HUNINK APULEIUS - PRO SE DE MAGIA COMMENTARY

APULEIUS OF MADAUROS
PRO SE DE MAGIA

EDITED BY
VINCENT HUNINK

II
COMMENTARY

GIEBEN

APULEIUS OF MADAUROS
PRO SE DE MAGIA
(APOLOGIA)

EDITED WITH A COMMENTARY
BY

VINCENT HUNINK

VOLUME II

COMMENTARY

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COMMENTARY

1-3 *Exordium*: Circumstances of the trial

I have been brought to court by Sicinius Aemilianus on false charges of sorcery and murder, for which he avoids taking full responsibility. In the past he has already proved to be unreliable, and so I do not have to fear much from his calumnious and corrupt behaviour. However, as a representative of Philosophy I cannot not tolerate even the slightest suspicion to remain in the air. Aemilianus' advocates have come up with various silly rumours about my personal life, and I will deal with these first.

The *Apol.* opens with a conventional prooemium, which introduces the speaker and his subject to the audience. The three basic elements of rhetorical communication are touched upon: in according with ancient practice, the prooemium aims at drawing the attention of the audience, holding its interest, and gaining its sympathy (cf. e.g. Cic. *Inv.* 1,20 *conficiens auditorem beneuolum aut docilem aut attentum*).[1]

Given this principal aim, the speaker largely appeals to the emotions of the audience from the very first lines onward. By self-confidently depicting the opponent in as dark colours as possible and presenting himself as an innocent philosopher he tries to set the tone right away: he creates a contrast between innocence and wisdom on the one hand, and foolishness and low passions on the other hand. This is subtly reinforced by various forms of imagery and invective. Some of his remarks, e.g. that the charges he is facing are frivolous, obviously function as an excuse in advance. Silly as they may be, these charges will remain dominant for at least the first quarter of the speech. The speaker evidently attributes great importance to them: they enable him to postpone the concrete, real charges until he has established a flattering picture of his life devoted to philosophy and science.

To a small extent, the first three paragraphs also provide facts. These are related to the manner in which the accusation has been phrased, the situation in which the defendant found himself at the time of the accusation, and the legal background of the accuser. But these facts also serve to influence the emotions: the accuser appears to be an old criminal, the speaker has been attacked unexpectedly, and the accusation has been phrased in an underhanded manner.

On the rhetorical function of the prooemium see also McCreight 1991, 16; Hijmans 1994, 1761; and in general Martin 1974, 60-75. For an analysis of the invective see McCreight 1990, 40-9; some narratologic remarks are made by Sallmann 1995, 143-4.

As seems natural in a prooemium, legal technicalities play a relatively important role in the section. The main elements brought forward are: (1) when required to make a formal accusation, Aemilianus has not included the charge of murder; (2) he has not brought the charge under his own name; instead he has made Apuleius' stepson, the minor Sicinius Pudens, the formal accuser, in order to avoid a possible conviction himself if the charges proved deliberately false. Some minor legal issues are present

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[1]. The prooemium of the *Apol.* does not pose any particular difficulties of composition or interpretation, quite unlike the much debated opening section of the *Met.*, on which see e.g. Harrison 1990 and Münstermann 1995, 57-93.

too: Apuleius says that at the time of his indiction he was engaged in another trial on behalf of his wife Pudentilla. Aemilianus, on his part, has had problems with the law in the past. Finally, his advocates are qualified as belonging to the wrong sort of professionals, whose only interest is money.

The central issue of magic is mentioned only once in passing, and the speaker does not discuss it seriously.

1,1 certus equidem eram: the first words seem programmatic: the speaker starts from his own person and appears fully self-confident. The point is reinforced by a variation: *proque uero obtinebam*.

Maxime Cl.: in F an abbreviation is used for *Claudi*, which has been supplemented in nearly all editions.

Claudius Maximus is known to have been the proconsul of Africa in 158-9 AD. This prosopographical fact has supplied the only solid evidence to establish the date of Apuleius' trial, on which scholars now generally agree. On Maximus see also *Introduction* A.2 (3); for the discussion on the date of the trial and the publication of the speech, see ibidem A.1 (1) and C.2.

Significantly, the judge is the first person to be addressed, and the first to be mentioned after Apuleius himself. In the course of the speech, Apuleius will consistently refer to the judge in flattering terms, presenting him as an ideal combination of firm action and wide learning; cf. CHAMPLIN 1980, 32-33; HIJMANS 1994, 1725n41. He may well be the same person as the Stoic philosopher who taught Marcus Aurelius (a point B/O deny); cf. M. Aur. 1,15,1ff; 17,10; and see also *Apol.* 19,2. Moreover, he appears to have been very wealthy; cf. MRATSCHEK-HALFMANN 1993, 372-3. In all of these respects Apuleius must have regarded him as an equal. Whatever the biographical facts, within the speech it may be observed how Apuleius takes great pains to get Claudius Maximus firmly on his own side and to associate him with his own case.[1]

quique in consilio estis: a standard expression in forensic speeches, as in Cic. *Quinct.* 10,36 *C. Aquili, uosque qui estis in consilio*; cf. CALLEBAT 1984, 150. It is used elsewhere in the *Apol.* too: 65,8; 67,5; 99,1. Members of the *consilium* gave judicial advice to a magistrate in judging a case. It consisted of persons he had chosen himself, both among his own retinue and among local dignitaries; see further MOMMSEN 1887, 307-19; KASER 1966, 366-7, and below on 2,11.

Sicinium Aemilianum: Apuleius' main opponent in this trial, the brother-in-law of his wife, Pudentilla. See *Introduction* A.2 (2) and in general on his biography GUTSFELD 1992, 258-9.

senem notissimae temeritatis: the very first words about Aemilianus are strongly invective and aimed at discrediting him. The traditional insult of old age, which also occurs later in the *Apol.* (e.g. 53), is rather surprisingly combined with the element of 'rashness', a vice typical of the young, and also of the Cynics (as in 39,1); cf. MCCREIGHT 1990, 40-1, with some examples in Cicero. On the invective in general see OPELT 1965; KOSTER 1980.

[1]. A fairly similar approach may be observed in the *Fl.*, where Apuleius flatters the authorities before whom he delivers his epideictic speeches. Cf. e.g. *Fl.* 9 (eulogy of Severianus, proconsul in 162-3) and 17 (eulogy of Orfitus, proconsul in 163).

accusationem mei...: in the rest of the opening sentence, Apuleius uses the basic rhetorical element of antithesis: judge versus accuser, rashness versus forethought, charges versus insults, innocent versus guilty, insinuation versus proof. For the invective based on the opponent's manner of handling the case, see OPELT 1965, 198. For this particular phrase see MCCREIGHT 1990, 42n40, who compares C. Sempronius Gracchus, ORF 48,40 *oratio maledictorum magis plena quam criminum* (a place found in KOSTER 1980, 111).

There is an interesting discussion in MCCREIGHT 1991, 482-9 on the original quasi-religious and even magical connotation of words like *conuicium*. The *Apol.* will turn out to be not merely a defence against magic, but also a counterattack, in which words related to magic are frequently and cleverly used to harm the prosecution's case.

1,3 medius fidius: an lively interjection from colloquial language; cf. HOFMANN 1951, 30. It is first attested in a speech of Cato against Cassius (*Orationum Reliquiae* 54, ed. Iordan); further e.g. Pl. *As.* 23; Sal. *Cat.* 35,2; Cic. *Fam.* 5,21,1. It can be explained as *me dius Fidius iuuet*, an expression originally used to strengthen an oath.[1]

copia et facultas: apart from their normal meaning of 'opportunity', the words also retain something of their technical meaning of 'the ability to express oneself well and fully, command of the resources of oratory' (OLD s.v. *copia* 6). So they suggest verbal skill on the part of the speaker: taken as metaphors, the words sharply contrast with the *penuria* displayed by the accuser.

purgandae - mei: the point will prove to be crucial to Apuleius' defence: his personal justification is firmly coupled to a general defence of philosophy. As a result, any attack against the speaker will automatically be an attack against the authority of philosophy.[2] The strategy recalls 'the rhetoric of advocacy', for which see MAY 1981: a *patronus* can identify with the cause of his client and invoke the weight of his own authority in support of it.

Apuleius consistently presents himself as a *philosophus Platonicus* in the first place, both in the *Apol.* and his other speeches (cf. e.g. *Fl.* 15; *Soc.* 3).[3] The judgement on Apuleius' philosophical insight has generally been rather negative; mainly because of his eclecticism and his rhetorical imprecision (or even self-contradiction) he is often still derogated as a dilettante or semi-philosopher. For Apuleius himself, however, 'philosophy' evidently included rhetorical talent, a display of wit, an ability to present learned material, anecdotes, jokes, and exotic detail, in an exciting, brilliant style; cf. HIJMANS 1987; further MICHEL 1980; FLAMAND 1989, SANDY 1993, esp. 168-9. In fact, he may properly be seen as a unique Roman

[1]. The identity of *dius Fidius* remains doubtful. AUGELLO a.l. quotes Festus' etymology as *Iouis Filius*, i.e. Hercules. More often, it is explained as a title for the god Jupiter, who is the god of oaths; cf. OLD s.v. *Fidius*.

[2]. In this respect, the *Apol.* has been compared to Cic. *Arch.*, with its defence of poetry and culture; cf. CARBONERO 1977. However, the parallel is not exact. Most importantly, in *Arch.* the interest in poetry is concentrated upon in a proper *excursus* on poetry, whereas the issue remains central throughout the *Apol.*

[3]. It has been shown by HIJMANS 1994, 1731 that for many of the *Fl.*, philosophy is actually the context of the fragments. *Soc.* is an explicitly philosophical discourse.

specimen of a 'Second Sophist'.[1] Moreover, Apuleius shows considerable grasp of many philosophical themes and is of great importance for the history of philosophy, as has also been shown e.g. by REGEN 1971; GERSH 1986, 215ff. For example, *Soc.* is probably the most important ancient source on demonology, while *Apol.* 43 and 64 contain remarkable references to a transcendent God.

1,4 **calumniae**: Apuleius goes slightly further here by using a term with legal connotations: his opponents do not merely present silly charges and insults, but bring deliberately false accusations. For this behaviour they could be summoned to court themselves, as Apuleius knows (see below on 2,4).

1,5 **nam, ut meministi - coepere**: a long sentence, also addressed to Claudius Maximus. It combines one or two facts on Apuleius' circumstances before the trial with a series of negative qualifications of the accusation: it came suddenly, unexpectedly, phrased by advocates, and in the form of insults and insinuations of magic and murder. These negative elements also serve as excuses for the speaker, thereby continuing and elaborating on *graues* and *repentinae* in the previous sentence.

dies abhinc quintus an sextus: for a reconstruction of the days preceding the trial, see B/O a.l. From the present phrase it is sometimes concluded that Apuleius could not have written the speech as we have it now, since the time for preparation would have been too short. However, Apuleius clearly shows that the animosity had been growing for a much longer period, so that he could have prepared himself for an attack. Furthermore, he often boasts of his talent in improvisation; for these arguments cf. HIJMANS 1994, 1717-8. One may also point to the various scientific and philosophical sections in the speech, which Apuleius could have prepared well in advance; for the latter argument used for *Soc.* and its prologue, cf. HUNINK 1995, 300. On the publication of the *Apol.*, see further *Introduction* C.2.

causam pro uxore mea Pudentilla - aggressum: Pudentilla is cleverly introduced above all as Apuleius' *uxor*. Moreover, the first thing we hear is that Apuleius has been defending her interests in some lawsuit. This creates the impression of a stable marriage and a loyal, unselfish husband — the very opposite, of course, of the allegations made against him.

Pudentilla is a central figure in the speech, but as a character she stays in the background. She will not reappear until 22, and it is only in 66ff that we receive substantial information about her. For her biography, cf. especially GUTSFELD 1992, and see further *Introduction* A.2 (1).

She is probably not present in court during Apuleius' trial, as she has not been in the earlier trial referred to. Still, women were allowed to act as a witness from the time of Cicero on. MCCREIGHT 1991, 137 argues that respectable women simply did not wish to appear in court.

[1]. Regrettably, studies on the Second Sophistic hardly ever deal with Apuleius, and sometimes do not even mention him. Instead, they concentrate on Greek authors exclusively. A fortunate exception is ANDERSON 1993, 223-7, who presents the *Apol.* as a Latin example of a Second Sophistic speech; within the field of Apuleian studies, this had been observed much earlier; cf. notably HELM 1955.

aduersus Granios: many speculations have been made about the nature of this trial,[1] but we can only guess. It must have been some business affair of Pudentilla's; cf. NORDEN 1912, 139; DI VITA 1968, 189n5; GUTSFELD 1992, 261. It is equally unclear what the relation was between Aemilianus and the *patroni* of the Granii, as HIJMANS 1994, 1713 points out. Possibly, the *patroni* were the same in both trials.

There is some epigraphical evidence for the name Granius in Leptis Magna; cf. REYNOLDS/WARD PERKINS 1952, nrs. 532; 642; 708-9; GUEY 1954, 116.

agere aggressum: this is the only reference in the *Apol.* to Apuleius' activity as an orator acting in court.[2]

necopinantem: a rhetorical topos, intended to arouse sympathy. The stress on suddenness suggests that the speaker has not had much time to prepare his defence, and is partly dependent on the goodwill of the audience; cf. numerous parallels in BROWN 1914, 39-40n153. Within Apuleius' works, see esp. the prologue of *Soc.*

patroni: in the *Apol.*, the *patroni* and *aduocati* of the accusation will be presented as hardly more than stock characters, sheer embodiments of rapacity and ignorance. As to the difference between the terms, MCCREIGHT 1991, 44-4 suggests that the *patroni* did the actual talking, while the *aduocati* may have been legal advisors or simply influential men showing their support of the defendant.

incessere - coepere: three elements in rising order of weight: insults, charges of magic, and accusation of murder. This order seems calculated: attention is drawn mainly towards the innocuous first element and the absurd final element. This leaves the potentially dangerous issue of magic in the less conspicuous middle position.

magicorum maleficiorum: since *maleficium* already points to magic, *magicus* is not strictly necessary here; cf. ABT 1908, 16-7. It is to be noted that the noun *magia* is not attested before the *Apol.*, its first occurrence being in 2,2. For the terminology of magic, see also BURRISS 1936, 137-8; for that of evil see THOME 1993, esp. 61-73. The legal basis of the prohibition of magic was the *Lex Cornelia de sicariis et ueneficiis*; see *Introduction* A.1 (3).

Pontiani: another main character of the trial introduced at the beginning, Pudentilla's elder son; cf. *Introduction* A.2 (1). For his death, see 28,8 and especially 96,5.

1,6 **obiectamenta**: a hapax legomenon; cf. MCCREIGHT 1991, 277, who suggests that the artificial nature of the word expresses the artificial 'made-up' character of the charges; for Apuleian words on *-mentum*, cf. recently CALLEBAT 1994, 1645n159. Note the double assonance in *crimina iudicio* and *obiectamenta iurgio*.

ultro - prouocaui: an important detail. Apuleius has challenged his enemies to take him to court on the basis of a formal accusation. He shows himself eager to use the occasion to improve his reputation, and may even have provoked the trial as such for this very reason. Apuleius' enemies must have been astonished by this sudden turn: unexpectedly, they were required to make a formal charge; cf. NORDEN 1912, 53-4.

[1]. Cf. PAVIS D'ESURAC 1974, 99n1, who thinks of lawsuits on borders of land, as casually alluded to in c.15. The purchase of the house mentioned in c.101 has been suggested by PACK 1940, 74. Earlier, COCCHIA 1915, 42n2 thought of a 'causa di eredità' before Lollius Urbicus. VIDMAN 1977, 381 argues that 'magic' was the issue here. There is not the slightest proof for any of these suggestions.

[2]. For this, AMARELLI 1988, 137-8wn107 also refers to *Met.* 11,30 (to which 11,28,6 may be added) and *Fl.* 17,4; however, the former comes from a fictional context, whereas the latter merely mentions a stay in Rome. Therefore, these references cannot be used as evidence.

So, contrary to what Apuleius has said until now, it is the prosecution which seems to have been caught by surprise.

flagitationibus: another rare word, used, perhaps, to correspond with *obiect-amenta*. This word originally had a magical-religious sense, referring to a public expression of indignation, cf. COMERCI 1977, 302-4 (not mentioning Apuleius). See further MCCREIGHT 1991, 482-9, who argues that the entire *Apol.* is patterned on a *flagitatio*.

1,7 **latibulum temeritati**: apart from repeating the element of *temeritas*, the phrase introduces the metaphor of 'hiding' and the notion of 'cowardice'. Here, *latibulum* ('hiding-place, lair') is first used metaphorically; cf. TLL 7,2, 1005, 14-5; GCA 1985, 261. As MCCREIGHT 1990, 44 argues, it contains a clear element of animal imagery, given the usual sense of the word

There may be even more to the phrase: the recurrent metaphor of hiding (cf. e.g. 16,12-3) also implies the secrecy of magic (cf. esp. 47,3-4), which is thus subtly cast back to the accusation. This might even be extended to an allusion to Christian sympathies; cf. the discussion on 16,13.

2,1 **fratris sui filium**: the relationship of Aemilianus and Pontianus is made explicit to all: Aemilianus is a brother of the boy's father, Pudentilla's first husband.

occisum: the element of 'murder' mentioned in 1,5 now turns out be be dropped from the charges. For Apuleius' version of the events preceding Pontianus' death, see c. 94-7.

ad subscribendum: that is, to confirm the accusation by a formal signature; cf. B/O a.l.

2,2 **tacere**: F reads *tacerê*. This probably represents *tacerem*, which seems impossible to retain here. It is usually corrected to *tacere*, taken by most as a historical infinitive; cf. HELM's Teubner edition (with the Addenda et Corrigenda).[1] Emendations proposed later in this century are *tacet enim* (WIMAN 1927, 1-3), *tacuere* (CATAUDELLA 1958, 51-4) and *tacere* <*maluit*> (HELM 1977, in crit.app.). However, *tacere* involves the smallest change and is adopted in the text of all modern editions, which also agree in inserting <*ne*> and adding *-m* to *calumnia*. Perhaps it should be explained as a case of the 'indignant' infinitive and accordingly be printed with an exclamation mark; for this use of the infinitive see LHSz 2,366.

calumniam magiae: the former word already occurred in 1,4, but *magia* is first used here (see on 1,5). Since it is literally surrounded by terms referring to calumny, its potential 'shock value' is somewhat softened.

infamatur: it first sense here must be 'is alleged in an accusation'; cf. TLL 7, 1343, 16-7 paraphrasing the present case as 'criminando obicitur'. However, it also alludes to the legal-technical sense of *infamia* as 'official disgrace with loss of rights' (cf. OLD s.v. 2b), the punishment for any accuser convicted of *calumnia*. The judge and the accuser are not likely to have missed the veiled menace here. A distinction between an insult and an actual charge is, of course, not original: cf. e.g. Cic. *Cael.* 6 *aliud est maledicere, aliud accusare*.

[1]. Earlier, HELM 1904, 552-4 had already defended *tacere* but suggested a different division into sentences.

2,3 **de professo**: 'openly, overtly'. The metaphor of concealment is dominant in the present paragraph, in combination with that of war. It creates the image of a cowardly accuser, who does not dare to come out into the open and give battle.

libellum: a formal document containing a written accusation; cf. OLD s.v. 3. Only at the very end of the speech, Apuleius will quote from it; see 102,9-103,1.

Sicini Pudentis: the second son of Pudentilla and younger brother of Pontianus; cf. *Introduction* A.2 (2). Like Pontianus, he is called *priuigni mei*, which makes the relationship explicit, but he is disqualified right away by the added words *admodum pueri*, which even put him on one line with the youthful rashness of Aemilianus (see on 1,1). Apart from this invective element, there is also a legal aspect to the matter, which will be made clear in the next clause.

adscribit se ei assistere: formally, Pudens is the accuser, and Aemilianus merely supports the claim. There is some uncertainty about the precise legal situation. According to NORDEN 1912, 136-7, by the time of the trial, Aemilianus had become the boy's *tutor*, as may be deduced from later sections in the speech (e.g. 98,1 *ad patruum commigrauit*). One of the tasks of a *tutor* was judicial assistance to those entrusted to his care; cf. also MCCREIGHT 1991, 44. According to others, he was merely a *patronus* of Pudens, since the boy had by now received his *toga uirilis* (87,10); cf. MOMMSEN 1887, 491; GUTSFELD 1992, 258. In favour of the former, it may be said that Aemilianus makes use of a *patronus* himself, namely Tannonius Pudens. Furthermore, Pudens' legal responsibility as a minor was obviously limited in some way, which is the point here. Although he has received the *toga uirilis*, as a minor he may still have needed a *tutor* to act in court.[1] In either case Aemilianus' behaviour is legally correct, but the main impression given here is that he is playing a trick.

2,4 **aetatulae**: the diminutive is not as rare as might seem at first sight. It occurs in e.g. Plautus, Cicero, and Apuleius in the sense 'youth'; cf. OLD s.v. 1. For Apuleius' fondness of diminutives see ABATE 1978 and e.g. CALLEBAT 1994, 1649.

insimulationis falsae: on the basis of the *Lex Remmia de calumniatoribus*, anyone bringing a deliberately false charge could be punished. The penalty was double: first, he was subjected to *infamia* (see above on 2,2). Secondly, he was liable to the same punishment as that which had threatened the accused person. A minor did not run this risk, since he would be considered to have falsely accused without adequate insight and knowledge; cf. MOMMSEN 1887, 491-5; NORDEN 1912, 137wn2; AMARELLI 1988, 145-6. It should be noted that Aemilianus is not merely acting as a coward, as Apuleius suggests, but is actually avoiding a quite terrible risk: magic was a capital charge.

2,5 **sollertissime**: a flattering adverb, one of the numerous instances where the proconsul is praised for his behaviour. Words referring to wisdom and cleverness are almost invariably associated with Apuleius and his case, whereas their opposites belong to the other side.

2,6 **ne sic quidem - uelitatur**: the sentence contains several military metaphors and archaisms, and so strikes a slightly mocking tone. The main contrast is between bravely fighting at close quarters (*comminus*) and cowardly limiting oneself to

[1]. In 98,5, the reproach is made that Aemilianus has given the boy the *toga uirilis* as soon as he came to his house. It seems implied that this was at too early an age.

harassing from a distance (*eminus... uelitatur*); cf. *Met.* 5,11 (112,3-4) *uelitatur Fortuna eminus, ac (...) mox comminus congredietur*. For the military connotations in general see McCREIGHT 1990, 46-9; on the military and archaic *uelitari* see also GCA 1981, 189; the rare form *quitus est*, a perfect passive of *queo*, has a distinctly archaic colour, cf. examples in OLD s.v. c and B/O a.l.

Other negative elements are piled up in the latter part of the sentence: stubbornness, calumny, and worst of all, resistance to the authority of the proconsul. The last element is represented in the words *aduersum te*, which create the suggestion that Aemilianus has now extended his target and is *also* fighting the proconsul. By so distorting the facts, the speaker tries to bring the proconsul almost literally into his camp.[1]

2,7 **ab periculo... profugus**: the adjective continues the military metaphor, giving it an even more negative twist. Now that Aemilianus has not been made to take responsibility for the charge, Pudens is still the formal accuser. Still, Apuleius will consistently neglect the boy and address Aemilianus. For the type of counterattack, McCREIGHT 1990, 44 compares Cic. *Cael.*; in that speech, the youthful Atratinus is paid litlle attention to, and the real force behind him, Clodia, focused upon.

in assistendi uenia: the slightly strange combination is obviously made by analogy with *ab accusandi periculo*; HILDEBRAND aptly paraphrases 'in assistendo, ubi spes ueniae.'

2,8 **professor et machinator**: both words seem to be used ironically. The former word suggests an association with *profiteor* 'to state openly, to declare' (cf. 2,3 *de professo*), but it is actually only used for an expert in any art or a teacher (especially in the field or rhetoric; cf. OLD s.v.). The main sense of *machinator* is technical: 'engineer'. So both suggest an expertise which Aemilianus, according to Apuleius, is completely lacking. The irony is less strong in *auctor*, which here designates 'the maker of an accusation' (cf. OLD s.v. 10), but in general has very positive shades of meaning.

2,9 **ac praesertim...**: what follows is an argument *ad hominem*, bringing up earlier notorious behaviour of Aemilianus before a judicial authority: it is recalled that he has wrongly contested the validity of his uncle's will. By means of an *a fortiori* reasoning, Apuleius is able to connect that story to his present case. Moreover, since Aemilianus is likely to have acted through greed, the reference suggests the picture of the 'legacy hunter', a stock character from Roman epigram and satire; cf. STOK 1985, 384-5n160. It may further be noted that the motif of wills of relatives will return in the final sections of the speech (c.97-101), and so is associated with the prosecution well in advance. Finally, the section abounds in legal terms connected to the judicial authority, e.g. *uerum uidere*; *pronuntiare*; *ratum esse debere*; *de consilio...*; perhaps also *pernicies*; cf. NORDEN 1912, 149wn3. In between, one or two emotional expressions are used; e.g. *uecordissimus* or *aegre... temperarit;* especially in this combination, both types of words serve as verbal weapons.

[1]. B/O and most scholars take *aduersum te* exclusively with the adverb *contumaciter*, assuming that the target can only be Apuleius. This makes the syntax rather unnatural, however, and such application of logic spoils the rhetorical effect. The only adequate modern rendering is by HELM: '...sondern geht nunmehr sogar gegen dich hartnäckig aus der Ferne mit Verleumdungen vor.'

extraneum: in this context, the word forms a simple contrast to *auunculi*. Meanwhile, it also alludes to what was a key element in the eyes of the Sicinii: Apuleius was an outsider, a man who did not belong to the circle of their family.

2,10 **pro falso infamarit**: the general validity of a will had to be contested before the *praefectus urbi*; cf. NORDEN 1912, 149. The verb used here echoes *infamia* once again.

2,11 **Lollius Vrbicus**: this man was the *praefectus urbi*, as clearly results from 3,1; a detailed prosopographical survey is given by VIDMAN 1977. Lollius Urbicus was the city prefect of Rome[1] from 146 to 160, an exceptionally long period. During the reign of Antoninus Pius, excellent civil servants were often kept in office very long (cf. SHA *Pius* 5,3), so the case alluded to can date back as far as 146. But given the easy reference here, it probably took place not very long before the present trial. VIDMAN, 379 suggests a connection with 23,7 *neque enim diu est, cum te crebrae mortes propinquorum immeritis hereditatibus fulserunt*.

V.C.: *uir clarissimus*, a designation for senators, gradually developing to a standard title, cf. OLD s.v. 7; it is also used in 24,1 and 94,3. The abbreviation does not stand for *uir consularis*, a possibility AUGELLO allows for. Apuleius is eager to include references to social status; cf. also 62,4 *splendidissimus eques*. Here it must be intended to add weight to the case against Aemilianus, as may also be deduced from the repetition in the following *clarissimam*.

clarissimam: obviously referring both to its technical sense in *V.C.* and to its more literal, positive sense.[2]

consilio: the *praefectus urbi*, though normally pronouncing verdicts by himself, could use the help of an *ad hoc* formed council in cases of great importance; see e.g. Plin. *Ep.* 6,11,1 *adhibitus in consilium a praefecto urbis*, with the comment of Sherwin White a.l. A city prefect, unlike a proconsul, could invite men of consular rank to form part of the *consilium*; cf. MOMMSEN 1887, 274n3; VIDMAN 1977, 379-80.

2,12 **pernicie**: Aemilianus kept on protesting that the will was a forgery, although it had been formally declared authentic. He thereby risked a punishment for *calumnia*.[3] The strong word *pernicies* underscores both Aemilianus' recklessness and the clemency of the city prefect.

On another occasion, in 152 AD, Lollius Urbicus showed considerably less mildness, when he had three Christians put to death in Rome, as Justinus *Apol.* 2,1-2 and Euseb. *Hist.Eccl.* 4,17 say. These testimonia, to which attention has been drawn by BALDWIN 1989, add to the likelihood that Apuleius has had some knowledge of

[1]. It seems unclear how exactly Aemilianus, an African, had come into legal contact with the *praefectus urbi*. He may have been on the appellate court, or simply an authority to whom all citizens could address themselves; cf. VIDMAN, 380-1, who suggests that Aemilianus was a far relative of Lollius Urbicus, a theory based on rather shaky evidence. The mother of Lollius Urbicus may have been related to the Granii, as an inscription shows; cf. B/O.

[2]. The suggestion by KRONENBERG 1908, 310-1 to adopt the reading *clarissima uoce* of the less important MSS is unnecessary. This would even associate a positive adjective with Aemilianus, which is the very opposite of Apuleius' intentions. At best, one might think of a pun on the name of Sicinius Clarus, Aemilianus' brother, but since he does not appear until 68,4, this seems not very likely.

[3]. VIDMAN, 379wn58-9, quoting legal texts from the Digests, refers to a different punishment on the basis of the *Lex Cornelia de falsis*.

Christianity; cf. further e.g. on 16,13. Perhaps he even attended a martyr's trial, as BALDWIN suggests.

3,1 **quam quidem uocem**: Apuleius hopes that Lollius Urbicus will 'suddenly speak out'[1] against Aemilianus. Of course, this implies that the man is present during the trial, but also, I would suggest, that he cannot be called upon as a formal witness. One might suppose that he was a member of the *consilium*, but that seems unlikely for a distinguished magistrate such as he was.

quippe qui...: the rest of the sentence repeats two points already made before. We may observe the stately expressions *apud praefectum urbi* and *in amplissima causa*, added to glorify Lollius Urbicus and his judicial authority.

sciens... mentiens: the rhyme establishes an analogy between the earlier case and the present one. For the unclassical construction *mentiens conuictus est*, see GCA 1981, 173.

3,3 **pudor ueluti uestis**: the comparison is not original; HILDEBRAND refers to Pl. *Mos.* 162-3 *modestiam... detexit... tectus qua fui*. Here it is carried further in a strong image, presumably triggered by the preceding *apertius*. That adverb denotes 'shamelessness' (cf. also 4,11 *aperto mendacio*) but is also suggestive of worn-out clothes leaving the body uncovered (cf. also 7,2 *nihil... corporis apertum*). In addition, it brings back the recurrent metaphor of 'hiding' (see on 1,7).

3,4 **pro integritate pudoris mei**: the basic association of *integritas* is moral, but it equally continues the image of the garment: for his part, the speaker wishes to maintain his *pudor* 'undamaged' (cf. OLD s.v. *integer* 7). The whole sentence serves as introduction to the elaborate justification yet to come.

3,5 **sustineo - defensionem**: the point was already made in 1,3, and will remain central to Apuleius' defence. Here philosophy is personified: her greatness rejects the slightest blemish. The effect is enhanced by the *m*-alliteration throughout the sentence.

pro maximo: F reads *pro ##ximo* with two letters erased. The second word is corrected to *proximo* in ϕ, a reading recently adopted by AUGELLO. However, all other modern editors follow HELM in printing the simpler correction *maximo*.

3,6 **propter quod**: according to HILDEBRAND it is the equivalent of *propterea quod*. The words must then be constructed with *sustineo - defensionem*, and this is what most scholars do.[2] However, the normal meaning is 'for which reason'; cf. OLD s.v. 3b. This makes even better sense, constructed with *cuia - aspernatur*: Aemilianus' legal advisers have poured forth their fictions precisely *because* they knew that Philosophy considers minor reproaches as major charges. They have consciously touched her on a tender spot.

mercennaria loquacitate effutierunt: the adjective, the noun, and the verb are all very negative. Their implications will be developed in the next sentence. For the phrase cf. Quint. *Inst.* 12,1,25 *non instituimus... mercennariam uocem* (quoted by OLD s.v. *mercennarius* 3). For *effutire* cf. *Fl.* 3,8 *(Marsyas) de se et Apolline quaedam deliramenta barbare effutiuit*.

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1. For *erumpere* used of a voice, scholars recall passages in Cicero, e.g. *Vat.* 15 *erumpet enim aliquando ex me uera uox*. However, as HIJMANS 1994,171 1n7 rightly argues, this is probably no more than standard courtroom language.

2. Actually, most translators avoid showing a clear choice by merely starting a new sentence, without rendering the words in question.

3,7 **quae etsi - locare**: the sentence fully brings out the image of advocates uttering commonplaces against philosophy, only for the money. Generally speaking, in antiquity the motif of financial gain was associated with a low social status. Therefore, the reproach of commercial interests could become standard invective; cf. OPELT 1965, 126n4; 213. Here it also provides a sharp contrast to Apuleius' own scientific behaviour, which is pictured as disinterested and lacking financial motives; cf. 40,3 *philosophi... qui illis* (sc. fishes) *non ad quaestum, sed ad suppetias usura est*.

One cannot help noticing that Apuleius is so negative on lawyers here and on several places in the *Met.* Perhaps this may explain his nearly complete silence on his own early career as a lawyer: he may have wanted to avoid being associated with the 'lower' forms of the lawyer's trade; for this point see NORDEN 1912, 15-26.

utiliter: the first of a series of words in this sentence directly related to 'money': cf. also *mercedem*, *auctoramento*, *depensa* and *locare*. This abundance must be deliberate, and there is no need to change the text here; cf. also HELM 1904, 524 for parallels of *utiliter* used in this sense.

blaterata: this colloquial word (cf. GCA 1977,179) depreciates the advocates' oratory as mere 'babbling'; cf. also *Apol.* 34,2; *Fl.* 9,7; *Met.* 10,9. However, it should be noted that it refers to animal sounds as well; OLD s.v. *blatt-* 2 points to rams and camels; TLL 2, 2049, 64-7 also cites some late examples for frogs.

auctoramento: a word with a very negative ring; cf. *Met.* 9,9 (209,16) *auctoramentum... sceleris*. It is used especially of the fee paid to gladiators; cf. NORDEN 1912, 175-6wn4. Gladiatorial imagery in speeches is not new; cf. IMHOLZ 1972 on Cic. *S.Rosc.* In the *Apol.* it will return at the end (see on 103,4 *septem pennis*).

quodam: it is often thought that in Apuleius' works the word has lost so much force as to become the equivalent of an indefinite article. However, it appears to retain a stronger sense; cf. VAN MAL-MAEDER 1994, who mentions this case as an example of 'effet intensif' (224n52).

rabulis: Colvius' proposal for F's *fabulis* is certainly correct. Its sense 'ranting speaker' provides yet another negative qualification for an orator. Cf. Cic. *Orat.* 47 *non enim declamatorem aliquem de ludo aut rabulam de foro sed doctissimum et perfectissimum quaerimus*; further *de Orat.* 1,202; Quint. *Inst.* 12,9,12.

linguae suae uirus: the animal imagery is indisputable: the accusers are compared to snakes, as Aemilianus himself will be in 8,3-4. It was a stock element in invective; cf. MCCREIGHT 1991, 53-4. For *uirus* as a term of evil, see THOME 1993, 453-5.

3,8 **friuolis**: Apuleius suggests that what is to follow can hardly be taken seriously and the sentence provides his excuse for entering into this sort of detail. He may well aim to show, as HIJMANS 1994, 1762n167 rightly says, that the prosecution lacks the insight to deal with fundamental matters. In reality, the attacks on his reputation seem to have been a matter of serious concern to him (cf. above on 1,6).

3,9 **pudentis animi**: it seems difficult to overhear a pun on the name of Pudens: someone who is really *pudens* and *uerecundus* acts quite unlike Pudens. In the Apuleian corpus, *animus* and *anima* are used without a clear terminological distinction; the former is more frequent; cf. HIJMANS 1987, 455-7.

3,10 **quod, si**: older editors often printed a full stop and continued with *Quodsi...*, but cf. HELM 1904, 555. The slightly elliptical clause has a normal causal sense: they are used to ill report *because*, even when others remain silent, there still is their conscience, which may be thought of as an inner voice continuing the reproaches.

3,11 rudis et imperitas: an effective inversion: Apuleius constantly launches charges of uneducatedness at his opponents, but as far as 'ill report' is concerned, it is he himself who appears a novice; cf. McCreight 1991, 352n8.

multo tanta: for the colloquial expression see B/O; Callebat 1984, 156wn81; GCA 1981, 178-9.

