere, ut sit mihi tempus adgredi ad cetera. Haec interim quae dixi pauca recita Latine a me enuntiata. (...)

[39] ⁽¹⁾ Vtrum igitur putas philosopho non secundum Cynicam temeritatem rudi et indocto, sed qui se Platonicae scholae meminerit — utrum ei putas turpe scire ista an nescire, negligere an curare, nosse quanta sit etiam in istis prouidentiae ratio an <de> diis immortalibus matri et patri credere?

⁽²⁾ Q. Ennius hedyphagetica [a] uersibus scripsit. Innumerabilia genera piscium enumerat, quae scilicet curiose cognorat. Paucos uersus memini, eos dicam:

⁽³⁾ 'Omnibus ut Clipea praestat mustela marina!

Mures sunt Aeni, asp[e]ra ostrea plurima Abydi[mus],
Mytilenae est pecten C<h>aradrumque apud Ambraciai [finis]
Brundisii sargus bonus est (hunc, magnus si erit, sume).

Apriculum piscem scito primum esse Tarenti.

Surrenti[a] elopem fac emas glaucumque apud Cumas.

Quid scarum praeterii cerebrum Iouis paene sup[p]remi
(Nestoris ad patriam hic capitur magnusque bonusque),
melanurum, turdum, merulamque umbramque marinam?

Polypus Corcyrae, caluaria pinguia <a>carnae,

purpura[m], mu[r]riculi, mures, dulces quoque echini.'

⁽⁴⁾ Alios etiam multis uersibus decorauit, et ubi gentium quisque eorum, qualiter assus aut iurulentus optime sapiat, nec tamen ab eruditibus reprehenditur; ne ego reprehendar, qui res paucissimis cognitae Graece et Latine propriis et elegantibus uoculis conscribo.

[40] ⁽¹⁾ Cum hoc satis dixi, tum aliud accipe. Quid enim tandem, si medicinae neque instudiosus neque imperitus quaequam remedia ex piscibus quaero? ⁽²⁾ Vt sane sunt plurima cum in aliis omnibus rebus eodem naturae munere interspersa atque interseminata, tum etiam nonnulla in piscibus. ⁽³⁾ An remedia nosse et ea conquirere magi potius esse quam medici, quam denique philosophi putas, qui illis non ad quaestum, sed ad suppetias usuru<s> est? ⁽⁴⁾ Veteres quidem medici etiam carmina remedia uulnerum norant, ut omnis uetustatis certissimus auctor Homerus docet, qui facit Vlixī de uulnere sanguinem profluentem sisti cantamine. Nihil enim quod salutis ferendae gratia fit, criminosum est.

⁽⁵⁾ 'At enim,' inquit, 'piscem cui rei nisi malae proscidisti, quem tibi Themis[c]on seruus attulit?' Quasi uero non paulo prius dixerim me de particulis omnium animalium, de situ earum de[ni]que numero de[ni]que causa conscribere ac libros ἀνατομῶν Aristoteli et explorare studio et augere. ⁽⁶⁾ Atque adeo summe miror quod unum a me pisciculum inspectum sciatis, cum iam plurimos, ubicumque locorum oblatis sunt, aequae inspexerim, ⁽⁷⁾ praesertim quod nihil ego clanculo sed omnia in propatulo ago, ut quiuis uel extrarius arbiter adsistat, more hoc et instituto magistrorum meorum, qui aiunt hominem liberum et magnificum debere, si queat, in primori fronte animum gestare. ⁽⁸⁾ Hunc adeo pisciculum, quem uos leporem marinum nominatis, plurimis qui aderant ostendi.

⁽⁹⁾ Necdum etiam decerno quid uocent, nisi quaeram sane accuratius, quod nec apud ueteres philosophos proprietatem eius piscis reperio, quanquam sit omnium rarissima et hercule memoranda. ⁽¹⁰⁾ Quippe solus ille, quantum sciam, cum sit cetera exossis, duodecim numero ossa ad similitudinem talorum suillorum in uentre eius conexa et catenata sunt. ⁽¹¹⁾ Quod Aristoteles numquam profecto omisisset scribito prodere, qui aselli piscis solius omnium in medio aluo corculum situm pro maximo memorauit.

[41] ⁽¹⁾ 'Piscem,' inquit, 'proscidisti.' Hoc quis ferat philosopho crimen esse, quod lanio uel coquo non fuisset? ⁽²⁾ 'Piscem proscidisti.' Quod crudum, id accusas? Si cocto uentrem rusparer, hepatia suffoderem, ita ut apud te puerulus ille Sicinius Pudens suomet obson<i>o discit, eam rem non putares accusandam. Atqui maius crimen est philosopho comesse piscis quam inspicere.

⁽³⁾ An hariolis licet iocinera rimari, philosopho contemplari non licebit, qui se sciat omnium animalium haruspicem, omnium deum sacerdotem? ⁽⁴⁾ Hoc in me accusas, quod ego et Maximus in Aristotele miramur? Cuius nisi libros bibliothecis exegeris et studiosorum manibus extorseris, accusare me non potes. Sed de hoc paene plura quam debui.

⁽⁵⁾ Nunc praeterea uide, quam ipsi sese reuincant. Aiunt mulierem magicis artibus, marinis illecebris a me petitam eo in tempore, quo me non negabunt in Gaetuliae mediterranis montibus fuisse, ubi pisces per Deucalionis diluuia repperiuntur. ⁽⁶⁾ Quod ego gratulor nescire istos legisse me Theophrasti quoque περὶ δακέτων καὶ βλητ<ικ>ῶν et Nicandri θηριακά, ceterum me etiam ueneficii reum postulare; ⁽⁷⁾ at quidem hoc negotium ex lectione et aemulatione Aristoteli nactus sum, nonnihil et Platone meo adhortante, qui ait eum, qui ista uestiget, ἀμεταμέλητον παιδιὰν ἐν βίῳ παίζειν.

[42] ⁽¹⁾ Nunc quoniam pisces horum satis patuerunt, accipe aliud pari quidem stultitia, sed multo tanta uanior et nequius excogitatum. ⁽²⁾ Scierunt et ipsi argumentum piscarium futile et nihil futurum, praeterea nouitatem eius ridiculam (quis enim fando audiuit ad magica maleficia disquamari et exdorsari piscis solere?), potius aliquid de rebus peruulgatioribus et iam creditis fingendum esse. ⁽³⁾ Igitur ad praescriptum opinionis et famae confinxere puerum quempiam carmine cantatum remotis arbitris, secreto loco, arula et lucerna et paucis consciis testibus, ubi incantatus sit, corruisse, postea nesciente<m> sui excitatum — ⁽⁴⁾ nec ultra isti quidem progredi mendacio ausi. Enim fabula ut impleretur, addendum etiam illud fuit, puerum eundem multa praesagio praedixisse.

⁽⁵⁾ Quippe hoc emolumentum canticis accipimus, praesagium et diuinationem, nec modo uulgi opinione, uerum etiam doctorum uirorum auctoritate hoc miraculum de pueris confirmatur. ⁽⁶⁾ Memini me apud Varronem philosophum, uirum accuratissime doctum atque eruditum, cum alia eiusdem modi, tum hoc etiam legere: Trallibus de euentu Mithridatici belli magica percontatione consultantibus puerum in aqua simulacrum Mercuri contemplantem quae futura erant CLX uersibus cecinisse. ⁽⁷⁾ Itemque Fabium, cum quingentos denarium perdidisset, ad Nigidium consultum uenisse; ab eo pueros carmine instinctos indicauisse, ubi locorum defossa

esset crumina cum parti eorum, ceteri ut forent distributi; ⁽⁸⁾ unum etiam denarium ex eo numero habere M. Catonem philosophum; quem se a pedisequo in stipe Apollinis accepisse Cato confessus est.

[43] ⁽¹⁾ Haec et alia apud plerosque de magiis et pueris lego equidem, sed dubius sententiae sum, dicamne fieri posse an negem, ⁽²⁾ quamquam Platoni credam inter deos atque homines natura et loco medias quasdam diuorum potestates intersitas, easque diuinationes cunctas et magorum miracula gubernare. ⁽³⁾ Quin et illud mecum reputo: posse animum humanum, praesertim puerilem et simplicem, seu carminum auocamento siue odorem delenimento soporari et ad obliuionem praesentium externari et paulisper remota corporis memoria redigi ac redire ad naturam suam, quae est immortalis scilicet et diuina, atque ita uelut quodam sopore futura rerum praesagare.

⁽⁴⁾ Verum enimvero, ut ista sese habent, si qua fides hisce rebus impertienda est, debet ille nescio qui puer prouidus, quantum ego audio, et corpore decorus atque integer deligi et animo sollers et ore facundus, ⁽⁵⁾ ut in eo aut diuina potestas quasi bonis aedibus digne diuersetur (si tamen ea pueri corpore includitur), an ipse animus expurgatus cito ad diuinationem suam redigatur, quae ei prompte insita et nulla obliuione saucia et hebes facile resumatur. ⁽⁶⁾ Non enim ex omni ligno, ut Pythagoras dicebat, debet Mercurius exculpi.

⁽⁷⁾ Quod si ita est, nominate, quis ille fuerit puer sanus, incolumis, ingeniosus, decorus, quem ego carmine dignatus sim initiare. ⁽⁸⁾ Ceterum Thallus, quem nominastis, medico potius quam mago indiget. ⁽⁹⁾ Est enim miser morbo comitali ita confectus, ut ter an quater die saepe numero sine ullis cantaminibus corruat omniaque membra conflictationibus debilitet, facie ulcerosus, fronte et occipitio conquassatus, oculis hebes, naribus hiulus, pedibus caducus. ⁽¹⁰⁾ Maximus omnium magus est, quo praesente Thallus diu steterit: ita plerumque morbo ceu somno uergens inclinatur.

[44] ⁽¹⁾ Eum tamen uos carminibus meis subuersum dixistis, quod forte me coram semel decedit. ⁽²⁾ Conserui eius plerique adsunt, quos ex *h*iberi denuntiastis. Possunt dicere omnes quid in Thallo despuant, cur nemo audeat cum eo ex eodem catino cenare, eodem poculo bibere. ⁽³⁾ Et quid ego de seruis? Vos ipsi uidetis.

Negate Thallum multo prius quam ego Oeam uenirem corruere eo morbo solitum, medicis saepe numero ostensum! ⁽⁴⁾ Negant hoc conserui eius, qui sunt in ministerio uestro?

Omnium rerum conuictum me fatebor, nisi rus adeo iam diu ablegatus est in longinquos agros, ne familiam contaminaret. Quod ita factum nec ab illis negari potest. ⁽⁵⁾ Eo nec potuit hodie a nobis exhiberi. Nam ut omnis ista accusatio temeraria et repentina fuit, nudius tertius nobis Aemilianus denuntiavit, ut seruos numero quindecim apud te exhiberemus. ⁽⁶⁾ Adsunt XIII, qui in oppido erant. Thallus solus, ut dixi, quod ferme ad centesimum lapidem longe exul est, is Thallus solus abest, sed misimus qui eum curriculo aduehat.

⁽⁷⁾ Interroga, Maxime, XIII seruos quos exhibemus, Thallus puer ubi sit et quam salue agat, interroga seruos accusatorum meorum. Non negabunt turpissimum puerum, corpore putri et morbo, caducum, barbarum, rusticanum. ⁽⁸⁾ Bellum uero puerum elegistis, quem quis sacrificio adhibeat, cuius caput contingat, quem puro pallio amiciat, a quo responsum speret. ⁽⁹⁾ Velle *<m>* hercle adesset. Tibi eum, Aemiliane, permissem, et tenerem, si tu interrogares. Iam in media quaestione hic ibidem pro tribunali oculos truci in te inuertisset, faciem tuam spumabundus conspuisset, manus contraxisset, caput succussisset, postremo in sinu tuo corruisset.

[45] ⁽¹⁾ XIII seruos quos postulasti exhibeo. Cur illis ad quaestionem nihil uteris? Vnum puerum atque eum caducum requiris, quem olim abesse pariter mecum scis. Quae alia est euidentior calumnia? XIII serui petitu tuo adsunt, eos dissimulas; unus puerulus abest, eum insimulas. ⁽²⁾ Postremo quid uis? Puta Thallum adesse: uis probare eum praesente me concidisse? Vltro confiteor. Carmine id factum dicis? Hoc puer nescit, ego non factum reuincio. Nam caducum esse puerum nec tu audebis negare. ⁽³⁾ Cur ergo carmini potius quam morbo attribuat eus ruina? An euenire non potuit ut forte praesente me idem pateretur, quod saepe alias multis praesentibus?

⁽⁴⁾ Quod si magnum putarem caducum deicere, quid opus carmine fuit, cum incensus gagates lapis, ut apud physicos lego, pulchre et facile hunc morbum exploret, cuius odore etiam in uenaliis uulgo sanitatem aut morbum uenaliu experiantur? ⁽⁵⁾ Etiam orbis a figulo circumactus non difficile eiusdem ualetudinis

hominem uertigine sui corripit, ita spectaculum rotationis eius animum saucium debilitat. Ac multo plus ad caducos[e] consternendos figulus ualet quam magus.

⁽⁶⁾ Tu frustra postulasti, ut seruos exhiberem; ego non de nihilo postulo ut nomines, quinam testes huic piaculari sacro adfuerint, cum ego ruentem Thallum impellerem. ⁽⁷⁾ Vnum omnino nominas puerulum illum Sicinium Pudentem, cuius me nomine accusas; is enim adfuisse se dicit. Cuius pueritia etsi nihil ad re gionem refragaretur, tamen accusatio fidem deroget. ⁽⁸⁾ Facilius fuit, Aemiliane, ac multo grauius, tete ut ipsum diceret interfuisse et ex eo sacro coepisse dementire potius quam totum negotium quasi ludicrum pueris donares: puer cecidit, puer uidit. Num etiam puer aliqui incantauit?

[46] ⁽¹⁾ Hic satis ueteratorie Tannonius Pudens, cum hoc quoque mendacium frigere ac prope iam omnium uultu et murmure explosum uideret, ut uel suspensiones quorundam spe moraretur, ait pueros alios producturum, qui sint aequae a me incantati, atque ita ad aliam speciem argumenti transgressus est.

⁽²⁾ Quod quamquam dissimulare potui, tamen ut omnia, ita hoc quoque ultro prouoco. Cupio enim produci eos pueros, quos spe libertatis audio confirmatos ad mentiendum. Sed nihil amplius dico: ut producant. ⁽³⁾ Postulo igitur et flagito, Tannoni Pudens, ut expleas quod pollicitus es. Cedo pueros istos, quibus confiditis: producat, nomina qui sint. Mea aqua licet ad hoc utare. Dic, inquam, Tannoni. ⁽⁴⁾ Quid taces, quid cunctaris, quid respectas? Quod si hic nescit quid dixerit aut nomina oblitus est, at tu, Aemiliane, cede huc, dic quid aduocato tuo mandaueris, exhibe pueros. ⁽⁵⁾ Quid expalluisti? Quid taces? Hocine accusare est, hocine tantum crimen deferre, an Claudium Maximum, tantum uirum, ludibrio habere, me calumnia insectari?

⁽⁶⁾ Quod si forte patronus tuus uerbo prolapsus est et nullos pueros habes quos producas, saltem XIII seruis quos ex <h> ibui ad aliquid utere.

[47] ⁽¹⁾ Aut cur sisti postulabas tantam familiam? Magiae accusans de XV seruis denuntiasti; quid, si de ui accusares, quot tandem seruos postulares? ⁽²⁾ Sciunt ergo aliquid XV serui et occultum est. An occultum non est et magicum est? Alterum horum fatearis necesse est: aut illicitum non fuisse in quo tot conscios non timuerim, aut

si illicitum fuit, scire tot conscios non debuisse. ⁽³⁾ Magia ista, quantum ego audio, res est legibus delegata, iam inde antiquitus XII tabulis propter incredulas frugum inlecebras interdicta, igitur et occulta non minus quam tetra et horribilis, plerumque noctibus uigilata et tenebris abstrusa et arbitris solitaria et carminibus murmurata, ⁽⁴⁾ cui non modo seruorum, uerum etiam liberorum pauci adhibentur. ⁽⁵⁾ Et tu quindecim seruos uis interfuisse? Nubtiaene illae fuerunt an aliud celebratum officium an conuiuium tempestiuum? XV serui sacrum magicum participant, quasi XV uiri sacris faciundis creati? ⁽⁶⁾ Cui tamen rei tot numero adhibuissem, si conscientiae nimis multi sunt? XV liberi homines populus est, totidem serui familia, totidem uincti ergastulum. ⁽⁷⁾ An adiutorio multitudo eorum necessaria fuit, qui diutine hostias lustralis tenerent? At nullas hostias nisi gallinas nominastis. An ut granaturis numerarent? An ut Thallum prosternerent?

[48] ⁽¹⁾ Mulierem etiam liberam perductam ad me domum dixisti eiusdem Thalli ualitudinis, quam ego pollicitus sum curaturum, eam quoque a me incantatam corruisse. ⁽²⁾ Vt uideo, uos palaestritam, non magum accusatum uenistis: ita omnis qui me accessere dicitis cecidisse. ⁽³⁾ Negauit tamen quaerente te, Maxime, Themison medicus, a quo mulier ad inspiciendum perducta est, quicquam ultra passam nisi quaesisse me, ecquid illi aures obtinnirent et utra earum magis; ⁽⁴⁾ ubi responderit dexteram sibi aurem nimis inquietam, confestim discessisse.

⁽⁵⁾ Hic ego, Maxime, quamquam sedulo inpraesentiarum a laudibus tuis tempero, necubi tibi ob causam istam uidear blanditus, tamen sollertiam tuam in percontando nequeo quin laudem. ⁽⁶⁾ Dudum enim, cum haec agitantur et illi incantatam mulierem dicerent, medicus qui adfuerat abnueret, quaesisti tu nimis quam prudenter, quod mihi emolumentum fuerit incantandi. ⁽⁷⁾ Responderunt: 'Vt mulier rueret.' 'Quid deinde? Mortua est?' inquis. Negarunt. 'Quid ergo dicitis? Quod Apulei commodum, si ruisset?'

⁽⁸⁾ Ita enim pulchre ac perseueranter tertio quaesisti, ut qui scires omnium factorum rationes diligentius examinandas ac saepius causas quaeri, facta concedi, eoque etiam patronos litigatorum causidicos nominari, quod cur quaeque facta sint expediant. ⁽⁹⁾ Ceterum negare factum facilis res est et nullo patrono indiget; recte factum uel perperam docere, id uero multo arduum et difficile est.

Frustra igitur an factum sit anquiritur, quod nullam malam causam habuit ut fieret. ⁽¹⁰⁾ Ita facti reus apud bonum iudicem scrupulo quaestionis liberatur, si nulla fuit ei ratio peccandi.

⁽¹¹⁾ Nunc quoniam neque incantatam neque prostratam mulierem probauerunt et ego non nego petitu medici a me inspectam, dicam tibi, Maxime, cur illud de aurium tinnitu quaesierim, ⁽¹²⁾ non tam purgandi mei gratia in ea re, quam tu iam praeiudicasti neque culpae neque crimini confinem, quam ut ne quid dignum auribus tuis et doctrinae tuae congruens reticuerim. ⁽¹³⁾ Dicam igitur quam breuissime potuero; etenim admonendus es mihi, non docendus.

[49] ⁽¹⁾ Plato philosophus in illo praeclarissimo Timaeo caelesti quadam facundia uniuersum mundum molitus, ⁽²⁾ igitur postquam de nostri quoque animi trinis potestatibus sollertissime disseruit, et cur quaeque membra nobis diuina prouidentia fabricata sint aptissime docuit, causam morborum omnium trifariam percenset. ⁽³⁾ Primam causam primordiis corporis adtribuit, si ipsae elementorum qualitates, uuida et frigida, et h[i]is duae aduersae non congruant. Id adeo euenit, cum quaequam earum modo excessit aut loco demigrauit. ⁽⁴⁾ Sequens causa morborum inest in eorum uitio, quae iam concreta ex simplicibus elementis una tamen specie coaluerunt, ut est sanguinis species et uisceris et ossi et medullae, porro illa quae ex hisce singularibus mixta sunt. ⁽⁵⁾ Tertio in corpore concrementa uarii fellis et turbidi spiritus et pinguis humoris nouissima aegritudinum incitamenta sunt.

[50] ⁽¹⁾ Quorum e numero praecipuas materia morbi comitalis, de quo dicere exorsus sum, cum caro in humorem crassum et spumidum inimico igni conliquescit et spiritu indidem parto ex candore compressi aeris albida et tumida tabes fluit. ⁽²⁾ Ea namque tabes si foras corporis prospirauit, maiore dedecore quam noxa diffunditur. Pectoris enim primorem cutim utiligine insignit et omnimodis maculationibus conuariat. ⁽³⁾ Sed cui hoc usu uenerit, numquam postea comitali morbo adtemptatur. Ita aegritudinem animi grauissimam leui turpitudine corporis compensat.

⁽⁴⁾ Enimuero si pernicioosa illa dulcedo intus cohibita et bili atrae sociata uenis omnibus furens peruasit, dein ad summum caput uiam molita dirum fluxum cerebro immiscuit, ilico regalem partem animi debilitat, quae ratione pollens uerticem hominis uelut arcem et regiam insedit. ⁽⁵⁾ Eius quippe diuinas uias et sapientis meatus

obruit et obturbat. Quod facit minore perniciem per soporem, cum potu et cibo plenos comitalis morbi praenuntia strangulatione modice angit. ⁽⁶⁾ Sed si usque adeo aucta est, ut etiam uigilantium capiti offundatur, tum uero repentino mentis nubilo obtorpescunt et moribundo corpore, cessante animo cadunt. ⁽⁷⁾ Eum nostri non modo maiorem et comitalem, uerum etiam diuinum morbum, ita ut Graeci *ἱερὸν νόσον*, uere nuncuparunt, uidelicet quod animi partem rationalem, quae longe sanctissimast, eam uiolet.

[51] ⁽¹⁾ Agnoscis, Maxime, rationem Platonis quantum potui pro tempore perspicue explicatam. ⁽²⁾ Cui ego fidem arbitratus causam diuini morbi esse, cum illa pestis in caput redu[n]dauit, haudquaquam uideor de nihilo percontatus, an esset mulieri illi caput graue, ceruix torpens, tempora pulsata, aures sonorae. [et] ⁽³⁾ Ceterum, quod dexterarum auris crebriores tinnitus fatebatur, signum erat morbi penitus adacti. Nam dextera corporis ualidiora sunt eoque minus spei ad sanitatem relinquunt, cum et ipsa aegritudini succumbunt. ⁽⁴⁾ Aristoteles adeo in problematis scriptum reliquit: quibus aequae caducis a dextero morbus occipiat, eorum esse difficiliorem medelam. ⁽⁵⁾ Longum est, si uelim Theophrasti quoque sententiam de eodem morbo recensere. Est enim etiam eius egregius liber de caducis. ⁽⁶⁾ Quibus tamen in alio libro, quem de inuidentibus animalibus conscripsit, remedio esse ait exuuias stelionum, quas uelut senium more ceterorum serpentium temporibus statutis exuant; ⁽⁷⁾ sed nisi confestim eripias, malignone praesagio an naturali adpetentia ilico conuertuntur et deuorant.

⁽⁸⁾ Haec idcirco commemorauimus nobilium philosophorum disputata, simul et libros sedulo nominaui nec ullum ex medicis aut poetis uolui attingere, ut isti desinant mirari, si philosophi suapte doctrina causas morborum et remedia nouerunt.

⁽⁹⁾ Igitur cum ad inspiciendum mulier aegra curationis gratia ad me perducta sit atque hoc et medici confessione qui adduxit ac mea ratiocinatione recte factum esse conueniat, ⁽¹⁰⁾ aut constituent magi et malefici hominis esse morbis mederi, aut, si hoc dicere non audent, fateantur se in puero et muliere caducis uanas et prorsus caducas calumnias intendisse.

[52] ⁽¹⁾ Immo enim, si uerum uelis, Aemiliane, tu potius caducus qui iam tot calumniis cecidisti. Neque enim grauius est corpore quam corde collabi, pede potius quam mente corruere, in cubiculo despu

quam in isto splendidissimo coetu detestari. ⁽²⁾ At tu fortasse te putas sanum, quod non domi containeris, sed insaniam tuam, quoquo te duxerit, sequeris. Atqui contende, si uis, furorem tuum cum Thalli furore: inuenies non permultum interesse, nisi quod Thallus sibi, tu etiam aliis furis. ⁽³⁾ Ceterum Thallus oculos torquet, tu ueritatem; Thallus manus contrahit, tu patronos; Thallus pauimentis inluditur, tu tribunalibus. Postremo ille quidquid agit in aegritudine facit, ignorans peccat; ⁽⁴⁾ at tu, miser, prudens et sciens delinquis, tanta uis morbi te instigat. Falsum pro uero insimulas; infectum pro facto criminaris; quem innocentem liquido scis, tamen accusas ut nocentem.

[53] ⁽¹⁾ Quin etiam — quod praeterii — sunt quae fatearis nescire, et eadem rursus, quasi scias, criminari *<s>*. ⁽²⁾ Ais enim me habuisse quaedam sudariolo inuoluta apud lares Pontiani. Ea inuoluta quae et cuius modi fuerint, nescisse te confiteris, neque praeterea quemquam esse qui uiderit; tamen illa contendis instrumenta magiae fuisse. ⁽³⁾ Nemo tibi blandiatur, Aemiliane: non est in accusando uersutia ac ne impudentia quidem, ne tu arbitraris. Quid igitur? Furor infelix acerbi animi et misera insania crudae senectutis.

⁽⁴⁾ His enim paene uerbis cum tam graui et perspicaci iudice egisti: 'Habuit Apuleius quaequam linteolo inuoluta apud lares Pontiani. Haec quoniam ignoro quae fuerint, iccirco magica fuisse contendo. Crede igitur mihi quod dico, quia id dico quod nescio.' ⁽⁵⁾ O pulchra argumenta et aperte crimen reuincunt! 'Hoc fuit, quoniam quid fuerit ignoro.' Solus repertus es, Aemiliane, qui scias etiam illa quae nescis. Tantum super omnis stultitia euectus es, ⁽⁶⁾ quippe qui sollertissimi et acerrimi philosophorum ne is quidem confidendum esse aiunt quae uidemus, at tu de illis quoque adfirmas, quae neque conspexisti umquam neque audisti.

⁽⁷⁾ Pontianus si uiueret atque eum interrogares, quae fuerint in illo inuolucro, nescire se responderet. ⁽⁸⁾ Libertus eccille, qui clauis eius loci in hodiernum habet et a uobis stat, numquam se ait inspexisse, quanquam ipse aperiret utpote promus librorum qui illic erant conditi, paene cotidie et clauderet, saepe nobiscum, multo saepius solus intraret, linteum in mensa positum cerneret sine ullo sigillo, sine uinculo. ⁽⁹⁾ Quidni enim? Magicae res in eo occultabantur: eo neglegentius adseruabam, sed *enim* libere scrutandum et

inspiciendum si liberet, etiam auferendum temere *exponebam*, alienae custodiae commendabam, alieno arbitrio mittebam!

⁽¹⁰⁾ Quid igitur inpraesentiarum uis tibi credi? Quodne Pontianus nescierit, qui indiuiduo contubernio mecum uixit, id te scire, quem numquam uiderim nisi pro tribunali? ⁽¹¹⁾ An quod libertus adsiduus, cui omnis facultas inspiciendi fuit, quod is libertus non uiderit, te qui numquam eo accesseris uidisse?

⁽¹²⁾ Denique ut quod non uidisti, id tale fuerit quale dicis. Atqui, stulte, si hodie illud sudariolum tu intercepisses, quicquid ex eo promeres, ego magicum negarem. [54] ⁽¹⁾ Tibi adeo permitto, finge quiduis, [r]eminiscere, excogita, quod possit magicum uideri: tamen de eo tecum decertarem. ⁽²⁾ Aut ego subiectum dicerem aut remedio acceptum aut sacro traditum aut somnio imperatum. Mille alia sunt quibus possem more communi et uulgatissima obseruationum consuetudine uere refutare. ⁽³⁾ Nunc id postulas, ut, quod reprehensum et detentum tamen nihil me apud bonum iudicem laederet, id inani suspitione incertum et incognitum condemnet.

⁽⁴⁾ Haud sciam an rursus, ut soles, dicas: 'Quid ergo illud fuit, quod linteolo tectum apud lares potissimum deposuisti?' Itane est, Aemiliane? Sic accusas, ut omnia a reo percontare, nihil ipse adferas cognitum? ⁽⁵⁾ 'Quam ob rem piscis quaeris?' 'Cur aegram mulierem inspexisti?' 'Quid in sudario habuisti?' Vtrum tu accusatum an interrogatum uenisti? Si accusatum, tute argue quae dicis; si interrogatum, noli praeiudicare quid fuerit, quod ideo te necesse est interrogare, quia nescis.

⁽⁶⁾ Ceterum hoc quidem pacto omnes homines rei constituentur, si ei, qui nomen cuiuspiam detulerit, nulla necessitas sit probandi, omnis contra facultas percontandi. Quippe omnibus sic, ut forte negotium magiae facessitur, quicquid omnino egerint obicietur. ⁽⁷⁾ Votum in alicuius statucae femore signasti: igitur magus es. Aut cur signasti? Tacitas preces in templo deis allegasti: igitur magus es. Aut quid optasti? Contra, nihil in templo precatus es: igitur magus es. Aut cur deos non rogasti? Similiter, si posueris donum aliquod, si sacrificaueris, si uerbenam sumpseris. ⁽⁸⁾ Dies me deficiet, si omnia uelim persequi, quorum rationem similiter calumniator flagitabit. Praesertim quod conditum cumque, quod obsignatum, quod inclusum domi adseruatur, id omne eodem argumento

magicum dicetur aut e cella promptaria in forum atque in iudicium proferetur.

[55] ⁽¹⁾ Haec quanta sint et cuius[ce] modi, Maxime, quantusque campus calumniis hoc Aemiliani tramite aperiatur, quantique sudores innocentibus hoc uno sudariolo adferantur, possum equidem pluribus disputare, ⁽²⁾ sed faciam quod institui: etiam quod non necesse est confitebor et interrogatus ab Aemiliano respondebo. ⁽³⁾ Interrogas, Aemiliane, quid in sudario habuerim.

At ego, quanquam omnino positum ullum sudarium meum in bybliothea Pontiani possim negare ⁽⁴⁾ ac, <si> maxime fuisse concedam, tamen habeam dicere nihil in eo inuolutum fuisse — ⁽⁵⁾ quae si dicam, neque testimonio aliquo neque argumento reuincar; nemo est enim qui attigerit, unus libertus, ut ais, qui uiderit —, ⁽⁶⁾ tamen, inquam, per me licet fuerit refertissimum. Sic enim, si uis, arbitrare, ut olim Vlixii socii thesaurum repperisse arbitrati sunt, cum utrem uentosissimum manticularentur. ⁽⁷⁾ Vin dicam, cuius modi illas res in sudario obuolutas laribus Pontiani commendarim? Mos tibi geretur.