3,12 oppido friuola: the thought has been expressed already. *Oppido* is a word grown obsolete in the time of Quintilian (cf. *Inst.* 8,3,25) but used eight times in the *Apol.*; for similarly resuscitated words, see Callebat 1994, 1644n153.

uorti: F's spelling is not consistent in a number of words, such as *uertere/uortere*. Unlike most editions of the *Apol.*, the present edition has made no attempt at normalisation, and the spelling of F has been retained wherever possible; this is the practice followed by Helm in his Teubner edition and in GCA; cf. also explicitly on this word Hijmans 1994, 1776-7. See further *Introduction* E.1 (1).

illis... non mihi...: for the thought, cf. [Cic.] *Sal.* 4,12 *quae si tu mihi ut uitia obicis, temeritas tua reprehendetur, non mea uitia culpabuntur*. The final word, *diluisse*, subtly evokes the image of 'stains' again, as in the preceding *macula* (3,8).[1]

4-5 Subsidiary charges (I): beauty and eloquence

My opponents have called me a philosopher who possesses beauty and great eloquence. I wish both were true! Although philosophers are entitled to be charming, the fact is that my appearance is far from beautiful, due to my continual study. And if I were eloquent, it would be a deserved reward for my lifelong training. But if innocence is eloquence, as the poet says, then I do claim to be really eloquent.

After the conventional proem, one would expect a proper *narratio* to follow soon. However, the *narratio* and *argumentatio* concerning the actual charges are postponed until as late as c.66. In between, Apuleius deals with a great number of topics related to his life and reputation (cc.4-27) and his activities (cc.28-65). As to the choice of *status*, Apuleius seems to work largely *a definitione*: he does not refute all of the charges, but attempts to show that both his lifestyle and his activities are those of a philosopher; cf. Hijmans 1994, 1761. Technically speaking, the entire section cc.4-65 may be said to be *extra causam*, since it is not directly related to the legal issues to be judged.

But, as has been observed above, the elements discussed here were probably very important for Apuleius. He wants to be judged for his life as a whole, rather than for the deeds in question. We may go even further: the legal matters in 66ff will appear to be so clear as to be hardly a matter of real worry for him, since he can easily prove his innocence by means of various written documents. By contrast, the possible blemishes on his reputation are much more difficult to combat, and are likely to have bothered him much. In that sense, the very long section cc.4-65 is obviously to be

[1]. The recently found 'Assisi fragments' of the *Apol.* show an exemplary error here: the words *obiectasse - haec* have been omitted by the scribe, whose eye must have slipped from the first *etiam haec* to the second; cf. Robertson 1956, 70.

considered quite the opposite of a series of digressions: it constitutes the core of the speech.

The overall impression Apuleius wants to create is that he is a decent, learned philosopher, engaged in honourable study for the sake of science and the advancement of knowledge. As a Platonist he is an exponent of the higher culture of Greeks and Romans, an element which he is sharing with the judge, and to some extent with the audience,[1] but from which the prosecution is expressly excluded. The accent on high culture strengthens his case, since he can operate with great ease in this area. Numerous literary references and quotations are inserted to illustrate this. Thus, in the first section, cc.4-5, lines from Homer and Caecilius are referred to, and the names of the philosophers Pythagoras, Zeno and Plato are given as authorities.

Especially in the first sections, cc.4-27, it may be observed that Apuleius takes up what seem minor elements, blows them up to considerable charges, and then easily refutes them, often using much satire and wit. He does not shun wordplay or false arguments to make fun of his opponents. At the same time, even in these first paragraphs magical elements may be detected under the surface, which seem to be carefully avoided by the speaker. This can be seen already in the opening paragraph on beauty and eloquence (see below).

The form of reasoning often is one of several 'layers': 'I am not X. But even if I were, the case would be either Y or Z; if it were Y, it would be quite legal; and if it were Z, it would be absurd.' One is reminded of the type of reasoning found in e.g. the fragments of Gorgias or the sceptic treatises of Sextus Empiricus. It allows the speaker to deal with various possibilities and arguments from a safe starting point, and to reinforce his case at every added level.

For the present case of 'beauty and eloquence' a fascinating parallel can be drawn with *Fl.* 3. Here, the beautiful Apollo, supported by the Muses, is challenged by the ugly barbarian Marsyas, who even condemns the god's elegant appearance. Of course he is easily defeated by the god, who even feels somewhat ashamed about such a victory (*Fl.* 3,14). In that fragment, composed at a later date than the *Apol.*, Apuleius clearly identifies with Apollo. It brings out a vehement threat, which here seems to be under the surface.

The judicial relevance of cc.4-65 seems marginal at best: the topics dealt with are related to reproaches made against the speaker's lifestyle and activities, and as such they represent social biases and current opinions. These enable the speaker to deal with a wide range of interesting subjects, extending to the fields of philosophy, religion, and science. The diversity of subjects and the wealth of material is so great as to make the *Apology* exceed the usual limits of a speech delivered before court. On the problem of the intentions of the speaker and the publication of the speech, see *Introduction* C.2.

As has been briefly observed above, many topics appear to be far less innocent and frivolous than they seem at first sight. In many cases a link with magic may be observed, although Apuleius takes great pains to deny or ignore this; in general, see Abt 1908.

[1]. Apuleius' celebration of culture is at the same time a celebration of himself, since he represents it; he thus becomes the person with whom the audience can identify. He appeals to a common ideal of culture, and the public is given the feeling that it forms part of the community of *litterati*.

Concerning beauty and eloquence, scholars usually point to rather innocent associations. Both attributes seem to belong to the normal image of an elegant, eloquent Second Sophist; cf. HAHN 1989, 49-50.[1] So, the accusers may have warned the proconsul to be on his guard against the impressive speaker Apuleius, as THOMPSON 1978, 2-3 thinks; cf. already B/O a.l. But the charges implied may be more serious. According to ancient standards, excessive grooming could easily be interpreted as a sign of weakness and moral flaws. In particular, both speech and elegant appearance had connections with magic; cf. ABT, 18-9. A specific element in the present section is 'hair', which is easily considered as a symbol of a person, and as such is commonly used for magical purposes; for ancient cases see ABT 1908, 104; 107-8. A clear case in Apuleius' own works is *Met.* 3,16-8.

As a whole the passage testifies to Apuleius' keen interest in external appearance and the art of physiognomy; in general cf. EVANS 1941; GLEASON 1995, 55-81; for Apuleius in particular also MASON 1984.[2] The passage seems to have inspired ancient portraits of Apuleius; there is a coin from the 4th century AD which shows Apuleius wearing elegant, long hair; cf. SCATOZZA HÖRICHT 1986, 236-9; HÄGG 1983, 167.[3]

4,1 **audisti**: the new section equally opens with a direct address of Claudius Maximus. It is of course not implied that he needs to be reminded of the charge; the speaker rather intimates his self-confidence, as well as his excellent relations with the proconsul.

accusamus...: Quint. *Inst.* 5,13,27 remarks that one should never verbally quote charges and accusations of the prosecution, except on the occasions when they may be made fun of.[4] That this is the case here, appears already from the ironical comment -- *pro nefas!* -- inserted in the quotation. For a full list of cases where Apuleius seems to be reading from the actual charges of the prosecution, see ABT 1908, 8n2; however, as HIJMANS 1994, 1712 rightly remarks, we should not try to reconstruct the prosecution's case on the basis of Apuleius' text, which simply cannot be relied on for this. For the initial position of the verb *accusamus*, here probably due to a courtroom formula, cf. MÖBITZ 1924, 118.

formonsum et... disertissimum: for the combination, MCCREIGHT 1991, 58 compares Sen. *Con.* 2,4,11 *quasi disertus es, quasi formonsus es, quasi diuus es*.

tam Graece quam Latine: Apuleius' mastery of both Latin and Greek had already made him famous in antiquity: cf. August. *C.D.* 8,12 *in utraque autem lingua, id est Graeca et Latina, Apuleius Afer exstitit Platonicus nobilis*. It is amply illustrated by passages in Apuleius' own works, e.g. the numerous Greek quotations in the *Apology*; further c.36,6 *eadem Graece et Latine*; 38; 87,4; *Fl.* 9,29 *tam Graece quam Latine*; 18,38-42; *Soc.* praef. In general, it may be added that most of his extant works appear

1. Some compare the portrait of Lucius in the *Met.*, which fits in quite well with the self-portrait of a *iuuenis formosus* here; cf. SALLMANN 1988, 90-1.

2. Among the doubtful works attributed to Apuleius, there is a Latin treatise on physiognomy, which is partly an adaptation of the equally extant Ps.Arist. *Phgn.*; cf. HUNINK 1996b, appendix (with further references).

3. Methodological problems loom large here. SCATOZZA HÖRICHT takes *uides - quam delicatus* at face value as a self-description, disregarding the irony and the following details on the unkempt hair. She also wrongly renders *delicatus* as 'effeminata'.

4. I owe the reference to HIJMANS 1994, 1712, but he does not mention the present passage.

to be modeled on Greek originals. Quite clearly, Apuleius is proud of his proficiency in both languages of culture: in general, eloquence and learning contributed to one's social prestige; cf. for Apuleius: IFIE / THOMPSON 1978, 30-1.

One may ask in how far this Greco-Latin bilingualism was exceptional. Knowledge of Greek was, if not widespread, at least solidly established in Roman culture in the West.[1] This would suggest that some command of Greek was considered fairly normal in the Roman upperclass; for many Second Sophistic speakers, Greek was even the everyday language. In the Roman province of Africa, the situation was slightly different, due to the predominance of Latin as the main cultural language. It should be remembered that Apuleius' native language was probably Punic, and that his great mastery of Latin is an achievement in itself.[2] So a combined fluency in both Greek and Latin was rare indeed in Africa. This may also appear from some African inscriptions: ILA 1362,1364 *utraque lingua eruditus*; CIL 88500 *utriusque linguae perfecte eruditus* (quoted by FICK 1987, 291); cf. also VÖSSING 1991, 269-70; 343.

pro nefas: the ironical interjection may also be an etymological pun to be appreciated by the learned: the element of 'speaking' (*fari*) immediately returns in *disertissimum*; in 5,5 this same pun will be made for the benefit of the entire audience; cf. MCCREIGHT 1991, 64.

4,2 **Tannonius Pudens**: the *patronus* of Aemilianus is introduced without any comment.

homo... non disertissimus: the contrast with the eloquent Apuleius is obvious. More subtly, Tannonius Pudens is called merely a *homo* instead of a *philosophus*. For the negative qualification *homo*, as against e.g. *uir*, cf. SANTORO L'HOIR 1992, 9-28; 184-5.

4,3 **utinam... uere**: throughout the speech, there are many indications that Apuleius actually considers himself both elegant and eloquent; cf. explicitly 92,5 *iuuenis neque corpore neque animo neque fortuna paenitendus*; further e.g. 87,4.

tam grauia... crimina: cf. *Fl.* 3,13 *risere Musae cum audirent hoc genus crimina sapienti exoptanda Apollini obiectata*.

Homericus Alexander: the first of a number of references to Homer; here *Il.* 3,65-6. For a full list of interruptions and quotations in the speech, see HIJMANS 1994, 1742; for Homer in the works of Greek Second Sophistic orators, see KINDSTRAND 1978. The present quotation in Greek provides a sample of the speaker's familiarity with Greek, mentioned just before, and of his erudition. Moreover, it connects 'beauty' to the realm of the gods. All of this is obviously intended to impress the audience.[3]

Apuleius' identification with Paris may properly be called daring, given the bad reputation of this mythological character. Besides, Paris *did* choose 'the glorious gifts

1. Greek was associated on the one hand with slaves and the lower social classes, and on the other hand with the 'private area' of the cultural elite; for Rome, cf. DUBUISSON 1992; for Africa, FICK 1987, 290-4. The use of Greek in private correspondence is firmly attested in the *Apol.* itself, by the letter of Pudentilla discussed in 82-4.

2. A trace of the considerable difficulties involved in this seems present in *Fl.* 9,6-8, where Apuleius argues that he must always take care to avoid soloecisms. It is tempting to adduce *Met.* 1,1 also, but that passage cannot be taken as autobiographical.

3. Apuleius was not the first Latin author who included quotations from Greek poetry; cf. e.g. for Cicero's prose: JOCELYN 1973.

of the gods' by awarding the prize to Aphrodite, as Kirk on *Il.* 3,65-6 rightly remarks. On many occasions in the speech, Apuleius seems to be deliberately playing with fire.

4,5 **munera - obtingunt**: the authenticity of the explanatory sentence has often been questioned by scholars, most recently by AUGELLO. However, there is nothing un-Apuleian in the style nor any problem in the MSS as to justify its exclusion. On the contrary, the Latin paraphrase of the Greek seems functional here: it softens the possible shock effect of the first Greek words, which the audience would probably not have expected. In addition, the rather free rendering of the final clause pleads in favour of Apuleian authorship, not against it.[1]

respondissem: the 'modus irrealis' conspicuously carries on the feigned modesty of *utinam... uere*.

4,6 **etiam philosophis**: a new, rather facile argument. It enables the speaker to reaffirm his identity as a philosopher belonging in the company of the great, and to display his knowledge of the history of philosophy.[2] The names dropped are significantly diverse and authoritive: the legendary 'holy man' Pythagoras (who will return many times later in the speech), the famous Eleatic philosopher Zeno and, as a climax, Plato. Presocratic philosophers and classical sophists are mentioned frequently in both *Apol.* and *Fl.* One may note the use of long or otherwise impressive words thoughout 4,6-9.

4,7 **Pythagoram**: for Pythagoras' beauty, editors point to *Fl.* 15,12 *pulchritudine adprime insignis*. One can perhaps extend the reference to *Fl.* 15,6-11, which describes a statuette of a handsome young man, wrongly thought to be Pythagoras. From this we may conclude that Pythagoras' good looks had become part of his reputation.

primum: the text is often changed to *primus*, resulting in a standard *qui primus* statement (as in 4,8); for which cf. VALLETTE 1908, 172-3. However, F's reading *primum* can be retained. It is best interpreted as an adverb 'for the first time', or, less likely perhaps, taken as an adjective with *se*: 'who said he was the first philosopher.' For Pythagoras as the first philosopher, cf. *Fl.* 15,22 *primus philosophiae nuncupator et conditor*.

4,8 **Zenonem**: this is the only passage in the Apuleian corpus where the Eleatic philosopher is mentioned. Zeno is perhaps most famous for his paradox of Achilles and the tortoise. He was born in the town of Elea, situated in Lucania.

ambifariam dissoluerit: an obscure phrase involving both a textual and a philosophical problem. As to the former, it is generally thought that the verb needs an object. B/O insert <*argumenta*> before the phrase, on the basis of *Fl.* 18,23 *anceps argumentum ambifariam proposuit*, and this is adopted by most editors.[3] It makes good sense but remains difficult to defend paleographically: how could such a striking word have been omitted? Perhaps the verb refers to the method in a rather elliptical manner, and does not absolutely require the insertion of a noun, although this use is

1. HILDEBRAND argues that if the lines had been added later as a gloss, they would have been in verse, like the Latin verse translations added in some MSS to epigrams of Plato in c.10; see on 10,8.

2. This does not imply extensive research by Apuleius. The point made here is likely to have become a cliché. It seems beyond doubt that there was much discussion on *formositas* among Second Sophists; cf. HIJMANS 1994, 1727n46.

3. BRAKMAN 1928, 182 proposes <*syllogismum*>. TLL 1, 1838 prints *omnium* <*omnia*>, which would at least allow for a paleographical explanation. HELM (1977) suggests the Greek word <*aporias*>, spelled in either Greek or Latin. In his Teubner edition HELM merely indicates a lacuna.

unparallelled; thus e.g. MARCHESI and MOSCA. The adverb *ambifariam* is rare; for lexicographical study see MCCREIGHT 1991, 468-71; cf. further *bifariam*, in *De int.* 12.

But what does the phrase mean? Most editors assume that it refers to Zeno's method of defending theses of his master Parmenides by showing the inconsistencies implied in their opposites, i.e. by *reductio ad absurdum*, cf. B/O; VALLETTE, MORESCHINI. Alternatively, HELM (1977) refers to Plato *Phdr.* 261 D, where Zeno is pictured as making things appear to his hearers to be alike and unalike, one and many, stationary and in motion. MOSCA similarly thinks that the adverb refers to the use of dialectic, and to the method of looking at a problem from both sides. It seems hardly possible to decide here; cf. OLD s.v. *ambifariam*: 'in a way that places an opponent in a dilemma; also, in a way that proves an opponent's arguments to be self-contradictory.'

ut Plato autumat: Plato *Parm.* 127 b, where even the story that Zeno was the *paidika* of Parmenides is mentioned. The subject of love for boys was relevant for Apuleius, as appears in cc.9-12. Here, he remains silent on it.

eum quoque Zenonem: a repetition in the habitual style of Apuleius. It is often used with names because it enables the speaker to provide some further information on a known or unknown name and easily resume his thought, and it also contributes to the impression of an oral performance. Cf. above 4,7 *eum*; further e.g. 17,7 *ei igitur Manio Curio*; 22,10 *ipse Hercules... is tamen deus*; 58,5 *hunc igitur Quintianum*; further *Met.* 1,2 (2,8) *eam Thessaliam*; *Fl.* 6,2 *eorum igitur Indorum*; 7,4 *eius igitur Alexandri*; for many other examples see HELM 1904, 516-22; BERNHARD 1927, 306-7; REGEN 1971, 104-6, who even adduces the use of this stylistic device in support of authenticity of *De Mundo*.

4,9 **ab ore honestissimos**: the primary reference is, of course, to a beautiful external appearance; for *honestus* as *pulcher*, cf. GCA 1981, 221; for the colloquial use of *ab* see B/O. Secondly, it can also refer to the honourable doctrines uttered by these *multi philosophi*, thus anticipating *morum honestamentis*.

4,10 **litterati laboris**: by means of some picturesque, probably slightly exaggerated, details, Apuleius pictures himself as a scholar sacrificing his health for his studies. For intensive studies as physically detrimental, cf. e.g. Pers. 1,26 *pallor seniumque*; 5,62.

4,11 **capillus**: the motif of hair is presented in a brief description. Its first association here is that of luxury and dandyism, but it has clear magical connotations as well; see the general discussion of 4-5. As a literary topic, hair had already become traditional in Apuleius' time. Cf. e.g. Petr. 109, where Eumolpus delivers a *capillorum elegidarion*; Suet. *Dom.* 18, where Domitian is said to have composed a book *de cura capillorum*.[1]

Hair is also a recurrent motif in the *Met.*, intimately connected to the central themes of 'loss' and 'salvation'. One may think e.g. of the fascinating long hair of Photis praised in *Met.* 2,8, and Lucius' proudly shown baldness in the last line of the novel. Cf. ENGLERT /LONG 1973; further DOWDEN 1993, 103; and GCA 1985, 288-9. In *Fl.* 3, hair is a dominant motif too.

1. The opposite, baldness, proved an equally rich literary topic. A long Greek encomium of baldness by Sinesius of Cyrene (4th century AD) is still extant.

lenocinium: a noun belonging to the context of physical attractiveness and cosmetics, but with a rather negative connotation.[1]

4,12 **horrore implexus...**: Apuleius counters the attack by picturing himself as a philosopher wearing long, unkempt hair, a common image in his time; see MCCREIGHT 1991, 59. For long hair, cf. also Lucian, *Alex.* 11. A certain neglect of one's external appearance and 'shaggyness' were considered to be typical for the traditional Roman male, as appears from many examples in Roman historiography, satire, and epigram.

The passage closely resembles the description of the hair of the ass in *Met.* 6,28, esp. *caudaeque setas incuria lauacri congestas et horridas* (150,12; cf. GCA 1981, 51-3); and that of the barbarian Marsyas in *Fl.* 3,6 *uulto ferino, trux, hispidus, inlutibarbarus, spinis et pilis obsitus... belua*. Here the 'monstrous' qualities that the speaker attributes to himself are intended ironically, as appears from *uides quam sit amoenus ac delicatus*. By making fun of himself, he is clearly also playing upon the audience's sympathy.

inenodabilis: Apuleius seems to be the first author using the adjective in a literal, etymological sense; cf. CALLEBAT 1984, 155. Just as the following *expediendi* and *discriminandi*, it refers to handling hair, as well as to handling intellectual questions; cf. MCCREIGHT 1991, 59-60. One may perhaps add *comendi*, which can also be used of embellishing in speech or writing; cf. OLD s.v. 1b.

4,13 **crinium crimen...**: the sound effect makes the charge seem even more ridiculous. This is reinforced by the surprising, self-confident pun *quasi capitale*: the serious *crimen capitis* (cf. *Met.* 9,40 (234,14) *capitalem causam*) for which Apuleius is presently standing trial, is reduced to a mere trifle, a 'charge concerning one's head.'

5,1 **si qua mihi fuisset**: a repetition of 4,3 *utinam... uere*. Here the false modesty becomes quite conspicuous. By now, the audience will already have gained a good impression of Apuleius' outstanding qualities as a speaker. The present sentence, with its impressive accumulation of 'extremes', is actually providing a good example of it. The denial of eloquence here also increases the effect of the opposite assertion in 5,3-5.

neque inuidiosum: subtly, it is suggested that the opponents have raised the issue of eloquence out of sheer jealousy.

super omnis homines: strictly speaking, the comparison with other people refers only to the amount of *labor* invested, but the implication is clear: the speaker considers himself superior in his art to all men, notably his accusers. One may observe how *studia litterarum* and *eloquentia* are intimately connected. There is no silent shift from philosophy to rhetoric here, as one might think: in Apuleius' conception of a *philosophus*, eloquence is a key element.

5,2 **potius - praesto**: another convincing example of the very proficiency the speaker disclaims.

5,3 **Statium Caecilium**: it is significant that, after the Greek Homer, the first Roman author to be mentioned in the speech is not Virgil or Horace, but the archaic poet of *fabulae palliatae* (who died in 168 BC). In accordance with the current literary taste of his time, Apuleius shows a clear preference of non-classical poets; cf. MATTIACI 1986; esp. 191-2 on Caecilius. In Apuleius' works the comic poet is mentioned only here.

[1]. Possibly, the more obscene sense of 'brothel-keeping' is in the background here already. It would cast the element discussed here back to the opponents: later in the speech, one of them will actually be called a pimp (*leno*, 98,1) and will be described as such (75).

poematibus: the ending is not the one used by archaic (and classical) authors, who generally write *poematis*.[1] On such Greek endings in Apuleius in general, cf. VAN DER PAARDT, 132.

dicunt: the indirect reference is somewhat surprising here. Possibly Apuleius does not want to create the impression that he is too familiar with Caecilius, who is critized by ancient authors for his 'rough' style; cf. MATTIACI 1986, 192wn115. Other explanations are possible too: perhaps his works were already partly lost in Apuleius' days, or Apuleius simply did not read the line in question himself, as AUGELLO and HELM (1977) suggest. But it may also be argued that an indirect reference provides more room for manipulation by the speaker (see below). Probably the easiest explanation is that the indirect construction turns the somewhat pedantic reference into an almost proverbial phrase known to all, which the speaker can proudly apply to himself.

innocentiam eloquentiam esse: the indirect quotation is given in Caec. Fr. 255 (Warmington), which starts with a line quoted in Cic. *Tusc.* 3,56: *saepe est etiam sub palliolo sordido sapientia*. For the combination of innocence and eloquence, cf. Tac. *Dial.* 11,4 *securitatem melius innocentia tueor quam eloquentia*; also Nep. *Ar.* 1,1 (eloquence prevailing over innocence). For *innocentia* cf. also *Apol.* 3,1 *innocentia fretus*; 11,6 *natura uox innocentiae... distributa*.

Possibly, Apuleius is manipulating the poet's words here, as he will appear to do with Plato's words in 26,4. There might be some deliberate confusion in the sense of *innocentia*, a word which refers to integrity and freedom of guilt, but originally to 'harmlessness.' More importantly, perhaps, is the fact that there is an ambiguity in the syntax: nearly all translators render 'innocence is eloquence', as seems most natural here. The thought then would be: 'innocence is eloquence. I am innocent, therefore I am eloquent.' But in fact, in the original line, the syntax may well have been the reverse: 'eloquence is innocence'.[2] The implication would now be quite different: 'I am eloquent, therefore I am innocent.' Given the close combination of *innocentia* and *eloquentia*, the latter thought seems to impose itself on the audience regardless of the exact syntax.

5,4 **quis enim...**: the three puns correspond to common ancient etymologies. *Eloquentia* was connected with *eloqui*. Both *nefas* and *facundus* were connected with *fari*; cf. e.g. Var. *L.* 6,52 *ab eadem uoce [sc. fari] qui facile fantur facundi dicti*; Schol. Hor. Ars 217. *Disertus* was derived from *disserere*; cf. Var. *L.* 6,64 *translaticio ex agris uerbo: nam ut olitor disserit in areas sui cuiusque generis res, sic in oratione qui facit, disertus*; for more places cf. MALTBY 1991, s.v. Of course, *eloquens*, *facundus*, and *disertus* are hardly more than synonyms here, allowing the speaker to triplicate his pun.

5,6 **ut iam de uorsibus...**: an easy transition to the next topic: it is presented as a concrete example of the preceding thought that the speaker can discuss any element of his private life in public; cf. the repetition *dissertabo*. Such claims were common in

[1]. Cf. only Suet. *Tit.* 3,2 *Latine Graeceque uel in orando uel in fingendis* poematibus *promptus et facilis ad extemporalitatem usque*. This description of Titus would fit Apuleius too.

[2]. VIAREGGI seems the only one to have noticed the point. He translates 'se poi è vero che l'eloquenza è innocenza...'

epideictic and extemporized speeches; particularly by handling trivial or absurd[1] subjects, a speaker could prove his proficiency.

cum risu: Apuleius' laughing mocks the opponents' lack of eloquence and culture. Possibly, this laugh is mentioned here to soften *suscensentem*, which otherwise might seem too strong in view of the allegedly trivial nature of the poems in question. Another function of the word *risus* here is to invite Claudius Maximus, addressed in *animaduertisti*, to join in the fun.

6-8 Subsidiary charges (II): a poem about toothbrushing

A short poem of mine on dental hygiene has been read to you. But why should I be ashamed of it? A philosopher surely must take care of his mouth, the part of his body which distinguishes man from animal. Indeed, teeth are more worthy of care than feet, which everybody is in the habit of washing. However, if one is going to open one's mouth only for insults and calumny, like Aemilianus, it is better to leave it uncleaned as it is. Finally, care of the mouth is practised even among animals, as the example of the crocodile shows.

The second minor charge concerns the apparently trivial subject of oral hygiene, on which Apuleius has written a poem. As a whole, it seems a logical sequel to the preceding charge of beauty and eloquence. It also prepares for the next section on love poems.

Apuleius starts by rereading his poem aloud and denying any harm or wrong in it. He also adds positive arguments why a philosopher should pay attention to his mouth. These arguments reflect rhetorical exercises and scholarly discussions on the essence of man, and also include much invective and strong wit. The contrast between man and animal, and between good and bad, is consistently exploited. This also implies that the malignant accusers are to be associated with beasts rather than men.

On the literary level, the most striking element is the poem itself. It seems to have been included not only to show that Apuleius is the better reciter, but also to give a pleasant impression of his literary talent, and to amuse and divert the audience, if only by making fun of the accusers. Rhetorically, the reciting makes the speaker seem self-assured and fearless, openly countering the insinuations made against him. The quotation of Catullus, whose influence is dominant in the whole passage, confirms this self-assured attitude. On the whole section see TATUM 1979, 117-9 and especially MCCREIGHT 1990, 49-56; for the poem see COURTNEY 1993, 392-3; further STEINMETZ 1982, 339-41; MATTIACI 1985, 242-9.

The section contains very little that is not related to philosophy and literature. One may point to the motif of toothbrushing, a subject of daily life of which we do not know a great deal, and to the various references to animal life, which may also reflects interest in zoology. Magic seems only marginally present, in the lines on 'exotic

[1]. Cf. subjects like *laudes fumi et pulueris* or *laus neglegentiae*, discussed in letters of Fronto.

remedies' (cf. ABT 1908, 20-1) and on urine (6,5).[1] It seems possible that the accusers have come forward with the poem for its magical, frightening associations, but these are almost completely ignored.

6,1 **ludicris**: 'trifles', a word clearly referring to a genre of light poetry, as usually expressed by *lusus*; e.g. Plin. *Nat.* 7,9,10; for *ludicra* in an already similar sense cf. Hor. *Ep.* 1,1,10 *nunc itaque et uersus et cetera ludicra pono*; see Mayer a.l.; for examples after Apuleius, see TLL 7, 1763, 70ff. There is some external evidence that Apuleius has actually composed poems under this title: cf. SHA, *Vita Clod.Alb.* 12,12 *inter Milesias Punicas Apulei sui et ludicra litteraria*; Nonius 68 quotes even another fragment: *Apuleius in libro Ludicrorum: 'sed fuisti quondam Athenis parcus atque abstemius'*.[2]

epistolium: for epistles in verse, one might think of Horace. However, the rare Grecism (also used in 79,1) specifically calls to mind Catullus 68,2 *conscriptum hoc lacrimis mittis epistolium*. Catullus is clearly one of Apuleius' models here; cf. the quotation in 6,5.

dentifricio: on toothbrushing and ancient recipes for toothpowder, cf. Plin. *Nat.* 28,178-82, further RE s.v. *dentifricium*. The practice of cleaning one's teeth is attested in poetry as well. Cf. notably Catullus' references to it in his Egnatius poems (37,19-20 and 39, referred to below); further Mart. 14,56, which is a *xenion* accompanying a gift of *dentifricium*, as here; and Ov. *Ars* 3,216.

Calpurnianum: apparently not a friend of Apuleius, as AUGELLO suggests, but one of the helpers of the prosecution, as the rest of the sentence shows; cf. also Apuleius' disparaging *quendam*. Therefore, he may well be the accomplice mentioned in 60,2, as B/O rightly note.[3] The name, referring to other persons, is found in inscriptions; cf. GUEY 1954, 116n5.

cupiditate laedendi: a quality Calpurnianus has in common with the accusers. Calpurnianus does not see that any of his reproaches will be cast back to himself; the same seems implied for Aemilianus and his assistents.

6,2 **testantur**: Apuleius counters the attack by producing the poem itself as *testis*, reciting it aloud, and by cleverly making fun of his opponents' ignorance.

6,3 **Calpurniane...**: the lines describe the powder and humorously praise its cleaning properties. The poem is lighthearted and playful, and includes numerous rare words, as well as striking deminutiva and neologisms; cf. various entries and notes in B/O; ABATE 1978; MATTIACI 1985; MCCREIGHT 1991. All of these words contribute to an atmosphere of elegant urbanity and witty erudition. As a whole, the poem looks

[1]. Surprisingly, ABT does not even mention urine. This omission is probably not due to some conception of 'decency', given his frank treatment of sexual terms on p.135-8. The element must have escaped his notice.

[2]. Possibly, Apuleius here addresses a friend who has been a fellow-student in Athens, as COURTNEY, 392 supposes. In that case, one may compare *Apol.* 72,3, where Pontianus is described in such terms.

[3]. It may seem strange that someone who has received a poem and a gift of Apuleius is so ungrateful as to use it against him. COCCHIA 1915, 69n2 suggested that he is a rivaling orator, whom Apuleius ridiculed by sending him the powder, or that the powder was badly mixed or misused, but there seems no evidence in the text for anything of this.

harmless in comparison to the rather harsh lines in Catullus' Egnatius poems, as TATUM 1979, 117 observes.

For text and commentary of the poem, see COURTNEY 1993, 392-3. An analysis of the style is given by MATTIACI 1985, 242-9, of the metre also by STEINMETZ 1982, 339-41. Apuleius uses the obsolete metre of *senarii italici*, which seems to occur here for the last time in Latin literature; cf. MATTIACI, 245wn32. A fascinating point is the manifest influence of a stress accent, which may be deduced from the strong coincidence of word accent and metrical ictus. Here we see the later Latin practice already emerging; cf. also KENNEY 1990, 31-2. On Apuleius as one of the 'poetae novelli', see MATTIACI; in general CAMERON 1980 and COURTNEY, 372-4 (with further references).

(1) properis: 'speedy', a qualification usually taken to refer to improvisation, but which may also point to the iambic character of the poem (MATTIACI, 245).

(2) misi...: there is some confusion in the MSS; in FΦ, the text from here to 6,4 *nolit uideri* is given only after *gingiuam* (6,5). The lines have been replaced by Pricaeus; cf. HELM and B/O. In the present line a word must be added for metrical reasons; Dousa's <*tibi*> has been generally accepted by modern editors.

(3) ex Arabicis frugibus: an exotic detail, referring to e.g. myrrh (mentioned by Plin. *Nat.* 28,179) and casia, components which may have been added to give a pleasant smell to the toothpowder. Exquisite fragrances were a stock characteristic of Arabia; in Apuleius' works, cf. *Fl.* 6,1 *odorum diuites Arabas*; *Met.* 2,9 (32,12) *guttis Arabicis obunctus*; 11,4 *spirans Arabiae felicia germina*. ABT, 20 points out that these materials were also used in magical burnt offerings, and further gives a parallel for a magician cleaning his mouth with an ointment. Such associations with magic may be in the background here.

(4) puluisculum: the substance has the form of a powder, probably intended to be used in dry form. The diminutive reminds us of the language of comedy; before Apuleius it is found only in Plautus; cf. *Rud.* 845; *Truc.* 19.

(5-6) complanatorem - reliquiae: two refined lines consisting of only hapax legomena, neologisms, and a grammatically rare form (the singular *reliquia*). The forms have obviously been selected for the sake of the strong sound effects, notably the jingle of words in *-ae*; see FACCHINI TOSI 1986, 104-5, 119 and 132.

(8) restrictis - riseris: the concluding image of 'Calpurnianus laughing' underscores the comic tone of the poem, but also seems to invite the audience to laugh at him: presently, he becomes the target of Apuleius' satire. There may be a specific association in the verb *restringere*, which can be used of animals laying bare their teeth; cf. Pl. *Capt.* 486 and Lucr. 5,1065, both referring to a *canis irritata*. So, the expression seems to anticipate the animal imagery which will be brought out more clearly in 8.

6,4 **philosophus**: the main element in Apuleius' answer, a direct link between toothpowder and philosophy, may seem ludicrous at first sight, but after a sarcastic remark, it will be elaborated in 7,2-7.

6,5 **nisi forte...**: Apuleius manages to veil a savage insult in an elegant literary reference to Catullus 37 and 39.

urina: the word introduces Catullus' invective of the Spanish way of teeth cleaning;[1] for this Celtiberian custom cf. Strabo 3,4,16 and Diod.Sic. 5,33,5. Although urine was used in antiquity for cleaning (cf. RE suppl. XI s.v. *Urin*), the main association here is obviously one of dirt and bad smell. But as MCCREIGHT 1990, 52n76 suggests, urine has a magical significance as well: for instance, urinating around grave sites was used to counteract the influence of magicians' spells; cf. also the circle of urine in Petr. 62,6 and other examples of protective magical force in RE.[2]

pumicare: the line is Catul. 39,19, with one change: *pumicare* replaces the orginal *defricare*. This is commonly explained as an error due to a slip of memory. Perhaps Apuleius was confused by Catullus using the verb in both his Egnatius poems (37,20; 39,19). Alternatively, it is sometimes suggested that Apuleius has deliberately changed the text, using a variant which he found more powerful and expressive; so MOSCA, SEGURA MUNGUÍA, MATTIACI 1986, 175. Following this line of thought, I would suggest that whereas *defricare* appears to be the normal word, *pumicare* has a stronger literary color, since it can also denote 'verbal polish'; cf. Catul. 1,1-2 *libellum... arida modo pumice expolitum*; and further OLD s.v. *pumex*. Perhaps more importantly, it often implies effeminacy; cf. OLD s.v. *pumicare*. This would subtly cast back the reproach of 'beauty' made against Apuleius himself in 4.

7,1 **uidi - tenentis**: Apuleius reports a reaction from the audience, as on several other occasions; cf. HELM 1955, 99-100; see further HIJMANS 1994, 1739-40. Scholars sometimes take such reactions rather naively as faithful representations of reality; cf. e.g. PAVIS D'ESURAC 1974, 99. It should, however, be remembered that the *Apology* is no stenographic account of the trial. Moreover, a reaction is likely to have been recorded only where the speaker considers it opportune. Here, it is a lively note of improvisation, pointing out that the audience was making fun of Aemilianus even before Apuleius himself, thereby suggesting that it is on his side (cf. also above on 5,6). Of course, the remark is also included to raise another laugh of the audience.

munditias oris: a periphrasis for the toothpowder, as in 6,3 (line 2). However, a more abstract meaning, 'care of the mouth', also fits in the context. In addition, MCCREIGHT 1990, 50 acutely observes that the sentence may also contain stylistical associations, *munditia* referring to purity of Latin diction, and *aspere* to something unpleasantly harsh-sounding or a rough style. The allusion seems indicated by the pun of *orator* following *oris*.

orator ille: although we might expect an attack against Calpurnianus, it is obviously Aemilianus (mentioned again in 8) who is meant. The precise relation between the two is left in the dark.