⁽⁸⁾ Sacrorum pleraque initia in Graecia participauit. Eorum quaedam signa et monumenta tradita mihi a sacerdotibus sedulo conseruo. Nihil insolitum, nihil incognitum dico. Vel unius Liberi patris mystae qui adestis, scitis quid domi conditum celetis et absque omnibus profanis tacite ueneremini. ⁽⁹⁾ At ego, ut dixi, multiuiga sacra et plurimos ritus et uarias cerimonias studio ueri et officio erga deos didici. ⁽¹⁰⁾ Nec hoc ad tempus compono, sed abhinc ferme triennium est, cum primis diebus quibus Oeam ueneram p[ub]lice disserens de Aesculapii maiestate eadem ista prae me tuli et quod sacra nossem percensui. ⁽¹¹⁾ Ea disputatio celebratissima est, uulgo legitur, in omnibus manibus uersatur, non tam facundia mea quam mentione Aesculapii religiosus Oeensis commendata.

⁽¹²⁾ Dicite aliquis, si qui forte meminit, huius loci principium. (...) Audisne, Maxime, multos suggerentis? Immo, ecce etiam liber offertur. Recitari ipsa haec iubebo, quoniam ostendis humanissimo uultu auditionem te istam non grauari. (...)

[56] ⁽¹⁾ Etiamne cuiquam mirum uideri potest, cui sit ulla memoria religionis, hominem tot mysteriis deum conscium quaedam sacrorum crepundia domi adseruare atque ea lineo texto inuoluere,

quod purissimum est rebus diuinis uelamentum? ⁽²⁾ Quippe lana, segnissimi corporis excrementum, pecori detracta, iam inde Orphei et Pythagorae scitis profanus uestitus est. Sed enim mundissima lini seges inter optumas fruges terra exorta non modo indutui et amictui sanctissimis Aegyptiorum sacerdotibus, sed opertui quoque rebus sacris usurpatur.

⁽³⁾ Atque ego scio nonnullos et cum primis Aemilianum istum facetiae sibi habere res diuinas deridere. ⁽⁴⁾ Nam, ut audio partim Oe<e>nsium qui istum nouere, nulli deo ad hoc aeui supplicauit, nullum templum frequentauit, si fanum aliquod praetereat, nefas habet adorandi gratia[m] manum labris admouere. ⁽⁵⁾ Iste uero nec dis rurationis, qui eum pascunt ac uestiunt, segetis ullas aut uitis aut gregis primitias impertit. Nullum in uilla eius delubrum situm, nullus locus aut lucus consecratus. ⁽⁶⁾ Ecquid ego de luco et delubro loquor? Negant uidisse se qui fuere unum saltem in finibus eius aut lapidem unctum aut ramum coronatum. ⁽⁷⁾ Igitur adgnomenta ei duo indita: Charon, ut iam dixi, ob oris et animi diritatem, sed alterum, quod libentius audit, ob deorum contemptum, Mezentius. ⁽⁸⁾ Quapropter facile intellego hasce ei tot initiorum enumerationes nugae uideri, et fors anne ob hanc diuini contumaciam non inducat animum uerum esse quod dixi, me sanctissime tot sacrorum signa et memoracula custodire.

⁽⁹⁾ Sed ego, quid de me Mezentius sentiat, manum non uorterim, ceteris autem clarissima uoce profiteor: si qui forte adest eorundem sollemnium mihi particeps, signum dato, et audias licet quae ego adseruem. ⁽¹⁰⁾ Nam equidem nullo umquam periculo compellar, quae reticenda accepi, haec ad profanos enuntiare.

[57] ⁽¹⁾ Vt puto, Maxime, satis uideor cuiuis uel iniquissimo animum explesse et, quod ad sudarium pertineat, omnem criminis maculam deterxisse, ac bono iam periculo ad testimonium illud Crassi, quod post ista quasi grauissimum legerunt, a suspicionibus Aemiliani transcensurus.

⁽²⁾ Testimonium ex libello legi audisti gumiae cuiusdam et desperati lurconis Iuni Crassi, me in eius domo nocturna sacra cum Appio Quintiano amico meo factitasse, qui ibi mercede deuersabatur. Idque se ait Crassus, quamquam in eo tempore uel Alexandreae fuerit, tamen taedae fumo et auium plumis comperisse. ⁽³⁾ Scilicet eum, cum Alexandreae symposia obiret — est enim Crassus iste,

qui non inuitus de die in ganeas conrepat —, in illo cauponio nidore pinnae de penetibus suis aduectas aucupatum, fumum domus suae agnouisse patrio culmine longe exortum. ⁽⁴⁾ Quem si oculis uidit, ultra Vlixi uota et desideria hic quidem est oculatus. Vlixes fumum terra sua emergentem compluribus annis e litore prospectans frustra captauit; Crassus in paucis quibus afuit mensibus eundem fumum sine labore in taberna uinaria sedens conspexit. ⁽⁵⁾ Sin uero naribus nidorem domesticum praesensit, uincit idem sagacitate odorandi canes et uulturios. Cui enim cani, cui uulturio Alexandrini caeli quicquam abusque Oeensium finibus oboleat? ⁽⁶⁾ Est quidem Crassus iste summus helluo et omnis fumi non imperitus, sed profecto pro studio bibendi, quo solo censetur, facilius ad eum Alexandria <m> uini aura quam fumi perueniret.

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⁽¹⁾ Intellexit hoc et ipse incredibile futurum. Nam dicitur ante horam diei secundam ieiunus adhuc et abstemius testimonium istud uendidisse. ⁽²⁾ Igitur scripsit haec se ad hunc modum comperisse: postquam Alexandria reuenerit, domum suam recta contendisse, quam iam Quintianus migrarat; ibi in uestibulo multas auium pinnae offendisse, praeterea parietes fuligine deformatos; quaesisse causas ex seruo suo, quem Oeae reliquerit, eumque sibi de meis et Quintiani nocturnis sacris indicasse.

⁽³⁾ Quam uero subtiliter compositum et uerisimiliter commentum me, si quid eius facere uellem, non domi meae potius facturum fuisse! ⁽⁴⁾ Quintianum istum, qui mihi assistit, quem ego pro amicitia quae mihi cum eo artissima est proque eius egregia eruditione et perfectissima eloquentia honoris et laudis gratia nomino, ⁽⁵⁾ hunc igitur Quintianum, si quas auis in cena habuisset aut, quod aiunt, magiae causa interemisset, puerum nullum habuisse, qui pinnae conuerteret et foras abiceret! ⁽⁶⁾ Praeterea fumi tantam uim fuisse, ut parietes atros redderet, eamque deformitatem, quoad habitauit, passum in cubiculo suo Quintianum! ⁽⁷⁾ Nihil dicis, Aemiliane, non est ueri simile, nisi forte Crassus non in cubiculum reuersus perrexit, sed suo more recta ad focum.

⁽⁸⁾ Vnde autem seruus Crassi suspicatus est noctu potissimum parietes fumigatos? An ex fumi colore? Videlicet fumus nocturnus nigrior est eoque diurno fumo differt. ⁽⁹⁾ Cur autem suspicax seruus ac tam diligens passus est Quintianum migrare prius quam mundam domum redderet? Cur illae plumae quasi plumbeae tam diu

aduentum Crassi manserunt? ⁽¹⁰⁾ Non insimulet Crassus seruus suum: ipse haec potius de fuligine et pinnis mentitus est, dum non potest nec in testimonio dando discedere longius a culina.

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⁽¹⁾ Cur autem testimonium ex libello legis? Crassus ipse ubi gentium est? An Alexandriam taedio domus remeauit? An parietes suos detergit? An, quod uerius est, ex crapula helluo adtemptatur?

⁽²⁾ Nam equidem hic Sabratae eum hesternae die animaduerti satis notabiliter in medio foro tibi, Aemiliane, obructantem. Quaere a nomenclatoribus tuis, Maxime, quamquam est ille cauponibus quam nomenclatoribus notior — tamen, inquam, interroga, an hic Iunium Crassum Oensem uiderint. Non negabunt. ⁽³⁾ Exhibeat nobis Aemilianus iuuenem honestissimum, cuius testimonio nititur.

Quid sit diei uides: dico Crassum iam dudum ebrium stertere, aut secundo lauacro ad repotia cenae obeunda uinulentum sudorem in balneo desudare. ⁽⁴⁾ Is tecum, Maxime, praesens per libellum loquitur, non quin adeo sit alienatus omni pudore, ut etiam, sub oculis tuis si foret, sine rubore ullo mentiretur, sed fortasse nec tantulum potuit ebria sibi temperare, ut hanc horam sobrie expectaret.

⁽⁵⁾ Aut potius Aemilianus de consilio fecit, ne eum sub tam seueris oculis tuis constitueret, ⁽⁶⁾ ne tu beluam illam uulsis maxillis foedo aspectu de facie improbares, cum animaduertisses caput iuuenis barba et capillo populatum, madentis oculos, cilia turgentia, rictum <...>, saliuosa labia, uocem absonam, manuum tremorem, ructus <po>pinam. ⁽⁷⁾ Patrimonium omne iam pridem abligurriuit, nec quicquam ei de bonis paternis superest, nisi una domus ad calumniam uenditandam, quam tamen numquam carius quam in hoc testimonio locauit; ⁽⁸⁾ nam temulentum istud mendacium tribus milibus nummis Aemiliano huic uendidit, idque Oeae nemini ignoratur.

[60]

⁽¹⁾ Omnes hoc, antequam fieret, cognouimus, et potui denuntiatione impedire, nisi scirem mendacium tam stultum potius Aemiliano, qui frustra redimebat, quam mihi, qui merito contemnebam, obfuturum. Volui et Aemilianum damno adfici et Crassum testimonii sui dedecore prostitui. ⁽²⁾ Ceterum nudiustertius haudquaquam occulta res acta est in Rufini cuiusdam domo, de quo mox dicam, intercessoribus et deprecatoribus ipso Rufino et Calpurniano. Quod eo libentius Rufinus perfecit, quod erat certus

ad uxorem suam, cuius stupra sciens dissimulat, non minimam partem praemii eius Crassum relaturum.

⁽³⁾ Vidi te quoque, Maxime, coitionem aduersum me et coniurationem eorum pro tua sapientia suspicatum, simul libellus ille prolatus est, totam rem uultu aspernantem. ⁽⁴⁾ Denique quamquam sunt <in>solita audacia et importuna impudentia praediti, tamen testimonio Crassi, cuius oboluisse faecem uidebant — nec ipsi ausi sunt perlegere nec quicquam eo niti. ⁽⁵⁾ Verum ego ista propterea commemorauit, non quod pinnarum formidines et fuliginis maculam te praesertim iudice timerem, sed ut ne impunitum Crasso foret, quod Aemiliano, homini rustico, fumum uendidit.

[61] ⁽¹⁾ Vnde etiam crimen ab illis, cum Pudentillae litteras legerent, de cuiusdam sigilli fabricatione prolatus est, ⁽²⁾ quod me aiunt ad magica maleficia occulta fabrica ligno exquisitissimo comparasse et, cum sit <s>celeti forma turpe et horribile, tamen impendio colere et Graeco uocabulo βασιλέα nuncupare. ⁽³⁾ Nisi fallor, ordine eorum uestigia persequor et singillatim apprehendens omnem calumniae textum retexo.

⁽⁴⁾ Occulta fuisse fabricatio sigilli quod dicitis qui potest, cuius uos adeo artificem non ignorastis, ut ei praesto adesset denuntiaueritis? ⁽⁵⁾ En adest Cornelius Saturninus artifex, uir inter suos et arte laudatus et moribus comprobatus, qui tibi, Maxime, paulo ante diligenter sciscitanti omnem ordinem gestae rei summa cum fide et ueritate percensuit: ⁽⁶⁾ me, cum apud eum multas geometricas formas e buxo uidissem subtiliter et adfabre factas, inuitatum eius artificio quaedam mechanica ut mihi elaborasset petisse, simul et aliquod simulacrum cuiuscumque uellet dei, cui ex more meo supplicassem, quacumque materia, dummodo lignea, exculperet. ⁽⁷⁾ Igitur primo buxeam temptasse[t]. Interim dum ego ruri ago, Sicinium Pontianum priuignum meum, qui mihi factum uolebat, impetratos hebeni loculos a muliere honestissima Capitolina ad se attulisse, ex illa potius materia rariore et durabiliore uti faceret adhortatum; id munus cum primis mihi gratum fore. ⁽⁸⁾ Secundum ea se fecisse, proinde ut loculi[s] suppetebant. Ita minutatim ex tabellis compacta crassitudine Mercuriolum expediri potuisse.

[62] ⁽¹⁾ Haec ut dico omnia audisti. Praeterea a filio Capitolinae probissimo adolescente, qui praesens est, sciscitante te eadem dicta

sunt: Pontianum loculos petisse, Pontianum Saturnino artificii detulisse. ⁽²⁾ Etiam illud non negatur, Pontianum a Saturnino perfectum sigillum recepissee, postea mihi dono dedisse.

⁽³⁾ His omnibus palam atque aperte probatis quid omnino superest, in quo suspicio aliqua magiae delitescat? Immo quid omnino est, quod uos manifesti mendacii non reuincat? ⁽⁴⁾ Occulte fabricatum esse dixistis quo <d> Pontianus splendidissimus eques fieri curauit, quod Saturninus uir grauis et probe inter suos cognitus in taberna sua sedens propalam exculpit, quod ornatissima matrona munere suo adiuit, quod et futurum et factum multi cum seruorum tum amicorum qui ad me uentitabant scierunt. ⁽⁵⁾ Lignum a me toto oppido et quidem oppido quaesitum non piguit uos commentiri, quem [quem] afuisse in eo tempore scitis, quem ius <s>isse fieri qualicumque materia probatum est.

[63] ⁽¹⁾ Tertium mendacium uestrum fuit macilentam uel omnino euisceratam formam diri cadaueris fabricatam, prorsus horribilem et laruaem. ⁽²⁾ Quodsi compertum habebatis tam e[n]uidens signum magiae, cur mihi ut exhiberem non denuntiastis? An ut possetis in rem absentem libere mentiri? Cuius tamen falsi facultas opportunitate quadam meae consuetudinis uobis adempta est. ⁽³⁾ Nam morem mihi habeo, quod <o> quo eam, simulacrum alicuius dei inter libellos conditum gestare eique diebus festis ture et mero et aliquando uictima[s] supplicare. ⁽⁴⁾ Dudum ergo cum audire <m> sceletum perquam impudenti mendacio dictitari, iussi curriculo iret aliquis et ex hospitio meo Mercuriolum afferret, quem mihi Saturninus iste Oeae fabricatus est. ⁽⁵⁾ Cedo tu eum, uideant, teneant, considerent. Em uobis, quem scele <s>us ille sceletum nominabat. Auditisne reclamationem omnium qui adsunt? Auditisne mendacii uestri damnationem? Non uos tot calumniarum tandem dispudet? ⁽⁶⁾ Hiccine est sceletus, haecine est larua, hoccine est quod appellabatis daemonium? Magicumne istud an sollemne et commune simulacrum est?

Accipe quaeso, Maxime, et contemplare; bene tam puris et tam piis manibus tuis traditur res consecrata. ⁽⁷⁾ Em uide, quam facies eius decora et suci palaestrici plena sit, quam hilaris dei uultus, ut decenter utrimque lanugo malis deserpat, ut in capite crispatus capillus sub imo pilei umbraculo appareat, ⁽⁸⁾ quam lepide super tempora pares pinnulae emineant, quam autem festiue circa

humeros uestis substricta sit. ⁽⁹⁾ Hunc qui sceletum audet dicere, profecto ille simulacra deorum nulla uidet aut omnia negligit. Hunc denique qui laruam putat, ipse est laruans.

[64] ⁽¹⁾ At tibi, Aemiliane, pro isto mendacio duit deus iste superum et inferum commeator utrorumque deorum malam gratiam semperque obuias species mortuorum, quidquid umbrarum est usquam, quidquid lemorum, quidquid manium, quidquid larbarum, oc[c]ulis tuis oggerat, ⁽²⁾ omnia noctium occursacula, omnia bustorum formidamina, omnia sepulchrorum terculamenta, a quibus tamen aevo et merito haud longe abes[t].

⁽³⁾ Ceterum Platonica familia nihil nouimus nisi festum et laetum et sollemne et superum et caeleste. Quin altitudinis studio secta ista etiam caelo ipso sublimiora quaequam uesti <ga>uit et in extimo mundi tergo stetit. ⁽⁴⁾ Scit me uera dicere Maximus, qui τὸν ὑπερουράνιον τόπον et οὐρανοῦ νῶτον legit in *Phaedro* diligenter. ⁽⁵⁾ Idem Maximus optime intellegit, ut de nomine etiam uobis respondeam, quisnam sit ille non a me primo, sed a Platone βασιλεύς nuncupatus: ⁽⁶⁾ περὶ τὸν πάντων βασιλέα πάντ' ἐστὶ καὶ ἐκείνου ἕνεκα πάντα, ⁽⁷⁾ quisnam sit ille basileus, totius rerum naturae causa et ratio et origo initialis, summus animi genitor, aeternus animantium sospitator, assiduus mundi sui opifex, sed enim sine opera opifex, sine cura sospitator, sine propagatione genitor, neque loco neque tempore neque uice ulla comprehensus eoque paucis cogitabilis, nemini effabilis. ⁽⁸⁾ En ultro augeo magiae suspicionem: non respondeo tibi, Aemiliane, quem colam βασιλέα; quin si ipse proconsul interroget quid sit deus meus, taceo.

[65] ⁽¹⁾ De nomine ut inpraesentiarum satis dixi. Quod superest, nec ipse sum nescius quosdam circumstantium cupere audire, cur non argento uel auro, sed potissimum ex ligno simulacrum fieri uoluerim, ⁽²⁾ idque eos arbitror non tam ignoscendi quam cognoscendi causa desiderare, ⁽³⁾ ut hoc etiam scrupulo liberentur, cum uideant omnem suspicionem criminis abunde confutatam. ⁽⁴⁾ Audi igitur cui cura cognoscere est, sed animo quantum potes erecto et attento, quasi uerba ipsa Platonis iam senis de nouissimo legum libro auditurus:

⁽⁵⁾ θεοῖσιν δὲ ἀναθήματα χρῶν ἔμμετρα τὸν μέτριον ἄνδρα ἀναπιθέντα δωρεῖσθαι. γῆ μὲν οὖν ἐστὶα τε οἰκήσεως ἱερὰ πᾶσι πάντων θεῶν· μηδεὶς οὖν δευτέρως ἱερὰ καθιερούτω θεοῖς.

⁽⁶⁾ Hoc eo prohibet, ut delubra nemo audeat priuatim constituere. Censet enim satis esse ciuibus ad immolandas uictimas templa publica. Deinde subnectit:

⁽⁷⁾ χρυσὸς δὲ καὶ ἄργυρος ἐν ἄλλαις πόλεσιν ἰδίᾳ καὶ ἐν ἱεροῖς ἐστὶν ἐπίφθορον κτήμα, ἐλέφας δὲ ἀπὸ λελοιπότος ψυχῆν σώματος οὐκ εὐχάρι ἀνάθημα, σίδηρος δὲ καὶ χαλκὸς πολέμων ὄργανα· ξύλου δὲ μονόξυλον ὃ τι ἂν θέλῃ τις ἀναπιθέτω, καὶ λίθον ὡσαύτως.

⁽⁸⁾ Vt omnium assensus declarauit, Maxime quique in consilio estis, competentissime uideor usus Platone ut uitae magistro, ita causae patrono, cuius legibus obedientem me uidetis.

[66] ⁽¹⁾ Nunc tempus est ad epistulas Pudentillae praeuerti, uel adeo totius rei ordinem paulo altius petere, ut omnibus manifestissime pateat me, quem lucri cupiditate inuasisse Pudentillae domum dictitant, si ullum lucrum cogitarem, fugere semper a domo ista debuisse; ⁽²⁾ quin et in ceteris causis minime prosperum matrimonium, nisi ipsa mulier tot incommoda uirtutibus suis repensaret, inimicum.

⁽³⁾ Neque enim ulla alia causa praeter cassam inuidiam repperiri potest, quae iudicium istud mihi et multa antea pericula uitae conflauerit. Ceterum cur Aemilianus commoueretur, etsi uere magum me comperisset, qui non modo ullo facto, sed ne tantulo quidem dicto meo laesus est, ut uideretur se merito ultum ire? ⁽⁴⁾ Neque autem gloriae causa me accusat, ut M. Antonius Cn. Carbonem, C. Mucius A. Albucium, P. Sulpicius Cn. Norbanum, C. Furius M. Aquilius, C. Curio Q. Metellum. ⁽⁵⁾ Quippe homines eruditissimi iuuenes laudis gratia primum hoc rudimentum forensis operae subibant, ut aliquo insigni iudicio ciuibus suis noscerentur. Qui mos incipientibus adolescentulis ad illustrandum ingenii florem apud antiquos concessus diu exoleuit. ⁽⁶⁾ Quod si nunc quoque frequens esset, tamen ab hoc procul abfuisset. Nam neque facundiae ostentatio rudi et indocto neque gloriae cupido rustico et barbaro neque inceptio patrociniarum capulari seni congruisset. ⁽⁷⁾ Nisi forte Aemilianus pro sua seueritate exemplum dedit et ipsis maleficiis infensus accusationem istam pro morum integritate suscepit. ⁽⁸⁾ At hoc ego Aemiliano, non huic Afro, sed illi Africano et Numantino et praeterea Censorio uix credidissem; ne huic frutici credam non modo odium peccatorum sed saltem intellectum inesse.

[67] ⁽¹⁾ Quid igitur est? Cuius clare dilucet aliam rem inuidia nullam esse quae hunc et Herennium Rufinum, impulsorem huius, de quo mox dicam, ceterosque inimicos meos ad nectendas magiae calumnias prouocarit.

⁽²⁾ Quin <que> igitur res sunt, quas me oportet disputare. Nam si probe memini, quod ad Pudentillam attinet, haec obiecere: ⁽³⁾ una res est, quod numquam eam uoluisse nubere post priorem maritum, sed meis carminibus coactam dixere; altera res est de epistulis eius, quam confessionem magiae putant; deinde sexagesimo anno aetatis ad lubidinem nubsisse, et quod in uilla ac non in oppido tabulae nuptiales sint consignatae, tertio et quarto loco obiecere; ⁽⁴⁾ nouissima et eadem inuidiosissima criminatio de dote fuit. Ibi omne uirus totis uiribus adnixa effundere, ibi maximeangebantur, atque ita dixere me grandem dotem mox in principio coniunctionis nostrae mulieri amanti remotis arbitris in uilla extorsisse.

⁽⁵⁾ Quae omnia tam falsa, tam nihili, tam inania ostendam adeoque facile et sine ulla controuersia refutabo, ut medius fidius uerear, Maxime quique in consilio estis, ne demissum et subornatum a me accusatorem putetis, ut inuidiam meam reperta occasione palam restingerem. ⁽⁶⁾ Mihi credite, quod reabse intellegatur: oppido quam mihi laborandum est, ne tam friuolam accusationem me potius callide excogitasse quam illos stulte suscepisse existimetis.

[68] ⁽¹⁾ Nunc dum ordinem rei breuiter persequor et efficio, ut ipse Aemilianus re cognita falso se ad inuidiam meam inductum et longe a uero aberrasse necesse habeat confiteri, quaeso, uti adhuc fecistis uel si quo magis etiam potestis, ipsum fontem et fundamentum iudicii huiusce diligentissime cognoscatis.

⁽²⁾ Aemilia Pudentilla, quae nunc mihi uxor est, ex quodam Sicinio Amico, quicum antea nubta fuerat, Pontianum et Pudentem filios genuit eosque pupillos relictos in potestate paterni aui — nam superstitie patre Amicus decesserat — per annos ferme quattuordecim memorabili pietate sedulo aluit, ⁽³⁾ non tamen libenter in ipso aetatis suae flore tam diu uidua. ⁽⁴⁾ Sed puerorum auus inuita <m> eam conciliare studebat [ceterum] filio[s] suo[s] Sicinio Claro eoque ceteros procos absterrebat. Et praeterea minabatur, si extrario nubsisse <t>, nihil se filiis eius ex paternis eorum bonis testamento relicturum. ⁽⁵⁾ Quam condicione <m> cum obstinate propositam

uideret mulier sapiens et egregie pia, ne quid filiis suis eo nomine incommodaret, facit quidem tabulas nuptiales cum quo iuebatur, cum Sicinio Claro, ⁽⁶⁾ uerum enim uero uanis frustrationibus nuptias eludit eo ad dum puerorum auus fato concessit, relictis filiis eius heredibus ita ut Pontianus, qui maior natu erat, fratri suo tutor esset.

[69] ⁽¹⁾ Eo scrupulo liberata cum a principibus uiris in matrimonium peteretur, decreuit sibi diutius in uiduitate non permanendum. Quippe ut solitudinis taedium perpeti posset, tamen aegritudine <m> corporis ferre non poterat. ⁽²⁾ Mulier sancte pudica, tot annis uiduitatis sine culpa, sine fabula, assuetudine coniugis torpens et diutino situ uiscerum saucia, uitiatas intimis uteri saepe ad extremum uitae discrimen doloribus obortis exanimabatur. ⁽³⁾ Medici cum obstetricibus consentiebant penuria matrimonii morbum quaesitum, malum in dies augeri, aegritudinem ingrauescere; dum aetatis aliquid supersit, nubtiis ualitudinem medicandum.

⁽⁴⁾ Consilium istud cum alii approbant, tum maxime Aemilianus iste, qui paulo prius confidentissimo mendacio adseuerabat numquam de nubtiis Pudentillam cogitasse, priusquam foret magicis maleficiis a me coacta, me solum repertum, qui uiduitatis eius uelut quandam uirginitatem carminibus et uenenis uiolarem. ⁽⁵⁾ Saepe audiui non de nihilo dici mendacem memorem esse oportere; at tibi, Aemiliane, non uenit in mentem, priusquam ego Oeam uenirem, te litteras etiam, uti nuberet, scribisse ad filium eius Pontianum, qui tum adultus Romae agebat.

⁽⁶⁾ Cedo tu epistulam, uel potius da ipsi: legat, sua sibi uoce suisque uerbis sese reuincat. ⁽⁷⁾ Estne haec tua epistula? Quid palluisti? Nam erubescere tu quidem non potes. Estne tua ista subscriptio? ⁽⁸⁾ — Recita quaeso clarius, ut omnes intellegant quantum lingua eius manu discrepet, quantumque minor illi[s] sit mecum quam secum dissensio. (...)

[70] ⁽¹⁾ Scripsistine haec, Aemiliane, quae lecta sunt? 'Nubere illam uelle et debere scio, sed quem eligat nescio.' Recte tu quidem: nesciebas. Pudentilla enim tibi, cuius infesta <m> malignitatem probe norat, de ipsa re tantum, ceterum de petitore nihil fatebatur. ⁽²⁾ At tu dum eam putas etiamnum Claro fratri tuo denupturam, falsa spe inductus filio quoque eius Pontiano auctor adsentienti fuisti.

⁽³⁾ Igitur si Claro nubisset, homini rusticano et decrepito seni, sponte eam diceris sine ulla magia iam olim nubturisse; quoniam iuuenem talem qualem dicitis elegit, coactam fecisse ais, ceterum semper nubtias aspernatam. ⁽⁴⁾ Nescisti, improbe, epistulam tuam de ista re teneri, nescisti te tuomet testimonio conuictum iri. Quam tamen epistolam Pudentilla testem et indicem tuae uoluntatis, ut quae te leuem et mutabilem nec minus mendacem et inpudentem scire <t>, maluit retinere quam mittere.

⁽⁵⁾ Ceterum ipsa de ea re Pontiano suo Romam scripsit, etiam causas consilii sui plene allegauit. ⁽⁶⁾ Dixit illa omnia de ualetudine: nihil praeterea esse, cur amplius deberet obdurare, hereditatem auitam longa uiduitate cum despectu salutis suae quaesisse, eandem summa industria auxisse; ⁽⁷⁾ iam deum uoluntate ipsum uxori, fratrem eius uirili togae idoneos esse; tandem aliquando se quoque paterentur solitudini[s] suae et aegritudini subuenire; ⁽⁸⁾ ceterum de pietate sua et supremo iudicio nihil metuerent; qualis uidua eis fuerit, talem nuptam futuram. Recitari iubebo exemplum epistolae huius ad filium missae. (...)

[71] ⁽¹⁾ Satis puto ex [h]istis posse cuius liquere Pudentillam non meis carminibus ab obstinata uiduitate compulsam, sed olim sua sponte a nubendo non alienam <uti> quam me fortasse prae ceteris maluisse. ⁽²⁾ Quae electio tam grauis feminae cur mihi crimini potius quam honori danda sit, non reperio; nisi tamen miror quod Aemilianus et Rufinus id iudicium mulieris aegre ferant, cum hi, qui Pudentillam in matrimonium petiuerunt, aequo animo patiantur me sibi praelatum.

⁽³⁾ Quod quidem illa ut faceret, filio suo potius quam animo obsecuta est. Ita factum nec Aemilianus poterit negare. ⁽⁴⁾ Nam Pontianus acceptis litteris matris confestim Roma[m] aduolauit metuens ne, si quem avarum uirum nacta esset, omnia, ut saepe fit, in mariti domum conferret. ⁽⁵⁾ Ea sollicitudo non mediocriter animum angebat, omnes illi fratrique diuitiarum spes in facultatibus matris sitae erant. ⁽⁶⁾ Auus modicum reliquerat, mater sestertium quadragies po<s>sidebat, ex quo sane aliquantam pecuniam nullis tabulis, sed, ut aequum erat, mera fide acceptam filiis debebat. ⁽⁷⁾ Hunc ille timorem mus<s> itabat. A<d> uersari propalam non audebat, ne uideretur diffidere.

[72] ⁽¹⁾ Cum in hoc statu res esset inter precationem matris et metum fili, fortune an fato ego aduenio pergens Alexandream. Dixissem hercule 'quod utinam numquam euenisset', ni me uxoris meae respectus prohiberet. ⁽²⁾ Hiemps anni erat. Ego ex fatigatione itineris aduectus apud Appios i<s>tos amicos meos, quos honoris et amoris gratia nomino, aliquam multis diebus decumbo. ⁽³⁾ Eo uenit ad me Pontianus. Nam fuerat mihi non ita pridem ante multos annos Athenis per quosdam communis amicos conciliatus et arto postea contubernio intime iunctus. ⁽⁴⁾ Facit omnia circa ho<no>-rem meum obseruanter, circa salutem sollicite, circa amorem callide. Quippe etenim uidebatur sibi peridoneum maritum matri repperisse, cui bono periculo totam domus fortunam concrederet. ⁽⁵⁾ Ac primo quidem uoluntatem meam uerbis inuersis periclitabundus, quoniam me uiae cupidum et conuersum ab uxoria re uidebat, orat saltem paulisper manerem: uelle se mecum proficisci; hiemem alteram propter Syrtis aestus et bestias opperiendam, quod illam mihi infirmitas emisisset. ⁽⁶⁾ Multis etiam precibus meis Appiis aufert, ut ad sese in domum matris suae transferar: salubriorem mihi habitationem futuram; praeterea prospectum maris, qui mihi gratissimus est, liberius me ex ea fruiturum.