7,2 **nihil in se sordidum...**: a short digression on the subject of care of the mouth,[3] in

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[1]. The word *urina* itself is not used by Catullus in poem 39, from which the quotation is taken (*mingere* and *lotium* do occur there), but in poem 37,20.

[2]. Although there are no good parallels for magical oral use of urine by men, Apuleius may be making fun of Calpurnianus here: he should have protected himself against attacks of magicians! Of course, Apuleius openly denies any knowledge of magic, but this does not prevent him from making clever jokes on it.

[3]. MCCREIGHT 1990, 50 argues that if Apuleius had not used both words *munditias oris*, he would not have been able to build the argument here. However, this seems exaggerated, since the basic contrast 'clean-dirty' is manifest already in the poem, while the mouth is obviously the part of the human body

which the opposition between clean and dirty remains central. The former is firmly associated with philosophers, with man and his lofty pursuits in general, and with the orator in particular. The latter is connected to animals and to malicious accusers like Aemilianus.

Much of the reasoning is shaped as a small *laus oris*. By itself, this seems a stock theme with predictable arguments, used for exercises in the rhetorical schools or in epideictic performances. It also reflects philosophical discussions on the difference between man and animal, and on the beautiful and meaningful ordering of the human body; for the latter cf. Cic. *N.D.* 2,133-53, esp. 149; further *Pl.* 1,14-6; for the former, see on 7,7. Apuleius brings this material out of the study into the courtroom, forging it into a weapon against his opponents.

apertum immundum: all modern editors follow HELM in changing F's *apertum mundum* to *aperti immundum*. However, *apertum* may be retained and taken with *nihil*: *nihil uspiam corporis apertum* then means 'no open spot anywhere on the body'.

7,3 **in propatulo et conspicuo**: cf. *Met.* 2,8 (31,16-8) *uel quod pars ista corporis in aperto et perspicuo posita prima nostris luminibus occurrit*, where both the phrase and the thought are similar, but refer to hair instead of the mouth.

osculum: as a sign of greeting. References to 'lower' activities of the mouth, such as eating, drinking, or having sex, are carefully avoided here. Instead we find only higher activities, with the religious element (*preces alleget*) coming last as the climax. *In auditorio dissertet* alludes to the speaker's own activity at present.

7,4 **poeta praecipuus**: sc. Homer, who was the poet *par excellence* in antiquity. Apuleius leaves the name unmentioned here, replacing it with a sonorous periphrase (for which see B/O, liii), but even the non-specialist audience is likely to have understood who is meant, especially since Homer has already been named in 4,3. The Homeric reference adds further weight and dignity to the thought.

dentium muro: referring to the well-known Homeric phrase ἕρκος ὀδόντων (e.g. *Od.* 1,64). Editors rightly cite *Fl.* 15,23 *ea uerba detractis pinnis intra murum candentium dentium premere*[1] and *Pl.* 1,14 (211) *dentium uallum*. The Homeric phrase is discussed in Gel. 1,15,1-4.

7,5 **grandiloquum**: the adjective is strictly positive here, referring to a speaker using a lofty style. With *aliquem similiter grandiloquum* Apuleius professes to mean an imaginary speaker other than himself. But at the same time, he is the one who invents the fitting, solemn phrases *cum primis - comitium* (7,5). So, in a way the words do point to himself.

animi uestibulum: in a threefold metaphor (*uestibulum*, *ianua*, *comitium*), the mouth is described as a place where the orator's forces reside. The source for the thought is Plato *Ti.* 75 e, according to HIJMANS 1987, 454. Editors compare a later parallel in Ambros. *Hexaem.* 6,9,68 (quoted in B/O).

Within Apuleius' own work, there is a close parallel: *Pl.* 1,14 (212) *promptuarium... rectae rationis* (cf. here 7,7 *usu prompta*). That passage is worth quoting in full for all the thoughts involved: *quod quidem aliis animantibus ad explendam uictus necessitatem inferendasque uentri copias comparatum est, sed homini promptuarium potius rectae rationis et suauissimae orationis hoc datum est, ut quae prudentia corde conceperit, ea sensa promat oratio*.

concerned here.

[1]. There the 'wall of teeth' is combined with another Homeric phrase, the 'winged words'. The latter will be alluded to in the *Apol.* also (83,2-3).

7,6 **ego certe...**: even though the thought is simpler because it does not use the help of metaphors, and *pro meo captu* strikes a slightly colloquial note, the speaker seems hardly less *grandiloquus* here: cf. the combination *oris illuuiem*, the allitteration *libero et liberali*, as well as the rest of 7, notably the tricolon *loco celsa - facunda*.

7,7 **feris et pecudibus**: the difference between man and animal, mainly consisting in the human faculty of speech, will dominate the rest of the passage. For this long-standing discussion, cf. already Sal. *Cat.* 1; Cic. *De orat.* 1,32; MCCREIGHT 1990, 51n74 also quotes Cic. *Inv.* 1,5; in Apuleius' works, cf. *Pl.* 1,14 (quoted above); further, possibly, *Fl.* 12 and 13; for men and animals in the *Met.* see SCHLAM 1992, 99-112.

os humile: for the thought cf. Cic. *N.D.* 2,122 *atque etiam aliorum ea est humilitas ut cibum terrestrem rostris facile contingant* with Pease a.l..; further e.g. Sen. *Nat.* 6,27,4 *oues... propriora terris ferunt capita*; Ov. *Met.* 1,84-5 *os homini sublime dedit*.

humile: F has *humile///*, where *est* may have been erased. HIJMANS 1994, 1776n220 rightly argues that the reading is not impossible if a full stop is printed after *proximum*. It may be added that this makes the sequence of thoughts clearer. Editors generally disregard *est* and print a comma after *proximum*. In this edition HIJMANS' suggestion has been followed, but with a semicolon after *proximum*.

ad morsum exasperatis: the last word takes up 7,1 *aspere*, and so establishes a first, verbal link between Aemilianus and beasts. The sound effect *mortuis... morsum* must be deliberate. In late antiquity *mors* was sometimes derived from *morsus*; for this etymology, cf. MALTBY 1991, s.v. *mors*.

8,1 **pedes lauare**: after the openly ironical *censor meus*, Aemilianus is openly ridiculed here. The very question whether he washes his feet, pictures him as a peasant, as in 23,5-6; cf. MCCREIGHT 1990, 51. The choice of feet, rather than hands or any other part of the body, seems to have been made for the sake of contrast: the loftiest — human teeth — are compared with the lowest — feet. Being close to the ground, feet are more like the *os humile* of animals.

8,2 **plane quidem...**: a double transition: first, the motif of toothbrushing is resumed, now in connection with Aemilianus instead of Calpurnianus; second, it is associated with uttering *maledicta*. The latter element is strictly rhetorical, since it has little to do with dental care. It serves as the opposite of the honourable human activities mentioned in 7.

os... aperiat: cf. 6,3 *restrictis forte si labellis riseris*, where the negative element is only implicit. In our passage it becomes manifest.

ne ulla cura os percolat: for Aemilianus too, mouth care is a wasted effort. As before, there may also be a pun on the opponents' stylistical competence. As MCCREIGHT 1990, 52 observes, there is a clear connection with 7,5 *cui ulla fandi cura sit - colendum*. It may be added that *percolere* can be used of devoting oneself to studies (OLD s.v. 4).

emaculet: a word with a moral ring; cf. 3,8 *ne quid maculae... in me admittam*. Unlike Apuleius, Aemilianus must not even remove 'stains' from his body.

iustius carbone de rogo: a strong link with the 'urine passage' 4,5 *aequius - pumicare*. According to ABT, 21 there is no connection with magic here, although pyres,

corpses, and ashes[1] do belong in that area. However, the words *de rogo* are not necessary in Latin and so must be a deliberate addition by the speaker. They strike a threatening note: Aemilianus is associated with death, which is the common association of a pyre.[2] Possibly, the words also underscore the element of fire, latent already in *carbo* (cf. OLD s.v. 1b '(a piece of) burning charcoal').[3] This would be a veiled menace, the evocation of a very painful sort of toothbrushing.

8,3 **quin ei...**: the sentence combines moral turpitude with squalor and stench. It contains some rare words, like *olenticetum*. There is a remarkable imitation in a passage of a 5th century Christian author: Claud.Mam. *Anim.* 2,9: *cernas hic alium situ fetidinarum turpium ex olenticetis suis ac tenebris cloacam uentris et oris inhalare sentinam* (quoted by McCREIGHT 1990, 53n81).

amaritudinum: McCREIGHT, 53 suggests that urine or bitter wine is meant, but we need not think of a specific substance. In fact, any substance seems awkward with *lingua... praeministra*, since the tongue can hardly be imagined to 'serve up' a liquid. More likely, the sense is figurative, referring to bitterness of expression or feelings; in particular, we may think of harshness of sound (cf. OLD s.v. 1b), a quality the opponents showed in their reciting the poem (5,6; cf. 7,1).

8,4 **malum**: the noun is indeclinable here, as an oath accompanying a question; there are several examples already in Plautus and Cicero; cf. OLD s.v. 8; further BERNHARD 1927, 312. In GCA 1977, 188-9 the form is explained as ellipsis of *malum tibi sit*. If this is correct, the word is remarkable here inview of the nature of the trial: it appears to have its original illocutionary force of cursing, and so would be an example of magical language.

linguam mundam: the contrast between a clean tongue and a foul voice is slightly misleading. Using a *dentifricium* aims at cleaning the teeth, not the tongue. In the following snake comparison the contrast is shifted, both in the nouns and the adjectives: brilliantly white teeth versus deathly dark venom. We may notice that the latter is transferred by the tongue again.

spurcam et tetram: both words clearly have moral undertones (cf. OLD s.v.); for Apuleius' metaphorical use of words referring to 'dirt', see SCHMIDT 1990.

uiperae: here the animal imagery, which was present in the preceding sections, is fully and explicitly used. It specifically recalls an element of 7,7: beasts, usually with their mouth close to the ground, being roused to bite. The image of the viper is particularly effective, since the animal was proverbial for treachery. The image further recalls the invective theme of hiding (as in 1,7), and the *uenenum* motif of 7,1, which effectively casts back the accusation of being a poisoner to the accuser; cf. McCREIGHT 1990, 54. The imagery allows Apuleius to pay his accusers back in their own coin indirectly, that is: without exposing himself to new dangers. The viper will raise its head again in 67,4 and 85,5.

1. AUGELLO actually renders *carbo* as 'cineri', which is too free.

2. Less convincingly, B/O quote a passage from Aelian, in which a brand from a man's pyre is taken up by a thief or robber to put dogs to silence. However, it is hardly conceivable that Apuleius could intend to compare himself to a criminal.

3. It may be observed that fire is the logical antipode of the following *communis aqua*, which is said to be best left unused. This only adds to the possible threat: the fire should be left burning.

niueo denticulo: the expression recalls Calpurnianus, who after whitening his teeth has betrayed Apuleius; the effective diminutive ('little tooth - dangerous poison') shows that the speaker actually had the poem with its diminutives in mind; cf. McCREIGHT 1991, 232.

8,5 **ceterum**: here, the word seems to introduce a further explanation, a sense not found in the *Met.* but frequent in the *Apol.* and *Fl.*; cf. HELM 1957, 132-9, who compares e.g. *Apol.* 43,8; 48,9; 52,3; *Fl.* 2,5; 15,12.

orationem: the correction by Stewech for *rationem* found in FΦ is accepted by all modern editors, and is very attractive indeed. Still, *rationem* cannot be called impossible and was defended by older scholars as HILDEBRAND. The choice is not easy, if only because *ratio* and *oratio* occasionally stand together; cf. *Pl.* 1,14 (212), *Fl.* 13,3. For the entire phrase cf. *Fl.* 17,18 *qui... utile carmen prompturus est, ...ita ut hoc meum...carmen..., nec minus gratum quam utile...*

ut bono potui poculum: the snake's mouth filled with poison brings up a new, contrasting image: the good orator's mouth is compared to a cup and his speech to a fine drink (we may think of wine). The final, triple *p*-alliteration underscores the more elevated tone.

8,6 **homine nato**: a rather strange expression. B/O refer to 14,2 and *Met.* 9,1, suggesting *natus* means *mortalis*;[1] McCREIGHT 1990, 55n86 says that it is used to emphasize humanity versus bestiality, which is perfectly true but does not explain the added *nato*. It is probably a Grecism, cf. X. *Cyr.* 1,1,3 *ἀνθρώπῳ πεφυκότι* 'man as he is' (LSJ s.v. *φύω* 6); cf. VON GEISAU 1916, 75n2; further GCA 1995, 38-9.

belua immanis...: the animal imagery is continued, but with a small twist: even animals clean their teeth. This argument elegantly rounds off the section in defence of dental care, while amusing the public with an interesting zoological tale.

The story on the crocodile who has his mouth cleaned of leeches by a little bird comes from Hdt. 2,68, where it is also said that the crocodile has no tongue, a common assumption in antiquity. Given Apuleius' lively interest in Egypt, he may well have read Herodotus' book himself. Alternatively, he may have derived the motif from Arist. *HA* 7, 612a20-24, a work he mentions in 36,5, or read it in some collection of *miracula*, of which Ael. *NA* 3,11 is a specimen. An extensive list of ancient sources is given by Pease on Cic. *N.D.* 2,123 (p.863); this Ciceronean passage dealing with cooperation between animals seems to have escaped the attention of Apuleian scholars up to now. For the crocodile, cf. RE s.v. Krokodile und Eidechsen; further KELLER 1920, 169 and 262; TOYNBEE 1973, 218-20.[2]

Rhetorically, the effect of the tale is devastating. The crocodile exemplifies a range of negative associations: as a monster (*belua* is, of course, offensive; cf. THOME 1993, 39-60) he is an ugly, dirty, cowardly, voracious beast, lurking half under the water in the countryside. All of this makes him an obvious symbol for Aemilianus; cf. McCREIGHT 1990, 55-6. The sentence contains words which may be interpreted as

1. They even compare the biblical phrase 'man that is born of a woman', which seems rather irrelevant for Apuleius. Still, AUGELLO has taken it over.

2. Exotic animals were fascinating material for Apuleius; many occur in his *Fl.*, such as the eagle (2); elephants and snakes (6,4-5); the parrot (12) and birds (13). The crocodile is mentioned also in *Ascl.* 37,17 and, with an zoological characteristic, in *De Interpr.* 7 (273). Later novelists remained interested; for the crocodile, cf. the excursus on the crocodile in Ach.Tat. 4,19, mentioned by HOLZBERG 1995, 91.

stylistical terms; MCCREIGHT points to *elinguis*, suggestive of rhetorical incompetence, and to *hiatus* and *hiare*, referring to a halting style.

It may be added that this crocodile, for all its large dimensions, remains rather helpless, which seems to add an ironical touch here. It must also be remembered that in his formal indictment Aemilianus made young Pudens do the job (see 1-2). If the crocodile stands for Aemilianus, the little bird recalls Pudens (cf. also below on *noxae*).[1]

ea quoque: for the repetition see on 4,8.

8,7 **hirudines**: Casaubon's almost certain correction for FΦ *arundines*. Of course, 'reeds' seem possible as such, but the parallel versions of the motif refer to bloodsuckers. A scribe may have replaced the rare word for a more common one, as seems to have happened also in *Met.* 6,26 (148,18) *hirudinis*; GCA 1981 a.l. says the word is more literary than *sanguisuga*.

una ex auibus fluuialibus amica: sc. the *trochilus*, as appears from the other versions. The technical name seems to be avoided in favour of the exuberant periphrasis (for which B/O provide good Apuleian parallels), which is also striking for its expressive repetition of *a*-sounds. For the exact ornithological identification of the *trochilus*, cf. Lloyd on Hdt. 2,68, with further references. It is commonly said to be the *pluvianus* (or *caradrius*) *Aegyptius*, although not all scholars agree (cf. CAPPONI 1979, 490-2). In Dutch, the bird is called 'krokodilwachter' (crocodile guard).

noxae: the first meaning here is '(without the risk) of receiving harm' (OLD s.v. 4), but it also a legal term, referring to injurious conduct of e.g. a child (OLD s.v. 2). In the latter nuance the word is a clear hint at Pudens, who signed the formal accusation without being fully legally responsable before the law.

9-13 Subsidiary charges (III): erotic poems on boys

I have also been critized for having composed poems in praise of two boys of a friend of mine. But what connection could this have with magic? Many others have written such poetry, both Greeks and Romans, and even philosophers. I will quote the poems myself, to show that I am not ashamed of them and that they are perfectly harmless. A point of blame was my use of pseudonyms; but in that case my opponents should also blame our elegiac poets, who use such names too. Aemilianus has said that such poetry is not fitting for a Platonic philosopher, but he is unaware that Plato has practised it himself! I will read some of Plato's poems too. Furthermore, one's character cannot be deduced from one's poetry, as Catullus and Hadrian confirm. I have merely followed Plato in this, showing my innocence by being open about the verses: Plato distinguishes two types of Venus, of which the inspiring, heavenly Venus is obviously not liable to censure. So, Aemilianus, please forgive Plato; but if you refuse, I will be happy to be

[1]. Lloyd on Hdt. 2,68 says that the Greek *trochilos* became proverbial for those who serve the great through fear. The association may be relevant here, although the general image of Pudens in the *Apol.* is not one of a timid boy.

charged together with Plato. Thank you, Maximus, for listening attentively to these preliminary statements necessary for my defence.

The third minor charge, that of pederastic poetry, shares the poetic element of poetry with the preceding charge. It is considerably longer, and involves a larger range of arguments, with a striking accent on literary themes. By referring to and actually mentioning numerous Greek and Roman poets by name, Apuleius introduces himself in the company of great artists. This is reinforced by three literary discussions: on love poetry, on pseudonyms and on the relation between poetry and character. On the level of philosophy, there is also the example of Plato, with whose theory on Venus Ourania the speaker makes play.

This section seems more serious than the preceding one, as may be seen not merely from its length, but also from the reduced role of humor and sarcasm. On the whole, its tone is remarkably defensive: many authorities are adduced, even the nearly contemporary Hadrian, but any positive arguments are in fact lacking. Since oral hygiene was highly praised in c.6-8, we might expect something similar here. This weakness is somewhat obscured by the more aggressive tone and the impression of bravery, created by the bold quotation of both poems.

The portrait that Apuleius wants to present of himself seems to be one of a Platonic philosopher in the company of the great, indulging in the innocent pastime of writing elegant poems about 'Platonic' love. The literary texture of the passage is, of course, also intended to divert the audience and to win its admiration.

The passage has received very little scholarly attention, with the exception of the list of pseudonyms, which has even become a *locus classicus* on the subject. Possibly, scholars long felt embarrassed by the pederastic nature of the poems, while in present-day gay studies, with their focus on the classical periods of Greece and Rome, Apuleius plays an unimportant role. Among earlier studies of the passage as a whole, VALLETTE 1908, 47-50 may be mentioned. For Apuleius' poems see COURTNEY 1993, 394-5; further STEINMETZ 1982, 337-9; MATTIACI 1985, 249-59. For the Greek poems attributed to Plato see below on 10,7ff.

Since the emphasis in this section is on literature, some elements are largely hidden from view, though not absent. One example is the relation between words and magic; although Apuleius ridicules it in a striking piece of sophistic reasoning (see on 9,4), it is actually very important. The second poem, inviting the boy Critias to return his favours to the poet, appears to be dominated, even, by what may be regarded as motifs of 'sympathetic magic.' The prosecution may well have suspected that the poems were used as charms to win the boys' love, especially since Apuleius now stands trial for having won Pudentilla's love by magical means. The use of pseudonyms, restricted by Apuleius to a merely literary topic, may have seemed suspicious to those less familiar with literary customs.

What is also relevant here is the Roman concept of pederastic love, which was different from the Greek concept, mainly in the fact that the former allowed for active male desire for slaves. Related to this is the Roman concept of obscenity. Surprisingly, we hear little or nothing on any of this. The erotic and sexual undertones of the poems are clearly played down, and many other questions are left open: Who were these boys? Were they boys or slaves (see on *pueri*)? Why have the poems been composed at all?

The length of the section, the variety of topics and arguments and the mainly negative and defensive approach — all seem indications that this point presented considerable difficulties to the speaker. For a detailed analysis of Apuleius' two erotic poems and his line of arguments, see also HUNINK 1997.

9,1 **mitto haec**: the words round off the excursus on the crocodile and the *trochilus*, and prepare for the new subject, which will be equally concerned with poetry; the link is made explicit in *ceteros uorsus*. This use of *mittere* seems to strike a slightly arrogant tone; cf. 12,1; 80,3.

amatorios: by adding *ut illi uocant*, Apuleius appears to distance himself from the term. This is surprising, since the poems clearly belong to the genre of erotic poetry, and will be properly defended as such; in 13,1 Apuleius refers to his Platonic example as *(uersus) de amore*.[1] Perhaps Apuleius is mainly rejecting any associations with magic; ABT 1908, 22-3 rightly points out that the adjective *amatorius* is often used of magical elements, such as love-philtres, e.g. Plin. *Nat.* 9,79 *ueneficiis amatoriis*; OLD s.v. also quotes e.g. Suet. *Cal.* 50,2 *amatorio... medicamento*. On a more innocent level, the words prepare for the joke *odium mouerent*: they said love was the theme of these verses, but by reciting them they only caused hate.

dure ac rustice: the same reproach as in 5,6 *absone et indocte*, but now also bringing the invective motif of rusticity (cf. earlier 8,1). There is no evidence that Apuleius is alluding to a specific Punic accent, as FICK 1987, 286 suggests.

9,2 **magica maleficia**: cf. on 1,5.

pueros: the word can mean 'young male slaves' or 'sons', and editors have usually chosen the one or the other. B/O say that the former must be correct, since 10,5 *puerum... Pollionis* certainly refers to a slave (for the same argument, cf. recently, COURTNEY 1993, 394). However, other *pueri* in the section do not seem to be slaves: 10,4 *Gentium Macedonemque pueros*; 10,8 *puerum Astera*; 10,9 *Alexin Phaedrumque pueros*. Since Apuleius uses both senses in the present context, we have to conclude that *pueros* remains ambiguous.

There is a disturbing implication in the background. For Roman men, having sex with freeborn boys was socially unacceptable, but sex with young male slaves could be tolerated, as modern scholarship has clearly shown; cf. recently CANTARELLA 1992, 97-106. This results in a dilemma: if the *pueri* are freeborn, the poems are liable to censure. On the other hand, writing refined literary poems on slaves would seem wildly exaggerated and point to a lack of self-control.[2] This would seem sufficient

[1]. Apuleius composed other love poetry as well; cf. COURTNEY, Frg. 6, on which see DAHLMANN 1979; MATTIACI 1988; HARRISON 1992, 88-9; and Frg.7, on which see HARRISON, 83-7. Cf. also *Fl.* 9,27 *me reficere poemata omnigenus apta... lyrae....* One of his lost works is a prose work on love, entitled *erôtikos (logos)*; on this work see MANTERO 1972.

[2]. It may be significant that in the long and varied list of literary examples in this section Martial appears to be missing. Apart from Apuleius' preference for archaic poets to those of the Silver Age, he may have wished to avoid mentioning Martial, whose affectionate poems on slaves might present too close a parallel. On Martial's sexual attitudes cf. recently SULLIVAN 1991, 207-10.

reason for Apuleius to express himself as vaguely as he can.[1] Homoerotic motifs are not absent from the *Met.*, although they have not been given much attention until quite recently, cf. SCHMIDT 1989; WALTERS 1993; BECHTLE 1995.

Scriboni Laeti: nothing more is known about this man than what Apuleius tells here; cf. RE s.v.

carmine laudaui: the verb *laudaui* distracts attention from *carmen*, with its distinctly magical undertone (see below), and also from the element *amatorios*. The implication is that what Apuleius has made are merely laudatory poems.

9,3 **tam - argumentum**: a refined anaphoric tricolon; for more examples, see BERNHARD 1927, 308. Scholars quote Cic. *Ver.* 5,22 where the same three nouns are used, but the coincidence seems due to common courtroom language.

similem: before the word many editors print Krüger's <*ueri*>, either as a separate word or as its beginning. However, with VALLETTE and AUGELLO, I retain the reading of FΦ here; cf. Gel. 18,1,12 *quam probum aut simile argumentum* (quoted by KRONENBERG 1908, 311).

9,4 **fecit**: for the suggestion of a verbal quotation from the charges, as well as the initial position of the verb, see on 4,1 *accusamus*.

si malos: Apuleius seems to be deliberately confusing two notions of *malus* here. In a magical context, *mala carmina* refers to harmful magical charms, but he pretends to see only the more straightforward sense of 'badly composed verse', and so reduces the whole issue to a matter of ridicule; cf. ABT 1908, 22-3 and RONCONI 1968, esp.136. In general on *carmen* as a magical term see also COMERCI 1977, 287-98; ÖNNERFORS 1993, 159n6. For a similar ambiguity, editors quote Hor. *S.* 2,1,82-4; for *malum carmen* also Hor. *Ep.* 2,1,153. ABT even raises the suspicion that the poem quoted by Apuleius is not the *malum carmen* his opponents had meant. However, this would have been so grossly misleading that it is unlikely that the speaker could have got away with it.

sin bonos: the clause is necessary for the joke, but also reflects the speaker's own high opinion of his verses, which he will recite in a moment.

9,5 **ludicros et amatorios**: cf. on 6,1 and 9,1 respectively. Here, the magical association of the latter word is decreased by the combination.

9,6 **fecere...**: the repeated initial position of the verb underscores the parallel between Apuleius and the *alii*.

uos ignoratis: the invective motif of lack of culture is made explicit; it is effectively followed here by three learned allusions to Greek poets, who are not named. Apuleius could expect judge Maximus and many members of the audience to know to whom he is referring. Although Aemilianus and his advocates may well have been not quite so ignorant, the speaker's use of words bans them from this intellectual circle.

apud Graecos: in 9,6-10 three classes of authorities are presented: Greek poets, Latin poets, and Greek philosophers. The basic list seems to consist of three examples

[1]. It may be argued that *pueros Scriboni Laeti, amici mei* refers to identifiable persons. But the point is that this identification is not made: the public at large may well be unaware of who exactly are meant; it should be kept in mind that the trial is held in Sabratha, not in Oea (where Apuleius lived at the time). Furthermore, it seems striking that Apuleius does not give the real names of the boys; cf. on 10,2.

of each class; this schoolish model is interrupted by the small excursus on *mulier Lesbia*, as a fourth example of the first class, and by the Greek quotation of Solon.

The four Greek poets alluded to are commonly identified as Anacreon of Teos, Alcman of Sparta, Simonides of Ceos, and Sappho of Lesbos, all belonging to the archaic Greek period (6th century BC). Up to now, Apuleius has merely alluded to their writing 'erotic poetry' in general, but in view of his own poems in question this must be specified to 'homo-erotic poetry.' Anacreon and Sappho are obvious examples (for the former cf. Fr. 346; 357; 359; 360), but the same cannot be said for Alcman and Simonides.[1]

The latter identification is even a matter of dispute: the *Cius* may also be Bacchylides of Ceos (5th cent. BC), of whom it is known that he has composed amatory verse; this older suggestion has recently been defended again by Campbell in his Loeb edition of Bacchylides (*Greek lyric IV*, p.268-73), but only fr. 18 may be considered homo-erotic. The present sorry state of Greek lyric poetry makes it impossible to decide whether Simonides or Bacchylides is meant, or even to understand the reasons for Apuleius' selection.[2]

Cius: there is a problem with the text, FΦ writing *ciuis*. Editors have generally followed Bosscha's easy correction *Cius*. HELM in his apparatus cautiously suggests *Ceius*, by analogy to *Teius*, but this would involve more change.

9,7 **insolentiam**: the Latin word is usually mistranslated: here, it clearly does not mean anything like 'insolence', 'impropriety' (BUTLER) or 'das Anstößige' (HELM). It rather has its primary sense of 'unfamiliarity' or 'strangeness', *linguae suae* obviously referring to the Aeolic dialect. MOSCA's translation 'singolarità' adequately brings out the point. Campbell in his Loeb edition of Sappho lists our place as a testimonium and rightly renders the word as 'strangeness' (*Greek lyric I*, p.43).

Likewise, *lasciue* cannot be so negative as it is rendered by most; its sense here must be simply 'playfully', 'freely'. There is at best a touch of criticism in the added *quidem*, but there is no sharp contrast with the praising *tantaque gratia* e.g. by *sed* or *uero*. This shows that its sense is neutral. Since Sappho is one of the authorities for Apuleius in this section, the statement as a whole can only be complimentary. Apuleius is 'playing it safe' by only referring to Sappho's language and elegant style and not bringing up the erotic contents of her poetry.

9,8 **apud nos**: now the speaker mentions three Roman poets who do not belong to the classical or Silver Latin periods. Valerius Aedituus, Porcius Licinus and Q. Lutatius Catulus minor all three lived about 100 BC, and are considered the first generation of Roman poets who wrote erotic verses in Latin, inspired by Hellenistic examples. They

1. The extant fragments of Alcman refer to young girls mainly; given the fact that he wrote for female choirs, female homo-eroticism may be the point here, as in the case of Sappho; cf. Alcman's long Fr. 1; see CANTARELLA 1992, 81-3 (with further reff.). For Simonides, we may perhaps think of *El.* 21 and 22, the latter fragment having being been completed only in 1993 (cf. West in *ZPE* 98,1993, 12-4). For a recent translation of all lyrical fragments mentioned, see WEST 1993, whose numbering has been followed here.

2. From our point of view, we might have expected a reference to Theognis, in whose elegiac verse pederasty is a prominent theme. But we do not know whether Apuleius knew Theognis and deliberately left him out or not.

are mentioned together by Gel. 19,8,10-4, who also quotes some of their epigrams.[1] These include elegant epigrams on boys, on Phileros by Aedituus and on Theotimus by Catulus. Licinus' poem merely speaks about the force of love, but he is not unlikely to have composed pederastic poems too. There is another relevant epigram by Catulus on Roscius, quoted by Cic. *N.D.* 1,79. For the fragments on these three poets, cf. MOREL 1982, 55-9 (with further lit.); COURTNEY 1993, 70-8 and 82-92; a recent study of Catulus' two epigrams is PERUTELLI 1990.

One may wonder why Apuleius mentions these names rather than others, such as Catullus and Martial, which immediately come to our mind. He undoubtedly had other examples at his disposal; cf. Plin. *Ep.* 5,3,5, a remarkably similar *excusatio* of composing verse, where a long list of authorities known for their *uersiculi parum seueri* is given. The easiest answer is that Apuleius had a preference for early Latin poets; cf. on 5,3 above. He may also be showing off his erudition by dropping these less widely known names. Furthermore, as MATTIACI 1985, 258 (and 1986, 176) has shown, Apuleius' poems show a clear influence of the pre-neoteric poets, in themes, topoi, metre, and technique. One should also note that in this text the poets represent a Roman counterpart of the Greek archaic poets mentioned earlier. Having introduced the love of boys as 'fashionable literary theme' in Latin (cf. CANTARELLA 1992, 120-1), they possessed an undisputed place early in Roman tradition, while their pederastic themes retained a strongly literary colour. For these reasons, they are likely to have been opportune examples for Apuleius, more than later poets, such as Martial, would have been.

9,9 **philosophi**: a further step in the argument, which connects it with the general reproaches made against Apuleius' activities. Here, too, Apuleius comes up with relevant models. The order in which these are given seems carefully chosen: an impressive Greek quotation of one of the earliest thinkers is followed by brief references to two thinkers of different philosophical schools. The climax is postponed until 10,6: the philosopher *par excellence*, Plato. This creates the impression of a very broad range of philosophical authorities.

Solonem: as one of the Seven Wise Men, Solon (6th cent. BC) could just be called a *philosophus*, although he is better known as a politician and a poet. The pentameter quoted comes from a distichon, Fr. 12 D (25 West). It is quoted by Plut. *Erot.* 5; see B/O (who doubt the authenticity of the verse). Interestingly, Apuleius omits the preceding hexameter ἔσθ' ἥβης ἐρατοῖσιν ἐπ' ἄνθεσι παιδοφιλήσῃ, which makes clear that Solon is speaking about someone else and contains a reference to flowers in an erotic sense (cf. on 9,14 (6) below).[2] For this line of Solon in the context of Greek lyric poetry on love, cf. CAMPBELL 1983, 18-9.

lasciuissimus: as in 9,7, the word cannot imply severe moral censure here, since it would damage Apuleius' case. Therefore, we should render 'very frank', 'very outspoken.' Though having composed frank verses, Solon still ranges as a *serius uir*.

1. It has been suggested by LUISELLI 1960 that both Apuleius and Gellius used a common source, such as an anthology of the three poets, but there is no evidence at all for this assumption. The three poets must have been well known.

2. Apuleius may be manipulating his material here, but we cannot be sure of this. Possibly the pentameter was better known as an isolated phrase; it is also quoted by itself in Athenaeus' discussion on love for boys (Ath. 602 E).

9,10 quid - contendantur: only slightly negative: the philosophers are much more outspoken than Apuleius, whose work is said to have nothing wanton (*petulans*). The comparison only suggests that the work of philosophers comes closer to being wanton than Apuleius' verses.

9,11 scripta - conditoris: references to Diogenes of Sinope (4th cent. BC) and Zeno of Citium (4th-3rd cent. BC). The former reference is Diogenes Fr. V B 120 (Giannantoni), for the latter there is no entry in SVF (Stoicorum Veterum Fragmenta). Apuleius' phrase remains rather vague to us: what exactly does *scripta... id genus plurima* refer to? In the present context, we would expect pederastic verse to be meant. But of neither philosopher we possess any poetical fragment or an ancient testimony of relevant poetical activities; so perhaps Apuleius is generally referring to prose works.[1] B/O mention an *Erotikos* of Diogenes, apparently overlooking a work of his called *Ganymedes*, both mentioned by Diog. Laert. 6,80. As far as Zeno is concerned, there is no appropriate title in the list given by Diog. Laert. 7,4. We should always keep in mind that in Apuleius' days, famous Greek philosophers had become the subject of legends and anecdotes.

9,12 et Critias...: a charming, innocent poem expressing equal affection for two boys, who are compared to a pair of eyes. Unlike the teeth powder poem, this epigram contains no striking words, except for the Plautine singular *delicia*. A text with commentary is given in COURTNEY 1993, 394; for a metrical analysis, see STEINMETZ 1982, 337-9, who thinks that the verses are deliberately somewhat old-fashioned; further MATTIACI 1985, 258-9 who points to the Catullan and pre-Catullan nature of Apuleius' metrics. For a stylistic and literary analysis, cf. MATTIACI 1985, 249-53. Both poems clearly reflect the Alexandrian style of pederastic Greek epigrams, of which Anth.Pal.12 presents a rich and varied picture.

(1) Critias... Charine: the boys are addressed with Greek pseudonyms, both of a clearly literary nature. The former obviously recalls Plato's Critias, while the latter occurs several times in Martial (e.g. 1,77; 4,39; 5,39), although usually as the name of a profligate man; further in Lucian and Plautus. Furthermore, both names show a touch of typically Apuleian 'significance': their primary Greek meaning may be rendered as 'Chosen' and 'Charming'. For meaningful Apuleian names in the *Met.* cf. HIJMANS 1978 and GCA (passim). Finally, the names provide a strong connection with Greek culture in general and the Greek literary and philosophical models mentioned just before.

delicia: the reading *delicia est et* is the generally accepted correction for the readings of the MSS, such as *delitescet* of F; cf. HELM 1904, 558. For Plautine examples of the singular see B/O; for the plural cf. Catul. 6,1; 32,2; Verg. *Ecl.* 2,2.

(2) uita: a common metaphor in erotic poetry; cf. e.g. Catul. 45,13; Prop. 1,2,1.

(3) ignis: equally common as an erotic metaphor (cf. OLD s.v. 9), and prominent as such in the extant fragments of the three pre-neoteric poets Aedituus, Licinus and Catulus, as MATTIACI 1985, 252-3 rightly points out. Here it is given a special form in

[1]. Diog. Laert. 6,80 does mention some tragedies attributed to Diogenes, but questions their authenticity. Later, Diog. Laert. 7,34 discusses an *Erotike techne* ascribed to Zeno. B/O add that Diogenes Laertius thinks this was a wrong attribution, but the Greek passage seems not fully clear on this point.

the peculiar expression *ignis et ignis* 'fire with another fire', 'double fire'.[1] I would suggest that this gemination is a conscious echo of both archaic language and of child language; one may compare HOFMANN 1951, 58-60.