[73] ⁽¹⁾ Haec omnia adnexus impenso studio persuadet, matrem suam suumque fratrem, puerum istum, mihi commendat. Non nihil a me in communibus studiis adiuuantur, augetur oppido familiaritas. ⁽²⁾ Interibi reualesco; dissero aliquid postulantibus amicis publice. Omnes qui aderant ingenti celebritate basilicam, qui locus auditorii erat, complentes inter alia pleraque congruentissima uoce 'insigniter' adclamant petentes ut remanerem, fierem ciuis Oeensium. ⁽³⁾ Mox auditorio misso Pontianus eo principio me adortus consensum publicae uocis pro diuino auspicio interpretatur aperitque consilium sibi esse, si ego non nolim, matrem suam, cui plurimi inhient, mecum coniungere; mihi quoniam soli ait rerum omnium confidere sese et credere. ⁽⁴⁾ Ni id onus recipiam, quoniam non formosa pupilla, sed mediocri facie mater liberorum mihi offeratur, — si haec reputans formae et diuitiarum gratia me ad aliam condicionem reseruarem, neque pro amico neque pro philosopho facturum.

⁽⁵⁾ Nimis multa oratio est, si uelim memorare quae ego contra responderim, ⁽⁶⁾ quam diu et quotiens inter nos uerbigeratum sit, quot et qualibus precibus me aggressus haud prius omiserit quam

de<ni>que impetrarit, ⁽⁷⁾ non quin ego Pudentillam iam anno perpeti adsiduo conuictu probe spectassem et uirtutum eius dotes explorassem, sed utpote peregrinationis cupiens impedimentum matrimonio aliquantisper recusaueram. ⁽⁸⁾ Mox tamen talem feminam nihilo segnius uolui quam si ultro appetissem. Persuaserat idem Pontianus matri suae, ut me aliis omnibus mallet, et quam primum hoc perficere incredibili studio auebat. ⁽⁹⁾ Vix ab eo tantulam moram impetramus, dum prius ipse uxorem duceret, frater eius uiriliter togae usum auspicaretur: tunc deinde ut nos coniungeremur.

[74] ⁽¹⁾ Vtinam hercule possem quae deinde dicenda sunt sine maximo causae dispendio tran<s>gredi, ne Pontiano, cui [h]errorem suum deprecanti simpliciter ignoui, uidear nunc leuitatem exprobrare. ⁽²⁾ Confiteor enim — quod mihi obiectum est — eum, postquam uxorem duxerit, a compecti fide descuiisse ac derepente animi mutatum quod antea nimio studio festinarat pari pertinacia prohibitum isse, denique ne matrimonium nostrum coalesceret, quiduis pati, quiduis facere paratum fuisse, ⁽³⁾ quamquam omnis illa tam foeda animi mutatio et suscepta contra matrem simultas non ipsi uitio uortenda sit, sed socero eius eccilli Herennio Rufino, qui unum neminem in terris uiliorem se aut improbiorem aut inquinatiorem reliquit. ⁽⁴⁾ Paucis hominem, quam modestissime potero, necessario demonstrabo, ne, si omnino de eo reticuerio, operam perdiderit, quod negotium istud mihi ex summis uiribus conflauit.

⁽⁵⁾ Hic est enim pueruli huius instigator, hic accusationis auctor, hic aduocatorum conductor, hic testium coemptor, hic totius calumniae fornacula, hic Aemiliani huius fax et flagellum, idque apud omnis intemperantissime gloriatur, me suo machinatu reum postulatum. ⁽⁶⁾ Et sane habet in [h]istis quod sibi plaudat. Est enim omnium litium deceptor, omnium falsorum commentator, omnium simulationum architectus, omnium malorum seminarium, nec non idem libidinum ganeorumque locus, lustrum, lupanar; iam inde ab ineunte aeuo cunctis probris palam notus, ⁽⁷⁾ olim in pueritia, priusquam isto caluitio deformaretur, emasculatoribus suis ad omnia infanda morigerus, mox in iuuentute saltandis fabulis exossis plane et eneruis, sed, ut audio, indocta et rudi mollitia. Negatur enim quicquam histrionis habuisse praeter impudicitiam.

[75] ⁽¹⁾ In hac etiam aetate qua nunc est — qui istum di perduint! Multus honos auribus praefandus est — domus eius tota lenonia, tota familia contaminata; ipse propudiosus, uxor lupa, filii similes. ⁽²⁾ Prorsus diebus ac noctibus ludibrio iuuentutis ianua calcibus propulsata, fenestrae canticis circumstrepitae, triclinium comisatoribus inquietum, cubiculum adulteris peruium. Neque enim ulli ad introeundum metus est, nisi qui pretium marito non attulit. ⁽³⁾ Ita ei lecti sui contumelia uectigalis est. Olim sollers suo, nunc coniugis corpore uulgo meret. Cum ipso plerique — nec mentior! — cum ipso, inquam, de uxoris noctibus paciscuntur. ⁽⁴⁾ Iam illa inter uirum et uxorem no[n]ta[m] conclusio: qui amplam stipem mulieri detulerunt, nemo eos obseruat, suo arbitratu discedunt; qui inaniore uenere, signo dato pro adulteris deprehenduntur, et quasi ad discendum uenerint, non prius abeunt quam aliquid scripserint.

⁽⁵⁾ Quid enim faciat homo miser ampliuscula fortuna deuolutus, quam tamen fraude patris ex inopinato inuenerat? Pater eius plurimis creditoribus defaeneratus maluit pecuniam quam pudorem. ⁽⁶⁾ Nam cum undique uersum tabulis flagitaretur et quasi insanus ab omnibus obuiis teneretur, ⁽⁷⁾ 'pax' inquit, negat posse dissoluere, anulos aureos et omnia insignia dignitatis abicit, cum creditoribus depaciscitur. ⁽⁸⁾ Pleraque tamen rei familiaris in nomen uxoris callidissima fraude confert. Ipse egens, nudus et ignominia sua tutus reliquit Rufino huic — non mentior! —, sestertium XXX deuorandum. Tantum enim ad eum ex bonis matris liberum uenit, praeter quod ei uxor sua cotidianis dotibus quaesiuit. ⁽⁹⁾ Quae tamen omnia in paucis annis ita hic degulator studiose in uentrem condidit et omnimodis conlurchinationibus dilapidauit, ut crederes metuere ne quid habere ex fraude paterna diceretur. ⁽¹⁰⁾ Homo iustus et morum dedit operam, quod male partum erat ut male periret, nec quicquam ei relictum est ex largiore fortuna praeter ambitionem miseram et profundam gulam.

[76] ⁽¹⁾ Ceterum uxor iam propemodum uetula et effeta totam domum contumeliis adnuit. ⁽²⁾ Filia autem per adulescentulos ditiores inuitamento matris suae nequicquam circumlata, quibusdam etiam procis ad experiendum permissa, nisi in facilitatem Pontiani incidisset, fortasse an adhuc uidua ante quam nubta domi sedisset. ⁽³⁾ Pontianus ei multum quidem dehortantibus nobis nuptiarum titulum falsum et imaginarium donauit, non nescius eam paulo ante

quam duceret a quodam honestissimo iuvene, cui prius pacta fuerat, post satietatem derelictam.

⁽⁴⁾ Venit igitur ad eum noua nupta secura et intrepida, pudore dispoliato, flore exsoleto, flammeo obsoleto, uirgo rursum post recens repudium, nomen potius adferens puellae quam integritatem.

⁽⁵⁾ Vectabatur octaphoro; uidistis profecto qui adfuistis, quam improba iuuenum circumspectatrix, quam inmodica sui ostentatrix. Quis non disciplina *<m>* matris agnouit, cum in puella uideret *i<m>* medicatum os et purpurissatas genas et inlices oculos. ⁽⁶⁾ Dos erat a creditore omnis ad teruncium pridie sumpta et quidem grandior, quam domus exhausta et plena liberis postulabat.

[77] ⁽¹⁾ Sed enim iste, ut est rei modicus, spei immodicus, pari auaritia et egestate totum Pudentillae quadragiens praesumptione cassa deuorarat eoque me amoliendum ratus, quo facilius Pontiani facilitatem, Pudentillae solitudinem circumueniret, ⁽²⁾ inquit generum suum obiurgare, quod matrem suam mihi desponderat. Suadet quam primum ex tanto periculo, dum licet, pedem referat, rem matris ipse potius habeat quam homini extrario sciens transmittat. ⁽³⁾ Ni ita faciat, inquit scrupulum amanti adolescentulo ueterator, minatur se filiam abducturum.

⁽⁴⁾ Quid multis? Iuuenem simplicem, praeterea nouae nuptae inlecebris obfrenatum suo arbitratu de uia deflectit. ⁽⁵⁾ It ille ad matrem uerborum Rufini gerulus, sed nequicquam temptata eius grauitate ultro ipse leuitatis et inconstantiae increpitus reportat ad socerum haud mollia: ⁽⁶⁾ matri suae praeter ingenium placidissimum immobili iram quoque sua expostulatione accessisse, non mediocre pertinaciae alumentum; ⁽⁷⁾ respondisse eam denique non clam se esse Rufini exoratione secum expostulari; eo uel magis sibi auxilium mariti aduersum eius desperatam auaritiam comparandum.

[78] ⁽¹⁾ Hisce auditis exacerbatus aquariolus iste uxoris suae ita ira extumuit, ita exarsit furore, ut in feminam sanctissimam et pudicissimam praesente filio eius digna cubiculo suo diceret, ⁽²⁾ amatricem eam, me magum et ueneficum clamitaret multis audientibus (quos, si uoles, nominabo); se mihi sua manu mortem allaturum. ⁽³⁾ Vix hercule possum irae moderari, ingens indignatio animo oboritur. Tune, effeminatissime, tua manu cuiquam uiro mortem minitari *<s>*? ⁽⁴⁾ At qua tandem manu? Philomelae an

Medeae an Clytemnestrae? Quas tamen *cum* saltas — tanta mo *<l>* litia animi, tanta formido ferri est —, sine cludine saltas.

⁽⁵⁾ Sed ne longius ab ordine digrediar: Pudentilla postquam filium uidet praeter opinionem contra suam esse sententiam deprauatum, rus profecta scripsit ad eum obiurgandi gratia illas famosissimas litteras, quibus, ut isti aiebant, confessa est sese mea magia in amorem inductam dementire. ⁽⁶⁾ Quas tamen litteras tabulario Pontiani praesente et contra scribente Aemiliano nudius tertius tuo iussu, Maxime, testato descripsimus; in quibus omnia contra praedicationem istorum pro me reperiuntur.

[79] ⁽¹⁾ Quamquam, etsi dstrictius magum me dixisset, posset uideri excusabunda se filio uim meam quam uoluntatem suam causari maluisse. An sola Phaedra falsum epistolium de amore commenta est? At non omnibus mulieribus haec ars usitata est, ut, cum aliquid eius modi uelle coeperunt, malint coactae uideri? ⁽²⁾ Quod si etiam animo ita putauit, me magum esse, idcircone magus habear, quia hoc scripsit Pudentilla? Vos tot argumentis, tot testibus, tanta oratione magum me non probatis: illa uno uerbo probaret? Et quanto tandem grauius habendum est quod in iudicio subscribitur quam quod in epistola scribitur! ⁽³⁾ Quin tu me meismet factis, non alienis uerbis reuincis?

Ceterum eadem uia multi rei cuiusuis maleficii postulabuntur, si raturum futurum est quod quisque in epistola sua uel amore uel odio cuiuspian scripserit. ⁽⁴⁾ 'Magum te scripsit Pudentilla: igitur magus es.' Quid si consulem me scripsisset: consul essem? Quid enim si pictorem, si medicum, quid denique, si innocentem? Num aliquid horum putares idcirco, quod illa dixisset? Nihil scilicet. ⁽⁵⁾ Atqui periniurium est ei fidem in peioribus *<habere, cui in melioribus>* non haberes, posse litteras eius ad perniciem, non posse ad salutem. ⁽⁶⁾ 'Sed inquit *<e>t<i>* animi fuit, efflictim te amabat.' Concedo interim. Num tamen omnes qui amantur magi sunt, si hoc forte qui amat scripserit? C *<r>* edo nunc quod Pudentilla me in eo tempore non amabat, siquidem id foras scripsit, quod palam erat mihi obfuturum.

[80] ⁽¹⁾ Postremo quid uis: sanam an insanam fuisse, dum scriberet? Sanam dices? Nihil ergo erat magicis artibus passa. Insanam respondebis? Nesciit ergo quid scribserit, eoque ei fides non habenda est; immo etiam, si fuisset insana, insanam se esse

nescisset. ⁽²⁾ Nam ut absurde facit qui tacere se dicit, quod ibidem dicendo tacere sese non tacet et ipsa professione quod profitetur infirmat, ita uel magis hoc repugnat: 'ego insanio', quod uerum non est, nisi sciens dicit; porro sanus est, qui scit quid sit insania, quippe insania scire se non potest, non magis quam caecitas se uidere. ⁽³⁾ Igitur Pudentilla compos mentis fuit, si compotem mentis se non putabat. Possum, si uelim, pluribus, sed mitto dialectica.

Ipsas litteras longe aliud clamantis et quasi dedita opera ad iudicium istud praeparatas et accommodatas recitabo. Accipe tu et lege, usque dum ego interloquar. (...)

⁽⁴⁾ Sustine paulisper quae secuntur; nam ad deuerticulum rei uentum est. ⁽⁵⁾ Adhuc enim, Maxime, quantum equidem animaduerti, nusquam mulier magiam nominauit, sed ordinem repetiuit eundem, quem ego paulo prius, de longa uiduitate, de remedio ualetudinis, de uoluntate nubendi, de meis laudibus, quas ex Pontiano cognouerat, de suasu ipsius, ut mihi potissimum nuberet.

[81] ⁽¹⁾ Haec usque adhuc lecta sunt. Superest ea pars epistulae, quae similiter pro me scripta in memet ipsum uertit cornua, ad expellendum a me crimen magiae sedulo [o]missa memorabili laude Rufini uice <m> mutauit et ultro contrariam mihi opinionem quorundam Oeensium quasi mago quaesiuit.

⁽²⁾ Multa fando, Maxime, audisti, etiam plura legendo didicisti, non pauca experiendo comperisti, sed enim uersutiam tam insidiosam, tam admirabili scelere conflatam negabis te umquam cognouisse. ⁽³⁾ Quis Palamedes, qui <s> Sisyphus, quis denique Eurybates aut Phrynondas talem excogitasset? ⁽⁴⁾ Omnes isti quos nominaui et si qui praeterea fuerunt dolo memorandi, si cum hac una Rufini fallacia contenduntur, macc[h]i prorsus et bucc[h]ones uidebuntur. ⁽⁵⁾ O mirum commentum! O subtilitas digna carcere et robore! Quis credat effici potuisse, ut quae defensio fuerat, eadem manentibus eisdem litteris in accusationem transuerteretur? Est hercule incredibile. Sed hoc incredibile qui sit factum, probabo.

[82] ⁽¹⁾ Obiurgatio erat matris ad filium, quod me, talem uirum qualem sibi praedicasset, nunc de Rufini sententia magum dictitaret. ⁽²⁾ Verba ipsa ad hunc modum se habebant:

'Απολείος μάγος, καὶ ἐγὼ ὑπ' αὐτοῦ μεμάγευμαι καὶ ἐρῶ. ἐλθὲ τοίνυν πρὸς ἐμέ, ἕως ἔτι σωφρονῶ.

⁽³⁾ Haec ipsa uerba Rufinus quae Graece interposui sola excerpta et ab ordine suo seiugata quasi confessionem mulieris circumferens et Pontianum flentem per forum ductans uulgo ostendebat, ipsas mulieris litteras illatenus qua dixi legendas praebebat, ⁽⁴⁾ cetera supra et infra scribta occultabat. Turpiora esse quam ut ostenderentur dictitabat; satis esse confessionem mulieris de magia cognosci.