(4) duas flammas: the fire image is combined with the topos of 'double love' found in the Greek poetry of the Anth.Pal. Of the examples given by MATTIACI, 253, the closest parallel is 12,91 'a double love burning a single heart'; 12,246, Strato's poem on his love for a pair of brothers, is also elevant.

potiar, patiar: wordplay is very much to Apuleius' taste (cf. B/O lvi-lvii), but MATTIACI, 251-2 is quite right in comparing Aed. 1,4 (Courtney) *dum pudeo, pereo* (although that text seems to have been corrected on the basis of our passage here) and Pl. *As.* 324 *fortiter malum qui patitur, idem post potitur bonum.* For *potior* as an erotic verb cf. Apul. Fr. 7 (Courtney), 1 *amare liceat si potiri non licet.*

(6) duo... oculi: one is perhaps reminded of the love topos 'dearer than my eyes', but the point here is slightly different. Again MATTIACI, 252 provides the best parallel, Pl. *Ps.* 179-80: *ubi isti sunt quibu' uos oculi estis, / quibu' uitae, quibu' deliciae estis, quibu' sauia, mammia, mellillae?*

9,13 intemperantissimos: here we seem to get a glimpse of the accusers' main reason for critizing the poems (as earlier in *petulans*): in their view, the texts were licentious and showed a lack of emotional restraint. If this is correct, Apuleius' initial suggestion in 10,2 that 'magic' was their main point, turns out to have been a deliberate confusion of the issue.

9,14 florea serta...: the second poem celebrates Critias' fourteenth birthday and accompanies a gift of wreaths, just as poem on toothpowder had accompanied a gift to Calpurnianus. This poem is longer and more complex in its themes than the one immediately preceding. On the whole, the vocabulary is rather neutral, as in the previous poem, but there is a wealth of elegant wordplay and imagery, reinforced by sound effects and polyptota. The main structure is fairly simple: lines 1-6 celebrate the boy's birthday, while 7-12 deal with what he is to return. For a text with commentary, see COURTNEY 1993, 394-5; on style and metre, see further MATTIACI 1985, 253-9.

Notably, there are numerous and close correspondences between the poet's gifts and the favours which the boy is expected to show in return. It is this element which makes this poem much less innocent than the first: there is a distinctly sexual component in it, and, more gravely, the various correspondences might easily be interpreted as signs of 'sympathetic magic'. Neither point has been duly noticed by scholars up to now. The poem certainly does not prove that Apuleius wished to have sex with the boy, nor that he actually intended the poem to have a magical effect, but it is not so neutral as Apuleius wants his audience to believe.

(1) serta: the combination of this lover's gift with *carmina* is a Hellenistic motif; cf. Meleager, Anth.Pal. 4,1. In the next line, the *serta* will appear to be intended for the *Genius*, an allusion to Roman religious practice; scholars compare e.g. Hor. *Ep.* 2,1,144; Tib. 1,7,52; 2,2,5-6.

meum mel: a traditional affective address of one's beloved, recalling especially Plautine comedy; cf. TLL 8, 610, 40-4. One may also compare the use of *mellitus* in Catullus, e.g. 99,1 *mellite Iuuenti*.

[1]. The phrase is unparalleled, as B/O remark. MATTIACI, 252n63 adduces some Greek expressions from the Ant.Pal., such as πῦρ πυρί, but these are not exact.

(3) carmina: the third occurrence of the word within three lines. All three may refer to the present poem. Alternatively, it could point to a small collection of poems, of which this is the dedicatory one.

(4) bis septeno uere: a poetic periphrase of 'fourteen years', with a strong accent on the element of 'spring', which is relevant. Cf. also Strato 12,4,3 δὶς ἐπτὰ. Possibly, there is also a touch of number magic here; numbers of one to ten were considered to be of special importance; 'seven' was even a holy number, as Apuleius himself makes clear at *Met.* 11,1 (266,25-267,2) *septies... quod eum numerum praecipue religionibus aptissimum diuinus ille Pythagoras prodidit*; cf. further DORNSEIFF 1925, 33; 82; further Kl.Pauly s.v. *Zahlenmystik*.

(5) tempore tempora: another case of wordplay (cf. earlier 9,12 (4)). It underlines the correspondence between the boy's face and the happy circumstances, just as *florem floribus* does, even more strongly, in the next line.

(6) aetatis florem: a poetical expression ultimately going back to Homer, cf. *Il.* 13,484 ἥβης ἄνθος. Here, the cliché is effectively revived by the context of real flowers. For flower metaphors see also GCA 1985, 149-50.

(7) da contra: FΦ read *das*, which is defended by Helm ('Ap. exponit se omnibus muneribus a puero superari'); but as a consequence, he is forced to change the unproblematic *redde* in (10) to a future tense *redde<s>*. The emendations *des* (Krüger) and *dans* (Bywater) both make good sense, although the latter would produce a rather complex sentence of four lines. Alternatively, we may return to one of the 'lectiones uulgatae' (v): *da*. This reading puts the word on one line with *redde*, producing a clear and natural exhortation to the boy.

The poet has listed his gifts, and now continues with what he wants to receive; for *contra* 'in return, by way of recompense', see OLD s.v. A7. There is, I believe, a sexual undertone in the element of 'exchange'. This *do ut des* element is characteristic of Priapic poetry; cf. *Priap.* 38,3-4: *pedicare uolo, tu uis decerpere poma. / Quod peto, si dederis, quod petis accipies*; further *Priap.* 5,3-4: *quod meus hortus habet sumas impune licebit, / si dederis nobis quod tuus hortus habet*; see also RICHLIN 1992, 120-1. Both examples are also good parallels for the sexual significance of 'garden' elements.

The lines (7)-(10) emphasize the sexual tone with four increasingly close parallels between flowery gifts and physical rewards. Since the boy is repeatedly urged to give his favours in return, there is a touch of 'sympathetic magic' to these analogies as well. Of course, Apuleius does not speak about this. Later on, he will even flatly deny the very existence of this commonly known type of magic (30; 34).

tuum uer: a clearly sexual note, for which cf. in particular Ov. *Met.* 10,83-5 on Orpheus: *ille etiam Tracum populis fuit auctor amorem / in teneros transferre mares citraque iuuentam / aetatis breue uer et primos carpere flores*.

(8) muneribus: the word can have sexual connotations, too; cf. esp. Petr. 87,8 (of a passive boy) *Et non plane iam molestum erat munus*; other examples are given by ADAMS 1982, 164. One can perhaps add Catul. 68,145 *munuscula*.

(9) complexum: the analogy is established on the verbal level: the twined nature of the wreath must bring about an entanglement of bodies. This is perhaps the sexually most outspoken line, where sympathetic magic looms large. For words like *complexus* as sexual euphemisms, see ADAMS 1982, 181-2.

(10) sauia: here the link is formed by the colour of the lips (*purpurei*); MATTIACI 1985, 254 compares Catul. 45,12 *illo purpureo ore sauiata*. One may add that roses as such are symbol of love and luxury; for the latter cf. Hor. *C.* 1,5,1 with Nisbet/Hubbard a.l.

(11) animum... dona et: at both places I have restored the text as given in FΦ. Modern editors have all adopted Colvius correction *animam* and Haupt's conjecture *donaci*. The latter is admittedly brilliant, and produces an excellent 'bucolic' meaning: 'if you would *play the flute* (i.e. start writing poetry), my songs would suffer defeat.' But this would be the only occurrence in Latin of the Greek word *donax* referring to musical instrument (for Greek examples, see MATTIACI 1985, 255n78).[1]

Both changes can be avoided. For *animum inspirare*, cf. Verg. *A.* 6,11-2 and Sen. *Thy.* 275, where it refers to divine inspiration of the soul. Here this would mean that the adored boy is addressed as a divine person, who is asked to inspire the soul of the poet by his music; this seems plausible. Furthermore, *dona et iam carmina* makes excellent sense: the poet's gifts are to be not merely answered by corresponding gifts, but even surpassed by them, a variation on an Alexandrian motif; MATTIACI 1985, 257wn87 compares e.g. Meleager, Anth. Pal. 5,143. Here the motif is extended to include the present poem as well: 'If you can really inspire me, *my gifts and even this poetry of mine* will be surpassed, conquered by your music.'[2] Thus the poem ends on an elegant point: it will be outdone itself by the beauty of the boy's talents and gifts.[3]

(12) dulciloquo: the only striking word in the poem, a neologism, later used by e.g. Augustin. *Conf.* 4,8.

10,1 **Maxime**: after having addressed his opponents directly three times in 9,4-6, here Apuleius turns to the learned judge again, playing down the importance of the poems, and entering into some literary discussions.

quasi - compositum: the noun *comisator* carries negative associations of nocturnal drunkenness and noise; cf. HENDRICKSEN 1925, 303. In such revelling, wreathes and songs certainly had their place, but the speaker seems to trust that their 'innocent' associations prevail here.

10,2 **aliis nominibus**: this remark brings up the subject of literary pseudonyms, a point at which the opponents had taken offence. They seem to have suspected the poet of deliberately hiding something, and therefore, probably, of intending to achieve some magical effect. Magic, however, seems to have very little to do with the use of pseudonyms; on the contrary, the correct use of real names was considered to be crucial in magical practice; cf. ABT 1908, 23-4. Still, it seems particularly striking that in this section the real names of the boys are not given at all, a fact that is obscured by the list of literary pseudonyms to follow.

For Apuleius' motifs to use the Greek names, cf. on 9,12 (1). Why the real names of the boys are not mentioned, is less easy to explain. Apparently, Apuleius wishes to remain as vague as possible on their real status; cf. on 9,2 *pueros*. An additional clue

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1. MCCREIGHT 1991, 335 cautiously suggests a double-entendre in *donax* as *membrum uirile*, referring to LSJ s.v. However, *animam inspirare donaci* as euphemism for fellatio is unparalleled, and seems a rather awkward and far-fetched expression. Within the poem, it would also make the final words *tuo dulciloquo calamo* very hard to explain.

2. For the nuance of *iam* cf. OLD s.v. 7b ('used to introduce the last term in a series') and 7c ('implying that the latest stage is in some way contrary to expectation').

3. There may be even a stronger paradox: as soon as the poet feels the divine inspiration he yearns for, he would rather fall silent than produce new verses.

can be found below in 10,4: he wants to avoid exposing them to public shame,[1] as satirists like Lucilius were used to do. But this in turn prompts a new question: how could these 'innocent' poems have harmed the the boys' reputation?

10,3 **eadem opera...**: probably the most famous passage of the *Apol.*, the *locus classicus* on literary pseudonyms in Latin love poetry. Apuleius mentions Catullus, Ticidas, Propertius, and Tibullus; the pseudonyms they use for their mistresses; and, most importantly, the real names of the women. Nowadays, much of Apuleius' information is questioned by scholars. Only the identification of Lesbia as Clodia seems reasonably sure. Delia, however, remains unidentifiable, while the identification of both Cynthia and Perilla is still a matter of dispute (see below). On the passage see WILLIAMS 1968, 526-42; BRIGHT 1981, 362-3. It has been noticed that in all four cases the pseudonyms and the real names scan alike, which seems to have been the ancient practice; cf. commentators on Hor. *C.* 2,12, and WILLIAMS, 527.

In this context, the examples are mentioned mainly as literary precedents for Apuleius' poetical practice.[2] We may observe that they all concern the love for women; this shows that the literary expression of love for boys was not considered to be essentially different.

C. Catullum: Catullus seems a relevant example, since he was already mentioned and quoted before (see 6,5). The praenomen as given here, *Gaius*, is generally called into doubt; modern scholarship has not been able to confirm either this or any other praenomen of Catullus. In FΦ the name was originally given as *Catulus*, an obvious mistake, probably due to the latter poet's occurrence in 9,8.

Lesbiam pro Clodia: this is the main piece of evidence for the identification of Catullus' *Lesbia*. It is generally accepted by scholars; cf. e.g. Fordyce on Catul., p. xiv-xviii; SYNDIKUS 1984, 25-33.

Ticidam: *Ticidas* (or *Ticida*) was one of Catullus' contemporaries, a poet of the Alexandrian school, only a few fragments of whose works are extant. Both his name and the identification of *Perilla* as *Metella* figure in a parallel passage, Ov. *Tr.* 2, 433-8, which is not mentioned by Apuleius. In the eyes of some scholars it is a problem that Ovid does not firmly connect the names of Ticidas and Metella; for some discussion see BRIGHT 1981, 361-2; COURTNEY 1993, 228-9 (who speculates that Metella was a freedwoman of Ovid).

Hostiam: many accept this identification of *Cynthia* (*Cunthia*), but it is by no means undisputed; cf. recently DELLA CORTE 1991, who argues that *Roscia*, the daughter of the famous comedian, must be meant. Other scholars think that we should not look for a certain identification since the character is a purely fictional creation; thus e.g. Goold in the new Loeb edition of Propertius, p. 9-10.

dissimulet: the word cannot be very negative here, given the variant expressions by which it is surrounded: *pro... nominarit*; *scripserit*; *quod ei... sit in uersu*.

1. One is tempted to compare a remark of ABT, 23-4 here: sometimes a person's name is omitted to protect him against demoniac influences.

2. The literary names seem to have been heaped up for this purpose, and there are even more names to follow, such as Lucilius and Vergil. Except for Catullus, the three other classical love poets are mentioned only here in Apuleius' works, whereas Gallus and Ovid are missing. Still, Apuleius' style shows clear traces of elegiac language; cf. MATTIACI 1986, 173-4.

Plania: again, the identification of *Delia* is given only here. The name *Planius* is obscure, and the woman remains much of a mystery to scholars; she may be a fictional character.

Surprisingly, on coming to Tibullus, Apuleius does not mention *Marathus*, the boy who figures prominently under this name in Tibullus' elegies. This can point either to a lack of familiarity with the elegist's work or to a deliberate choice to leave out the name.

10,4 **et quidem**: HELM prints *e[t]quidem*, but the reading of the MSS can be retained here.

Lucilium: this archaic poet of satire (2nd cent. BC) was one of the favourites in Apuleius' time; he is often referred to by Gellius, and occurs repeatedly in Apuleius' works as well; cf. MATTIACI 1986, 168-9. Here, Apuleius offers some moderate criticism on Lucilius, in accordance with his rhetorical purpose. His testimonium is given with Lucil. Fr. 308-10 (Warmington), for which see below.

quamquam sit iambicus: the last word refers no longer to metre here (Lucilius used the dactylic hexametre), but to satire as a genre. Originally, though, Greek satirists such as Archilochus and Hipponax did write iambic verse. The concessive *quamquam* reflects the larger freedom of speech commonly granted in antiquity to satirical poets. Lucilius directed his satire even against mighty contemporaries; on his *libertas* cf. Hor. *S.* 2,1,62-79.

Gentium et Macedonem: nothing is known about these boys, except for their being mentioned in Lucil. Fr. 308-10 (Warmington): *nunc praetor tuus est; meus si discesserit horno / Gentius*; *hic est Macedo, si + Agrion + longius flaccet*.[1] The name *Macedo* is Greek, which indicates that at least one of the boys was a slave or, alternatively, a freeborn Greek.

prostituerit: a particularly strong word. OLD quotes the present passage s.v. 2 'to expose to public shame', but given the background the primary sense seems to resound also: 'to put to the use of prostitution.' The extant lines of Lucilius in which the boys are mentioned come from a sexual context; on the sexual satire of Lucilius, see RICHLIN 1992, 164-74.[2]

10,5 **Mantuanus poeta**: a learned periphrase for Vergil, certainly recognizable to the audience at large (cf. similarly 7,4 on Homer; for a different effect see on 9,6). By using the words *itidem ut ego*, Apuleius' fully identifies with the great Roman poet. Although he generally prefers archaic poets, Vergil has a special place in his works. MATTIACI 1986, 163-5 remarks that Vergilean quotations by Apuleius are not commented upon in any way, but serve to lend authority to elements of learning and Platonic ideas.

puerum amici sui: the reference is to Vergil's famous second *Ecloga*, which was commonly explained as based on autobiographical facts: there was an ancient tradition (attested as early as in Mart. 5,16) that Vergil had fallen in love with the young

1. In Krenkel's edition Apuleius' testimonium is nr. 290 and the verses nr. 292-4. He reads *discesseris* in the first line, and *<ecce> hic est Macedo si Gentius longius flaccet* in the last.

2. RICHLIN, 165 explains Fr. 308-9 as follows: a praetor, possibly Scipio, is scolded for his affair with the *puer* of Lucilius, who he says will return to him. In that case, *praetor* must be taken as a vocative, and printed between commas. But without these commas it is not the praetor who is scolded, but anyone standing between the praetor and the speaker; cf. Warmington's translation: 'now the praetor is yours; but mine will he be if Gentius leaves this year.' Both interpretations seem possible, and in either case Gentius figures as praetor's beloved.

Alexander, a slave of his patron Pollio (or in another version: Maecenas), and was given the boy as a present. See COLEMAN on Verg. *Ecl.*, p.108-9, who rightly argues that Vergil's text actually does not provide a starting point for the story. Also, since Alexis rejects the Corydon's love, the poem would be rather awkward as an expression of thanks. Still, ancient testimonies on Vergil's preference for boys are consistent. Another homo-erotic motif in Vergil's work can be found in the scene of Nisus and Euryalus in *Aen.* 9, on which see FARRON 1993, 1-30; 155-64.

In the present context, the Vergilean model merely justifies composing poems on boys. Many details in the comparison do not match, such as the bucolic genre, Alexis' rejection of the poet's love, and the self-representation of the poet by means of an additional pseudonym; cf. also Clausen on Verg. *Ecl.*, p.64.[1]

bucolico ludicro: a reference to the genre of bucolic poetry, obviously added as a parallel for Apuleius' own *ludicra*; in addition, it prepares the following denigrating remarks on peasants and shepherds. The literary atmosphere is further underscored by the stock names *Corydon* and *Alexis*, the latter of which will return below in a Greek epigram. It should be noticed that Apuleius does not deny a link with reality, e.g. by suggesting that his poems are complete fiction; like Vergil, so he argues, he expresses his real love for boys (referred to as 'praise') in a harmless, literary poem.

abstinens nominum: a repeated defence of pseudonyms. Neither *Corydon* nor *Alexis* is identified here, although *Virgilianos* in the next sentence dispel even the last doubt.

10,6 **Sed Aemilianus - barbarus**: after the literary excursus the speaker comes down again to strike at his 'illiterate' opponent. He does so by using the literary bucolic element to make an invective remark on country folk. Only in this ridiculous way, Aemilianus shares a 'rustic' element with Vergil.

uir: ironical, since the word usually has a positive connotation; cf. on 4,2.

Virgilianos: the reading of FΦ (with *Virg-* instead of *Verg-*) can be retained with HELM. B/O and other editors normalize such variations of spelling, but this is unnecessary; cf. on 3,12. Here it also produces a sound effect with the preceding *uir*. The explicit reference to Vergil makes clear, even the most ignorant in the audience, who is meant. At the same time, Apuleius seems keen not to spoil his literary game entirely: he chooses the uncommon adjective rather than the plain name *Vergilius*.

opiliones... busequas: for the combination of these words and for the derogative tone, cf. *Fl.* 3,3 *nihil aliud plerique callebant quam Vergilianus upilio seu busequa*; on both nouns cf. GCA 1985, 29. The word *opiliones* will return in 87,7.

austerior: a further ironical twist: Aemilianus is depicted here as a moral censor, superior to those virtuous Romans of olden days, whose boorishness was regarded as a positive quality. The irony has not been discerned by everyone: GRISET 1957, 37wn10 takes the point too seriously, assuming that it is a reference to Aemilianus' 'principi rigidi ed elevati,' which would confirm that he was a Christian; see further the discussion below on 16.

[1]. The present passage, and indeed the entire *Apol.*, is reported to have been interpreted as an original form of an ancient 'commentary' on Vergil, exposing various literary elements closely or remotely connected to Vergilean poetry; thus MAYER 1973, a study unavailable to me (referred to by e.g. CALLEBAT 1987, 112). Such fanciful assumptions contribute little to our understanding of the text.

Serranis...: the references are to C. Atilius Regulus (cf. OLD s.v. *Serranus*), M'. Curius Dentatus, and C. Fabricius Luscinus, consuls and generals of the early Republic (3rd cent. BC), who became proverbial examples of frugality. As *exampla* their names occur combined elsewhere, too, e.g. Verg. *A.* 6,844; V.Max. 4,4,11; see also HUNINK on Luc. 3,160. For a list of Roman heroes in the *Apol.*, cf. BERNHARD 1927, 320-1.

Platonico philosopho: cf. on 1,3.

10,7 **Platonis ipsius exemplo**: thirty-one Greek erotic epigrams have been transmitted under the name of Plato; cf. PAGE 1975, 47-55. Eleven of these are quoted by Diog. Laert. 3, 29-33, which include all verses also given here by Apuleius; the others come from even later sources: Olympiodorus' life of Plato and ancient anthologies (*Anth. Pal.* and *Anth. Planud.*). They reflect a widespread tradition — going back to the 4th century BC — concerning Plato's activities before he turned to philosophy: he is said to have been a champion wrestler, to have studied painting, and to have composed various sorts of poetry; the ancient material is collected and discussed by RIGINOS 1976, 41-51. As to his poetry, dithyrambs and tragedy are mentioned by many (among them Apul. *Pl.* 1,2 (184)), but love poetry only here, in Diogenes and Gellius (19,11).[1] The authenticity of most of these epigrams is commonly rejected. The large majority of them is clearly Hellenistic, as their style and themes show.

The case is not entirely settled, however, for the epigrams quoted by Diogenes Laertius and Apuleius, in particular for a group of eight poems derived from Aristippus. Earlier scholars did not always reject these in advance (cf. B/O, 28-9); some even ardently defended the poems, as C.M. Bowra and U. von Wilamowitz (references in LUDWIG 1963, 59n3). But nowadays, these epigrams, too, are generally regarded as spurious. Firstly, the style and poetical technique point to a Hellenistic origin; from Plato's days we possess nothing like these epigrams; cf. LUDWIG 1963, esp.61-2. Secondly, they are part of the legendary material that had come to surround Plato's reputation at a very early stage. Some anecdotes depict Plato as excelling in various non-philosophical activities, and so belong to a tradition glorifying his life and deeds. Others appear to be modeled on the basis of his work, or are in some way connected to it; one may think of Plato's later criticism of poetry in his *Politeia*, or of the names occurring in the epigrams (see below); for this doxographical tradition cf. RIGINOS 1976, 49-51.

Set next to this evidence, the arguments in favour of the poems' authenticity are less impressive. Apart from the very fact of the ancient attribution to Plato, there is the connection with his works, in particular the pederastic motif; in the dialogues, too, his fancy for boys is manifest to all. The strongest argument is their exceptional quality, which throughout the ages has appealed to readers, scholars and poets alike. Plato's creativity and linguistical genius would seem perfectly compatible with these original epigrams. Presently, such positive arguments are now seldom heard; an exception is DEL RE 1970, 13-4; 108-11.[2] Indeed, the entire question is mostly briefly dismissed;

[1]. Gellius discusses a Latin translation of one of the Platonic epigrams, *Anth. Pal.* 5,78 (on Agathon). The Latin translation is probably by Apuleius; cf. on 9,1 (note). On the Greek poem, cf. recently LUDWIG 1989.

[2]. However, this Italian scholar had defended the poems long before (1931), and shows no knowledge of later contributions to the discussion.

cf. PAGE 1975, ix-x, who rejects all of the epigrams.[1] Only the epigram of Dion still has its loyal defenders (see below).

Many of the arguments used in the discussion seem inconclusive: connections with Plato's life and works can plead both for and against authenticity. Only the literary argument seems to carry real weight: it is difficult to deny or overlook that, given our present state of knowledge, the poems seem to be Hellenistic in character.

For his part, Apuleius shows no doubt whatsoever that Plato was the author. In the present passage Plato comes as the climax in the long list of authorities and models mentioned in cc. 9-10. For Apuleius as a *philosophus Platonicus* this example obviously carries much weight; this must be the main reason why he does not merely allude to these poems but quotes from them, no less than three times. Other reasons, as in the case of earlier quotations, may be his wish to amuse the educated members of the audience, and to overwhelm the rest with his Greek erudition. Within the *Apol.* as a whole, the epigrams are the first quotations from Plato, and therefore occupy an important place in his self-defence. If there is any chance of reopening the question on the epigrams' authenticity, this testimonium by Apuleius could provide a clue.[2]

elegia: not the common generic term for 'elegiac poetry', but a rare plural form of *elegium* 'a poem in elegiac couplets'; cf. OLD s.v. *elegeum*. Apuleius may have chosen it for the sake of its sound effect, as 10,7 has many words ending in *-a*; cf. FACCHINI TOSI 1986, 104.

igni deussit: this story is also found in several other ancient accounts (among them Aelian, *VH* 2,30 and Diog. Laert. 3,5); cf. RIGINOS 1976, 46-8. It is usually told as a prelude to Plato's change of interests to philosophy, and so serves as an explanation for the absence of Platonic tragic and dithyrambic verse. Apuleius' reason *quod tam lepida non erant* seems slightly different here, adding an aesthical twist only paralleled by Aelian's version.[3] In ancient doxography, the burning of a philosopher's writings seems to have developed into a topos; cf. RIGINOS, 47wn33.

10,8 **uersus Platonis**: FΦ give only the three Greek quotations printed in the text. In the early printed editions more material has crept in: they give two more Greek epigrams, as well as four Latin verse translations (also found in two lesser MSS). For the texts cf. B/O, 29. The Latin verses have been rightly rejected, since there is nothing in them that would justify ascribing them to Apuleius. Notably, their neutral vocabulary and close following of the original seem quite uncharacteristic of Apuleius' translation technique.

si tamen - litteras discere: the general invective motif of old age (*tantus natu*) is specified to the incapacity of old people to learn; cf. Cic. *Quinct.* 56 *multa oportet discat atque dediscat; quorum illi aetati utrumque difficile est* (referred to by BERNHARD 1927, 314). Here, the motif is shrewdly combined with a biting pun on *disce... uersus* and *litteras discere*: in the latter expression, the sense is shifted from

1. Modern Platonic scholarship is even more disappointing on this subject. Hardly any attention is paid to the epigrams; in fact, they are rarely even mentioned.

2. The fact that, unlike Diogenes Laertius, he is a philosopher and follower of Plato, should add to the weight of his authority. The point has often been neglected; in the extensive discussion by LUDWIG 1963, Apuleius' name is mentioned not even once.

3. Here, Plato is said to have burned his *epic* verses because they were inferior to those of Homer, and to have turned to tragedy.

'listening' to a general level of elementary education: 'learning one's ABC's', as in *Rhet.Her.* 3,30 *quemadmodum qui litteras sciunt possunt id quod dictatur eis scribere*.[1] As such, jokes on *litteras* occur earlier, cf. e.g. Pl. *Per.* 173; Cic. *Pis.* 73; Suet. *Nero* 10,2; but here Apuleius is carrying the humour one step further.

Astera: in the ancient anecdotes on Plato the name is explained as that of a fellow student of astronomy; cf. Diog.Laert. 3,29, who quotes this epigram (*Anth.Pal.* 7,670; nr.2 (Page)). In the Plato epigrams there is another poem on Aster (*Anth.Pal.* 7,669; nr.1 (Page)); the poems seem variations on a theme, a literary motif pointing to the Hellenistic period; cf. LUDWIG 1963, 77-80.[2] This poem has been translated and imitated already in antiquity; apart from the Latin version in the Apuleian tradition (cf. discussion above on *uersus Platonis*), DEL RE 1970, 110 further quotes a Greek parallel (an epitaph) and two more Latin translations, one of them by Ausonius. A famous English translation is the one by Shelley (quoted by B/O). Another of the epigrams attributed to Plato (*Anth.Pal.* 7,78) also had great influence on later literature; see LUDWIG 1989.

10,9 **eiusdem Platonis**: the name of Plato, obviously crucial to Apuleius, is emphatically repeated.

Alexin Phaedrumque: both names are also mentioned by Diog. Laert. 3,31, who quotes the epigram (*Anth. Pal.* 7,100; nr. 6 (Page)). We know a Phaedrus from Plato's dialogues, but it unclear if he is the person meant here.[3] Alexis is not a name known from Platonic dialogues, but it has a literary ring: there was a Greek writer of comedy called Alexis (ca. 300 BC), and as a name it occurs in epigrams and bucolic poetry, e.g. in Verg. *Ecl.* 2, mentioned above in 10,5; cf. also Clausen a.l.

Since this is a single poem on two boys, it implicitly justifies Apuleius' own poem in 9,12, as MOSCA rightly remarks. Still, the situation is not entirely parallel: here the boys are not loved simultaneously.

10,10 **ne pluris commemorem**: Apuleius shows off his wide learning and familiarity with the works of Plato. The next sentence, with the emphatic *finem faciam*, repeats the point.

Dione Syracusano: as *nouissimum uersum* indicates, only the last line is quoted. Diog.Laert. 3,30 gives the complete six lines of this poem, which is an epitaph (*Anth. Pal.* 7,99; nr.10 (Page)). Diogenes adds that it was inscribed on Dion's tomb in Syracuse, a rather unlikely anecdote. Dion is a well-known person, who played an important role in Plato's political enterprises, and is mentioned in Plato's letters; in

1. The suggestion is of course that Aemilianus is illiterate. As a matter of fact, illiteracy was widespread in Africa, and, indeed, in the ancient world as a whole; cf. VÖSSING 1991, 392-404, esp. 392wn1819.

2. LUDWIG offers has some excellent observations on the two Aster poems. For instance, the name *Aster* may originally have been a 'pet name', not a proper name; handsome men could be compared to stars already in Homer (*Il.* 5,4-7). But in his conclusion, LUDWIG, 81-2 lapses into a rather fruitless speculation on a historical *Aster*, who in 354 BC shot king Philip II in the eye with an arrow.

3. As LUDWIG 1963, 69-73 discusses, the Platonic Phaedrus was about twenty years older than Plato, and can hardly have been Plato's *eromenos*. (Much the same problem occurs with the name of Agathon in one of the other Plato pigrams, which is not given here by Apuleius.) So the poem would have to refer to another person, or the poet could be describing the feelings of someone else. Both are unlikely in LUDWIG's opinion, who thinks that the mere presence of the name led to a later ascription to Plato. He does not, however, sufficiently account for the possibility that the poet is indulging in some form of literary play.

Apuleius' works Dion's name figures in *Pl.* 1,4, a passage on Plato's travels to Sicily; cf. RIGINOS 1976, 72-3. Because of this link with Plato, several scholars still defend its authenticity; cf. HERTER 1944; LUDWIG 1963, 63; GIANGRANDE 1987. However, this biographical link is inconclusive (cf. above on 10,7). Scholars also point out that sepulchral poetry, unlike love epigrams, is already found in Plato's days. But the final line quoted here makes the poem rather a combination of sepulchral and erotic verse, which is Hellenistic, as LUDWIG, 80 says himself about another poem. Therefore there seems to be no special reason to single out this epigram from the other ones.[1]

11,1 **sed sumne ego...**: suddenly, in the middle of the expositions relating to literary history, a brief sarcastic question is launched at the accusers.

quasi ullum - ludere: the literary theme is broadened to an explicit apology: 'playing with poetry' says nothing about one's character. This further point in the argument is illustrated with two well-chosen examples, one from Catullus, who has already been quoted in 6, another from Hadrian, an authority comparatively near in time to Apuleius. The expression *uersibus ludere* not only recalls the genre of *ludicra* (cf. 6,1; 9,5; 10,5) but also serves as a euphemism, since the excuse refers to obscene verse, as the examples prove.

Naturally, the examples also show that the thought was not new. Excuses for writing lascivious verse can also be found in Ov. *Tr.* 2, esp. 345-470, where a great number of literary precedents are named; cf. further id. 1,9,59-64; Petr. 132,15, who is much less defensive[2]; Plin. *Ep.* 4,14, where the same lines from Catullus are adduced.[3] Cf. also Martial's dedicatory letter to his first book: *lasciuam uerborum ueritatem, id est epigrammaton linguam, excusarem, si meum esset exemplum: sic scribit Catullus, sic Marsus, sic Pedo, sic Gaetulicus, sic quicumque perlegitur*; and many more of his poems, e.g. 1,4; 1,35; 8,3; 11,15. Cf. also *Priap.* 2; 49. For an excellent discussion on these *apologiae* see RICHLIN 1992, 2-13.[4]

In later generations Apuleius becomes part of this tradition himself: cf. esp. Ausonius, *Cento nupt.* p.139, 4-7 (Green): *Meminerint autem, quippe eruditi, probissimo uiro Plinio in poematiis lasciuiam, in moribus constitisse censuram, prurire opusculum Sulpiciae, frontem caperrare, esse Apuleium in uita philosophum, in epigrammatis amatorem...*, with Green's commentary a.l.

11,2 **Catullum**: the lines quoted are Catul. 16,5-6. In antiquity, these lines, rather than their obscene opening and closing line *pedicabo ego uos et irrumabo*, were the centre of

1. One suspects that scholars have less problems with this epigram because of the less outspoken pederastic element in it. But a concept like 'immorality' cannot serve as a valid criterium here.

2. The new commentary on Petronius' poems by Courtney is disappointing here. Petronius' programmatic poem should be studied within this Roman tradition of literary apologies.

3. In two more letters Pliny generally justifies composing light verse: *Ep.* 5,3 and 7,14. The former includes a list of authorities (5,3,5-6), the latter commends this poetical activity as valuable training for orators.

4. B/O, 30 dismissively remark that obscenity was a 'bad literary tradition' at Rome and must not be taken seriously. Modern studies like RICHLIN's (on sexuality and aggression in Roman humor) convincingly show that the very opposite is true. On a minor note of criticism, I regret that RICHLIN has not included Apuleius or later authors in her discussion, although she is fairly complete as far as Martial is concerned (cf. her list of his epigrams on p.228n4).

interest in the poem; see WINTER 1973; on the poem as a whole further RICHLIN 1992, 12-3; 145-7.

11,3 **Diuus Adrianus**: the adjective is functional here: it places the example of Hadrian beyond the human level. Hadrian was known as a lover of Greek culture and literature in general; his biographer in the *Historia Augusta* even adds: *in uoluptatibus nimius; nam et de suis dilectis multa uersibus composuit. Amatoria carmina scripsit* (14,9; the last phrase may be a gloss). On Hadrian's literary interests cf. ANDRÉ 1993, esp. 603-4 and 609-10 on the present testimonium.

This is one of the relatively few references in the *Apol.* to near-contemporaries, most examples being those of legendary characters, classical philosophers and archaic poets. Hadrian's authority as an emperor seems to have made him an attractive example. At the same time, given his not unqualifiedly positive reputation, Apuleius' reference seems tongue-in-cheek: possibly, the speaker had to suppress a smile himself, as VALLETTE 1908, 49-50 suggests, or, more likely, his remark put smiles on the faces of the educated members of the audience.

Voconi amici sui poetae: the identification of this man is uncertain. He may be C. Licinius Marinus Voconius Romanus, whom we know from Pliny's letters (3,1; 2,13); cf. COURTNEY 1993, 382; RE s.v. *Voconius Romanus*. Editors of Apuleius (e.g. B/O, 30) argue that this identification is doubtful because this Voconius must have been some fifteen years older than Hadrian. The argument is misplaced: a difference in age seems plausible, since the poet has obviously preceded Hadrian in death. There are, however, more doubts: as FEIN 1994, 104-6 argues, this Voconius is not mentioned by Pliny as a poet, and he was buried in Saguntum, where no visit of Hadrian is recorded. Alternatively, Voconius Victor, mentioned by Martial (7,29) may be meant. This is suggested by FEIN; see next note.

lasciuus...: this line is Hadrian Fr. 2 (Courtney); see COURTNEY 1993, 382. In the apologetic tradition discussed above, there are lines which show a remarkable likeness in structure and sense; cf. notably Ov. *Tr.* 2,354 *uita uerecunda est, Musa iocosa mea*; Mart. 1,4,7 *lasciua est nobis pagina, uita proba*. Which *lasciuia* of Voconius Hadrian is specifically referring to, remains unclear.[1] FEIN 1994, 105-6 argues that Voconius Victor wrote elegies on his beloved Thestylus, which may have earned him this criticism.

lepidiora: a link with the preceding section on Plato's example: *quia tam lepida non erant, igni deussit* (10,7). There is another implicit connection: like Plato's line on Dion, Hadrian's line comes from a sepulchral poem.

multa id genus: i.e. erotic verse; see the testimonium quoted above. The scanty remains of Hadrian's verse contain nothing that belongs to this genre.[2]

11,4 **Aemiliane... Adrianus**: the name *Aemilianus* is almost literally crushed beneath the weight of the triple *Adrianus* by which it is surrounded. All three references to the emperor show emphatically added epitheta; here he is explicitly called *imperator* and

1. It has been suggested by COCCHIA 1915, 71 that some reference to Hadrian's love for Antinous is the point here. There is no reason, however, to assume that Voconius should have said anything against Hadrian in particular.

2. Apart from the present line, there are three short poems by Hadrian: *ego nolo Florus esse*, part of an altercation in verse with Florus (Fr.1); *animula uagula blandula*, an address to his soul (Fr.3); *Borysthenes Alanus*, an epitaph for his horse (Fr.4).

censor, the latter word adding a note of public morality.[1] *Factum memoriae reliquit* provides a properly monumental ending of the thought. For repetition of names in the *Apol.*, see on 4,8 *eum quoque Zenonem*.

11,5 **putas**: a rhetorical question addressed to Aemilianus; it effectively connects Apuleius' innocence both to Plato and to Maximus' erudition.

percensui: the verb has a neutral sense ('to go over, to enumerate'), but also echoes the moral overtones of the preceding word *censor*.

apertiores: this sentence and the next are carefully constructed around a central association: innocence is linked to openness, frankness, simplicity, and speaking, whereas culpability is linked to the corresponding opposites. This recalls both the thought on *innocentia* in 5,3-5, and the image of 'hiding', used already several times. Here it is extended with the element of *uox* against *silentium*, leaving this *speaker* with an obvious advantage.

11,6 **ludentis**: the sentence resumes several key words from the earlier paragraphs. Innocence and literary play (cf. 6,1 *ludicris*; 9,5; 10,5), linked to Apuleius himself, are presented as incompatible with *peccata* and magic. By implication, the poems prove Apuleius' innocence to the charge.

12,1 **mitto enim dicere...**: a classical *praeteritio*. Characteristically, Apuleius continues by entering at some length into the very subject he says he will pass by. For a colometric analysis of the entire section see HIJMANS 1994, 1757-8.

alta et diuina Platonica: the words introduce a reference to Platonic theories. The tone is set beforehand by the emphatic link of the 'lofty' theories to those who are *pii*.[2] The added *diuina* is ambivalent, referring both to the excellence of Plato's philosophy and, more literally, to the gods concerned here; cf. also e.g. *Met.* 5,26 (123,24) *mirum diuinumque prorsus spectaculum*. What follows is a vulgarized version of the theory of the two kinds of Venus; for this famous theory of Aphrodite Pandemos and Aphrodite Ourania cf. the speech of Pausanias, *Symp.* 180 c-185 e. In the *Met.* this same theory is central in the story of Cupid and Psyche; cf. KENNEY 1990, 19-20; KENNEY 1990b, 176-7; further MÜNSTERMANN 1995, 15-21 (on the Socrates episode in *Met.* 1).

In Apuleius' version, there are some shifts of focus: on the one hand, the difference between the love for women and the love for boys is played down; apparently the speaker considers it opportune not to emphasize the connection with the homo-erotic atmosphere of the *Symp.* On the other hand, the contrast between bodily passion and spiritual quest of beauty is deepened. Sex is depicted in a more negative manner, as nothing but vile lust; cf. notably the added element of animals (11,2), absent from Pausanias' account, but important in the preceding sections in the *Apol.*; by contrast, the higher form of love is raised to a more religious level. In this simplified form, Apuleius' account shows traces of popular philosophy and diatribe.[3]

1. As a matter of fact, Hadrian seems never to have been invested with a censorship.

2. FICK 1991b, 14 lists the seven cases of *pius* and *pietas* in the *Apol.*, but adds nothing of importance.

3. For the development of the theory of Eros in Middle Platonism, cf. THESLEFF 1994. Surprisingly, only a few lines are devoted to Apuleius (124wn30). Worse, this crucial passage in the *Apol.* is not even mentioned.

12,2 **alteram uulgariam**: the lower Venus rules lower humans and animals. In the context of the whole speech,[1] the implication seems unmistakable: this is the Venus to which *profani* like Aemilianus and his helpers belong.

pecuinis: for this rare word see GCA 1985, 266 and FACCHINI TOSI 1986, 139, who points to the repetition of the suffix *-inus* in the following *ferinis*.

ui - uincientem: an elaborate, artful description of the dark power of this Venus. Part of it echoes the invocation of Venus at the beginning of Lucretius' *De rerum natura*, esp. Lucr. 1,13 *perculsae corde tua ui* (of birds), but the tone is dissimilar. Cf. further Var. *L.* 5,61 *horum uinctionis uis Venus*.

12,3 **praedita**: a small correction to FΦ's reading *praeditam*. This involves less change than deleting *quae sit*; for a discussion see B/O.

sectatores: 'devotees' (OLD s.v. 2), but here clearly with the positive association 'followers of a philosophical school,' as in 9,11 *secta*.

12,4 **non amoenum... sed contra incomtum...**: the words recall Apuleius' defence against the 'charge' of beauty, and in particular the small excursus on his hair in 4,11-2: there, he had described his hair as uncombed and far from *amoenus*. In the present passage, *amoenus* is also chosen because of *amor*, which it parallels in sound and, according to an ancient tradition, in etymology; cf. FACCHINI TOSI 1986, 158-9.

decora corpora: sexual attraction, belonging to the vulgar Venus, is now referred to cautiously. In the entire sentence, rhythm and sound (the often repeated *c* and *o*) contribute to a rather solemn effect.

12,5 **ammoneant... pulchritudinis**: a general reference to the Platonic concepts of *anamnesis* and of Beauty. For the former cf. e.g. Plato, *Meno*, 81 c ff.; *Phdr.* 249 c ff.; *Phd.* 72 e ff. Whether or not Apuleius assumed a proper Form of Beauty is not fully clear; cf. GERSH 1986, 291-2. In general, GERSH 293ff notices the proliferation of technical terms for the theory of Forms in Apuleius' philosophical works. In the *Apol.*, however, such philosophical vocabulary seems to be avoided.

12,6 **ut semper, eleganter**: many editors adopt Krüger's conjecture *etsi pereleganter*, but as HELM has shown,[2] the reading of FΦ can be defended (with a minor correction of *et* to *ut*, as in some later MSS). *Vt semper eleganter* seems a fitting expression of admiration for a poet's style. The subjunctive *relinquat* can also be kept, its sense being potential or concessive. This is not a subordinate clause with *etsi*, leading up to a main clause *tamen...*, but a valid statement by itself: 'There is, granted, an excellent saying...: (...). In truth however, Aemilianus, ...'[3]

1. One may think of the preceding animal imagery (e.g. in 8) and the sexual abuse still to come (cf. on Rufinus in 75). In general, Apuleius imputes the actions of his opponents to base sentiments like greed.

2. For this, HELM (praef. xxiii) quotes Cic. *Brut.* 86 *causam... accurate, ut semper solitus esset, eleganterque dixisse Laelium*. The parallel is general, and Apuleius is not imitating a specifically Ciceronean phrase, as BERNHARD 1927, 312 supposes.

3. The passage is discussed by HIJMANS 1994, 1757 and 1774. He similarly proposes to distinguish two sentences: *Quapropter - ceteri* and *Tamen - recordatur*, with the speaker turning to Aemilianus in the second one. For this, he argues that *reliquit* is required, suspecting that under ultraviolet light F may show that form as its original reading; however, a concessive subjunctive in a main clause is of course perfectly possible. On a minor note, HIJMANS retains *et semper*, but does not explain this awkward *et*.

Afranius: another reference to an archaic Roman poet. Lucius Afranius lived near the end of the 2nd century BC, and composed *fabulae togatae*, purely Roman comedies; cf. Quint. 10,1,100 *togatis excellit Afranius*. He was read and studied in Apuleius' days; we know of a commentary on his plays by a certain Paulus from the 2nd century AD. The line quoted here is Fr. 221 (Ribbeck) / 225 (Daviault). It comes from a comedy called *Omen*, according to the grammarian Nonius, who quotes this same line (Non. 421,19-20 (p.681 Lindsay)).[1]

There may be a specific reason for Apuleius to think of Afranius in this context of pederasty: the poet was known for his fancy for boys. To his praising remark Quintilian adds: *utinam non inquinasset argumenta puerorum foedis amoribus mores suos fassus*.[2] In discussions of Roman homosexuality Afranius is usually left out of account. Quintilian's testimonium seems quite significant, since it would imply the presence of homo-erotic motifs early in Roman poetry in a manifestly non-Greek context.

amabit... cupient: the contrast between *amor* and *cupido* is conventional in Roman literature; cf. e.g. FISCHER 1973, 3f.

si uerum uelis: Afranius' statement is not simply dismissed as wrong, but rather 'corrected' in a philosophical analysis involving Plato's theory of *anamnesis*. The allusion seems formulated deliberately vague, to puzzle those unfamiliar with Plato.

13,1 **da igitur ueniam...**: the section is concluded with another reference to the example of Plato (with an allusion to Ennius thrown in for good measure) and a flattering remark directed at the judge.

Platoni philosopho: an subtle echo of 11,6 *Platonico philosopho*. Plato has already been explicitly called *philosophus* in 11,8.

Enniani: this passage, full of literary models, would not have been complete without the great Ennius. This poet was one of Apuleius' favourites; cf. MATTIACI 1986, 181-90; he will be quoted at length in 39 (q.v.).

pluribus philosophari: the line comes from an unknown play, and is spoken by the character Neoptolemos. Its full form is restored as *philosophari est mihi necesse, paucis, nam omnino haud placet* (*Scaen.* 376 (Vahlen); *Ex.Fab.Inc.* 400 (Warmington) (without *est*)).[3] Cicero and Gellius repeatedly refer to it; cf. Cic. *Tusc.* 2,1; *de Orat.* 2,156; *Rep.* 1,30; Gel. 5,15,9; 5,16,5. Ennius can be regarded as the precursor of Lucretius in expressing philosophy in poetry; see ARCELLASCHI 1992.

13,2 **culpari cum Platone**: cf. Cic. *Tusc.* 1,39 *errare me hercule malo cum Platone (...) quam cum istis uera sentire*.

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[1]. The line is given in a slightly different form by Serv. *A.* 4,194 *<cupidinem> ueteres immoderatum amorem dicebant. Afranius Cinerario: 'alius est amor, / alius est cupido' +'amant sapientes, cupient ceteri'.*

[2]. This reputation of Afranius is confirmed by Aus. *Epigr.* 75 (Green). However, no clear pederastic allusions can be found in Afranius' extant fragments. Daviault (p.41-2) mentions only two possible examples, the best of which is 378-9: *male merentur de nobis eri / qui nos tanto opere indulgent in pueritia.*

[3]. In the edition of Jocelyn the fragment is assigned to the *Andromache* (xxviii). Philosophy occurs as a theme in other lines of Ennius, too: cf. *nec quisquam sophiam sapientia quae perhibetur / in somnis uidit prius quam sam discere coepit* (*Ann.* 211-2 (Skutsch)); *degustandum ex philosophia, non in eam ingurgitandum* (*Scaen.* 376 (Vahlen)).

13,3 **tibi autem...**: finally, Maximus is addressed again. The elaborate preceding sections are at the same time relativated as mere *appendices defensionis* (for the excuse cf. 3,8 and 3,12) and justified as being unavoidable. Both elements are cleverly included in the middle of this sentence in praise of the judge.

13-6 Subsidiary charges (IV): mirrors

The next thing I have been charged with is the possession of mirrors. But possessing a thing does not imply using it! But if I grant that I use a mirror, what is wrong with such a habit? A mirror reflects one's image far better than any work of art can, since it is dynamic and changing. Besides, knowing one's external appearance is relevant for anyone wishing to improve his character or skill, as the examples of Socrates and Demosthenes show. A philosopher must even use mirrors for scientific explanations, in the context of various theories of vision; one may think of the example of Archimedes. Had you known the book, Aemilianus, you would have cast a look in a mirror, although your face is like the mask of Thyestes. You are probably glad that I say nothing of your character. But this is because I hardly know you, since you lead a hidden life in the dark.

The charge concerning mirrors is dealt with at some length, like the preceding one. At the beginning, Apuleius directs a rather sophistic argument against the formulation of the charge: possession does not imply use. The second argument, on the versatility and dynamic character of mirrors, is developed into a proper *laus speculi*, which takes up about one third of the entire section. The pedagogical and professional use, illustrated by Socrates and Demosthenes, leads up to the final argument: the scientific relevance of mirrors to philosophers. The section is rounded off with a reference to yet another authority, Archimedes, and some biting invective.

Compared to the previous section, the tone is not merely defensive; in fact, most of it provides positive arguments for using mirrors. It seems that the speaker feels more confident here. Two arguments are given so much space and attention that they can be considered small digressions: a praise of the mirror and a scientific section on vision. The former shows the skills of the speaker in epideictic rhetoric, the latter his proficiency in physics and philosophy. As a whole, the passage provides a strikingly wide range of arguments and styles, presenting Apuleius as an eloquent philosopher.

The relation between mirrors and magic is a difficult point. The accusers may have suggested it, but we cannot be sure. Apuleius pays no attention to it, and restricts himself to the areas of literature and science. As a matter of fact, mirrors could be used for magical purposes, and we have examples of catoptric magic from all periods and from all over the world. As ABT 1908, 25-7 shows, the examples from antiquity are rather scarce. He suggests that this charge is made in order to indicate that Apuleius is not a serious philosopher abstaining from earthly goods. The charge, then, would mainly be a specific example of the earlier one on 'beauty and eloquence.' However, Apuleius betrays some knowledge of the magical use of mirrors later on: in

42,6 he refers to an example of *hydromantic*, which is a form of catoptric magic; in general, see RE s.v. *Katoptromanteia*; and FICK 1991b, 20wn44.

Apart from magic and luxury, there is also a strong link with erotic purposes: mirrors were a common attribute of Venus and their use was conventionally restricted to women for erotic or related purposes; cf. MCCARTY 1989, 167wn11. Use by men was often condemned, since it implied effeminacy; cf. esp. Sen. *Nat.* 1,16-7, further examples in MCCARTY, 168n15.

13,5 **censoria**: the word is of course ironical here, as in 8,1 *censor meus*. Here, it also provides a teasing echo of 11,4 *censor diuus Adrianus*.

diruptus: this expressive word strikes a comical note of 'exaggerated emotionality': it pictures Tannonius Pudens (here addressed, somewhat confusingly, as Pudens) as a pleader of a lesser sort, who indulges in high pathos at the wrong moment; cf. MCCREIGHT 1991, 69; on the word further GCA 1985, 200.

habet speculum: we get the impression of a verbal extract from the accusation, inserted here for the sake of ridicule. But as HIJMANS 1994, 1712n11 rightly says, this may well be a reworded summary. The phrase recalls Juv. 2,99 *ille tenet speculum, pathici gestamen Othonis* (quoted by B/O).

possidet: almost a repetition of the preceding phrase, illustrating the ridiculous, emotional outburst. The verb adds a legal tone here; on civil law concerning property cf. NORDEN 1912, 156ff, esp. 158 on *possessio*. The apparently clumsy formulation by the prosecution enables Apuleius to start on a piece of sophistic reasoning.

13,7 **choragium thymelicum**: two Greek words, meaning 'equipment of an actor'. *Thymelicus* is derived from *thymela* 'sacrificial platform, orchestra.' B/O take it as *scenicus*, but it seems to refer more specifically to actors; cf. LEPPIN 1992, 79-80. Apuleius uses the opportunity to insert an example from the theatre here; many more theatrical elements, notably from comedy, are to follow. The exotic words in the sentence vividly evoke the joyous atmosphere and rich colours of the theatre.

syrmate... crocota... centunculo: three special theatrical costumes. The first is a long, trailing robe; the second a saffron-coloured robe worn by women and effeminate men; the third a patchwork robe typical of the mime; cf. POTHOFF 1992, 193-4; 104-6; 84-8. These details are used for a rather self-mocking comparison ('Apuleius dressed up like an actor'), which at once reduces the force of the charge.

+ **orgia**: a vexed place, for which many emendations have been put forward. In the series of different theatrical outfits, a fourth element would be possible, although one wonders which other form of theatre could still be referred to.[1] In that case an additional word is still required, since a single word would break the rhythmical structure, but we have no definite clues how to fill in the gap. As it stands in F, the word may be what is left of a scholar's gloss to *crocota* or *mimi centunculo*; cf. B/O; HIJMANS 1994, 1775 n216.[1] In the absence of any certainty I leave the word obelized.

possessu: a hapax legomenon, apparently formed here to match the sound of *usu* and to give a somewhat formal colour to the expression; for the word cf. MCCREIGHT 1991, 281; on the legal concepts of *possessio* and *usus*, cf. NORDEN 1912, 158.

13,8 **inspectio**: looking in a mirror is obviously the most common form of using it. For this action Apuleius has selected the noun *inspectio*, clearly as a parallel to *possessio*, and given it a new sense, which returns to the original etymology; cf. FACCHINI TOSI 1986, 132. Meanwhile, the more common sense of 'theoretical examination' (cf. OLD s.v. 3) is also relevant here in view of the paragraphs to come (esp. in 15-16). The double meaning is exploited in 16,6 *inspexerat*.

docear: it seems difficult to choose between this reading of FΦ and *doceas*, written by a later hand in F. Modern editors disagree on this point, but with B/O, VALLETTE and AUGELLO we can defend the original reading *docear*, which is, moreover, the lectio difficilior.

Cereris mundum: using a mirror is ironically compared with religious profanation. For the rare use of the noun *mundus* cf. B/O. The meaning is 'equipment of Ceres', that is, her sacred emblems (OLD s.v. *mundus* (2) b). Possibly Apuleius had specific knowledge of cults involving Ceres, and may even have held a priesthood of Ceres, a cult of whom is attested in Carthage. This is actually suggested by RIVES 1994, 284-5, although he prefers the theory that Apuleius was a priest of Asclepius. The motif of due secrecy in mystery cults will return in 56,9-10, esp. 56,10 *nullo umquam periculo compellar, quae reticenda accepi, haec ad profanos enuntiare*.

14,1 **cedo nunc...**: a second point is granted, enabling the speaker to develop it into the first argument in praise of the mirror: it gives people the opportunity to become fully aware of what they look like.

paruo speculo promptam: the image is, as it were, not stored at one place, but present in the mirror, ready for use at any place. *Paruo* indicates the contrast of the hand-mirror to huge, immobile objects such as statues or paintings.

14,2 **homini nato**: : cf. on 8,6.

simulacrum... pro meritis: one cannot help thinking of Apuleius' personal eagerness and pride of having a statue (possibly two) decreed to him at Carthage; cf. *Fl.* 16 (esp. 41); another statue of him at Oea is mentioned by August. *Ep.* 138,19.[2] Therefore, it is only for the sake of the present argument that statues are represented as inferior.[3]

[1]. It seems just imaginable that some non-dramatical form of show is meant, as in *Fl.* 5,2, where a *funirepus* is mentioned between *mimus* and *comoedia* (followed by an interesting reference to a philosopher performing in the theatre). HELM has a brilliant suggestion *or<chestae ser>ica*. I would tentatively suggest *origae (=aurigae)* <...>, with some Greek word for a garment fallen out, e.g. *pallio*, *palla*, *chlamyde*; we could also think of a specific attribute of a charioteer, such as *fasciis* or *pilleo*. Of course, charioteers performed in the circus rather than the theatre, but they are often mentioned in the same context as actors. Chariot racing was very popular in Roman Africa; cf. on Carthage HUMPHREY 1986, 296-8.

[1]. HIJMANS, who appears to be charmed by *ad trieterica orgia*, found in Cod.Urb. 199, suggests that this is a scholar's reminiscence of Verg. *A.* 4,302 *ubi audito stimulant trieterica Baccho / orgia*. Interesting questions though this may raise, these words would only constitute a gloss. In that case, we would be justified in omitting rather than obelizing *orgia*.

[2]. Two further details are provided by Augustine: when the statue became a matter of dispute, Apuleius took his opponents to court; he delivered an important speech at that occasion, which was published afterwards. So, there are points of contact with the present speech.

[3]. As symbols of immortal achievement statues could become quite an obsession for Second Sophists; cf. Favorinus' *Corinthian oration* (extant as Dio Chrys. 37), analysed by GLEASON 1995, 3-20. There is no reason to believe that Apuleius would ever *object* to a city setting up a statue of himself, an absurd theory inconvincingly defended by LEE TOO 1996.

14,3 **effigiatae**: the rare word (cf. B/O) underscores the contrast between artificial products of human effort and simple natural images, as McCreight 1991, 445-6 rightly says. This elementary contrast (for which cf. *Met.* 2,4 (28,1) *ars aemula naturae*) is rhetorically elaborated with many examples in the rest of the chapter.

uel magis miranda: *magis* is an adverb here, but at the same time it could also be read as a dative plural of *magus*, which would make it a teasing or provocative point. Quite apart from the possible link between mirrors and magic, the immediate context of 'nature', 'ease', and 'similarity' seems to support such an allusion to magic. Admittedly, the quantity of the final syllable is different, but in Apuleius' time the importance of syllable quantity tends to decrease (as may be seen in his poems, cf. on 6,3). To the reader, the difference is entirely invisible.

culpabile: the word is a neologism, inspired by the foregoing *laudabile*; cf. Facchini Tosi 1986, 137.

14,4 **diutino**: in this form the adverb is rare, but it should not be changed here. It is cautiously accepted by TLL 5,1, 1644,18-20.

14,5 **rigor**: the word is clearly chosen as an element in the series of nouns on *-or*, but here the element of 'solidity' or 'hardness' (cf. OLD 1c) is not easy to account for. B/O suggest it refers to the fact that painting, unlike sculpture, is two-dimensional and therefore lacks the 'tactile values' of sculpture. With greater precision Facchini Tosi 1986, 152-3 explains it as 'relief', but we should perhaps not render the vague word in such a specific manner.

motus: the contrast 'natural - artificial' is broadened and now comprises 'dynamic - static.' One could argue that it is precisely this latter element which makes the comparison of mirrors and works of art *false* from the start. Undoubtedly, Roman artefacts were not merely intended to bring out a certain likeness, but above all to fix it and record it for the future.

The responsiveness of mirrors is noticed in other texts too, e.g. Lucr. 4, 150-67; 269-323; cf. further McCarty 1989, 169wn17. Some scholars attach unduly much importance to it here. For instance, the present passage is said to represent a fundamental reflection on the role of appearance in creation (Michel 1980, 18), or to show 'une conception dynamique et vivante du monde' (Callebat 1987, 115; cf. id. 1984, 66 and 1994, 1659-60), or to describe Apuleius' 'poetics of selfrepresentation' and 'specular poetics of difference and multiplicity' to replace the 'poetics of death' illustrated by the arts (Lee Too 1996, 146). On a less profound note, it may be regarded as indicative of Apuleius' interest in physiognomy (Opeku 1979, 471-2). I also add that mirrors play a role in comedy as 'revealers of truth', e.g. in Pl. *Epid.* 382-7; Ter. *Ad.* 415; for further references see Geffcken 1973, 81-2.

uisitur: some scholars have taken offence at the indicative after *cum*; thus, Helm proposed *uisi<te>tur*. But Apuleius often uses an indicative instead of a subjunctive, and the text may therefore be retained here.

ad omnem - morigera: the image is represented like a living being itself; the phrase will return in an invective context in 74,7 *emasculatoribus suis ad omnia infanda morigerus*. Frassinetti 1991, 1205 suggests changing *hominis* to *mominis*; this would produce an exquisite sound effect in the line, but also an awkward tautology *nutum mominis*. Since *hominis* makes perfect sense, there is no reason to change the text.

14,6 **semper... aequaeua**: as the description continues, the pathos increases; now the image is described as a lifetime's companion. This positive idea obscures the rather misleading comparison of works of art and mirrors. *Ad obeuntem senectam* is an uncommon expression, constructed on the analogy of *ab ineunte pueritia*.[1]

14,7 **quod luto fictum...**: the three elements of the first list in 14,5 (moulded clay, stone, and paint) return, but the speaker is not merely repetitive here. Two more elements (bronze and encaustic pigment) are added in between as items two and four, and the rhythm is stronger. For the encaustic process, see Plin. *Nat.* 35,149, quoted by B/O.

incussum: this reading of FΦ is sometimes corrected into *incusum*, from the verb *incudo*; thus e.g. B/O. This would be a rare form, creating rhyme with the preceding *infusum*; Verg. *G.* 1,274-5 *lapidem... incusum* seems to offer a parellel, but according to Servius (quoted by Mynors a.l.) it refers to a stone sharpened for technical use, which seems different from what is meant here. However, it seems best to retain the reading *incussum* of the MSS, which is considered a spelling variant of *incusum* by TLL 7,1064,35ff and OLD s.v. *incudo* 1.[2]

ritu cadaueris: now that the mirrored image has been represented as a living being, its opposite can easily be compared to a corpse.

14,8 **ad - referundum**: again, an exact likeness is the only element that the speaker selects, with the inevitable result that the mirror comes out best.

The order of the words has given offence to some scholars (among them B/O), who accordingly write *artibus ad imaginis similitudinem*. But *imaginis* can be taken with *artibus*: it may be explained as a contracted form of the adjective *imagineis*, or more simply as the genitive of the noun. The phrase would refer to the preceding list of 'arts of (rendering) an image.' To the form as given in FΦ, the gerundium *referundum* (instead of the gerundivum *referundam*), it is usually objected that it is unparallelled, in so far as the gerundium would come *after* the inflected noun *imaginem*. However, LHS 373,y list this passage as an early example of this unclassical construction.

leuitas - opifex: a fine description of the smooth, shining surface of a mirror. From a modern perspective, the description seems almost exaggerated, given the fact that Roman mirrors were usually made of polished bronze.[3] *Fabra* and *opifex* suggest 'creation' rather than simple reflection of an image, and so add a note which seems to be rather at odds with Platonic theories of art.

15,1 **unius Hagesilai - sententia**: a reference to the great Spartan king (ca. 444-360 BC), who was the subject of three extant biographies by Xenophon, Plutarch,and Nepos. For his ugliness cf. e.g. Nep. *Ag.* 8,1; for his refusal to have artistic representations of himself made[4] cf. Xen. *Ag.* 11,7; Plut. *Ag.* 2,2; *Mor.* 191 D; 210 D; 215 A; [Dio

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1. Accordingly, the precise sense of *obeo* here is hard to classify. The OLD cautiously refers to this passage s.v. *obeo* 8b '(of things) to be destroyed, perish'.

2. One wonders whether *incussum* is not simply the participle of *incutio*, even though parallels for *incutere lapidem* in this sense are missing.

3. The next paragraph mentions silver as a material for mirrors (15,2 *argento*); for this cf. also *Fl.* 15,5 *plurima auri et argenti ratio in lancibus, speculis, poculis (...)*.

4. For the motif of prohibiting images of oneself, B/O compare the story of Alexander the Great in *Fl.* 7, 5-8 (also told by e.g. Hor. *Ep.* 2,1,239-41). There, however, making images of the king is not absolutely forbidden, but allowed exclusively to three famous artists. Furthermore, the reason is different: unlike Agesilaus, Alexander had no doubts about his good looks.

Chrys.] 37,43; further Cic. *Fam.* 5,12,7. A modern historical study on Agesilaus is CARTLEDGE 1987.

The reading *unius* is called into doubt by WATT 1994, 518, who proposes *illius*. There is no reason, however, to change the reading of the MSS, which is sound and makes perfect sense, especially in its contrast with *omnium ceterorum hominum*.

neque pingi neque fingi: the combination seems to have been common; B/O quote e.g. Cic. *Fam.* 5,12,7 *neque pictam neque fictam* (also on Agesilaus). Of course, Apuleius also liked the assonance here.

15,2 **lapide... tabula...**: the former refers to statues (*statuae*), the latter to pictures (*imagines*).

15,4 **Socrates philosophus**: the first mention of Socrates in the speech (he will be briefly mentioned in 18,7 and 27,3); he plays an important role in *De Deo Socratis*.[1] As with earlier examples of authorities in the *Apol.*, his being a *philosophus* is explicitly mentioned. Some lines below he will be called *uir omnium sapientissimus*, which is a commonly known element of the Socratic tradition; cf. e.g. Plato *Apol.* 21 a.

suasisse fertur...: the story was well-known; cf. Diog. Laert. 2,33; Plut. *Mor.* 141 D. It was sometimes attributed to Bias, one of the Seven Wise Men; cf. Diels-Kranz I 10, p.65, nr.3,(6),2. For the advice without a specific name, cf. also Phaedr. 3,8; Sen. *Nat.* 1,17,4.

15,5 **pulchritudine**: an echo of the earlier theme of beauty. Just as the first part of the advice seems to apply to Apuleius himself, the second part can be read as an ironical comment on Aemilianus, who will be described as ugly (16,7), but clearly shows no attempt to compensate for it *uirtutis laude*.

turpitudinem tegeret: after *turpitudinem*, Plasberg inserted <*corporis*>. Recently, this conjecture has been defended by WATT 1994, 518, who also wants to change *tegeret* to *tergeret*. Again, there is no good reason for any alteration here.

15,8 **Demosthenen... dicendi artificem**: an echo of the preceding charge of eloquence (c.5). Apuleius does not say that he adopted the same practice as Demosthenes, but implies that he would be fully justified if he had done so. The Greek orator's professional use of the mirror is another well-known story; cf. Plut. *Dem.* 11,1; *Mor.* 844 E; Quint. *Inst.* 11,3,68.

quis est qui non sciat: the expression hints at the familiarity of the story, suggesting that the accusers do not even share this piece of common learning.

15,9 **a Platone**: according to Hellenistic tradition, Demosthenes was a pupil of Plato; cf. Diog.Laert. 3,47; Plut. *Dem.* 5,7. It is repeatedly alluded to by Cicero, e.g. *de Orat.* 1,89; *Off.* 1,4; cf. further Gel. 3,13; also RE s.v. *Demosthenes*, 170,57ff, where the story is said to be doubtful.[2]

ab Eubulide dialectico: Eubulides (ca. 400 BC) was reportedly a follower of Euclides, one of Socrates' pupils. He was best known for his paradoxes, such as the *sorites*, the paradox of addition ('after how many corns do we get a heap?'). The

[1]. He is mentioned a number of times in the *Fl.* and the extant part of *Soc.* In addition, he is likely to have been the main subject of the lost Greek part of *Soc.*, which probably preceded the Latin text as we have it; cf. HUNINK 1995, 302.

[2]. There is also an ancient anecdote that Plato expelled Demosthenes from his classroom because of his playing with words; cf. RIGINOS 1976, 134-5.

present testimonium on Eubulides is Fr. II B 3 (GIANNANTONI). That Demosthenes was his pupil is also said by Diog.Laert. 2,108 and Plut. *Mor.* 845 C.

congruentiam: 'appropriate manner' (OLD s.v.2); in this context of mirrors, the more literal sense 'likeness, similarity' easily presents itself, too.

15,10 **utrum igitur putas...**: the thought is effectively concluded by a triple contrast between the disgraceful actions of a lawyer and the lofty pursuits of a philosopher. The thought is reinforced by puns (*iurganti... obiurganti*; *disceptanti... disserenti*; *de finibus agrorum... de finibus bonorum et malorum*), and by the stylistic form of an anaphorical rhetorical question with the 'good alternative' coming in second place. It should also be noticed that the contrast is at its strongest in the third element.

iurganti: the verb has a rather negative ring, but can also be used as a neutral legal term for contending in a trial; for the latter cf. NORDEN 1912, 163n1 and TLL 7, 668,30ff.

disserenti: the verb is used here of the eloquent philosopher; elsewhere it refers to Apuleius' own public discourses; cf. SANDY 1993, 169.

de finibus agrorum: a legal reference to a *controuersia finalis*, a dispute on borders between territories; cf. NORDEN 1912, 162-3.[1] Here it is seen as the trivial concern of a *causidicus*; for a somewhat similar contrast cf. Cic. *Mur.* 22 *ille exercitatus est in propagandis finibus, tuque in regendis* (quoted by MCCREIGHT 1991, 75). The opposite of *de finibus agrorum* is described as *de finibus bonorum et malorum*. This may well be an allusion to Cicero's philosophical work bearing this title. Of course, only the more educated members of the audience would be expected to recognize the point.

15,11 **quid quod...**: after the biographical anecdotes on famous authorities using mirrors, the argument is brought to the level of science. A philosopher, it is argued, has to examine not just his own likeness, but also the essence of likeness as an optical phenomenon, and for this mirrors are necessary, too.

Apuleius then delivers a short lecture on the various theories of vision adopted by philosophical schools. Such a discussion of optics is of course alien to forensic practice. The speaker's main aim seems to be to impress the general audience by his wide erudition, while enabling those with a higher education to recognize theories they were more or less familiar with. This rhetorical aim becomes clear, too, from the way in which the theories are presented: none is rejected or proposed as the right one. Indeed, in the *Apol.* as a whole, which is consistently shaped as a 'defence of philosophy,' philosophical theories are hardly ever confuted at all; cf. HIJMANS 1987, 417.

For another ancient survey of various theories of vision, cf. Gel. 5,16; further Macr. 7,14. For details concerning the individual theories, see notes in B/O, MORESCHINI, 100n9; BINGENHEIMER 1993, 159-60n94; on the problematic Stoic theory see INGENKAMP 1971.

15,12 **Epicurus**: in the Epicurean theory, all objects constantly emit *eidola (simulacra)*, which are perceived by the senses; for a brief analysis of the theory cf. e.g. ASMIS 1984, 107-11. This Epicurean notion is well known from the poem of Lucretius (esp. 4,26-468, on mirrors: 269-323), and Apuleius may well have been inspired by this poet

[1]. As NORDEN rightly notices, this *controuersia finalis* is also present in a comparison in *Met.* 6,29 (151,21-2) and literally in *Met.* 9,35-36.

rather than by Epicurus himself, as modern editors (e.g. AUGELLO) rightly say. The terminology used here seems to point in this direction too, especially the stately expression *illisae - respondeant*, which recalls Lucretius' language. The passage contains several rare words, such as *iugi fluore* and *contrauersim*; these add to the elevated tone of the passage.

One may wonder why Epicurus provides the starting point, whereas Plato plays only a subordinate part. Possibly, the Epicurean theory was most familiar to the audience and posed no immediate problems, unlike the other theories, including the Platonic one.

15,13 **Plato**: in fact, Plato seems to have assumed a coalescence of *three* fires: that of the intra-ocular rays, of the external objects, and of the intervening air itself; cf. B/O a.l.; BINGENHEIMER 1993, 159n94. The hapax legomenon *proliquati* may be the translation of a Greek word such as *aporreontos* in Apuleius' model; cf. MCCREIGHT 1991, 466.

When, in his treatise on Plato, Apuleius deals with the human eye, he remains remarkably unspecific on this Platonic theory, cf. *Pl.* 14 (209): *oculorum acies gemellas perlucidas et quadam luce uisionis illustres noscendi luminis officium tenere*.

15,14 **Archytas**: the Pythagorean philosopher Archytas of Tarentum (1st half of the 4th cent. BC), who is mentioned in *Pl.* 3 (186) as one of Plato's teachers (cf. BEAUJEU a.l. for further reff.). In Archytas' view, the intra-ocular rays needed no support from without. The present testimonium is Diels-Kranz I 47, p.431 nr. A 25. Of what is presented as three variants of the theory of rays emitted from within the eyes, this is the oldest and simplest one. Apuleius seems to be following it in his explanation of the invisibility of demons in *Soc.* 11 (144-5); cf. BINGENHEIMER 1993, 159-60n94.

facti: a difficult textual problem, obscured by the very complexity of Stoic theory here. It has often been thought that the Stoics considered air as a confining force keeping the rays together; the reading of the MSS has accordingly been altered to *coacti* (Purser), or *acti* (HELM). But according to INGENKAMP 1971, 245-6, the Stoics did not have the notion of rays emitted from the eyes, only that of a *pneuma* of vision which did *not* leave the eyes, but had an effect on the air it met with.[1] In that case, the emendations are all based on a wrong startingpoint, and it seems best to retain *facti*.

Apuleius may simply have misunderstood Stoic theory; alternatively, it may have been his strategy to adopt a rather general verb as *facti* in order to avoid a technical point too abstruse for his purpose; cf. also HUNINK 1996, 160-1.