⁽⁵⁾ Quid quaeris? Verisimile omnibus uisum. Quae purgandi mei gratia scripta erant, eadem mihi immanem inuidiam apud imperitos conciuere. ⁽⁶⁾ Turbabat impurus hic in medio foro bacchabundus, epistulam saepe aperiens proquirabat: 'Apuleius magus: dicit ipsa quae sentit et patitur. Quid uultis amplius?' ⁽⁷⁾ Nemo erat qui pro me ferret ac sic responderet: 'Totam sodes epistulam cedo, sine omnia inspiciam, <a> principio ad finem perlegam. ⁽⁸⁾ Multa sunt, quae sola prolata calumniae possint uideri obnoxia. Cuiauis oratio insimulari potest, si ea quae ex prioribus nexa sunt principio sui defrudentur, si quaedam ex ordine scriptorum ad lubidinem supprimantur, si quae simulationis causa dicta sunt adseuerantis pronuntiatione quam exprobrantis legantur.' ⁽⁹⁾ Haec et id genus ea quam merito tunc dici potuerunt! Ipse ordo epistulae ostendat.

[83] ⁽¹⁾ At tu, Aemiliane, recognosce, an et haec mecum testato descripseris:

βουλομένην γάρ με δι' ἃς εἶπον αἰτίας γαμηθῆναι, αὐτὸς ἐπεισας τοῦτον ἀντὶ πάντων αἰρεῖσθαι, θαυμάζων τὸν ἄνδρα καὶ σπουδάζων αὐτὸν οἰκεῖον ἡμῖν δι' ἐμοῦ ποιέσθαι. νῦν δὲ ὡς κατ' ἡγ' οροι ἡμῶν κακοήθεις σε ἀναπείθουσιν, αἰφνίδιον ἐγένετο Ἀπολείος μάγος, καὶ ἐγὼ μεμάγευμαι ὑπ' αὐτοῦ καὶ ἐρῶ. ἐλθὲ τοίνυν πρὸς ἐμέ, ἕως ἔτι σωφρονῶ.

⁽²⁾ Oro te, Maxime, si litterae, ita ut partim uocales dicuntur, etiam propriam uocem usurparent, si uerba, ita ut poetae aiunt, pinnis apta uulgo uolarent, ⁽³⁾ nonne, cum primum epistolam istam Rufinus mala fide exciperet, pauca legeret, multa et meliora sciens reticeret, nonne tunc ceterae litterae scelestae se detineri proclamassent, uerba suppressa de Rufini manibus foras euolassent, totum forum tumultu complerent? ⁽⁴⁾ 'Se quoque a Pudentilla missas, sibi etiam quae dicerent mandata; improbo ac nefario homini per alienas litteras falsum facere temptanti nec auscultarent, sibi potius audirent; ⁽⁵⁾ Apuleium magiae non accusatum a Pudentilla, sed accusante Rufino absolutum.' ⁽⁶⁾ Quae omnia etsi tum dicta non

sunt, tamen nunc, cum magis prosunt, luce inlustrius apparent. Patent artes tuae, Rufine, fraudes hiant, detectum mendacium est. ⁽⁷⁾ Veritas olim interuersa nun<c> se <ef>fert et uelut alto barathro calumnias emergit.

[84] ⁽¹⁾ Ad litteras Pudentillae prouocastis: litteris uinco, quarum si uultis extremam quoque clausulam audire, non inuidebo. Dic tu, quibus uerbis epistulam finierit mulier obcantata, uectors, amens, amans: ⁽²⁾

Ἐγὼ οὐτε μεμάργευμαι οὐ[τε]τ' ἐρῶ. τὴν εἰμαρμένην ἐκφ. Etiamne amplius? Reclamat uobis Pudentilla et sanitatem suam a uestris calumniis quodam praeconio uindicat. ⁽³⁾ Nubendi autem seu rationem seu necessitatem fato adscribit, a quo multum magia remota est uel potius omnino sublata. Quae enim relinquitur uis cantaminibus et ueneficiis, si fatum rei cuiusque ueluti uiolentissimus torrens neque retineri potest neque impelli? ⁽⁴⁾ Igitur hac sententia sua Pudentilla non modo me magum, sed omnino esse magiam negauit. ⁽⁵⁾ Bene, quod integras epistolas matris Pontianus ex more adseruauit; bene, quod uos festinatio iudicii anteuertit, ne quid in istis litteris ex otio nouaretis. ⁽⁶⁾ Tuum hoc, Maxime, tuaeque prouidentiae beneficium est, quod a principio intellectas calumnias, ne corroborarentur tempore, praecipitasti et nulla[m] impertita mora subneruisti.

⁽⁷⁾ Finge nunc aliquid matrem filio secretis litteris de amore, uti adsolet, confessam. Hocine uerum fuit, Rufine, hoc non dico pium, sed saltem humanum, prouulgari eas litteras et potissimum fili praeconio publicari? ⁽⁸⁾ Sed sum<ne> ego inscius, qui postulo ut alienum pudorem conserues qui tuum perdideris?

[85] ⁽¹⁾ Cur autem praeterita conqueror, cum non sint minus acerba praesentia? Hocusque a uobis miserum istum puerum deprauatum, ut matris suae epistulas, quas putat amatorias, ⁽²⁾ pro tribunali procons. recitet apud uirum sanctissimum Cl. Maximum, ante has imp. Pii statuas filius matri suae pudenda exprobrat stupra et amores obiectet? ⁽³⁾ Quis tam est mitis quin exacerbescat? Tune, ultime, parentis tuae animum in istis scrutaris, oculos obseruas, suspiritus numeras, adfectiones exploras, tabulas intercipis, amorem reuincis? ⁽⁴⁾ Tune quid in cubiculo agat perquiris, ne mater tua non dico amatrix, sed ne omnino femina sit? <Nihil>ne tu in ea cogitas nisi unam parentis religionem? ⁽⁵⁾ O infelix uterum tuum,

Pudentilla, o sterilitas liberis potior, o infausti decem menses, o ingrati XIII anni uiduitatis! Vipera, ut audio, exeso matris utero in lucem proserpit atque ita parricidio gignitur; at enim tibi a filio iam adulto acerbiores morsus uiuenti et uidenti offeruntur. ⁽⁶⁾ Silentium tuum laniatur, pudor tuus carpitur, pectus tuum foditur, uiscera intima protrahuntur.

⁽⁷⁾ Hascine gratias bonus filius matri rependis ob datam uitam, ob adquisitam hereditatem, ob XIII annorum longas alimonias? Hascine te patruus disciplinis erudiuit, ut, si compertum habeas filios tibi similes futuros, non audeas ducere uxorem? ⁽⁸⁾ Est ille poetae uersus non ignotus:

‘odi puerulos praecoqui sapientia.’

Sed enim malitia praecoqui puerum quis non auersetur atque oderit, cum uideat uelut monstrum quoddam prius robustum scelere quam tempore, ante nocentem quam potentem, uiridi pueritia, cana malitia, ⁽⁹⁾ uel potius hoc magis noxium, quod cum uenia perniciosus est et nondum poenae, iam iniuriae sufficit — iniuriae dico? Immo enim sceleri aduersum parentem nefando, immani, impetibili.

[86] ⁽¹⁾ Athenienses quidem propter commune ius humanitatis ex captiuis epistulis Philippi Macedonis hostis sui unam epistulam, cum singulae publice legerentur, recitari prohibuerunt, quae erat ad uxorem Olympiadem conscripta. Hosti potius pepercerunt, ne maritale secretum diuulgarent, praefendum rati fas commune propriae ultioni. ⁽²⁾ Tales hostes aduersum hostem; tu qualis filius aduersum matrem? Vides quam similia contendam. Tu tamen filius matris epistulas de amore, ut ais, scriptas in isto coetu legis, in quo si aliquem poetam lasciuiorem iubereris legere, profecto non auderes: pudore tamen aliquo impedirere. ⁽³⁾ Immo enim nunquam matris tuae litteras attigisses, si ullas alias litteras attigisses.

⁽⁴⁾ At quam ausus es tuam ipsius epistulam legendam dare, quam nimis irreuerenter, nimis contumeliose et turpiter de matre tua scriptam, cum adhuc in eius sinu alerere, miseras clanculo ad Pontianum, scilicet ne semel peccasses ac tam bonum tuum factum optutu capesseret. ⁽⁵⁾ Miser, non intellegis iccirco patruum tuum hoc fieri passum, quod se hominibus purgaret, si ex litteris tuis nosceretur te etiam prius quam ad eum commigrasses, etiam cum matri blandirere, tamen iam tum uolpionem et impium fuisse. [87]

⁽¹⁾ Ceterum nequeo in animum inducere tam stultum Aemilianum

esse, ut arbitretur mihi litteras pueri et eiusdem accusatoris me <i> offuturas.

(2) Fuit et illa commenticia epistula neque mea manu scripta neque uerisimiliter conficta, qua uideri uolebant blanditiis a me mulierem sollicitatam. Cur ego blandirem, si magia confidebam? (3) Qua autem uia ad istos peruenit epistula, ad Pudentillam scilicet per aliquem fidelem missa, ut in re tali accurari solet? (4) Cur praeterea tam uitiosis uerbis, tam barbaro sermone ego scriberem, quem idem dicunt nequaquam Graecae linguae imperitum? Cur autem tam absurdis tamque tabernariis blanditiis subigitarem, quem idem aiunt uersibus amatoriis satis scite lasciuere? (5) Sic est profecto, cuius palam est: hic, qui epistulam Pudentillae Graecatiorem legere non potuerat, hanc ut suam facilius legit et aptius commendauit.

(6) Sed iam de epistulis satis dictum habeo, si hoc unum addidero: Pudentillam, quae scriberat dissimulamenti causa et deridiculi:

ἐλθὲ τοίνυν, ἕως ἔτι σωφρονῶ,

post hasce litteras euocasse ad se filios et nurum, cum his ferme duobus mensibus conuersatam. (7) Dicat hic pius filius, quid in eo tempore sequius agentem uel loquentem matrem suam propter insaniam uiderit; neget eam rationibus uilliconum et upilionum et equisonum sollertissime subscripsisse; (8) neget fratrem suum Pontianum grauiter ab ea monitum, ut sibi ab insidiis Rufini cauere; neget uere obiurgatum, quod litteras, quas ad eum miserat, uulgo circumtulisset nec tamen bona fide legisset; (9) neget post ista quae dixi matrem suam mihi apud uillam iam pridem conducto loco nubsisse.

(10) Quippe ita placuerat, in suburbana uilla potius ut coniungeremur, ne ciues denuo ad sportulas conuolarent, cum haud pridem Pudentilla de suo quinquaginta milia nummum <in> populum expunxisset ea die, qua Pontianus uxorem duxit et hic puerulus toga est inuolutus, (11) praeterea, ut conuiuiis multis ac molestiis supersederemus, quae ferme ex more nouis maritis obeunda sunt.

[88]

(1) Habes, Aemiliane, causam totam, cur tabulae nuptiales inter me ac Pudentillam non in oppido sint sed in uilla suburbana consignatae: ne quinquaginta milia nummum denuo profundenda essent nec tecum aut apud te cenandum. Estne causa idonea?

(2) Miror tamen, quod tu a[m] uilla[m] tantopere abhorreas, qui plerumque rure uersere. (3) Lex quidem Iulia de maritandis ordinibus nusquam sui ad hunc modum interdicat: 'uxorem in uilla ne ducito.' (4) Immo, si uerum uelis, uxor ad prolem multo auspicius in uilla quam in oppido ducitur, in solo uberi quam in loco sterili, in agri cespite quam in fori silice. (5) Mater futura in ipso materno si <nu> nubat, in segete adulta, super fecundam glebam, uel enim sub ulmo marita cubet, in ipso gremio terrae matris, inter suboles herbarum et propagines uitium et arborum germina. (6) Ibi et ille celeberrimus in comoediis uersus de proximo congruit:

παίδων ἐπ' ἀρότῳ, γνησίῳ ἐπὶ σπορῷ.

(7) Romanorum etiam maioribus Quintis et Serranis et multis aliis similibus non modo uxores, uerum etiam consulatus et dictaturae in agris offerebantur. Cohibe[b]am me in tam prolixo loco, ne tibi gratum faciam, si uillam laudauero.

[89]

(1) De aetate uero Pudentillae, de qua post ista satis confidenter mentitus es, ut etiam sexaginta annos natam diceres nubsisse, de ea tibi paucis respondebo: nam necesse non est in re tam perspicua pluribus disputare.

(2) Pater eius natam sibi filiam more ceterorum professus est. Tabulae eius partim tabulario publico, partim domo adseruantur, quae iam tibi ob os obiciuntur. (3) Porrigere tu Aemiliano tabulas istas: linum consideret, signa quae impressa sunt recognoscat, consules legat, annos computet, quos sexaginta mulieri adsignabat. (4) Probet quinque et quinquaginta: lustrum mentitus sit. Parum hoc est, liberalius agam; nam et ipse Pudentillae multos annos largitus est. Redonabo igitur uicissim decem annos: Mezentius cum Vlixer errauit. Quinquaginta saltem annorum mulierem ostendat.

(5) Quid multis? Vt cum quadruplatore agam, bis duplum quinquennium faciam, uiginti annos semel detraham. Iube, Maxime, consules computari. Nisi fallor, inuenies nunc Pudentillae haud multo amplius quadragesimum annum aetatis ire. (6) O falsum audax et nimium! O mendacium uiginti annorum exilio puniendum! Dimidio tanta, Aemiliane, mentiris, falsa audes sesquialtera. Si triginta annos pro decem dixisses, posses uideri computationis gestu errasse, quos circulare debueris digitos aperuisse. (7) Cum uero quadraginta, quae facilius ceteris porrecta palma significantur, ea

quadraginta tu dimidio auges, non potes[t] digitorum gestu errasse, nisi forte triginta annorum Pudentillam ratus binos cuiusque anni consules numerasti.

[90] ⁽¹⁾ Missa haec facio. Venio nunc ad ipsum stirpem accusationis, ad ipsam causam maleficii. Respondeat Aemilianus et Rufinus, ob quod emolumentum, etsi maxime magus forem, Pudentillam carminibus et uenenis ad matrimonium pellexissem.

⁽²⁾ Atque ego scio plerosque reos alicuius facinoris postulatos, si fuisse quaequam causae probarentur, hoc uno se tamen [h]abunde defendisse, uitam suam procul ab huiusmodi sceleribus abhorre nec id sibi obesse debere, quod uideantur quaedam fuisse ad maleficiundum inuitamenta; ⁽³⁾ non enim omnia quae fieri pot[est] <u>-erint pro factis habenda, rerum uices uarias euenire; certum indicem cuiusque animum esse; qui semper eodem ingenio ad uirtutem uel malitiam moratus firmum argumentum est accipiendi criminis aut respuendi.

⁽⁴⁾ Haec ego quamquam possim merito dicere, tamen uobis condono, nec satis mihi duco, si me omnium quae insimulastis abunde purgavi, si nusquam passus sum uel exiguum suspicionem magiae consistere. ⁽⁵⁾ Reputate uobiscum, quanta fiducia innocentiae meae quantoque despectu uestri agam: si una causa uel minima fuerit inuenta, cur ego debuerim Pudentillae nuptias ob aliquod meum commodum appetere, si quamlibet modicum emolumentum probaueritis, ⁽⁶⁾ ego ille sim Carmendas uel Damigeron uel + his Moses uel Iohannes uel Apollobex uel ipse Dardanus uel quicumque alius post Zoroastren et Hostanen inter magos celebratus est.