16,1 **uideturne uobis...**: a self-confident rhetorical question, connecting the previous paragraph with the one to come. The direct address of the 'unlettered' accusers in the middle of this academic lecture on optics can hardly have had any other aim than to embarrass them.

uel suda: in F this is followed by the word *soli*. This is probably the most frequently discussed textual point in the *Apology* and many emendations have been

[1]. 'Das Sehpneuma stößt an die Luft, die spannt sich keilförmig, die Basis des Keils liegt am Sehobjekt, das so, *ἀφῆ, ἐπερείσει, ὡς διὰ βακτηρίας* zum Sinnesorgan geleitet wird. Das lichtartige Pneuma entläßt einen Schein, der es ermöglicht, dunkle Luft so zu erhellen, daß der Rest der Luft, ebenfalls *ἀφῆ, ἐπερείσει, ὡς διὰ βακτηρίας* als dunkel gesehen wird. Die Annahme dieser *αὐγή τις* hat vielleicht das spätere Mißverständnis der stoischen Lehre, wonach Strahlen oder Pneuma aus den Augen treten sollen, gefördert.' (INGENKAMP, 245-6).

proposed.[1] Scholars who refrain from emendation have interpreted it either as the genitive singular of *solum* 'soil'; or as the dative singular or nominative plural of *solus* 'only';[2] or as the dative singular of *sol* 'sun', but none of these will do. Most likely, the word is an interpolation, as LA PENNA 1952 has explained: a scribe did not understand *suda* and added *soli* above *su*, to make the perfectly normal *solida*, which was then taken into the text. The same solution has been defended by TRAINA 1986, and is now adopted by modern Italian editors. I follow these scholars in deleting *soli*.

Sudus is a rather uncommon word for 'dry'. OLD s.v. 2 suggests a popular etymology *se-udus*, that is *sine udo*. For this, our passage seems a perfect illustration.[3]

16,2 **etiam illa ratiocinatio...**: now follows a second paragraph on optical problems related to mirrors. It is of a more practical nature than the first paragraph, and so is likely to have been more readily accessible to the audience. Apuleius touches upon five problems: (1) the difference between flat, convex, and concave mirrors; (2) the change of left and right; (3) depth; (4) concave mirrors used as lenses; (5) atmospheric phenomena such as the (a) rainbow and (b) the illusion of a double sun (*parhelium*).

Possibly, Apuleius has derived these issues directly from Archimedes, as he states in 16,5. But it may be observed that the problems are commonly dealt with by later authors. For example, the first three are dealt with by Lucretius in his section on mirrors: (1) 4,311-7; (2) 4,292-301; (3) 4,269-91; for (5a) see Lucr. 6,524-6. Cf. further Sen. *Nat.* 1,3-8 (on rainbows and mirrors); 11 and 13 (on *parhelium*). For concave mirrors used to start fires, cf. Plin. *Nat.* 2,239. Unlike these and other authors, Apuleius merely raises questions here; he does not attempt to answer them.[4] The reason for this is clear: providing answers is the task of the specialist, which is not the role he adopts here.

16,6 **Archimedes**: the famous mathematician and engineer from Syracuse (287-212 BC). His *uolumen ingens* on catoptrics, most likely the *Katoptrika*, is not among his extant works; for a discussion on this work see e.g. HEATH 1921, 24-5. The most recent edition of Archimedes' works is that of Mugler in the *Budé* series (1970-2); for the *Katoptrika* it prints only one testimonium (IV, 207), but the present passage in Apuleius is briefly mentioned (IV, 200); for more references, see HIJMANS 1987, 418n88.

During the siege of Syracuse by the Romans (in 214-2), Archimedes brought his mechanical expertise into practice, as various sources confirm. Some authors also add a detail on catoptrics: Archimedes allegedly built huge mirrors and, by reflecting the

[1]. For various solutions, cf. B/O; LA PENNA 1952; TRAINA 1986; LUCIFORA 1993, all with further references. The latest attempt at emendation has been made by WATT 1994, 518, who proposes *o<cu>lis*.

[2]. In that case *soli* must be taken with *philosophia*, interpreted as a collective noun. Philosophers, then, would be 'the only ones' who must examine all kinds of mirrors; for this solution cf. recently LUCIFORA 1993. However, it makes for harsh syntax, even for Apuleius, and the parallels adduced are not convincing. Moreover, I fail to see why this study should be said to be the *exclusive* concern of philosophers.

[3]. In *Met.* 4,31 (99,15) *sudus* occurs too; in that case, DE BIASI 1990 proposes to emend it to *udus*, curiously without any reference to the present place. The emendation itself would spoil the point, well explained by KENNEY a.l.

[4]. For a somewhat similar list of questions concerning optics, see Gel. 16,18.

sunlight, put the Roman ships on fire; cf. Diod.Sic. 26,18,1 and Lucian, *Hipp.* 2. It is impossible to establish whether Apuleius knew this story or not.

geometria: a general term. In Gel. 16,18 it covers catoptrics as well as 'canonics' (related to music).

quod - diligenter: the general praise of Archimedes is given a twist for the sake of the argument: closely regarding or investigating a mirror (for both senses of *inspicere*, see on 13,8) was certainly not his main accomplishment.

16,7 **Aemiliane, si nosses...**: the paragraph on mirrors is concluded with a torrent of abuse, which takes up several invective elements developed before: boorishness and lack of learning, filth and ugliness, immoral character, lowliness, and concealment; cf. McCreight 1991, 123-5. A prominent place is attributed to the contrast between light and dark and to the element of hiding. This may even strike an anti-Christian tone; cf. below on *lucifuga*.

abaco et puluisculo: the calculating board sprinkled with sand is an ancient instrument for mathematics and geometry. Apuleius cleverly connects it with the foregoing *campo et glebis*, which alludes to Aemilianus' rusticity. The diminutive *puluisculo* posed a problem for B/O, but it seems functional: it underscores the contrast between the rustic's rude clods of earth and the scholar's fine dust; cf. McCreight 1991, 285.

Thyesta tragico: the ugly mask of the horrified Thyestes is a theatrical element with clearly negative associations; it is firmly put on Aemilianus' face. For the type of comparison, editors rightly quote Cic. *Pis.* 47 *ego te... non tragico illo Oreste aut Athamante dementiorem putem?* By contrast, in 13,7 Apuleius had dissociated himself from various forms of theatrical equipment.

sulcos rugarum: *sulcus* is regularly used figuratively for a wrinkle of the skin (examples in B/O). In this context, Apuleius revives the metaphor by evoking its literal, agricultural sense.

16,8 **albus an ater**: a proverbial expression; cf. Catul. 93,2 *nec scire utrum sis albus an ater homo*; Cic. *Phil.* 2,41 *qui albus aterne fuerit ignoras*; for more parallels, cf B/O; for this and similar expressions Otto 1890, 11. Usually, the proverb expresses merely unfamiliarity and has nothing to do with colour. But Apuleius, again, takes up the basic meaning, by placing the phrase in a context of 'light versus dark.'

16,11 **mea peccata tegere**: Watson 1982 objects to *tegere* because it would imply that Apuleius had something to hide. He emends to *tergere* (with long second vowel) 'remove, clear away'. The emendation is clever but unnecessary, since the text makes good sense.[1]

[1]. Watson compares Sen. *Her.O.* 907-8 *scelus... tersit*, Mart. 6,1,3 and *Apol.* 57 *maculam detersisse*. But why could Apuleius not imply to have committed *peccata* in the first place? The word does not yet refer to 'sins', but simply to 'mistakes' or 'lapses'. Furthermore, Apuleius is elaborating a rhetorical contrast between minding one's own business and meddling with the affairs of others. On the level of pragmatics, the sentence can even be regarded as a *counsel to the opponent*: it implies that, rather than going deeply into *aliena*, Aemilianus ought to have hidden his own *peccata*.

16,12 **loco lumine conlustrato**: here the contrast of light and dark is not a metaphor, as it often is (e.g. *Pl.* 2,7 (230) *pessimi ciues luce carent dignitatis*), but must be taken literally.[1]

16,13 **lucifuga**: Aemilianus is said to be hiding in the dark, invisible to Apuleius, who himself always acts in public. The combination of invective motifs here has led some scholars to assume that Aemilianus is pictured as a Christian; cf. Griset 1957, 38; Birley 1968, 636. From early Christian apologetic writings we know that similar charges were brought forward against Christians. Especially the word *lucifugus* is remarkable, since it is used in anti-Christian polemics; cf. Min.Fel. 8,4 *latebrosa et lucifuga natio*; Rut.Nam. 440 *squalet lucifugis insula plena uiris*.

However, it remains impossible to establish whether Aemilianus actually was a Christian.[2] At best, we can say that the words that Apuleius uses to describe him could be interpreted in that way, like several other passages in the rest of the speech (e.g. 56,4). Meanwhile, other negative associations may be intended, too; for instance, hiding and darkness also carry the association of magic (cf. 47,3).

17-23 Subsidiary charges (V): lack of slaves, and poverty in general

You happen to know that I once set free three slaves on a single day, although I had come to Oea with one slave only. That is absurd! Besides, owning a small number of slaves is not something a philosopher should feel ashamed of: it is the source of many virtues and is embodied in many famous persons. Judge Maximus is surely no contemptor of poverty either, and even the rich wish to create an appearance of modesty and poverty. On a philosophical note: what else is real poverty but an incessant appetite for more? In that sense, 'poor' philosophers are rich, content as they are with little. And suppose I have become poor through no fault of my own, how can I be censured for that? I wish I could dispense even with what little I possess: whoever needs least, is most like a god. To insult me, you claimed that I possessed only a bag and a staff. But the famous Crates actually took this equipment on purpose, parting with his other possessions. Bag and staff are typical of a philosopher! Diogenes the Cynic wore them with pride, as did Hercules. Finally, if you want to know my financial affairs: my father left me much money, but I have spent a lot on travel, study, and the support of friends. For men like you, Aemilianus, possessions are not a means but an aim: you are what you own. And in fact, until recently, when you received some inheritances, you owed very little. So stop criticizing others.

This long section fully brings out Apuleius' rhetorical talent and interest in popular philosophy. It has sometimes been considered as a rather useless digression, even more so than the preceding one on mirrors, but it appears to be functional. It centers around

[1]. A modern reader might think of the situation in a theatre, with an actor on stage and viewers sitting in the dark. But Roman theatres were, of course, not covered, and had no special lighting facilities.

[2]. It seems unlikely that a Christian would have sued someone on a charge of magic, a practice with which he could be associated himself.

questions of wealth and poverty, but the issue is not always clear in every detail. The charge must have been something like this: 'you were an impoverished man, owning only one slave when you came to Oea, and a patrimony of a bag and a staff. So you had great financial interests in marrying the rich widow Pudentilla.'

Apuleius seems intent on distracting attention from the real issue. He merely takes out the first element of 'being poor' and develops this with all rhetorical devices at his disposal. This results in an elaborate *laus paupertatis*, clearly redolescent of the rhetorical school and *exempla* literature. In particular, the section resembles popular diatribe; cf. VALLETTE 1908, 129-57; HELM 1955, 105 (with parallels) and SALLMANN 1995, 152-3. For a somewhat similar diatribe in Apuleius' work cf. *Soc.* 21-3 (on taking care of one's *daemon*). Finally, it reflects contemporary philosophical debate; cf. MICHEL 1980, 13; STOK 1985, esp. 359; HIJMANS 1987,425, who observes that Cynics rather than Platonists are referred to here.[1]

The speaker carefully avoids establishing any explicit connection with the marriage. A distant echo of a charge of 'enriching oneself' seems to be the element of manumitting three slaves, something only a rich man could be expected to do. But here Apuleius puts up a smoke screen, launching an outright sophism (see on 17,2-4). Another possible allusion to the original charge may be present in 22,5 (q.v.). On the whole, as with most of the earlier preliminary charges, Apuleius admits to the complaints brought against him, but goes on to justify them by referring to his status of philosopher.

I would suggest that this rather conventional *laus paupertatis* also enables the speaker and the audience to 'take a break': for a speaker trained in improvisation it must have been an easy topic, on which he had much material at his disposal. Apuleius' self-confident tone and lengthy display of names and ideas seem to confirm this. To the audience, much of what Apuleius says is likely to have sounded familiar; so it may have relished the pleasure of recognizing these references to the wide world of learning and culture.[2] In the meantime, under the cover of his lofty subject matter, Apuleius can come up with some nasty insinuations about the accusers (e.g. 17,1; 23,7).

The link with magic is weak; only a joking reference to magic is included in 17,3 and there may be an allusion in 23,7. In the section as a whole, magic may be said to have fully receded to the background.

17,1 **seruosne tu**: for the textual problem here see discussion in B/O. The reference is to slaves as *agrorum cultores*. Slaves in Apuleius' works, especially the *Met.*, have a

1. In *Pl.* 2, 10-1 (235-7), there seems to be a certain inconsistency about the true nature of poverty: is it a *malum* or something neutral? There, according to STOK 1985, 360, Platonic and Stoic elements are fused. In the present passage, STOK adds (360-1), Stoic elements are present too, possibly to flatter the judge, whose adherence to the Stoic school is alluded to. He rightly points out that Apuleius is not merely a person of birth wishing to show off in a provincal town, but also a social climber ('arrampicatore sociale'; 367) in search of success, prestige, friendships with the mighty, and, obviously, wealth.

2. Most scholars tend to be very negative on the passage. For instance, B/O on 18,1 speak rather dismissively of 'platitudes uttered by Apuleius in these chapters.' Although from a modern point of view this judgement seems fair enough, we should not assume that an ancient audience felt the same.

wide variety of tasks: in personal service, as personel, on farms, or as assistants in business and administration; for a list, see NORDEN 1912, 72n1.

an ipse - cambies: the mere suggestion that Aemilianus could have had no slaves at all to work his land, is an insult in itself. It is even carried one step further: Aemilianus may have had to do his own ploughing, exchanging work with neighbours. This refers not to a formal legal procedure but probably to an informal contract on the basis of *facio ut facias*; see NORDEN 1912, 181 (quoting *Dig.* 19,5,17,3); and cf. further Gel. 2,29,7. The rare *mutuarius* (echoing 16,13 *mutuo*) and the colloquial *cambies* add to the mocking tone here.

neque scio neque laboro: resumes 16,9 (*albus an ater esses*). Almost imperceptably, Apuleius has now passed to a new topic, the manumission of slaves. This initial sentence contains the insinuation that Aemilianus is poor. In the following elaborate *laus paupertatis*, Apuleius will be seen to reject this very point when it is raised against himself. For the moment, it suits his purpose to do the opposite.

17,2 **tris... misisse**: the issue is not fully clear. Some scholars assume that 'setting free three slaves' was meant as an example of poverty, as Apuleius says in 17,5. But it seems more likely that the accusers tried[1] to make the point that Apuleius had come to Oea with one slave only, i.e. as a poor man, and after only a short time was seen to set free three slaves, i.e. as a man who has suddenly become rich (e.g. by marriage) and is now squandering his money. In that case, Apuleius is deliberately confusing the issue, as some scholars observe; cf. THOMPSON 1978, 3-4; MCCREIGHT 1991, 450-1; FICK 1992, 34; GUTSFELD 1992, 260n80. See further notes hereafter.

Oeae: the first occurence of this name in the *Apol.* The town is the modern Tripoli. For some archeological references cf. MANTON 1988, 62-79. The number of its inhabitants has been reconstructed partly on the basis of the *Apol.*; e.g. by DUNCAN-JONES 1974, 266 and 273, who arrives at a total of 28,200. It seems hazardous, however, to extrapolate elements of a literary text for demographical ends.

Oeam uenisse: probably at the time of his first arrival in the town (c.72), and quite some time before the manumission. This temporal interval is left unmentioned, a point which is obscured by the repetition of the name of the town.

17,3 **ex uno tris**: here the argument becomes a fullblown sophism. Apuleius has combined two elements of the charges, but deliberately misinterprets them in order to formulate an absurdity. The sarcastic *nisi si et hoc magicum est* underlines his self-assurance and makes fun of the charge of magic itself; cf. STOK 1985, 355-6. It is the only unmistakable reference to magic in the entire section on poverty; cf. ABT 1908, 27.

Several details are wisely left in the dark. The 'one' slave can hardly have been the only slave in Apuleius' possession. The word *comite* actually indicates this: he had been seen *in the company of* one slave. Most likely, the 'three' slaves had been in his possession for a long time, since it would be very strange if he received them from Pudentilla and then immediately set them free. The moment of marriage and settling down may have been an excellent moment to set free some old and faithful slaves, as THOMPSON 1978, 3 rightly argues.

17,4 **tantam...**: the speaker pretends to be indignant and continues by rephrasing the absurdity in an even more explicit manner. For the second time, the sophism appears

1. Possibly they formulated their criticism rather clumsily, thereby enabling the eminent orator Apuleius to mould their words to his will. For this suggestion see also B/O.

to be supported by the repeated name of the town and by the suppression of indications of the time passed between both instances. Any possible explanation given by the accusers is reduced to a mere laugh, in the condescending and ironical phrase *pauculis uerbis intergarritis*.

caecitatem: after this word WATT 1994, 519 wants to insert another <*caecitatem*> to make the passage analogous to Cic. *Cael.* 71 (*o stultitiam! stultitiamne dicam an impudentiam singularem?*). However, rewriting Apuleius' text on the basis of Ciceronean models is fundamentally wrong.

17,5 **ne illud quidem...**: by elaborating still longer on the element *ex uno tris*, the speaker manages to make the audience lose track of what the accusers have said. As argued above, the accusers may well have pointed to manumitting three slaves as a sign of wealth. Now, after only one paragraph, they appear to consider the possession of three slaves an element of reprehensible poverty. Apuleius laughs at this, but in the next section he presents the possession of 'only' three slaves as commendable austerity. The audience must have felt dazed at these rapid changes of reasoning.

17,6 **etiam imperatores**: an argument of authority: both great philosophers and famous generals were content with only a few slaves. Apuleius calls himself a *sectator* of the former category,[1] but inevitably associates himself with the latter group too.

17,7 **patroni tui**: throughout the speech, Apuleius constantly shifts not only those whom he addresses among the accusers (see the scheme in HIJMANS 1994, 1741), but also the persons he refers to: here Aemilianus is still addressed, but the *patroni* are commented on. This device lends vividness and vigour to his speech, while keeping the accusers from giving an adequate reaction. Here it also enables the speaker to add an invective note by insinuating that Aemilianus *himself* could not have read the examples.

legere: the *patroni* might have used a collection of *uirtutis exempla*, as Apuleius himself is most likely to have done; cf. STOK 1985, 356-8. For the traditional point of *pauci serui* as a mark of poverty, cf. V.Max. 4,4,11; Sen. *Helv.* 12,4.

M. Antonium: perhaps not accidentally, the list of examples is opened by a celebrated orator. Still, Apuleius does not draw attention to this capacity of Antonius, but rather stresses his political power (*consularem*). Antonius was consul in 99 BC

Carbonem: Gn. Papirius Carbo, one of the leading figures of the *populares*. He was consul in 85 and 84 BC together with Cinna, and remained *consul sine collega* after Cinna had been murdered. Carbo is not mentioned elsewhere as an example of frugality.

Curio: the third example is given far more importance. Curius is a much older and more legendary figure: he defeated the Samnites and Sabines in 290 BC and fought Pyrrhus; cf. the monograph FORNI 1953. As a picturesque detail, the number of his slaves is related to that of his triumphs. His name is repeated at the end (*ei igitur Manio Curio*); for this stylistic device, see on 4,8. Curius appeared before (10,7) and will reappear in 18,9.

una porta: probably the *porta Triumphalis*, as B/O remark. They add, however, that the allusion is 'rather pointless' and the antithesis between *ter* and *una* is rather

[1]. Plato is of course the first name which comes to mind. He might well have been mentioned here: elsewhere Apuleius says that he left only two slaves at his death; cf. *Pl.* 1,4 (188). Cf. also Diog.Laert. 3,42, where the number is four; and Sen. *Helv.* 12,4, who gives the number three. In the last passage, equally in a context of praise of poverty and frugality, Homer and Zeno are also mentioned for the small number of slaves they possessed: one and none respectively.

weak. I would suggest that it contributes to an artful climax of low numbers: after the preceding examples of 'eight' and 'seven', Curius represents 'three', 'one' and 'two'.

17,9 **Cato**: the famous statesman and author (234-149 BC). This fourth example is given in the form of an anecdote. We may notice the reference to Cato's literary pride, an element Apuleius could identify with. Of the speech meant here, entitled *Dierum dictarum de consulatu suo*, some 30 short fragments are extant. This testimonium is Cato *Orat.* 51 (Malcovati), 169 (Schönberger - Tusculum).[1] Cato's low number of slaves is also mentioned in V.Max. 4,3,11; Plut. *Cato*, 10,6.[2] For Cato's campaign in Spain cf. MARTINEZ GAZQUEZ 1970 (esp. 35-42 on the lost speech); for Cato in general ASTIN 1978.

17,10 **uillam publicam**: a public building on the Campus Martius which among other things, functioned as lodging for magistrates during the levy of troops or the *census*; for a recent survey of what is known about it, cf. RICHARDSON 1992, 430-1.

duos pueros: in this chapter two other synonyms for *serui* have been used: *famulitium* and *calones*. For the reader, the present expression may recall the two *pueri* to whom Apuleius had addressed his erotic poems in c.9.

de mensa: for the expression, probably from popular speech, cf. B/O and GCA 1985, 230.

17,11 **Pudens**: as in 13,5, Tannonius Pudens is meant.

18,1 **paupertatem**: a shift from the specific point of 'three slaves' to the general topic of poverty. As discussed above, Apuleius has probably misrepresented the first issue, connecting it with poverty rather than wealth and extravagance (cf. on 17,5). The link is now strengthenend by the double reference to the philosopher in general (17,11 and 18,1), and above all by the striking assonance *paucitatem - paupertatem*.

The accusers had probably launched the reproach of poverty to add credit to their assertion that Apuleius had married the rich widow Pudentilla for her money. Nothing of this appears in Apuleius' response, which merely sings the praise of poverty.

acceptum philosopho crimen: cf. *Fl.* 3,13 *risere Musae cum audirent hoc genus crimina sapienti exoptanda Apollini obiectata*.

18,2 **philosophiae uernacula**: both the link of poverty to philosophy and the personification of Poverty are traditional, as is much of the praise that follows it; cf. STOK 1985, 361 (with notes). *Vernacula* is interpreted by B/O as either a noun 'handmaid' or an adjective 'native to'; OLD s.v. *uernaculus* 2 chooses the latter. For this, it may be added, the context offers some support in the recurring metaphor of 'feeding and growing': cf. *diuitiarum alumni* (18,4) and *ab incunabulis nutricata est* (18,5).

paruo potens: a Virgilian phrase, cf. Verg. *A.* 6,843; for *aemula laudis* cf. *A.* 10, 371.

aduersum diuitias possessa: 'a possession compared to wealth' a paradox well explained by HILDEBRAND and HELM. The expression has raised doubts among many

[1]. STOK 1985, 375n37 doubts if Apuleius has read the speech, and thinks he rather relied on a collection of *exampla*. But given Apuleius' predilection of archaic authors, he is most likely to have read Cato's speeches. The speech in question, which was a *self-defence* of Cato, may even have been one of Apuleius' models.

[2]. Plutarch gives many instances of Cato's frugality. On other occasions he is said to have gone accompanied by a single slave: Plut. *Cato* 1,9 and 6,3.

scholars,[1] but makes good sense: it is not transitory wealth but stable and constant poverty which can be truly 'possessed.' The slightly pregnant use of *possessa* poses no particular problem: in the entire list of which the expression forms part, there is an emphasis on the nominatives determining *paupertas*.

18,6 **paupertas, inquam...**: the tone is raised even more. This also appears in the use of two rare personifications on *-ix*; cf. e.g. *Mun.* Prol. (285) on Philosophy: *uirtutis indagatrix expultrixque uitiorum*, a quotation of Cic. *Tusc.* 5,5. The theory of poverty as the inventor of arts and crafts is traditional.[2] An early example in Roman literature is Pl. *St.* 178 *(paupertas...) nam illa artis omnis perdocet, ubi quem attigit.*

18,7 **eadem est enim...**: an elaboration on *cunctis laudibus*, first illustrated by means of five Greek examples, each showing a different 'face' of poverty. Aristides, Phocion and Epaminondas are famous Greek generals from the 5th and 4th century BC; for Socrates, cf. on 15,4; Homer was first mentioned in 4,3. Apuleius discusses Socrates' poverty in *Soc.* 23. The Greek names were traditional, as was their poverty; cf. in particular Ael., *VH* 2,43, who gives the names of the three generals in the same order, followed shortly after by that of Socrates.

18,8 **etiam populo Romano**: instead of the expected Roman examples, Apuleius first refers to Roman religious practice in general. The examples will follow in the next sentence.

18,9 **si modo iudices...**: in a long period, which takes up the rest of c.18, six legendary models of frugality are evoked as if they were alive and present at the trial. All of them were so poor as to need support by the state, either for the marriage of their daughters (the first three cases), their funeral (the next two), or the cultivation of their land (the last name).[3]

C. Fabricius...: Fabricius, Scipio and Curius are generals of the 3rd century BC. The first and the third have already been mentioned in 10,6; Gn. Scipio served with his brother P. Scipio during the Second Punic war. The story of the dowering of their daughters was traditional: cf. V.Max. 4,4,10 for Scipio and Fabricius; for Scipio also e.g. Sen. *Helv.* 12,6 and Amm.Marc. 14,6,11; for the dowering of Curius' daughter, however, our passage is the only ancient authority.

18,10 **Publicola**: a much older figure; P. Valerius Publicola, known as consul of the first year of the Roman republic (509 BC); hence the added *regum exactor*. In the present text his name echoes the preceding word *publicam*, as well as the general thought of 'public support.'[4] For the legend of his state funeral, see e.g. Liv. 2,16; Plut. *Publ.* 23,2; V.Max. 4,4,1, Amm.Marc. 14,6,11. For the judicial aspect of state funerals in the early Roman republic, cf. MOMMSEN 1887, III, 1188wn2.

Agrippa: an equally old example. Agrippa Menenius was consul in 503 BC and mediated between *plebs* and *nobiles*, thereby ending the first *secessio plebis*; hence *populi conciliator*. For his state funeral cf. Liv. 2,33; Sen. *Helv.* 12,5.

18,11 **Regulus**: M. Atilius Regulus, a famous general put to death in Carthage (256 BC). He is not to be confused with Regulus Serranus (mentioned in 10,6), from whom he is distinguished by V.Max. 4,4,6. For the story cf. also e.g. Sen. *Helv.* 12,5; Fron. *Str.* 4,4,3; further AUBERT 1994, 122-3.

18,12 **si denique...**: the third and final clause refers to all legendary Roman heroes collectively. By now, the authorities evoked by Apuleius form a massive bloc. The tone is elevated, as may appear from the archaic word *prosapia* (cf. now also CALLEBAT 1994, 1644n153), and the pompous expression *usura lucis*. The latter expression has often been related to Ciceronean passages (e.g. *Ver.* 2,5,75), but is actually older: HIJMANS 1994, 1711n7 points to Acc. *trag.* 500 (Warmington) *atque hanc postremam solis usuram cape!*

audirent, auderesne: the combination is not a mere jingle, as B/O suggest, but effectively illustrates the absurd contrast of Aemilianus and 'Roman tradition.'

19,1 **auditor**: through this word the judge is put on the same level as the legendary heroes who were the subject of *audirent* in the previous sentence.

19,2 **fortuna**: for words like *fortuna* and *fatum* in Apuleius' works, see FRY 1984, 139-44 and HIJMANS 1987, 446-8. Fortuna occurs mainly in contexts of poverty. On the theme of cleverness and Fortune in the *Met.*, see SCHLAM 1992, 58-66.

austerae sectae: most likely a reference to Maximus' allegiance to Stoicism; cf. on 1,1.

diutinae militiae: there is some evidence for Maximus' military career. He has been governor of Pannonia in 150-4; cf. CHAMPLIN 1980, 32 and FEIN 1994, 228-9.

fortunam uelut tunicam: for the type of image cf. on 3,3 *pudor ueluti uestis*.

19,3 **ea si**: B/O read Van der Vliet's *ea etsi*, but their argument that '*si* is not strong enough' is wrong. For *si* with concessive force see examples in OLD s.v. 9.[1]

praependens impedit et praecipitat: the allitteration of occlusive consonants (esp. *p* and *t*) seems to bring out the sense of halting and stumbling.[2]

19,4 **oneri potius quam usui**: Apuleius takes the opportunity to give some traditional variations on the theme. For this expression cf. Sal. *Jug.* 14,4; further *Fl.* 14,1 *rem familiarem abicit uelut onus stercoris magis labori quam usui*; for the whole thought Sen. *Ep.* 108, 14 (quoted by B/O).

19,5 **enormia gubernacula**: a maritime metaphor. B/O quote Sen. *Ep.* 22,12 *nemo cum sarcinis enatat*, but that is not quite to the point. Slightly more relevant seems *Fl.* 23,1-2 on a beautiful ship which inevitably sinks if it has no *gubernator*. For Roman helms cf. Hunink on Luc. 3,555 *clauo*.

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1. Some emendations proposed in this century are: *ad diuitias possessu* <*et*> *habitu secura* (COULON 1925, 26); *aduersum diuitias possessa* <*habet*> (CATAUDELLA 1954, 54-5); ... *aduersum diuitias,* <...> *possessu* (with e.g. *facilis* to fill in the lacuna) (WATT 1994, 519). Other scholars remain needlessly vague: e.g. 'à l'encontre des richesses, un bien qui ne trompe jamais' (VALLETTE). B/O, following Novák, lay full stress on *aduersum* 'as a prophylactic against,' which seems possible, but produces a much weaker meaning.

2. STOK 1985, 361wn99 points to Democritus as developer of the theory.

3. The examples represent a Roman ideal quite foreign to modern Western thought, and probably even to Apuleius and his audience: it seems hard to imagine important persons in the 2nd century AD unable to support their families or to provide for their own funeral.

4. He had received the name *Publicola* for his merits *towards* the Roman people. Here, Apuleius seems to play with the sense: it is, in a way, 'reversed'.

1. There is another minor text-critical point in the next sentence, where editors insert Casaubon's <*in*> after *etenim*. B/O do not mention the addition, which is indeed unnecessary, as ARMINI 1928, 327 rightly says.

2. B/O a.l. cite a Greek quotation, which they could not trace. FLETCHER 1933 has the answer: Stobaeus (ed. Wachsmuth/Hense) 4,31,83.

19,6 **sine ostentatione**: a rather surprising remark, given that in Roman society 'conspicuous consumption' was a common and accepted manner of showing one's wealth. But IFIE/THOMPSON 1978, 29 explain that men who had already attained some distinction, like Apuleius himself, would rarely feel any incentive to participate actively in municipal affairs; significantly, Apuleius nowhere boasts of any form of public munificence shown by him.

For the notion of imitating poverty we can also think of Seneca's advice on training oneself in 'temporary poverty'; e.g. *Ep.* 17,4-5; 18,8.

19,7 **tenuiores...**: Apuleius pictures himself as lower in status than the rich, and even as poor (*qui... uere fungimur*). According to STOK 1985, 364-5 there is a conflict with 23,1, where Apuleius declares to have received a rich patrimony; hence, his 'poverty' would be merely a rhetorical convention. However, in 23,2-4 Apuleius will also tell that much of this fortune has been spent. Therefore, he may very well have been somewhat impoverished by the time he arrived at Oea, and even during the trial.[1] For a full discussion of Apuleius' finances see on 23,1.

simulate: all modern editors change FΦ *simulata* to *simulatam*, the reading of some late MSS. This produces a somewhat archaic construction, which seems perfectly acceptable. But *simulate*, the reading of some other late MSS, is unduly neglected. It is, at most, 'a trifle further from the reading of FΦ' (B/O), but provides a much better balance with *uere*.

20,1 **nominis controuersiam facere**: this expression refers to discussing the definition of the subject, the meaning of the word. The essence of poverty (which consists in a desire for what exceeds the natural measure) was a stock theme in philosophical discussions. The entire passage is strongly reminiscent of Seneca, e.g. *Helv.* 11,4; cf. further passages quoted by B/O and STOK 1985, 359-60.

poscit: the reading of FΦ (although in F some earlier reading was erased). It is generally replaced with *possit* of some late MSS, HILDEBRAND having been the last to defend it. *Posse necessaria*, however, remains a rather odd expression, whereas *poscere necessaria* makes good sense: 'require what is necessary'. We should not, with HILDEBRAND, print a semicolon before the word, but simply a comma.

20,2 **namque is...**: for the sententia, B/O quote Sen. *Ep.* 108,11 *is minimo eget mortalis, qui minimum cupit*. This may be a line of Publilius Syrus.

20,3 **in fundis et fenore**: here land and interest are mentioned as sources for wealth. This issue will be presented rather differently when Apuleius will turn to Pudentilla's wealth (esp. c.92-3): then any mention of such sources will be carefully avoided.[2]

20,5 **Philus - Crassus Diues**: four more historical examples, now of rich men. The first three persons meant are L. Furius Philus, C. Laelius, and P. Cornelius Scipio Aemilianus Africanus. They are Roman magistrates from the middle of the 2nd century BC, known for their love of Greek culture and figuring together as speakers in some of

1. In the final part of the speech he will show that his marriage with the rich Pudentilla has not brought him substantial fortune, and that her property did not even come into his hands. Of course, as her husband he will hardly have led a poor man's life, and at least in this sense his words are surely exaggerated. But in a legal sense, he does seem to have remained relatively 'poor.'

2. Some scholars assume that Apuleius' present remark is inspired by the practice of his wife; thus PAVIS D'ESURAC 1974, 93 and GUTSFELD 1992, 267. That is, of course, quite possible, but it is by no means a direct reference to it, as MRATSCHEK-HALFMANN 1993, 184 quotes it.

Cicero's philosophical dialogues. Scholars almost unanimously identify the fourth man as P. Licinius Crassus Diues Mucianus, a contemporary of the former three; this is confirmed by MARSHALL 1974.

However, several objections may be raised against this. Crassus the triumvir, who died at Carrhae in 53 BC, seems the most natural candidate here,[1] since he was much more famous, proverbially rich, and legendary for his inglorious death. With Mucianus, the examples would form a nice group of four linked by contemporanity, but this should not necessarily be so. It may, on the contrary, be argued that for Apuleius the triumvir was just as much a figure of 'ancient history,' who therefore could be easily included in this list; earlier in the speech, too, Apuleius combined examples from different periods; e.g. 10,3-7; 17,7; 18,9-11. Finally, cf. Sen. *Vit.Beat.* 21,3 *M. Cato cum laudaret Curium et Coruncianum... possidebat ipse quadragies sestertium, minus sine dubio quam Crassus, plus quam Censorius Cato*. In that passage, equally giving a comparison of wealth, the triumvir is certainly meant.[2] After weighing all the evidence, it seems most likely that the triumvir is meant here. The epithet *diues* also distinguishes him from the witness Crassus of c.57-60.

20,7 **hi philosophi**: the word is used rather loosely here, referring in general to previous examples. In particular, the legendary frugal men of c.17 and 18 seem to be intended.[3]

20,8 **fis**: a minor textual problem. FΦ have *scis*, with Φ adding a mark under *c*. Some editors accept emendations, such as Rohde's *eris* printed by VALLETTE. However, there are two readings, found in late MSS, which seem possible: *sis* (adopted by B/O) and *fis*. Since the subjunctive of the former is rather hard to explain, I follow most modern editors in printing the latter.

21,1 **tutor imminuit**: as a matter of fact, guardians appear to have had a bad reputation for not properly defending the rights and interests of the persons entrusted to them; NORDEN 1912, 139. On *tutela* see 101,6.

pater non reliquit: the last option is the most patently imaginary one, given Apuleius' personal account in 23,1.

nulli ex animalibus: generally speaking, animals play an important role in Apuleius' works; cf. notes on 7,7 and 8,6. Up to now, comparisons with animals were applied to the accusers and accordingly turned out unfavourably. But associating *himself* with animals, the speaker mentions only honourable and majestic species: eagle, bull, lion and horse. For the sharp sight of the eagle in particular cf. *Fl.* 2,5-11.

1. This had been defended by OUDENDORP; among modern scholars, only MOSCA seems to agree, although he does not discuss the issue. MARSHALL, 62-3 raises doubts whether the triumvir had the cognomen *Diues*. But the word should not necessarily be read as a formal cognomen. Crassus' enormous wealth could certainly earn him this epithet or surname; perhaps it should be spelled *diues*, as a plain adjective. Furthermore, in arguing that Mucianus fits the description just as well as the triumvir because Mucianus, too, was killed ingloriously in battle, MARSHALL, 66 seems to turn the argument upside down. The wealth and downfall of the triumvir were better known than that of any other Crassus.

2. I owe the reference to STOK 1985, 360wn88, who himself, nonetheless, thinks that the Crassus in the Apuleian passage is probably Mucianus.

3. B/O's remark that the narrow sense may be applied to Philus, Laelius, and Scipio is irrelevant, since these men cannot be meant (cf. *At contra...*). Alternatively, one might think of the Stoic judge Claudius Maximus of c.19, but he cannot be meant either (cf. the tempus of *beati fuerunt*).