[91] ⁽¹⁾ Vide quaeso, Maxime, quem tumultum suscitarent, quoniam ego paucos magorum nominatim percensui. Quid faciam tam rudibus, tam barbaris? ⁽²⁾ Doceam rursum haec et multo plura alia nomina in bybliotheis publicis apud clarissimos scriptores me legisse? An disputem longe aliud esse notitiam nominum, aliud artis eiusdem communionem, nec debere doctrinae instrumentum et eruditionis memoriam pro confessione criminis haberi? ⁽³⁾ An, quod multo praestabilius est, tua doctrina, Claudii Maxime, tuaque perfecta eruditione fretus contemnam stultis et impolis ad haec respondere? ⁽⁴⁾ Ita potius faciam; quid illi existiment, nauici non putabo. Quod institui pergam disputare: nullam mihi causam fuisse Pudentillam ueneficiis ad nuptias prolectandi. ⁽⁵⁾ Formam mulieris

et aetatem ipsi ultro improbauerunt idque mihi uitio dederunt, talem uxorem causa auaritiae concupisse atque adeo primo dotem in congressu grandem et uberem rapuisse.

⁽⁶⁾ Ad haec, Maxime, longa oratione fatigare te non est consilium. Nihil uerbis opus est, cum multo disertius ipsae tabulae loquantur, in quibus omnia contra quam isti ex sua rapacitate de me quoque coniectauerunt facta impraesentiarum et prouisa in posterum deprehendis: ⁽⁷⁾ iam primum mulieris locupletissimae modicam dotem neque eam datam, sed tantum modo <promissam>; ⁽⁸⁾ praeter haec ea condicione factam coniunctionem, nullis ex me susceptis liberis <si> uita demigrasset, uti dos omnis apud filios eius Pontianum et Pudentem maneret, sin uero uno unaue superstite diem suum obisset, uti tum diuidua pars dotis posteriori filio, reliqua prioribus cederet.

[92] ⁽¹⁾ Haec, ut dico, tabulis ipsis docebo. Fors fuit an ne sic quidem credat Aemilianus sola trecenta milia nummum scripta eorumque repetitionem filiis Pudentillae pacto datam. ⁽²⁾ Cape sis ipse tu manibus tuis tabulas istas, da impulsori tuo Rufino: legat, pudeat illum tumidi animi sui et ambitiosae mendicitatis. Quippe ipse egens, nudus CCCC milibus nummum a creditore acceptis filiam dotaui; ⁽³⁾ Pudentilla locuples femina trecentis milibus dotis fuit contenta, et maritum habet et multis saepe et ingentibus dotibus spretis inani nomine tantulae dotis contentum, ⁽⁴⁾ ceterum praeter uxorem suam nihil computantem, omnem supellectilem cunctasque diuitias in concordia coniugis et multo amore ponentem.

⁽⁵⁾ Quamquam quis omnium uel exigue rerum peritus culpae auderet, si mulier uidua et mediocri forma, at non aetate mediocri, nubere uolens longa dote et molli condicione inuitasset iuuenem neque corpore neque animo neque fortuna paenitendum? ⁽⁶⁾ Virgo formosa etsi sit oppido pauper, tamen [h]abunde dotata est; affert quippe ad maritum nouum animi indolem, pulchritudinis gratiam, floris rudimentum. Ipsa uirginitatis commendatio iure meritoque omnibus maritis acceptissima est. ⁽⁷⁾ Nam quodcumque aliud in dotem acceperis, potes, cum libuit, ne sis beneficio obstrictus, omne ut acceperas retribuere: pecuniam renumerare, mancipia restituere, domo demigrare, praediis cedere; sola uirginitas cum semel accepta est, reddi nequitur, sola apud maritum ex rebus dotalibus remanet.

⁽⁸⁾ Vidua autem qualis nuptiis uenit, talis diuortio digreditur. Nihil affert inrepositibile, sed uenit iam ab alio praeclorata, certe tibi ad quae uelis minime docilis, non minus suspectans nouam domum quam ipsa iam ob unum diuortium suspectanda; ⁽⁹⁾ siue illa morte amisit maritum, ut scaeuini ominis mulier et infausti coniugii minime appetenda, ⁽¹⁰⁾ seu repudio digressa est, utramuis habere *<n>*s culpam mulier, quae aut tam intolerabilis fuit ut repudiaretur, aut tam insolens ut repudiaret. ⁽¹¹⁾ Ob haec et alia uiduae dote aucta procos sollicitant. Quod Pudentilla quoque in alio marito fecisset, si philosophum spernentem dotis non rep*<p>*erisset.

[93] ⁽¹⁾ Age uero, si auaritiae causa mulierem concupissem, quid mihi utilius ad possidendam domum eius fuit quam simultatem inter matrem et filios serere, alienare ab eius animo liberorum caritatem, quo liberius et artius desolatam mulierem solus possiderem? ⁽²⁾ Fuitne hoc praedonis, quod uos fingitis?

Ego uero quietis et concordiae et pietatis auctor, conciliator, fauisor non modo noua odia non serui, sed uetera quoque funditus extirpauit. ⁽³⁾ Suasi uxori meae, cuius, ut isti aiunt, iam uniuersas opes transuoraram, suasi, inquam, ac denique persuasi, ut filii pecuniam suam reposcentibus — de quo supra dixeram — ut eam pecuniam sine mora redderet in praedis uili aestimatis et quanto ipsi uolebant, ⁽⁴⁾ praeterea ex re familiari sua fructuosissimos agros et grandem domum opulente ornatam magnamque uim tritici et ordeii et uini et oliui ceterorumque fructuum, seruos quoque haud minus CCCC, pecora amplius neque pauca neque abiecti pretii donaret, ⁽⁵⁾ ut eos et ex ea parte quam tribuisset securos haberet et ad cetera hereditatis bona spe[i] inuitaret. ⁽⁶⁾ Haec ergo ab inuita Pudentilla — patietur enim me, uti res fuit, ita dicere — aegre extudi, ingentibus precibus inuitae et iratae extorsi, matrem filiis reconciliaui, priuignos meos primo hoc uitrici beneficio grandi pecunia auxi.

[94] ⁽¹⁾ Cognitum hoc est tota ciuitate. Rufinum omnes execrati me laudibus tulere. ⁽²⁾ Venerat ad nos, priusquam istam donationem perficeret, cum dissimili isto fratre suo Pontianus, pedes nostros aduolutus ueniam et obliuionem praeteritorum omnium postularat, flens et manus nostras osculabundus ac dicens paenitere quod Rufino et similibus auscultaui. ⁽³⁾ Petit postea suppliciter, uti se Lolliano quoque Auito C. V. purgem, cui haud pridem tirocinio

orationis suae fuerat a me commendatus. ⁽⁴⁾ Quippe compererat ante paucos dies omnia me, ut acta erant, ad eum perscripsisse. ⁽⁵⁾ Id quoque a me impetrat. Itaque acceptis litteris Carthaginem pergit, ubi iam prope exacto consulatus sui munere Lollianus Auitus te, Maxime, opperiebatur. ⁽⁶⁾ [h]is epistulis meis lectis pro sua eximia humanitate gratulatus Pontiano, quod cito [h]errorem suum correxisset, rescripsit mihi per eum quas litteras, di boni, qua doctrina, quo lepore, qua uerborum amoenitate simul et iucunditate, prorsus ut 'uir bonus dicendi peritus'!

⁽⁷⁾ Scio te, Maxime, libenter eius litteras auditurum, et quide*<m>*, si praelegam, mea uoce pronuntiabo. Cedo tu Auiti epistulas, ut quae semper ornamento mihi fuerunt sint nunc etiam saluti. ⁽⁸⁾ At tu licebit aquam sinas fluere; namque optimi uiri litteras ter et quater aueo quantouis temporis dispendio lectitare. (...)

[95] ⁽¹⁾ Non sum nescius debuisse me post istas Auiti litteras perorare. Quem enim laudatorem locupletiolem, quem testem uitae meae sanctiorem producam, quem denique aduocatum facundiolem? ⁽²⁾ Multos in uita mea Romani nominis disertos uiros sedulo cognoui, sed sum [m]aeque neminem ammiratus. ⁽³⁾ Nemo est hodie, quantum mea opinio fert, alicuius in eloquentia laudis et spei, ⁽⁴⁾ quin Auitus esse longe malit, si cu*<m>* eo se remota inuidia uelit conferre. Quippe omnes fandi uirtutes paene diuersae in illo uiro congruunt. ⁽⁵⁾ Quamcumque ora*<tio>*nem struxerit Auitus, ita illa erit undique sui perfecte absoluta, ut in illa neque Cato grauitatem requirat neque Laelius lenitatem nec Gracchus impetum nec Caesar calorem nec *<H>*ortensius distributionem nec Caluus argutias nec parsimoniam Salustius nec opulentiam Cicero. ⁽⁶⁾ Prorsus, inquam, ne omnis persequar, si Auitum audias, neque additum quicquam uelis neque detractum neque autem aliquid commutatum.

⁽⁷⁾ Video, Maxime, quam benigne audias, quae in amico tuo Auito recognoscas. Tua me comitas, ut uel pauca dicerem de eo, inuitauit. ⁽⁸⁾ At non usque adeo tuae beneuolentiae indulgeo, ut mihi permittam iam propemodum fesso in causa prorsus ad finem inclinata de egregiis uirtutibus eius nunc demum incipere, quin potius eas integris uiribus et tempori libero seruem.

[96] ⁽¹⁾ Nunc enim mihi, quod aegre fero, a commemoratione tanti uiri ad pestes istas oratio reuoluenda est. ⁽²⁾ Audesne te ergo, Aemiliane, cum Auito conferre? Quemne ille bonum uirum ait, cuius animi disputationem tam plene suis litteris collaudat, eum tu magiae, maleficii criminis insectabere? ⁽³⁾ An inuasisset me domum Pudentillae et concipilare bona eius tu magis dolere debes quam doluisset Pontianus, qui mihi ob paucorum dierum uestro scilicet instinctu ortas simultates etiam absenti apud Auitum satisfecit, qui mihi apud tantum uirum gratias egit?

⁽⁴⁾ Puta me acta apud Auitum, non litteras ipsius legisse. Quid posses uel + quas quis in isto negotio accusare? Pontianus ipse quod a matre donatum acceperat meo muneri acceptum ferebat, Pontianus me uitricum sibi contigisse intimis affectionibus laetabatur. ⁽⁵⁾ Quod utinam incolumis Carthagine reuertisset! Vel, quoniam sic ei fuerat fato decretum, utinam tu, Rufine, supremum eius iudicium non impedisses! Quas mihi aut coram aut denique in testamento gratias egisset! ⁽⁶⁾ Litteras tamen, quas ad me Carthagine[m] uel iam adueniens ex itinere praemisit, quas adhuc ualidus, quas iam aeger, plenas honoris, plenas amoris, quaeso, Maxime, paulisper recitari sinas, ⁽⁷⁾ ut sciat frater eius, accusator meus, quam in omnibus Mineruae curriculum cum fratre optumae memoriae uiro[c] currat. (...)

[97] ⁽¹⁾ Audistine uocabula, quae mihi Pontianus frater tuus tribuerat, me parentem suum, me dominum, me magistrum cum saepe alias, tum in extremo te <m>pore uitae uocans? Postquam <...> ⁽²⁾ tuas quoque paris epistulas promerem, si uel exiguum moram tanti putarem. Potius testamentum illud recens tui fratris quamquam imperfectum tamen proferri cuperem, in quo mei officiosissime et honestissime meminit. ⁽³⁾ Quod tamen testamentum Rufinus neque comparari neque perfici passus est pudore perditae hereditatis, quam paucorum mensium, quibus socer Pontiani fuit, magno quidem pretio noctium computarat. ⁽⁴⁾ Praeterea nescio quos Chaldaeos consuluerat, quo lucro filiam collocaret; qui, ut audio, — utinam illud non uere respondissent! — primum eius maritum in paucis mensibus moriturum. Cetera enim de hereditate, ut adsolent, ad consulentis uotum confinxerunt.

⁽⁵⁾ Verum, ut dii uoluere, quasi caeca bestia in cassum hiauit. Pontianus enim filiam Rufini male compertam non modo heredem

non reliquit, sed ne honesto quidem legato impertiuit, ⁽⁶⁾ quippe qui ei ad ignominiam linthea adscribi ducentorum fere denariorum iusserit, ut intellegeretur iratus potius aestimasse eam quam oblitus praeterisse. ⁽⁷⁾ Scripsit autem heredes tam hoc testamento quam priore, quod lectum est, matrem cum fratre; cui, ut uides, admodum puero eandem illam filiae suae machinam Rufinus admouet ac mulierem aliquam multo natu maiorem, nuperrime uxorem fratris, misero puero obicit et obsternit.

[98] ⁽¹⁾ A[i]t ille puellae meretricis blandimentis et lenonis patris illectamentis captus et possessus, exinde ut frater eius animam edidit, relicta matre ad patrum commigrauit, quo facilius remotis nobis coepta perficerentur. ⁽²⁾ Fauet enim Rufino Aemilianus et prouentum cupit. (...) Ehem, recte uos ammonetis: etiam suam spem bonus patruus temperat in isto ac fouet, qui sciat intestati pueri legitimum magis quam iustum heredem futurum. ⁽³⁾ Nollem hercule hoc a me profectum: non fuit meae moderationis tacitas omnium suspiciones palam abrumpere. Male uos, qui sugge <s> sistis!

⁽⁴⁾ Plane quidem, si [p]uerum uelis, multi mirantur, Aemiliane, tam repentinam circa puerum istum pietatem tuam, postquam frater eius Pontianus est mortuus, cum antea tam ignotus illi fueris, ut saepe ne in occurso quidem filium fratris tui de facie agnosceres. ⁽⁵⁾ At nunc adeo patientem te ei praebes itaque eum indulgentia corrumpis, adeo ei nulla re aduersare, ut per haec suspicioribus fidem facias. Inuestem a nobis accepisti; uesticipem ilico reddidisti. ⁽⁶⁾ Cum a nobis regeretur, ad magistros itabat; ab iis nunc magna fugela in ganeum fugit, amicos serios aspernatur, cum adulescentulis postremissumis inter scorta et pocula puer hoc aeui conuiuium agit. ⁽⁷⁾ Ipse domi tuae rector, ipse familiae dominus, ipse magister conuiuii. In ludo quoque gladiatorio frequens uisitur; nomina gladiatorum et pugnas et uulnera plane quidem ut puer honestus ab ipso lanista docetur. ⁽⁸⁾ Loquitur nunquam nisi Punice et si quid adhuc a matre graecissat; enim Latine loqui neque uult neque potest. ⁽⁹⁾ Audisti, Maxime, paulo ante — pro nefas! — priuignum meum, fratrem Pontiani, diserti iuuenis, uix singulas syllabas fringultientem, cum ab eo quaereres dona <s> setne illis mater quae ego dicebam me adnitente donata.

[99] ⁽¹⁾ Testor igitur te, Claudii Maxime, uosque, qui in consilio estis, uosque etiam, qui tribunal mecum adsistitis, haec damna et dedecora morum eius patruo huic et candidato illo socero adsignanda ⁽²⁾ meque posthac boni consulturum, quod talis priuignus curae meae iugum ceruice excusserit, neque postea pro eo matri eius supplicaturum.

⁽³⁾ Nam, quod paenissime oblitus sum, nuperrime cum testamentum Pudentilla post mortem Pontiani filii sui in mala uoletudine scrib[er]et, diu sum aduersus illam renisus, ne hunc ob tot insignis contumelias, ob tot iniurias exheredaret. ⁽⁴⁾ Elogium grauissimum iam totum medius fidiis perscriptum ut aboleret, impensis precibus oraui[t]. Postremo, ni impetrarem, diuersurum me ab ea comminatus sum; mihi hanc ueniam tribueret, malum filium beneficio uinceret, me inuidia omni liberaret. ⁽⁵⁾ Nec prius destiti quam ita fecit.

Doleo me huncce scrupulum Aemiliano dempsisse, tam inopinatam rem ei indicasse. Specta quaeso Maxime, ut hisce auditis subito obstipuerit, ut oculos ad terram demiserit. ⁽⁶⁾ Enim longe sequius ratus fuerat, nec inmerito: mulierem filii contumeliis infectam, meis officiis deuinctam sciebat. De me quoque fuit quod timeret: quiuus uel aequae ut ego spernens hereditatis tamen uindicari de tam inofficioso priuigno non recusasset. ⁽⁷⁾ Haec praecipue sollicitudo eos ad accusationem mei stimulauit: hereditatem omnem mihi relictam falso ex sua auaritia coniectauere. Soluo uos in praeteritum isto metu. Namque animum meum neque hereditatis neque ultionis occasio potuit loco demouere. ⁽⁸⁾ Pugnaui cum irata matre pro priuigno malo uitricus, ueluti pater pro optimo filio aduersus nouercam, nec satis fuit, ni bonae uxoris prolixam liberalitatem circa me nimio plus aequo coercerem.

[100] ⁽¹⁾ Cedo tu testamentum iam inimico filio a matre factum me, quem isti praedonem dicunt, uerba singula cum precibus praeunte[m]. ⁽²⁾ Rumpi tabulas istas iube, Maxime: inuenies filium heredem, mihi uero tenue nescio quid honoris gratia legatum, ne, si quid ei humanitus attigisset, nomen maritus in uxoris tabulis non haberem. ⁽³⁾ Cape ist[a]ut matris tuae testamentum, uere hoc quidem inofficiosum. Qui <d>ni, in quo obsequentissimum maritum exheredauit, inimicissimum filium scripsit heredem, ⁽⁴⁾ immo

enim uero non filium, sed Aemiliani spes et Rufini nuptias, set temulentum illud collegium, parasitos tuos?

⁽⁵⁾ Accipe, inquam, filiorum optime, et positis paulisper epistulis amatoriis matris lege potius testamentum. Si quid quasi insana scripsit, hic reperiēs et quidem mox a principio: 'Sicinius Pudens filius meus mihi heres esto.' Fateor, qui ho <c> legerit insanum putabit. ⁽⁶⁾ Hicine filius heres, qui te in ipso fratris sui funere aduocata perditissimorum iuuenum manu uoluit excludere e domo quam ipsa donaueras, qui te sibi a fratre coheredem relictam grauiter et acerbe tulit, ⁽⁷⁾ qui confestim te cum tuo luctu et maerore deseruit et ad Rufinum et Aemilianum de sinu tuo aufugit, ⁽⁸⁾ qui <t>ibi plurimas postea contumelias dixit coram et adiuuante patruo fecit, qui nomen tuum pro tribunalibus uentilauit, qui pudorem tuum tuismet litteris conatus est publice dedecorare, ⁽⁹⁾ qui marito <m> tuum, quem elegeras, quem, ut ipse obiebat, efflictim amabas, capitis accusauit?

⁽¹⁰⁾ Aperi quaeso, bone puer, aperi testamentum: facilius insaniam matris sic probabis. [101] ⁽¹⁾ Quid abnuis, quid recusas, postquam sollicitudinem de hereditate materna reppulisti?

At ego hasce tabulas, Maxime, hic ibidem pro pedibus tuis abicio testorque me deinceps incuriosius habiturum, quid Pudentilla testamento suo scribat. ⁽²⁾ Ipse iam, ut libet, matrem suam de cetero exoret: ⁽³⁾ mihi, ut ultra pro eo deprecari, locum non reliquit. Ipse iam, ut sui potens ac uir, acerbissimas litteras matri dictet, iram eius deleniat: qui potuit perorare, poterit exorare.

Mihi iam dudum satis est, si non modo crimina obiecta plenissime dilui, uerum etiam radicem iudicii huius, id est hereditatis quaesitae inuidiam, funditus sustuli.

⁽⁴⁾ Illud etiam, [c] ne quid omnium praeteream, priusquam peroro, falso obiectum reuincam. Dixistis me magna pecunia mulieris pulcherrimum praedium meo nomine emisse. ⁽⁵⁾ Dico exiguum herediolum LX milibus nummum, id quoque non me, sed Pudentillam suo nomine emisse, Pudentillae nomen in tabulis esse, Pudentillae nomine pro eo agello tributum dependi. ⁽⁶⁾ Praesens est quaestor publicus, cui depensum est, Coruinius Celer, uir ornatus. Adest etiam tutor auctor mulieris, uir grauissimus et sanctissimus, omni cum honore mihi nominandus, Cassius Longinus. ⁽⁷⁾ Quare,

Maxime, cuius emptionis auctor fuerit, quantulo pretio mulier locuples agellum suum praestinarit.

(Testimonium Cassi Longini tutoris et Coruini Clementis qR)

⁽⁸⁾ Estne ita ut dixi? Vspiam in hac emptione nomen meum ascriptum est? Num ipsum heredioli pretium inuidiosum est, num uel hoc saltem in me collatum?

[102] ⁽¹⁾ Quid etiam est, Aemiliane, quod non te iudice refutauerim? Quod pretium magiae meae repperisti? Cur ergo Pudentillae animum ueneficiis flecterem? Quod ut ex ea commodum caperem? Vti dotem mihi modicam potius quam a[m]mpla<m> diceret? O praeclara carmina! ⁽²⁾ An ut eam dotem filiis suis magis restipularetur quam penes me sineret? Quid addi ad hanc magiam potest? ⁽³⁾ An uti rem familiarem suam meo adhortatu pleramque filiis condonasset, quae nihil illis ante me maritum fuerat largita, mihi quicquam impertiret? O graue ueneficium dicam an ingratum beneficium?! ⁽⁴⁾ An ut testamento, quod irata filio scribebat, filium potius, cui offensa erat, quam me, cui deuincta, heredem relinqueret? Hoc quidem multis cantaminibus difficile impetraui.

⁽⁵⁾ Putate uos causam non apud Cl. Maximum agere, uirum aequum et iustitiae pertinacem, sed alium aliquem prauum et saeuum iudicem substitute, accusationum fautorem, cupidum condem[p]nandi: ⁽⁶⁾ date ei quod sequatur, ministrare uel tantulam uerisimilem occasionem secundum uos pronuntiandi. Saltem fingite aliquid, eminiscimini quod respondeatis, qui uos ita rogarit.

⁽⁷⁾ Et quoniam omnem conatum necesse est quaequam causa praecedat, respondete qui Apuleium dicitis animum Pudentillae magicis illectamentis ad[h]ortum, quid ex ea petierit, cur fecerit. ⁽⁸⁾ Formam eius uoluerat? Negatis. Diuitias saltem concupierat? Negant tabulae dotis, negant tabulae donationis, negant tabulae testamenti, in quibus non modo non cupide appetisse, uerum etiam dure reppulisse liberalitatem suae uxoris [h]ostenditur. ⁽⁹⁾ Quae igitur alia causa est? Quid ommutuistis? Quid tacetis? Vbi illud libelli uestri atrox principium nomine priuigni mei form[orm]atum: 'hunc ego, domine Maxime, reum apud te facere institui'? [103] ⁽¹⁾ Quin igitur addis: 'reum magistrum, reum uitricum, reum deprecatores'? Sed quid deinde? 'Plurimorum maleficiorum et manifestissimorum'.

Cedo unum de plurimis, cedo dubium uel saltem obscurum de manifestissimis.

⁽²⁾ Ceterum ad haec, quae obiecistis, numera an binis uerbis respondeam. 'Dentes sp<l>endidas': ignosce munditiis. 'Specula inspicias': debet philosophus. 'Versus facis': licet fieri. 'Pisces exploras': Aristoteles docet. 'Lignum consecras': Plato suadet. ⁽³⁾ 'Vxorem ducis': leges iubent. 'Prior natu'st': solet fieri. 'Lucrum sectatu's': dotalis accipe, donationem recordare, testamentum lege.

⁽⁴⁾ Quae si omnia affatim retudi, si calumnias omnes refutaui, si me in omnibus non modo criminibus, uerum etiam maledictis procul a culpa [philosophiae] tutus sum, si philosophiae honorem, qui mihi salute mea antiquior est, nusquam minui, immo contra ubique si cum septem pennis eum tenui: ⁽⁵⁾ si haec, ut dico, ita sunt, possum securus existimationem tuam reuereri quam potestatem uereri, quod minus graue et uerendum mihi arbitror a[c] procons. damnari quam si a tam bono tamque emendato uiro improber.

Dixi.

Note on the text

The text in this edition is basically that of HELM (Teubner-ed., with *Addenda et corrigenda* (Add.)). The following list refers to all places where a different reading has been chosen. Changes in punctuation, lay-out, and division into paragraphs are not specified; see *Introduction* E.1 (2). The subdivision of chapters is that of VALLETTE.

	<i>This edition</i>	<i>Helm</i>
1,1	Cl.	Cl(audi)
2,2	tacere	tacere[m]
3,4	maledicta	male dicta
4,8	omnium sollertissimo	omnium.....sollertissimo
5,1	ualetudinis	valetudinis
7,2	apertum immundum	aperti immundum
7,7	humile <i>est</i> et	humile et
9,3	tam similem	tam <ueri> similem
9,14	(l.7) da	das
9,14	(l.9) redde	redde <s>
9,14	(l.11) animum	animam
9,14	(l.11) dona et iam	donaci, iam
10,4	et quidem	e[t]quidem
12,3	praedita[m] quae sit	praeditam [quae sit]
13,8	docear	doceas
14,4	diutino	diutina
14,5	uisitur	uisi <te> tur
14,8	referundum	referundam
15,14	facti	[f]acti
16,1	suda [soli]	suda soli
19,4	etenim omnibus	etenim <in> omnibus
19,7	simulate	simulata <m>
20,1	poscit	possit
24,1	ostendi scis	ostendistis
27,5	simplicia	simpliciter
27,12	puerili	pueruli
28,7	eruptum	ereptum
30,13	(l. 5-6) hin- / nientium	hinnientium
32,6	Scyllam	scillam
32,6	merguntur	mercantur
34,2	ommutescat	commutescat
35,3	hebe[n]tem	habentem
35,3	echinum	echi <no> rum
35,4	ostrea [Pergami]	ostrea Pergami (Add.: ostracoderma)
36,7	opera est	operaest

38,5	cum <i>re</i> < <i>s</i> > cognitu	cum <i>me</i> < <i>morabiles res et</i> >
		cognitu
39,3	(1.3) <i>Ambraciai</i> [finis]	<i>Ambraciae sus</i>
39,3	(1.6) <i>Surrenti</i> [a]	<i>Surrenti t</i> < <i>u</i> >
40,3	<i>usuru</i> < <i>s</i> > est	<i>usurust</i>
40,7	<i>quaeat</i>	<i>qu</i> < <i>o</i> > eat
40,11	<i>numquam</i>	<i>si</i> < <i>scisset, n</i> > umquam
41,5	<i>mediterranis</i>	<i>mediterran</i> < <i>e</i> > is
42,2	<i>et iam</i>	<i>etiam</i>
44,4	<i>negant</i>	<i>negent</i>
44,4	<i>nisi rus adeo iam</i>	<i>nisi rus a</i> + <i>de omnium</i>
46,3	<i>pollicitu's</i>	<i>pollicitus</i>
46,4	<i>dixerit</i>	< <i>di</i> > dicerit
49,2	<i>igitur</i>	< <i>is</i> > igitur
51,4	<i>quibus aeque</i>	<i>quibuscumque</i>
51,9	<i>ac mea</i>	<i>ad</i> < <i>me et</i> > mea
54,3	<i>reprehensum</i>	<i>deprehensum</i>
55,1	<i>cuius[ce]</i>	<i>cuiusce</i>
57,3	<i>cauponio</i>	<i>cauponii</i>
59,4	<i>ebria</i>	<i>ebria</i> < <i>mine</i> >
59,6	<i>rictum</i> <...>	<i>rictum</i> < <i>latum</i> >
59,6	<i>ructus</i> < <i>po</i> > pinam	<i>ructus</i> < <i>s</i> > piram < <i>en</i> >
60,5	<i>Crasso foret, quod</i>	<i>foret</i> < <i>Crasso</i> >, <i>crassum quod</i>
61,1	<i>unde</i>	<i>unum</i>
64,1	<i>larbarum</i>	<i>laruarum</i>
66,4	<i>M. Aquilium</i>	<i>M' Aquilium</i>
67,1	<i>clare dilucet</i>	<i>clarius dilucet</i>
68,4	[<i>ceterum</i>]	< <i>in</i> > <i>ceterum</i>
68,6	<i>uanis</i>	<i>uariis</i>
72,1	<i>inter precationem</i>	<i>inter procationem</i>
76,1	<i>contumeliis adnuit</i>	<i>contumeliis</i> < <i>alere</i> > abnuit
76,6	<i>teruncium</i>	<i>terruncium</i>
77,6	<i>alumentum</i>	<i>adiumentum</i>
78,4	<i>Clytemnestrae</i>	<i>Clyteme[n]strae</i>
79,1	<i>at non omnibus</i>	<i>ac non omnibus</i>
79,6	<i>inqui</i> < <i>e</i> > < <i>t</i> > < <i>i</i> >	<i>inquit</i> 'animi' < <i>furens</i> >
83,1	<i>ἡμῖν</i>	<i>ἡμῖν</i>
83,7	<i>se</i> < <i>ef</i> > fert	<i>se fert</i>
83,7	<i>calumnias emergit</i>	<i>calumnia se mergit</i>
85,2	<i>procons.</i>	<i>procons(ulari)</i>
85,2	Cl.	Cl(audium)
85,2	<i>imp.</i>	<i>imp(eratoris)</i>
84,8	<i>inscius</i>	<i>insci</i> < <i>t</i> > us
85,4	<i>femina sit</i>	<i>femina est</i> (<i>Add.</i> : <i>femina</i>
		<i>aest</i> < <i>imetur</i> >)
87,6	<i>ἀρότω, γνησίωv ἐπὶ σπορῶ</i>	<i>ἀρότω γνησίωv</i> [ἐπὶ σπορῶ]
89,1	<i>necesse non</i>	< <i>non</i> > <i>necesse</i>

89,6	<i>aperuisse</i>	<i>adgessisse</i>
90,4	<i>si nusquam</i>	< <i>ni</i> > <i>si nusquam</i>
90,6	<i>Iohannes</i>	I[oh]annes
91,7	< <i>promissam</i> >	< <i>creditam</i> >
92,4	<i>coniugis</i>	<i>coniugii</i>
92,4	<i>multo amore</i>	<i>mutuo amore</i>
93,3	<i>de quo supra</i>	<i>de qua supra</i>
96,2	<i>quemne</i>	<i>quemne</i>
96,7	<i>Mineruae curriculum</i>	<i>minor u</i> < <i>it</i> > <i>ae curriculum</i>
97,3	<i>quam paucorum</i>	<i>quam</i> < <i>praemium</i> > <i>paucorum</i>
98,7	<i>uisitur</i>	<i>uisci</i> < <i>ta</i> > tor
101,3	<i>ut sui potens</i>	<i>ut</i> < <i>qui</i> > <i>sui potens</i>
101,7	qR	<i>quaestor(is)</i>
102,3	<i>mihi quicquam</i>	<i>mihi</i> < <i>nihil</i> > <i>quicquam</i>
102,5	Cl.	Cl(audium)
103,3	<i>natu'st</i>	<i>natu is</i> < <i>ta</i> > est
103,3	<i>sectatu's</i>	<i>sectatus es</i>
103,5	<i>procons.</i>	<i>procons(ule).</i>

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