21,2 **equus si...**: there is a detailed description of a horse in a similar context of diatribe at *Soc.* 23. Part of it is quoted by B/O and AUGELLO, but the quotation can be slightly extended: for *aequabilis uector et cursor pernix*, compare *ad uecturam ualidus* (173) and *uolo enim non modo perniciter uerum etiam molliter peruehat* (174). This example of the horse seems typical for popular philosophy; cf. also Sen. *Ep.* 80,9.

nemo ei - exprobrat: strictly speaking an illogical element in the comparison. Whereas the passage in *Soc.* refers to external ornaments of a horse, which can be called unessential, the food of a horse is of course crucial for his performance. The rather silly thought of 'blaming a horse for his food' merely serves to make fun of Aemilianus.

prauitatem: in this passage on the horse there is an increasingly strong *p*-allitteration, starting with *polleat*, culminating in *paucioris habeo, parcius pasco* and ending in *obsono* (pronounced as *ops*-). It seems to strenghten the reproaches made by the speaker.

paucioris habeo: sc. *seruos*.[1] By now, an important difference between man and horse creeps in: whereas a horse remains dependent on decisions made by others, the concept of 'living a simple life with only a few slaves' reflects a conscious choice, as became clear in 17,6-10.

21,4 **laciniosa**: 'well-clothed, wrapped up' (OLD s.v.2). The word also echoes the slightly different metaphor of 19,3: *nihil minus quam lacinia praependens impedit*.

21,5 **ad natandum**: here (other than in 19,5) B/O's reference to Sen. *Ep.* 22,12 *nemo cum sarcinis enatat* is relevant.

sustentui... demersui: two rare words, both used in a rather uncommon dativus finalis.

21,6 **equidem didici...**: editors quote various parallels, but the thought is very common in ancient philosophy, and no specific passage seems echoed here. Only *esse deo similiorem* can be regarded as an element with a distinctly Platonic colour; cf. HIJMANS 1987, 425.

22,1 **gratum habui**: the emendation of Casaubon for *gratum habitum* (FΦ) involves the least change, and is therefore adopted by most editors. Only B/O print *gratum habitum* <*obiecistis, cum*> (Beyte), which they grant is less close to the MSS.

peram et baculum: the bag and staff typical of the Cynic philosopher; cf. *Fl.* 14,3 *cum (...) peram cum baculo et pallium humi posuisset eamque suppellectilem sibi esse (...) profiteretur* (said of Crates, as here); cf. HAHN 1989, 38wn22. For the *baculum* in particular cf. VOSS 1967.

22,2 **Crates**: a famous Cynic philosopher of the late 4th century BC, a pupil of Diogenes of Sinope. Apuleius was especially interested in this Cynic, who is the central figure in *Fl.* 14 (Crates and Hipparche) and 22 (Crates as Hercules); further *Fl.* 20,5. For a brief survey of what is known on Crates, see GOULET-CAZÉ 1994, 496-500 who, however, pays hardly any attention to the Apuleian testimonia.

[1]. Alternatively, it has been suggested that *habere* is used absolutely (OLD s.v. 9), as an equivalent of *habitare*; cf. HELM's crit.app. in his Teubner edition; further ARMINI 1928, 327. But this is by no means the most natural interpretation of the verb. Moreover, it makes *paucioris* extremely difficult to explain and produces a mere repetition of the thought already well expressed in *uiuo gracili lare*.

Interestingly, FΦ twice show the reading *Socrates* here, an obvious mistake, as other MSS and ancient sources prove.[1] To medieval scribes his name must have sounded much more familiar than that of Crates. Socrates was last mentioned in 18,7.

22,3 **uir - diues**: the story that Crates was a noble of Thebes and gave up his ample fortune to become a Cynic, is also told in *Fl.* 22,5-6 (a fragment breaking off at the moment of his decision). Some variants of the story are given by Diog.Laert. 6,87-8. In the present lines Apuleius tells the tale in a highly rhetorical fashion, illustrating the general point by means of three examples (slaves, trees, houses), and emphasizing the contrast of wealth and poverty, which connects the story to the main theme of the passage.

multis seruis a se remotis: another instance of the motif of philosophers possessing few or no slaves, which was the starting point of the section on poverty (17).

solitatem: the rare noun *solitas* is a word from Accius; cf. now MATTIACI 1994, 57 and GCA 1995, 169.

22,4 **flexis Homericis uersibus**: Crates is known to have had a talent for parody; cf. GOULET-CAZÉ 1994, 499. Apuleius refers to him as an author of satire in *Fl.* 20,5. Although Homer is always presented by Apuleius as a ranking authority, parodic use of Homeric verse appears to have been unproblematic to the speaker. Crates' line is quoted as yet another literary curiosum.

22,5 **principium dicam...**: the line quoted is a parody of Hom. *Od.* 19,172 on Crete.[2] Of Crates' poem, which is testimonium V H 70 (Giannantoni), six more lines are preserved. All are cited by Diog.Laert. 6,85; the poem is also referred to by Clem.Alex. *Paedag.* 2,93,4.

For the confusion in F cf. B/O. In their apparatus they also quote a Latin verse translation of the line added in V5. It is certainly no more authentic than the verses in 10,8.

tam mirifica: the lines as we can read them in Diogenes Laertius are interesting, but can hardly be said to possess astonishing literary quality. Of course, Apuleius is not giving a neutral, literary judgement here, but intends to impress the audience and his accusers. The scornful *quae si tu legisses* resumes an earlier invective motif; cf. 16,7 *quem tu librum, Aemiliane, si nosses*; 17,11 *haec Pudens si legisset*.

magis - inuidisses: a small but rather revealing hint. It suggests that the prosecution had stressed Apuleius' poverty (and hence his greed) as the motive for the marriage. The defendant however, seems careful not to stress the point, but rather tries to create 'a boomerang effect', as HIJMANS 1994, 1717 aptly calls it. The element of jealousy will often return in the last part of the speech; cf. e.g. 67,1.

22,6 **equitibus phaleras...**: the philosopher's bag and staff are compared to some indispensable or typical[3] military attributes: ornaments for horses, shields, military standards, a chariot with four white horses, and a toga embroidered with a pattern of palm-leaves. The order of elements seems well-considered, with the triumphant general

[1]. The reading *Socrates* was corrected by Petrarca in V^1 (Vat. Lat. 2193); cf. TRISTANO 1974, 418.

[2]. There may be a playful allusion here to the similarity of the names of Crete and Crates, especially in their Latin forms.

[3]. B/O discusses which of these elements are *dona militaria*, but that seems besides the point.

as a radiant climax. The military atmosphere was already dominant in the preceding paragraphs; cf. e.g. 17,6; 18,9-11; 19,2 (Maximus' career); 20,5.

togam palmatam: B/O suggest that Apuleius is mistaken, but this is actually a variant name for the *toga picta*, as Isid. *Etym.* 19,24,5 says; cf. also Serv. *A.* 11,334. The garment is also mentioned by Mart. 7,2,8.

22,7 **non... Platonicae sectae**: Apuleius must admit that bag and staff are not really typical for Platonists such as himself, but for Cynics. This brings an inconsistency, since on other occasions he is scornful of the Cynics' lack of culture and refinement; e.g. in 39,1 below.[1] Scholars notice, however, that such criticism is not directed against Cynic philosophy or legendary Cynic figures of the past, but only to contemporary Cynics; cf. STOK 1985, 262, who sees a parallel in the attitude of Dio of Prusa; further HIJMANS 1987, 417. On Cynicism as serious philosophical school cf. GOULET-CAZÉ 1993.

But whatever Apuleius' deeper convictions may have been, in the present rhetorical context he intends to defend the Cynic symbols, as he defends anything relating to philosophy.

Diogeni et Antistheni: two other 'great names' of Cynicism, mentioned almost casually. Diogenes has already been named in 9,11 (cf. also *Fl.* 14,1 and 22,1, where he is named as teacher of Crates). Antisthenes, pupil of Socrates and founder of the school, occurs only here in Apuleius' works. The present testimonium on their frugality and attributes is Diogenes V B 152 (Giannantoni).

regibus diadema...: the thought of 22,6 is varied by means of four more examples, now with a more outspoken nuance of religious authority.

22,8 **Diogenes - Alexandro**: there are many anecdotes on their meeting ('step out of my light'). Here a discussion between Diogenes and Alexander on true kingship seems to be referred to, as we have it in D.Chr. 4 (*peri basileias*). The present testimonium is Diogenes V B 43 (Giannantoni). For Alexander the Great cf. also *Fl.* 7.

22,9 **Hercules**: the impressive list of military and religious authorities and examples now receives its crown in Hercules, the hero *par excellence*. He is given a great number of praising epithets here, starting with *inuictus*. His 'cleansing the world' and fighting monsters also occurs in the similar passage in *Fl.* 22, where Crates is compared to Hercules (esp. 22,3). To Antisthenes already, Hercules represents the ideal man, and the thought becomes common in Stoicism and Cynicism; cf. e.g. Lucian *Vit.Auct.* 8.

Of course, Hercules was not a Cynic philosopher, although the passage is constructed in such a way as to make the audience think so for an instant. But he does not carry a *pera* or a *pallium*, *pelli* referring rather to his lion's skin, while the *baculum* can only be his legendary club.[2] To a modern reader all this may seem ludicrous, but Apuleius is probably quite serious,[3] as the parallel with *Fl.* 22 shows.

1. Such Cynics are probably also the target of *Fl.* 7,10; 9,9. In the second passage cf. the combination *palliata mendicabula*, in which the rare last word echoes our passage (22,9).

2. In later periods the concepts of the philosopher's *baculum* and Hercules' *claua* fuse; e.g. August. *C.D.* 14,20 *Cynicos... qui non solum amiciuntur pallio, uerum etiam clauam ferunt*; cf. VOSS 1967.

3. There may also be a subtle insult here. Observe that the element last mentioned is the club of this monster-killer. This can raise the thought that 'monsters' like Aemilianus ought to have been slain too.

22,10 **ob uirtutes**: for the use and meaning of *uirtus* in Apuleius' works, see EISENHUT 1973, 190-4.

comitatior: the last word recalls the beginning of the section, 17,2 *uno seruo comite*. The two rare comparatives *uestitior... comitatior* produce a strong homoeoteleuton; for some other examples from Apuleius' works, see FACCHINI TOSI 1986, 108-12.

23,1 **quod si...**: the section on poverty is concluded with two strong points: details on Apuleius' own financial situation and a final piece of invective casting back the reproach of poverty.

fratri... patre: about Apuleius' brother we know nothing more (not even that he shared the patrimony; cf. the first person singular in the following *idque a me... imminutum*), but his father will be mentioned again in the next chapter.

HS XX: although the amount remains imprecise due to the added *paulo secus*, it is clear that some two million sesterces constitutes a considerable fortune:[1] the rich Pudentilla possesses four millions (71,6), and Rufinus' ample patrimony amounted to three millions (75,8); on the wealth of the main persons in the *Apol.*, see in brief DUNCAN-JONES 1974, 110-11; in all of Apuleius' works IFIE/THOMPSON 1978, 25-7.

Scholars have noticed an inconsistency with the preceding praise of poverty;[2] see on 19,7. But we should observe that Apuleius has two different aims: confronted with the charge of poverty, the first answer was that it well befits a philosopher to be poor. For this, the count must, obviously, be more or less conceded. On the other hand, he must remove the suspicion that financial interests could have prompted his decision to marry Pudentilla, and above all he wants to dissociate himself from poor men like Aemilianus. Therefore, the charge must also be denied implicitly, by a reference to his capital.

Still, Apuleius does not present himself simply as a man of means (as judge Maximus probably was): in 23,2-3 he vaguely points to his great expenses due to travel and study and to financial support of others. So we are left with a rather confusing impression: Apuleius is, in a way, both poor and rich. On the whole, he presents himself as a man who does not come from a poor family, but leaves all details concerning his finances largely unclear. On the strategy cf. also STOK 1985, 364-7.

23,2 **perigrinatione - imminutum**: it is stated that the money has been spent on honourable and socially accepted causes, although no precise amounts are given. The remark seems to have been added to avoid a charge of being extravagant,[3] like Rufinus in 75,9-10. For the thought and the phrase cf. *Met.* 11,28 (289,12-3) *nam et uiriculas patrimonii peregrinationis adtriuerant impensae*. For Apuleius' travels and study

1. It has been argued that the capital largely consisted of land, so that its value could only be approximated; thus GUTSFELD 1992, 260. But nothing clear is said on its form. Generally speaking, we should be extremely cautious using figures and details given by Apuleius as historical facts, as STOK 1985, 365-6 rightly says.

2. Some have also pointed to a contrast with the declaration of poverty at *Met.* 11,27. But it is definitely wrong to isolate this passage of the novel as a piece of direct autobiography; cf. STOK 1985, 366-7.

3. Purser's emendation *immodice* for *modice* is not merely unnecessary, as scholars have observed, but even misplaced. As THOMPSON 1978, 8n22 points out, it would be an admission of extravagance.

abroad cf. *Apol.* 72 (Athens, cf. also *Fl.* 18,15; 20,4; *Mun.* 32; SANDY 1993); *Fl.* 15,4 (Samos); 17,4 (Rome);[1] *Mun.* 17 (Phrygia).

23,3 **magistris - gratiam retuli**: the motif is central in the story on the pupils of Protagoras and Thales, *Fl.* 18,19-35. Other passages in the *Florida* prove that Apuleius used to express his gratitude in a generous way; cf. *Fl.* 9,32 and esp. *Fl.* 16.

filias dote auxi: FICK 1992, 31 discusses what the amount of these gifts may have been, but the question seems irrelevant. The detail is functional at the rhetorical level, both as a proud and self-confident echo of 18,9 *filiae ob paupertatem de publico dotibus donatae*, and as a preliminary denial of his interest in any *dos* offered to himself, e.g. by Pudentilla (on which see c.90ff).

23,4 **contemptu patrimonii**: *contemptu*, the reading of FΦ, can easily be retained: 'to gain what is more important, by contempt of my patrimony.'[2]

23,5 **tanti - habetis**: now that he has countered the accusers' attempt to pillory him as a poor man attached to material possessions and bent on enriching himself, Apuleius launches the same charges against them (23,5-7).

This sententia is sometimes connected to Hor. *S.* 1,1,62 *quia tanti quantum habeas sis*; but MATTIACI 1986, 166-7wn31, noticing that Horace, unlike Vergil, is never mentioned by Apuleius, rightly refers to Lucil. 1195 (Warmington) *tantum habeas tantum ipse sies tantique habearis* (also quoted by B/O). There are many later variants of this thought; e.g. Sen. *Ep.* 87,17; 115,14; Petr. 77,6 *assem habeas, asssem ualeas; habes, habeberis*; Juv. 3,143-4 (with Courtney a.l.); more material is given by OTTO 1890, 157.

arbor - infelix: for a parallel image in an equally polemic context cf. *Fl.* 11, esp. 11,2 *infelix lolium* (Verg. *G.* 1,154). The image, already effective by itself, may contain an insult of bluntness and stupidity, similar to *frutex* 'blockhead' in 66,8. Cf. Cic. *Pis.* 19 *tamquam truncus atque stipes*, quoted by OTTO 1890, 332 s.v. *stipes*; for similar cases see HOFMANN 1951, 88.

23,6 **qui nuper usque...**: surprisingly, Apuleius turns out to be fully informed about Aemilianus' agricultural practices, something he had expressly denied in 17,1. He knows even the name of Zarath, the small village near Oea where Aemilianus lived, and the manner in which he works on his estate.

solus - triduo: some devastating details, suggestive of extreme barrenness and poverty. Having no oxen, Aemilianus must wait for the rainy season before starting to plough his little piece of land, a task then taking up no less than three days; cf. B/O. For the image of a poor, unfruitful little field (making the owner envious of others), cf. again *Fl.* 11,1: *herediolum sterile et agrum scruposum, meras rupinas et senticeta*.

asello: this is the only occurrence of an ass in the *Apol.*, an animal which inevitably makes readers of Apuleius think of the *Met.* But the novel was probably composed at a later date (see *Introduction* B.2), and no further link seems relevant.

[1]. For this, *Met.* 11,26-30 is often adduced. Similarly, *Met.* 1,2 is mentioned for travels in Thessaly. As the *Met.* is a fictional text, caution is due here.

[2]. See discussion in HELM 1904, 525. But as B/O rightly add, the less authoritative reading *contemptum* would make sense. WIMAN 1927, 5-6 wants to correct it to *contentu* — an unhappy proposal, since the noun is nonexistent.

According to GCA 1985, 260, the word *asellus*, a synonym for *asinus*, has no pejorative sense here, but the invective context definitely suggests otherwise.[1]

23,7 **crebrae mortes propinquorum**: a particularly nasty insinuation. Aemilianus is no longer poor, but has recently become rich[2] due to inheritances of family members, whose death he may have caused. For the same reproach against the speaker himself, see 1,5; this may actually be a counterattack; cf. MCCREIGHT 1990, 37n11.[3] One may further compare Apuleius' attacks against Aemilianus later in the speech, in c.98.

fulserunt: not from *fulgeo*, as OLDFATHER's index lists it, but from *fulcio*; cf. OLD s.v. 4b; TLL 6, 1505, 49.

Charon: after having been associated for his ugly face with the tragic figure of Thyestes (16,7), Aemilianus is now likened to the Vergilian Charon, as he will be again in 56,7; cf. Verg. *A.* 6,298-304. B/O rightly point to Charon's love for money in e.g. *Met.* 6,18 (142,7-8). More interestingly, the image seems to evoke Charon as an Etruscan demon of death, cf. ABT 1908, 28-30. If this is correct, there would be a magical element at a very effective spot, namely in the final line of the passage.

24-5 Subsidiary charges (VI): native region. Conclusion.

You also made an issue of my native region, which is situated between Numidia and Gaetulia. But why should I be ashamed of it? What really matters is not one's place of birth but one's inner qualities. The good characteristics of a soul are independent of place. Besides, I am proud of my native town, a splendid Roman colony. My father was a magistrate there, and I hope to keep up the honour of my family myself. -- Aren't you ashamed of bringing these silly and even contradictory charges? Wake up! You are speaking before Claudius Maximus! Why don't you come up with anything substantial, anything indicative of magic?

Before we finally turn to magic, one last 'minor' issue is raised. Naturally, what has been saved for the end is a rather easy point; invective based on one's place of birth was conventional (cf. the list given by KOSTER 1980, 2), and its refutation cannot have posed a problem for a trained speaker.

As with earlier charges, first comes an outspoken denial, followed by a more resolute self-assertion. In the defensive part a piece of diatribe is included, closely

[1]. On a marginal note, it can be observed that the ass plays a prominent role in Christian iconography; cf. MATHEWS 1993, 45-50. The characterization of Aemilianus may owe something to anti-Christian sentiments (cf. on 16,13 and 56,3). However, there is no indication in the text that the *asellus* mentioned here carries this association.

[2]. Whereas in Apuleius' personal case neither poverty nor wealth was to be blamed, Aemilianus is now insulted for both in turn. For the legal aspects cf. NORDEN 1912, 150: if a man died without a will, the customary order of succession was applied. On occasion, this could cause a large fortune to come to one person.

[3]. Alternatively, this may be an allusion to the trial before Lollius Urbicus of 2,10-2, as VIDMAN 1977, 379 suggests.

related to the preceding diatribe on poverty and using poetical periphrases and examples: for food and wine external characteristics are important, but not for the soul. The assertive part bears on Apuleius' autobiography and presents him as honourable citizen of a splendid Roman colony, sharply contrasted to Aemilianus' ignoble village Zarath (a link with 23,6). It may be noticed that the defendant now appears to acknowledge that a man's *dignitas* is derived primarily from his *patria*, which is why he was attacked himself in the first place.

The beginning of c.25 concludes the first main section of the speech. With powerful rhetorical questions the speaker comes down on the accusers, while flattering the judge. Concentrating on the inner contradictions of the topics that have been reviewed separatedly, he now combines them in the form of catchwords.

The speaker creates the impression that in the entire first quarter of the speech, nothing related to magic has been discussed. Still, as in earlier sections, an element of magic may well be in the background here too. Prejudices against provincials from remote inland regions, who are operating in secret, are likely to have raised suspicions of magic (cf. also on 16,13); cf. FICK 1991b, 17-8. On the passage, cf. further THOMPSON 1978, 5-7; IFIE/THOMPSON 1978, 23-7.

24,1 **patria**: the city of Madauros in the south of Numidia (present-day M'Daourouch in eastern Algeria). Curiously, the name of the town figures nowhere in the entire speech, although quite a lot of information on it is given in the present section. Did it sound too 'rustic' and provincial after all?[1]

Numidiae: a region conquered by the Romans as early as under Caligula. The place of the trial, Sabratha, lies in the land of the Nasamones, conquered comparatively recently (in 87 AD). Therefore, according to FICK 1991b,17-8, one would be inclined to look at the older subjects of Rome with scorn. The reference to Gaetulia seems exaggerated, since this was far to the south.

ostendi scis: all modern editors accept Rohde's emendation *ostendistis*, which certainly makes good sense. But the reading of FΦ is excellent ('that you know that it is shown in my own writings to be situated...') and so we can retain it with HILDEBRAND.

Lolliano Auito: L. Hedius Rufus Lollianus Avitus, consul in 144, the predecessor of Claudius Maximus as proconsul of Africa (157-8 AD). His name occurs in three historical inscriptions discovered at the theatre of Leptis Magna; cf. GUEY 1951 and SYME 1959, 318.[2] He was also known to Fronto, who wrote him a letter that is extant (Fro. *Amic.* 1,3, (Loeb I,p.278)), to Lucian (cf. *Alex.* 57), and possibly to Gellius. So, he seems to have been a common acquaintance of men of letters; see CHAMPLIN 1980, 31-3; SANDY 1993, 165. In c. 94-6 Apuleius will celebrate Avitus' eloquence. For the abbreviation *c.u.* (a variant of *V.C.*), see on 2,11.

[1]. Perhaps the orator's silence and defensive tone are indicative of a certain awareness that Pudentilla's town Oea (equally a Roman *colonia*) could claim superior cultural prestige (cf. THOMPSON 1978, 5), or at least an awareness of his own unclear social position (cf. MORESCHINI a.l. (120-1n1)).

[2]. His identification has enabled scholars to establish the date of Claudius Maximus' proconsulship, and hence of Apuleius' trial, in 158-9. Lollianus Avitus is also mentioned in SHA *Pertinax* 1,5.

publice dissererem: the speech is lost. It evidently included some autobiographical remarks, as are often found in the *Fl.* For a public discourse delivered before a magistrate, cf. esp. *Fl.* 17.

Seminumidam...: four newly formed composite nouns with *Semi-*; cf. MCCREIGHT 1991, 397-8. The first two are quoted from the lost speech,[1] whereas the latter two seem coined on the spot. Almost imperceptibly a difference creeps in: the focus shifts from geographical indeterminacy in the first set to racial mixedness in the second one.

As such, the comparison of Numidians and Gaetulians to Medes and Persians is not as far-fetched as it might seem at first sight: in the account of Africa's early history in Sal. *Jug.* 18, one may read how Medes and Persians actually migrated to Africa, with 'Numidians' as the result of intermarriages of Persians and Gaetulians.

24,2 **haud minus**: there is no need to correct the text (e.g. to *haud magis*; see B/O), since *haud minus* may be simply interpreted as a modest alternative for ***magis***. There may well be an element of wordplay in *minus* followed by *maiori*.

Cyro maiori: the famous Persian king of the 6th century BC, son of a Persian father (Cambyses) and a Median mother (Mandane); cf. Hdt. 1,107; X. *Cyr.* 1,2,1.

24,3 **non enim ubi prognatus...**: the thought is a commonplace of Stoics and Cynics; cf. MICHEL 1980, 13. It is elaborated in a small diatribe with concrete examples. As VALLETTE 1908, 157 remarks: 'Il est probable qu'Apulée enfonce laborieusement des portes ouvertes.'

24,4 **holitori et cauponi**: vegetable-growers and innkeepers (or shopkeepers) belong to the lower social classes and represent daily life. But contrary to what many readers of Latin literature might expect here, these tradesmen are not looked down upon. One is reminded of characters in the *Met.*, such as the sympathetic *hortulanus* of *Met.* 9,32ff. The examples of merchandise sound as a favourable comment: wine of the Greek island Thasus was famous, as was the fertility of Phlius (in the Peloponnese); for positive associations of vegetables cf. GCA 1995, 272. The description of good weather conditions adds a further pleasant note.

24,5 **animo - immigranti**: the philosophical doctrine that the soul enters the body from without was common in Middle Platonism and later Stoicism. This reference to it is unique in Apuleius' works; cf. MORESCHINI a.l. (122,n5), who compares the *Somnium Scipionis* and Numenius of Apamea fr.34 (Des Places), which is a passage of Macrobius' commentary on the *Somnium*; cf. further HIJMANS 1987, 425.

The metaphor of the soul putting up at the inn of the body (*hospitium corporis*) is conventional; cf. e.g. Sen. *Ep.* 31,11 *animus... quid aliud uocas hunc quam deum in corpore humano hospitantem*; 120,14 *nec domum esse hoc corpus sed hospitium, et quidem breue hospitium*; Hadrian. Fr.3,1-2 (Courtney) *animula... hospes comesque*

[1]. There, they may have been used in a piece of self-glorification ('I am a son of the wild lands of Africa'), misinterpreted by the present accusers; cf. SEGURA MUNGUÍA a.l. (95n100), who suspects that Apuleius had used the names out of 'snobism' and racial pride. The combination of Numides and Gaetulians is not unusual; cf. Anna's reference to the fierce peoples surrounding Dido: *hinc Gaetulae urbes, genus insuperabile bello, / et Numidae infreni cingunt et inhospita Syrtis* (Verg. *A.* 4,40-1). But since this would imply a rather negative echo, Apuleius may also have used the words in a self-ironical way.

corporis.[1] The metaphor is given a special nuance in the present context, through the link with the preceding *caupo*.

24,6 **quando - insigniores**: the thought was conventional; see Juv. 10, 49-50 with Courtney's note a.l. (esp. on the general notion of relations between climate and intellect).

Anacharsis: a legendary Scythian prince of the early 6th century BC, well known from Herodotus, Diogenes Laertius,and Lucian, who wrote a dialogue bearing his name. He sometimes counted as one of the Seven Wise Men; cf. Diog.Laert. 1,41-2. In the Hellenistic periodn he came to be considered as the ideal 'natural' man and a precursor of the Cynics; cf. RE 1,2, 2017-8 and e.g. testimonium V B 376 (Giannantoni). Given the numerous references to Cynicism in the *Apol.* (e.g. in 17-23), this may have motivated Apuleius to mention him. Naturally, Apuleius identifies with men like Cyrus and Anacharsis.[2]

Meletides: a proverbially stupid Athenian, for whom cf. Ar. *Ra.* 991; Men. *Aspis* 269; for the spelling of his name (in Greek as *Melitides*) cf. Dover on the former passage. The cleverness of the Athenians was a stock characteristic; cf. e.g. *Met.* 10,33 (264,13) *Athenienses catos et omnis scientiae magistros*.

24,7 **nec hoc...**: Apuleius now adopts a more self-assured attitude: he feels proud of his native city.

Syfacis: the king of the Massaesyli, a Numidian tribe, defeated along with the Carthaginians at the end of the Second Punic war. His kingdom was then given to Masinissa, king of the Massyli, another Numidian tribe; cf. Sal. *Jug.* 5 (with commentators a.l.). It is not unlikely that the accusers had made the connection with Syfax not only because he was a barbaric enemy of Rome, but also because he was known for his treachery; so FICK 1991b, 17. Apuleius feels safe to take up the challenge: 'I would not be ashamed of my town *even if* we still were the town of Syfax.' Of course, the name had already become ancient history by his time.

24,8 **splendidissima colonia**: Madauros had become a colony of veterans during the Flavian period; cf. RE 14,1,201-2. *Splendidissima* is, as B/O rightly remark, common as an honorific epithet for colonies (cf. also Cic. *Phil.* 5,24), but the primary sense of 'bright, splendid' is intended here too; cf. the imagery of light versus dark at the end of c.16.

24,9 **patrem**: having already mentioned his father in 23,1, Apuleius now refers to his public career. Inscriptions from Madauros of that period show examples of the name Apuleius: CIL 8, 4693; 16883; cf. PAVIS D'ESURAC 1974, 95n7.

loco principis Iluiralem: his father had been a *duumuir*, the highest office in a colony. *Principis* simply means 'of a leading citizen.'

cuius ego locum - tueor: a piece of self-glorification, as often in the *Fl.* (e.g. 9,24ff and 20). Meanwhile, the details are left rather unclear. Apuleius has held no municipal *honores* at all, as Augustin. *Ep.* 138,19 attests: *non dico ad regnum, sed ne ad aliquam quidem iudiciariam reipublicae potestatem... potuit peruenire, honesto*

1. For examples from later periods cf. TLL 6, 3042, 4ff. There it is suggested that there may be an echo of the Apuleian passage in Prud. *Apoth.* 890-1 *(cum peccet et ipse) angelus, hospitium qui nescit adire caducum / cratis tabifluae*.

2. In one of his Greek letters, Fronto explicitly compares himself to Anacharsis as a barbarian; Fro. *Epist.Gr.* 1,5 (Loeb I, p.136)).

patriae suae loco natus... By repeating the word *locus*, Apuleius obscures this difference between himself and his father.[1]

He must be relying on his fame as a sophist here; this fame could certainly add glory to his native town; cf. THOMPSON 1978, 7. Indeed, there is evidence of a statue in Madauros probably dedicated to him; the inscription on its base has been found, which runs: *<phi>losopho <Pl>atonico <Ma>daurenses ciues ornamento suo*; cf. RE 14,1,202. Apuleius is the only likely candidate for this statue.

participare curiam: most likely this refers to his status as *praetextatus*, a youth of decurial family who was given a place in the local Senate of a *colonia* but was not allowed to vote; cf. B/O; AMARELLI 1988, 120 and 141n144.

24,10 **si per neglegentiam...**: a heavily sarcastic remark, doubtless intended to raise a laugh, if only for the ludicrous idea of 'choosing one's birthplace.' Aemilianus becomes the victim of yet another 'boomerang effect': if he blames the defendant for coming from Madauros, he and his miserable village will be seen to come out far worse.

Atticum Zarat: a particularly effective combination. The poor, provincial village Zarath (spelled without *h* here in FΦ) has hardly anything Attic to it. This epithet suggests culture, literacy, and eloquence in general and stylistic purity in particular, qualities definitely not attributed to Aemilianus; these associations will be confirmed in e.g. 25,2 *eloquentiam Graecam*.[2] I may add that even the inital letters *A* and *Z*, the first and last letters of the Latin alphabet, seem to convey some of the sarcasm.[3]

25,1 **friuola et inter se repugnantia**: in the concluding remarks, the speaker pours scorn on the accusers and flatters the judge in his usual manner. The 'charges' have already been called *friuola* in the beginning (3,8; 3,12). To make them seem even more absurd and unworthy of serious attention, he focuses on contradictions between them. To this end, the contrasts are laid on thick and, where necessary, distorted.

25,2 **peram - hilaritem**: a combination of various elements of the preceding paragraphs. Actually, the accusers had considered *pera* and *baculum* as symbols of Apuleius' poverty, whereas the poems and the mirror had been seen as signs of reproachable extravagance and concern for external appearance, if not of something worse. By altering the keywords, Apuleius constructs a new contrast between authoritativeness[4] and cheerfulness.

unum - profusi: the second contradiction is built with material of one chapter (17) exclusively. The facts, which appeared already misrepresented there, lend themselves particularly to a formulaic phrase. *Profusi* is probably quite to the point (see on 17,2).

ut deparci: according to ROBERTSON 1956, 71-4, the scribe of F originally wrote *ut parcis* with *de* added above the line; some Italian MSS read *ut deparcis* (or *de*

1. FICK 1987, 286 appears to have been misled by Apuleius' words, since she states that at his father's death, Apuleius 'succeeded' him.

2. In addition, as MCCREIGHT 1991, 219 acutely observes, *Atticum* also puts Aemilianus on the same level as the stupid Athenian Meletides of 24,6.

3. It may lie specifically in the grandiloquent combination (as with Greek *alpha* and *omega*), or alternatively, in the marginal and even dubious position of *Z*. As is well known, that letter was added only in the Augustan period, but was felt to be largely foreign to the Latin alphabet.

4. B/O and some other editors accept Fulvius' correction *austeritatem*. But as HILDEBRAND observes: 'In *auctoritate* enim inest ista quam expectant alii severitas et austeritas.'

parcis).[1] So, he concludes (p.79), Apuleius wrote *ut deparci*, the corruption being due to the wrong interpretation of *de* as a preposition governing the ablative. There is one parallel for this compound: Suet. *Nero* 30.[2] The reading *ut deparci* appeared in early printed editions, and in this century it has been defended by HELM (Addenda; and 1977 Akademie-edition) and MOSCA. Originally, MARCHESI (edition of 1914) defended it too, but on different grounds. On a minor note, I add that *deparci* neatly balances *profusi* in its compound structure, accent, and number of syllables.

eloquentiam - barbaram: the third and last point includes both an element from the beginning (c.5 on eloquence) and one from the end (c.24 on the native region). *Graecam* also implies another comment on Aemilianus, as has been observed above on 24,10.

25,3 **expergiscimini**: cf. Sal. *Cat.* 20,14 *quin igitur expergiscimini?*; further *id.* 52,5.

seuerum: the epithet seems to refer both to Maximus' adherence to Stoicism (cf. 19,2 *austerae sectae*) and, rather threatingly, to his strictness as a judge.

25,4 **quin...**: three powerful rhetorical questions conclude the passage, challenging the prosecution to come up with serious charges of magical practises and implying that they are unable to do so. After having created the impression that his opponents' reproaches amount to mere absurdities, Apuleius now feels safe to speak about 'crimes, magic, and black arts' again; for *artes nefandae* as term referring to magic cf. ABT 1908, 30-1.

flaccet: an archaic verb, used in a carefully constructed antithesis with *uiget*; for this combination, TLL 6, 833, 64ff offers no parallel.

25-8 Main charge: magic; *Diuisio*.

Now I come to the main charge of practising magic. Let me ask Aemilianus: what is a magician? If we follow the Persian definition, as Plato does, it is a priest and educator of princes, and who could object to this noble sort of 'magic'? If the word is to be taken in its vulgar sense, I wonder why Aemilianus was not afraid of accusing me of it, since I would be able to harm him! Many famous philosophers have also been called magicians by the ignorant, and I gladly share their fate. All the magical issues brought forward against me are ridiculous and amount to nothing. I could stop here. Still, I will discuss each of the issues and show that there is nothing magical to them. Later I will also show that it is not even plausible for me have practised magic, since my marriage has brought me no gain. I will end on some remarks concerning my depraved stepson Pudens.

[1]. The reading is also likely to have been present in the so called 'Assisi fragments' (C), with which ROBERTSON is concerned. Regrettably, C is damaged on this spot.

[2]. The sentence expresses a thought of Nero, which ROBERTSON suggests that Apuleius had in mind: *Diuitiarum et pecuniae fructum non alium putabat quam profusionem, sordidos ac deparcos esse quibus impensarum ratio constaret, praelautos uereque magnificos qui abuterentur ac perderent.*

After the lengthy discussion of the various 'futile' elements concerning Apuleius' reputation (c.4-25), finally the main charge of magic is entered upon. The very postponement of it until here was obviously a deliberate choice, and its position within this passage is most effective: the essence of magic is briefly treated in connection with the *diuisio* of what is to come. That is: the speaker speaks about it almost in passing, in a moment of relaxation, and so prevents the audience from realizing its importance.

Obviously, the accusers must have meant the normal definition of a magician: one who uses black art to impose his will in matters normally not within human control. Apuleius, however, starts on a learned and hardly relevant discussion on Persian *magi*, which strikes a favourable tone. Particularly noteworthy is what he then has to say on the 'vulgar' definition: he does not explicitly deny being such a magician, but merely distracts from the issue by making a joke about the accusers, and then immediately seeking refuge in one of his favourite devices: cataloguing great names of philosophical authorities.

The second half of c.27 gives a summary of what is to come in the rest of the speech, in the form of brief questions and remarks with equally brief defensive reactions: this creates the impression of a series of mere absurdities not unlike those of the first quarter of the speech. Finally, having defended himself against the charges, he ends on a more aggressive tone. Defiantly, he suggests that it is merely his magnanimity and concern for the reputation of philosophy which makes him enter into the separate points. He even dares to allow for the possibility that he *is* a magician after all, though adding that he has certainly not practised magic in the marriage, an allusion to what is to follow in c.66ff. The final remarks about Pudens point to the later invective against the boy (esp. c.98ff), which will resume that of the beginning (c.2).

The overall impression we are given by the speaker is that the charges are absurd, that he has a wealth of material to reject them, and that actually he does not even need to enter into details for his own sake. It is to be noted that this was also the dominant image in the preceding part of the speech. The 'trivial matters' dealt with there, now appear to have set the tone for the treatment of the 'serious' charge. It is not until c.66 that a real change of tone will follow. Until then we see Apuleius as the learned philosopher, in supreme command of language and subject matter, condescendingly ridiculing his opponents and all they have said.

To anyone studying the speech it will be abundantly clear that Apuleius must have known quite well what magic was about. In dealing with this point, however, denial seems his main strategy: denial of guilt, of course, but also denial of the magical relevance or magical nature of the various points (fish, epileptics, a secret cloth, rituals involving smoke and feathers, a wooden statuette), for many of which there is ample evidence. In some cases Apuleius will appear to be flatly denying facts. By contrast, he lays particular stress on any possible scientific and religious aspect: in brief, as ANNEQUIN 1973, 112 aptly puts it: 'on parle magie, il répond science'. On the section cf. also ABT 1908, 32-60; VALLETTE 1908, 55-7; TATUM 1979, 114-6; FICK 1991b, 15-9; HIJMANS 1994, 1763-4.

25,5 **accensum - defraglauit**: the element of *magia* (for the word see on 2,2) is immediately drawn into a metaphor of fire, which will be elaborated in the next sentence.

anilis fabulas: the metaphor is combined with the invective motif of 'old wives' tales'. This carries associations not merely of foolishness and nonsense, but also of

superstition;[1] cf. Cic. *N.D.* 3,12 (with Pease a.l. for many parallels); Min.Fel. 11,2 (in the context of anti-Christian polemic); further OTTO 1890, 28. The introductory *nescio quas* further disparages these *fabulae* and enables the speaker to distance himself from them.[2]

25,6 **ecquandone uidisti...**: addressing himself to the judge, the orator gives a brief display of his talents, repeating the fire metaphor and now explicitly comparing the charge to dry stalks which rapidly burn up (we would probably speak of 'a storm in a teacup'). For the example of quickly burning stalks, cf. Lucr. 5,608-9; it is also used as a metaphor in Ov. *Tr.* 5,8,19-20 *nos quoque floruimus, sed flos erat ille caducus / flammaque de stipula nostra breuisque fuit*. The present Apuleian passage is designated, perhaps too floridly, as 'Chanson lyrique de la flamme' by CALLEBAT 1984, who also analyses it in detail (159-60).

25,7 **iurgiis inita...**: four elements are mentioned, closely corresponding to the preceding six elements. The first one echoes *claro crepitu* and *largo fulgore*; the second *cito incremento*; the third *materia leui* and *caduco incendio*; and the fourth *nullis reliquiis*.

caduco: this word will be central to the argument in the sections on epileptics; Apuleius will also exploit its literal sense for puns (cf. 51,10).

25,8 **quaerere - quid sit magus**: that is, Apuleius proceeds to discuss the very definition of magic (cf. 20,1 *ipsius nominis controuersiam facere*). The qualification *eruditissimis* is of course heavily sarcastic, given the general invective about the accusers' lack of education and, more particularly, their unfamiliarity with texts on Persian *magi* such as the Platonic text quoted below.

Here 'flexible parameters are the natural defence', as ANDERSON 1994, 66 comments. As Apuleius had distinguished two sorts of love (12,1), so he will make a sharp distinction between two kinds of magic, a 'good' and a 'bad' kind, which in this form cannot be found in earlier texts. Good magic is linked to the noble pursuits of wisdom, education of kings, eastern religion and philosophy, whereas bad magic actually represents what is commonly understood as magic. Thus, it seems, Apuleius is deliberately introducing the first element into his discussion, with a clear purpose: strongly identifying with the first, good form, he can distance himself from the dangerous second kind and so escape from the charge without having to dismiss everything the accusers have said. Given the atmosphere surrounding his person and activities, it must have been impossible for him to deny any connection with magic in whatever sense of the word.

In the *Met.* the distinction of the two sorts of magic is important too; cf. GWYN GRIFFITHS 47-51; FICK 1985; SCHLAM 1992, 12 and 122wn34. Cf. further GOLANN 1952, 107-16; RÜDIGER 1963, 70-2 and GRIMAL 1971, 354-5. For similar distinctions of magic in later authors see RE 14, 373-5.

25,9 **Persarum lingua**: Apuleius is referring to the ancient Persian priests called *magi*. These priests were well-known; in Latin literature cf. e.g. Cic. *Div.* 1,46 (with Pease a.l.); Amm.Marc. 23,6,32-6; further BIDEZ-CUMONT 1938, 143wn2 and RE 14,509ff. In Apuleius' own work cf. *Fl.* 15,14: *sunt qui Pythagoran aiant (...) doctores habuisse Persarum magos ac praecipue Zoroastren, omnis diuini arcani antistitem*; further *Pl.* 1,3 (186) on Plato: *ad Indos et Magos intendisset animum, nisi tunc eum bella uetuissent (...)*. Already in the eyes of the early Greeks, their powers seemed frightening, and the word *magus*, accordingly, acquired a negative meaning; cf. ABT 1908, 32-4; BIDEZ-CUMONT 1938, 143-5. Wisely, Apuleius remains silent on this rather unwelcome part of their reputation.

sacerdotem esse - religionum: the brilliant diction veils a simplification of the matter. Apuleius now also plays down the activities of these *magi* that might be related to magic, such as explaining dreams, predicting the future, and exorcising demons. Instead, he focuses on the loftier aspect of religion. The choice of words and the rhetorical form add to the impression of great dignity. For *nosse atque scire atque callere*, B/O quote a fine parallel from Plautus: *Per.* 176 *memini et scio et calleo et commemini*.[1]

25,10 **quod Plato interpretatur**: Apuleius resorts once again to his philosophical model *par excellence*, rather than to any other source on the Persian Magi. Plato's explanation would surely justify any Platonic philosopher to be interested, if nothing else, in this type of cult. For Plato's alleged contact with these Magi cf. below on 27,3 (with note).

regno: B/O have a problem with the dative, but VON GEISAU 1916, 96 lists it simply as a dative of purpose.

diuini uiri: the epithet is not merely a standard compliment but also connects Plato to the area of religion, along with the Persian priests. This link, it may be added, extends to Apuleius and judge Maximus, who, unlike the accusers, are familiar with the Platonic passage.

quae tu - recognosce: in c.4 Greek verse had been explained to the audience at large; in c.10 poetical lines from Plato had been scornfully recited to Aemilianus. Now, for the first time, the speaker presents a rather long and more difficult section of Greek prose, which he shares with Maximus exclusively; the judge must have felt quite flattered. Although Apuleius pretends to be recalling the passage on the spot (the anacolouthic construction and the word *memini* actually suggest improvisation), he is more likely to have prepared this important quotation before the trial.[2]

25,11 **δὶς ἑπτὰ δὲ...**: Plato, *Alc.* 121 e - 122 a. The Greek in the Apuleian MSS shows only minor differences from the Platonic text as it has come down to us; see HELM's apparatus. For the periphrase of 'seven', cf. on 9,14 (4).

26,1 **artem esse...**: for the benefit of the accusers, addressed in *auditisne*, Apuleius rephrases the main elements of the quotation: religion, education of kings, and authoritative names. For magic referred to as *ars*, cf. VAN DER PAARDT, 131-2.

1. One may observe that superstition is not too distant from magic, and that magic of the 'vulgar' sort was the specialism of hags (*sagae*). So the expression seems to cast back some of the suspicion on the accusers.

2. Elsewhere, in *Met.* 4,27 (96,15), the expression is used in a different, more positive sense to introduce the story of Cupid and Psyche: *sed ego te narrationibus lepidis anilibusque fabulis protinus auocabo.*

1. It may further be observed that the priests are depicted as formally observing the rules of public sacrifice, as if they were Romans. For *ius religionum* (or *ius sacrum*) as a legal term cf. NORDEN 1912 60n1. Through this Roman touch the *magi* appear both more familiar to the audience and more worthy of respect.

2. BEAUJEU, xiii supposes that Apuleius quotes from an anthology, perhaps also present in the library of Maximus. But given Apuleius' familiarity with Plato, he is more likely to have read the verses in an edition of Platonic works.

26,2 **Zoroastre**: Zoroaster (Zarathoustra) was a legendary religious leader from Persia, living in the 7th century BC. Typical for his teaching was a strong dualism between light and darkness, good and bad spirits. He was also widely known for his expertise in astrology, and this element may have caused his reputation as a magician. Apuleius also mentions Zoroaster as teacher of Pythagoras in the parallel passage *Fl.* 15,14: *Zoroastren, omnis diuini arcani antistitem.*

Oromaze: the Persian god Ahura Mazda, who, according to tradition, was the teacher or even the father of Zoroaster. Cf. further RE Suppl.9, 465-8.

26,3 **regalia**: obviously a translation of τὰ βασιλικά in the Plato passage, as *sermocinatio* in the next sentence renders διάλογος (cf. also Quint. *Inst.* 9,2,31) and the rare *sacerdotia* in 26,5 may render τὰ ἱερατικά.

26,4 **Zalmoxi**: originally a divinity of the Geti; according to another tradition he was a slave of Pythagoras, who, once set free, became famous among his own people for his teaching of immortality. For both stories cf. Hdt. 4,94-5, and see other passages listed by B/O. Zalmoxis was counted as one of the first philosophers of barbaric origin; cf. Diog.Laert., proem. 1,1, where the Persian *Magi* are also mentioned.

scriptum reliquit: the quotation is from Plato, *Charm.* 157 a.

26,5 **bona uerba**: scholars have rightly noticed that Apuleius' quotation is not quite reliable. It may even be called grossly misleading: the isolated Greek phrase comes from a different context, where magic was not the issue. Furthermore, it was not Plato himself but Socrates who used it, in an ironical manner at that. Finally, the Greek words were not intended as a generally valid definition, as Apuleius distortingly presents it. 'Sein Beweis ist lediglich aufs Verblüffen berechnet', as ABT 1908, 42 puts it. On the Platonic passage cf. SCHLAM 1992, 46-7; GELLRICH 1994, 281-3.

On other occasions too, Apuleius uses parallels so loosely that he actually distorts their meaning; cf. e.g. *Soc.* 11 (145) and 15 (150) with BINGENHEIMER's notes 97, 98 and 115.

26,6 **more uulgari...**: Apuleius gives a fairly accurate definition of what the ancients regarded as magic; cf. also GRAF 1991, 195n55. Essential are the elements of *communio loquendi cum deis immortalibus* (on which see ABT 1908, 44-50) and *incredibilis uis cantaminum* (on which see id. 50-56).

It may be added that the former element actually comes close to Apuleius' concept of *daemones*, the intermediates between Gods and men, who are even said to arrange the miracles of magicians (43,2; cf. *Soc.* 6 (133)).[1]

The potential danger of these lines to the defendant's cause is reduced by their position: they are included between the section on magic as a devout, religious practice and the section containing a sarcastic attack on the prosecution.

cantaminum: *cantamen* is a poetical word, first attested in prose in Apuleius; cf. CALLEBAT 1984, 155-6wn75. For a list of terms for magical incantations, cf. BURRISS 1936, 142-4; further ÖNNERFORS 1993, 159n6.

26,7 **occulta**: the element of concealment was not mentioned in 26,6, but is also essential to ancient magic (cf. also 47,4).

[1]. As to the second element, one feels tempted to point out Apuleius' own mastery of the Latin language, and his keen sense for effects of sound and rhythm.

26,8 **sicarium...**: Apuleius cleverly spins out his point: 'anyone accusing a criminal, either a murderer, a poisoner, or a thief,[1] is cautious not to become the victim of the sort of crime in question; but it is by definition impossible to protect oneself against magic; this proves that my accusers do not believe it themselves and are falsely accusing me.' The persistent *c*-alitteration in the entire passage seems to reinforce the point (cf. esp. *comitatus - (scrupulosius) cibatur - custodit* and *comitibus - scrupulis - custodibus*).

Convincing as the enthymema may appear, all three constituents are misleading: the first one wrongly suggests that anyone going to court is running the danger at that very moment rather than at some time earlier. Furthermore, protection against magic was actually believed to be possible, namely by other counteractive, magical means (cf. ABT 1908, 58-9).[2] Finally, according to this reasoning it would be *a priori* impossible to bring a legitimate charge of magic, which must be considered a sophism.

in discrimen capitis: magic was indeed punishable with death; cf. also the pun made in 4,13.

non est eius - credit: the point is also of wider strategical importance, as HIJMANS 1994, 1763 rightly observes. Later in the speech it will be argued that the real motives behind the accusation were of a different nature: Apuleius will enter at length into the greed, jealousy, and moral depravity of his opponents.

27,1 **philosophis obiectantur**: the speaker returns to his safe haven of taking sides with the great, who have been slandered and misunderstood by the ignorant. He provides a long, interesting list of names. As on earlier occasions (e.g. 9,6), the sequence seems deliberate. Three groups are distinguished: four materialist and atomists, allegedly wrongly called atheists; four legendary figures, allegedly wrongly called magicians; and three final names, two of which are particularly famous authorities, each characterized by a specific doctrine, with a concluding reference to Apuleius himself. Again, the speaker does not openly dissent with any philosopher, not even with Epicurus (who had also been treated without criticism in 15,12); his aim is to give a general defence of philosophy.

corporum causas - simplicis: the broad formula allows for a combination of Anaxagoras' natural philosophy and the atomism of the others. Although Anaxagoras' theory of *homoeomeria* prepared the way for atomism, it also shows considerable differences from it; cf. Bailey on Lucr. 1, 830-920 (an atomist's discussion of Anaxagoras).

irreligiosos: a key word in contemporary discussions between Christians and pagans on 'wrong religion'; cf. SCHMIDT 1997. Here, it simply refers to atheism.

deos abnuere: one might have expected names of typical atheists such as Diagoras of Melos and Theodorus of Cyrene, or agnostics such as Protagoras of Abdera (for these three, cf. Cic. *N.D.* 1,2 and 63), but their bad reputation must have made them

[1]. AUGELLO and others notice that since Apuleius distinguishes himself from these lawbreakers, he had not been accused of poisening. However, all three elements do reflect charges leveled indirectly against him at some stage: murder of his stepson (1,5), using poison (cf. 69,4; 78,2; 84,3; 90,1; cf. ABT 1908, 11-2, who, however, wrongly refers to 41,6, which is a case of 'unreal condition'), and taking hold of Pudentilla's capital (e.g. 91,5).

[2]. ABT, 56-60 explains the passage as referring to 'Prozeßzauber', but Apuleius' point seems more general.

inopportune to mention, and they could certainly not be counted as natural philosophers. For the motif of contempt of the Gods, cf. 56,7 *Mezentius*.

ut Anaxagoram - Epicurum: four famous names, the first three from the 5th century BC, the last one from from the 4th century BC. Stories on irreligiosity and atheism were often told about philosophers; for a long discussion on the most regular victims, see Pease on Cic. *N.D.* 1,2. The 'canon' includes Anaxagoras, whose trial for impiety was famous (e.g. Diog.Laert. 2,12-4), and and above all Epicurus and Epicureans. By contrast, Leucippus and Democritus are mentioned only in the present passage. For Socrates see the note below.

rerum naturae patronos: for this expression B/O merely refer to Hor. *C.* 1,28,14-5, which is on Pythagoras, and to Apuleius' fondness of legal terminology. However, the words seem to allude rather to other materialist philosophers. The most obvious candidate is Lucretius, given his important position in the history of atomism and the title of his poem, *De rerum natura*.[1] Apuleius certainly knew Lucretius and is one of the few ancient authors who even quote from his work; see *Soc.* 1 (118) and 10 (143); cf. DI GIOVINE 1981; MATTIACI 1986, 170-3 (not mentioning this passage).[2]

27,2 **qui - celebrant**: the second group consists of legendary sages of an earlier period, whose speculations on the universe and the gods were influenced by eastern shamanism, cf. DODDS 1951, 135-78, esp. 141ff on Epimenides. Their activities and ideas could easily be considered magical, and therefore they had a strong reputation in this field; see also below.

prouidentiam: Apuleius shows great interest in the workings of providence; cf. also 39,1; 49,2 and see HIJMANS 1987, 446 and KRAFFT 1994. Some parallel texts are analyzed by REGEN 1971, 83-92.

curiosius: an intriguing detail. In the *Met.*, *curiositas* is intimately connected with the 'wrong' sort of magic causing Lucius to become an ass. On this dominant theme of the novel see most recently SCHLAM 1992, 48-57; CALLEBAT 1994, 1608; GCA 1995, 362-79. Here the motif seems not to have any negative association.[3]

quasi facere - fieri: in this sententia-like expression it shines through again that Apuleius knew quite well what ancient magic was about: exerting active influence on phenomena normally assumed to be beyond human control.

Epimenides - Ostanes: four names carrying strong associations of magic. Surprisingly, there is already ample evidence for this in Apuleius' own works: for Epimenides cf. *Fl.* 15,20 *Cretensem Epimenidem inclitum fatiloquum et piatorem*; Orpheus, the legendary enchanter of animals (cf. *Fl.* 17,15), will be referred to as a source on magical properties in 30,11; Pythagoras, whose teachers include Zoroaster, the Chaldaeans, and Epimenides (cf. *Fl.* 15, 14-21), is even called *magiae peritum* in

1. The title is also echoed in *Met.* 4,30 (98,7) on Venus: *en rerum naturae prisca parens*; cf. KENNEY a.l.. For other possible allusions to Lucretius earlier in the *Apol.*, see on 12,2 and 15,12.

2. There is no evidence that Lucretius was blamed for atheism in his own time, but it must be remembered that we know almost nothing about him at all; Christian authors certainly objected to his poem because of his supposed atheism.

3. In the parallel passage in c.39, *curiose* (39,2) is used only a few lines after the mention of *prouidentia* (39,1), as REGEN 1971, 88 points out. But in that passage there is no connection between the two words.

31,2; and Ostanes will be actually included in a list of dreadful magicians' names in 90,6.

This group of names is potentially far more detrimental to the speaker's case than the first group (27,1). He counters this risk by surrounding them with other names, and by the audacious act of coming up with them himself.

27,3 **ac deinde similiter...**: the final group consists of three famous names; one may argue that Apuleius himself is the fourth member to be added (cf. the reference to himself in 27,4). What *suspecta* specifically refers to, is not fully clear. Suspicion of magic, as in the second group, seems the most natural interpretation, but there may also be an echo of the atheism of the first group.

Empedocli: Empedocles of Agrigentum seems to belong to the former group of shamanistic sages; cf. DODDS 1951, 145-6. He was equally considered to be a magician (see B/O a.l.; further Plin. *Nat.* 30,9), although he does not seem to have been known as an atheist.[1] He is certainly less of a legendary figure, and lived at a later date (5th century BC). *Catharmoe* 'purificatory rites' is the title of one of Empedocles' poems. By its very nature, it may have caused suspicions of magic, although the extant fragments (some 100 lines) show nothing of the kind.

Socrati: by putting names as distinguished as Socrates and Plato on one line with the previous names (cf. *similiter*), an attempt is made to suppress any suspicions that these previous names may have raised. The added typical doctrines are helpful here: at first sight, both Socrates' well-known 'inner voice' and Plato's supreme Form seem to have little to do with magic (see also below).

There is no reference to the charge of impiety which plays so prominent a part in Socrates' trial; see Plato *Apol.* 26 c -27 e (with Anaxagoras mentioned in 26 d); cf. SLINGS 1994, 86-9. It may well be the ominous fact that the great philosopher was convicted and put to death, which has deterred Apuleius here.

Instead, he mentions Socrates' *daemonion*, on which see *Soc.* 18-20, with HUNINK 1995, 302-3; further Plut. *De gen.Socr.*. This would appear to be a rather innocent phenomenon. But in *Soc.* this *daemonion* is dealt with in the context of his discussion on demons. As these were competent in the field of magic (*Apol.* 43,2), there exists, in fact, an indirect link here.[2]

Platonis: whereas there still could have been some doubts in the case of Socrates, Plato seems well beyond any suspicion of irreligiosity or magic.[3] In particular, his theory of the Good is not critized for these reasons anywhere in ancient sources. In the present list his name obviously functions as a climax. For a brief treatment of Platonic forms by Apuleius see *Pl.* 1,6 (192-3) with MORESCHINI 1978, 76-8; for the good, *Pl.* 1,2 (220) with GERSH 1986, 269-70.

27,4 **gratulor...**: the expression recalls earlier statements, such as those expressing thanks to the prosecution (1,3; 22,1) or the numerous expressions of allegeance to various authorities (e.g. to Plato in 13,2).

1. Empedocles' theology is criticized by the Epicurean speaker in Cic. *N.D.* 1,29; Pease a.l. refers to just one Christian testimonium on Empedocles teaching atheism, and calls this 'unfounded'.

2. Furthermore, on a rhetorical level, the three Greek expressions *catharmoi, daemonion*, and *to agathon* may well aim at an incantatory effect, as in 38 and 90; cf. MCCREIGHT 1991, 224.

3. Plato did come into contact with the *Magi*; cf. Diog.Laert. 3,7; Plin. *Nat.* 30,9; further RIGINOS 1976, 66. However, his reputation does not seem to have suffered any damage because of this.

27,5 **ceterum...**: by means of a list of brief questions and objections, the defendant summarizes the points brought against him; for a similar passage cf. 103,2-3. The questions may appear like verbal quotes, which, of course, they are not; cf. in general on 4,1.

Technically, the section 27,5-12 amounts to a *diuisio* of what is to come in the rest of the speech, notably 29-65. But the immediate responses of the speaker, as well as his tendentious selection and presentation of arguments, makes it a far from neutral survey. For a brief analysis, see HIJMANS 1994, 1763, who notices that the passage serves as a *minutio*. See also notes below.

inepta, simplicia: editors commonly adopt HELM's correction *simpliciter*, to be taken with *uana et inepta* or with *uereor*. I have returned to the text of FΦ, with ARMINI 1928, 327-8. For this we need not add *et*, as B/O say; cf. *Met.* 4,1 (75,6) *deuius et protectus, absconditus* (where the text has also been wrongly doubted; cf. GCA 1977,27 a.l.). *Simplicia* seems slightly negative: 'naïve, simple' (cf. OLD s.v. 8, although most examples refer to persons).

27,6 **piscium**: this is the first count of the charge, which will be dealt with in c.29-41. From the various arguments to be given in defence of the use of fish, one is singled out in response: the strong comparison of a scientist to a gourmand (cf. c.39; 41,1-2).[1]

luxurioso gulae: potentially a negative element; cf. 75,9-10, or the picture of Crassus in 57-60. However, here (as in 39) this nuance seems to be missing. The gourmand stands lower than the philosopher only in so far as he pursues less serious concerns. But both belong together in having nothing to do with magic. Cf. also on 27,12 *obsonio*.

27,7 **mulier... tibi nupsit**: Apuleius' marriage with Pudentilla is the crucial element of c.66-103. Here a single element, the thirteen long years of her widowhood,[2] is highlighted already in the question. The speaker's reaction, effective though it may sound, is weak as an argument.

27,8 **scripsit in epistula**: Pudentilla's letter will be analysed in 78,5-86, where it will turn out to be one of the strongest pieces of evidence in favour of Apuleius. As the question is put here, it is so vague as to elude the real issue. Apuleius focuses on a minor, ludicrous aspect ('expressing one's own opinion rather than that of someone else'). Since this will not play a role in the later passage, it is clearly chosen only for a momentary effect.

27,9 **maior natu... iuuenem**: the age of Pudentilla, another of Apuleius' more convincing points, is the topic of c.89. The question is put rather tendentiously again, so as to facilitate the response. What made the marriage suspect was the fact that Pudentilla had objected to remarrying (c.68-73) for many years. In general, a great difference in age between husband and wife did seem strange to the Romans, although Apuleius suggests the opposite.

1. For the argument CARBONERO 1977, 249 compares Cic. *Arch.* 13. But the parallel is not strong enough to consider this a conscious echo.

2. As B/O note, in 68,2 it is said to be 'almost fourteen' years, in 85,5 'fourteen'. In both of these instances a higher number is opportune, whereas rounding it down seems most effective here. Many scholars apparently require logic and consistency, and correct 'thirteen' to 'fourteen'; e.g. VALLETTE and AUGELLO. As FΦ read XIII~, I have kept XIII, with HELM and B/O.

27,10 **habet - quod colit**: the expression with its reference to *domi* is vague. As such, it may allude either to the linen cloth in c.53-5 or to the statuette of Mercury in c.61-5 (cf. 63,4 *ex hospitio*); the present tense *habet* suggests the latter, since the linen cloth will appear to be an issue of the past (cf. on 53,4). The response alludes to the speaker's religiousness, implying denial of the charge of 27,1, and contrasts it with the profanity of his opponents (c.56).

27,11 **cecidit... puer**: the epileptic slave Thallus will become the centre of interest in c.42-7. The response again eludes the question, suggesting that when someone falls down, neither the age nor the cause matters. In fact, both elements will be seen to be possibly indicative of magic (cf. below on c.42-7).

27,12 **hiscine argumentis**: an effective reduction of the accusation to merely three elements,[1] summarized as innocent-looking phenomena of daily life, and arranged in reverse order, with 'fish' closing the circle started in 27,6.

In Apuleius' list in 27 some elements now appear to be missing, most conspicuously the epileptic woman (48-52) and the nocturnal rituals (57-60). Some missing elements from 66-103 will be specified below in 28.

puerili: modern editors invariably print the conjecture *pueruli*, but the reading of FΦ can be kept; cf. HIJMANS 1994, 1775n218; HUNINK 1996, 161. For the adjective *puerilis* instead of a noun in the genitive, cf. 43,3 *animum... puerilem*; *Met.* 3,20 (67,16) *puerile... corrollarium*.

obsonio: as HILDEBRAND observes, the word is used only of buying *food*; cf. OLD s.v. So, the expression suggests the most simple explanation of purchasing fish, overlooking even the philosophical aims alluded to in 27,6; for this moment, it strikes a pleasant note of cooking, familiar to the audience.[2]

28,1 **pro accusationis longitudine**: the phrase first refers to judicial facts: the time granted to the defendant seems to have depended on the length of prosecution. In Apuleius' days the defendant was given a third as much time; cf. B/O and AMARELLI 1988, 115-6wn13; on earlier Roman practice see Sherwin-White on Plin. *Ep.* 2,11,14.

But what the speaker also suggests is that his accusers needed a *very long* time, and accordingly experienced severe difficulties in arguing their case. His own case, by contrast, appears 'short and clear'.

aquae: time in court was measured by the well-known water-clock (*clepsydra*, a word not in Apuleius' works[3]). This water-clock will also be referred to 37,4; 46,3, and 94,8, and can be regarded as one of the vestiges of the actual setting of the trial; cf. HIJMANS 1994, 1719. There is an exquisite description of the process in the water-

1. The object of private worship is not mentioned here, as scholars notice; cf. B/O; HIJMANS 1994, 1763n172. HIJMANS explains this by referring to the important role of the point later on, and by the inevitable diminution in a summary like this. It may be added that a word like *cultus* would have looked less absurd in the immediate context of magic.

2. Later (in 29-41), Apuleius will adduce some of his real motifs for collecting fish, and even arrive at the paradox that a philosopher should *not* eat them (41,2).

3. It has been suggested that its absence in the text is due to a possibly ominous, 'magical' sound of the word; cf. VAN DER PAARDT, 38-9wn1 on *Met.* 3,3. This is of course possible, but it remains difficult to see what fear this technical word could possibly inspire; TLL 3, 1338, 16ff gives no clue for any negative sense. Besides, the speaker seems not particularly hesitant to use magical language whenever it suits his purpose.

clock in Lucius' trial in *Met.* 3,3 (53,23-54,1) *ad dicendi spatium uasculo quodam in uicem coli graciliter fistulato ac per hoc guttatim defluo infusa aqua...*

28,2 **perinde - fatebor**: the statement displays the defendant's self-assuredness and confidence in his case. Of course, he is going to deny certain elements of the accusation (such as the nocturnal ritual with smoke and feathers), but in most of what follows, he will actually acknowledge the bare facts and offer honourable explanations of a scientific or religious nature.

28,3 **multitudo... plurima**: an explicit mention of the large crowd gathered from all sides to listen to Apuleius. This closely resembles passages in the *Florida*, cf. *Fl.* 5,1; 9,1-4; 18,1-10, esp. 18,1 *tanta multitudo ad audiendum conuenistis*; cf. also the last section of *Soc.* prol. (112-3). Combined with the speaker's boastful self-assurance and the suggested conclusion of the main defence in 28,1, this creates the impression that what we will witness is no longer a forensic speech, but rather one of Apuleius' brilliant showpieces in the epideictic genre.

28,4 **primum...**: now follows a more neutral *diuisio* of the rest of the speech. The first sentence (*primum - pertinere*) is a brief announcement of c.29-65, the second one (*dein - experirentur*) of c. 66-101; the latter section is further specified in the rest of this paragraph. For *etsi maxime magus forem*, cf. 66,3 *etsi uerum magum me comperisset.*

28,5 **epistulis...**: the letter and the marriage have already been mentioned in 27,7-9, but now for each the *real* argument is indicated: the letter has been misrepresented (82-3), and the marriage has been concluded out of a sense of duty (73). BUTLER's translation of *officii gratia* as 'for love' is wrong.

quam: for *quam* without a comparative cf. parallels in B/O.[1]

28,6 **diuidiae**: an archaic word ('vexation'), which is used by Plautus in the same construction: *St.* 19 *haec mi diuidiae et senio sunt*; further examples are quoted in TLL 5, 1592, 72ff. Apart from this comic note, the word also echoes the sound and accent of *inuidia* (28,5).

insania: logically the finishing point of *ira* and *rabies*, acoustically of *inuidia* and *diuidiae*. Insanity, like anger and blind fury, is a common invective motif, and it will often return in the speech.

28,7 **contestabor...**: at this key point Apuleius concludes the survey by venting his gall on his accuser Pudens. While *obtentu* establishes the link with the beginning (2,4 *optentu eius*), the rest is a foretaste of the savage attacks to come at the end of the speech. See esp. 98, which contains most details indicated here, and 85,5-9 for the imagery of Pudens as a wild beast, raging against his mother. The formal appeal will not be repeated until 99,1 *testor igitur te, Claudi Maxime...*

curae meae eruptum: it remains unclear in the speech whether or not this *cura* had a legal basis, that is, if Apuleius first had been the boy's *tutor*. Given the speaker's silence and the legal details given in 98, one would assume (unlike B/O) that this was not the case. But what really matters here is the emotional aspect of 'parental care.'

The reading *eruptum* of FΦ has sometimes been corrected by editors to *ereptum*, although not without doubts; cf. B/O (in their addenda). The form is now usually explained as a variant of *ereptum*, showing archaic spelling; cf. BRAKMAN 1928, 182; ARMINI 1928, 328; TLL 5, 788, 69f. As such it is printed in most modern editions, e.g. AUGELLO.[1]

28,8 **diem suum obiit**: a cautious reference to Pontianus' untimely death; cf. later on 96,5.

28,9 **efferatum**: for the verb, relatively frequent in Apuleius (it was used already in 18,3), cf. GCA 1985, 258 on *Met.* 8,29 (200,20-1). It can have a strong moral undertone; cf. also *Soc.* 3 (125) *quamquam... exesa mansuetudine generis sui immane efferarint...*; *Met.* 10,24 (256,9).

liberalibus studiis: for the ancient concept see Cic. *de Orat.* 3,127. Pudens is said to have given up his studies. This is not merely a simple point of criticism, but literally separates him from culture, the area of Apuleius, Maximus, and, to some extent at least, the audience.

29-41 Magical practices (I): use of fish

The first point concerns my purchasing fish from some fishermen. But there is nothing unusual in such a transaction. Or do you have some special magical expertise yourself?! Using fish to aouse love is a silly idea: if you knew your literature, you would know that quite different objects are used for that purpose. Read Virgil! Read Laevius! Really, fish is of no magical use at all, as a story on Pythagoras proves. There is nothing of the kind in Homer either. Furthermore, why would anyone looking for fish be a magician? If this were so, many people would be magicians. My reasons for collecting rare fish are of a scientific nature. My accusers came up with fish with obscene names: but it is stupid to assume any relation between the name of an object and its function. Besides, those fish can be found everywhere on the beach, as many other things. What I actually wanted to do is to check references in Aristotle's zoological works, and summarize them in Greek and Latin. I will have some fragments of my Greek works on fish read here. My Latin works also show my invention of new Latin terms and names of fish. Isn't all of this typical of a philosopher? I earn more praise than Ennius, whose poem on fish deals with gastronomical properties only. Finally, I am also interested in fish for medical reasons. Whenever I dissect a fish, it is done in public and on honourable, scientific grounds. By the way, in the period my accusers refer to, I was in the mountains of Gaetulia, where there are no fish.

The first magical subject is treated in a varied section, comprising more than one tenth of the speech as a whole. The accusers have apparently spoken about illicit use of fish to arouse a woman's love, mentioning some unfamiliar kinds of fish whose names would seem to point to sexual purposes. Apuleius' strategy to counter the attack shows several elements which have become familiar by now. First he denies guilt, drawing attention to some minor weak points in the charge, for which innocent explanations can

[1]. The recent suggestion by FRASSINETTI 1991, 1205 that *potius* has been elided after *susceptum* is unnecessary.

[1]. One wonders whether *eruptum* cannot be simply explained as a regular form of *erumpere*. But for medio-passive use TLL 5, 836, 13ff gives only examples of inanimate subjects, such as winds (e.g. Lucr. 6,583) or fire (id. 1, 724). *Se erumpere*, however, can be used of men: e.g. Caes. *Civ.* 2,14,1; Cael. (Cic.) *Fam.* 8,14,2. The sense 'broken loose' would certainly fit the picture of Pontianus 'moving out' (98,1).

easily be provided. Magical use of fish is even declared an absurd idea (see below). Then a more assertive stance is taken: the issue is not magic, it is science, the *imitatio* and *aemulatio* of Aristotle. Apuleius even has some fragments of his own works on fish read aloud, and makes a great show of his learning and mastery of Greek and Latin. A comparison of scientific with gastronomical interest, not liable to criticism in itself, underscores the point. The final paragraphs add the notion of medical use, and resume various points from the entire section, partly in the form of answers given to questions supposedly put by the accusers. The last paragraph concerns a manifest point (Apuleius had no access to fish) and seems intended to leave a particularly strong impression.

Throughout the section, literary authorities are constantly adduced in support. They include great names like Homer, Virgil, and Aristotle. Some passages also function as moments of relaxation: notably the anecdotes on Pythagoras and Sophocles, and the long, precious fragment of Ennius. Many other names are dropped as well. Quotations from his own works and brief learned discussions contribute to the picture of Apuleius as a man of science.

It comes as a surprise that the magical use of fish is flatly denied, whereas there is much evidence on such use in antiquity; see ABT 1908, 61-157; cf. also DERCHAIN/HUBAUX 1958 on a magical ritual with fish in *Met.* 1,24-5; further briefly AMARELLI 1988, 121wn35. One may also observe that medical use of fish, acknowledged by the speaker (40), is not too distant from magic. Even more strikingly, the very existence of 'name magic' is denied also (34,4 - 35). Given Apuleius' obvious familiarity with ancient magic and the importance of this basic magical form, this may be called a deliberate falsehood. His daring strategy of outright denial of 'facts' and 'bluffing his way through' seems to aim at putting the opponents to silence. By taking the stance of a disinterested, detached scientist, he implies to be quite unaware himself of any lower, vulgar practice. The accusers (and even the audience) may have known this practice, but in the end it has become impossible for them to draw attention to it again without appearing to be magicians themselves. In reality, Apuleius is more likely to have combined his scientific purposes with other, less disinterested motifs. On the speaker's 'insolence', see also GAIDE 1993, 228-9; cf. further NORDEN 1912; 37-9; FICK 1991b, 20.

For the entire section, cf. also VALLETTE 1908, 58-68; ANNEQUIN 1973, 112-3; HIJMANS 1994, 1764.[1] It may have influenced later descriptions of fish in literature, such as Aus. *Mos.* 75-149, for which Green a.l. mentions the *Apol.* as one of the sources. The section contains much that is relevant for literary history, most of all the unique long quotation from Ennius (39). There is also much on Aristotelian zoology (on Aristotle in the *Apol.*, cf. PARSIL 1968) and on Apuleius' linguistical innovations.

29,1 **nunc...**: a strongly marked transition to the new topic; cf. 9,1 and HIJMANS 1994, 1742.

nonnulla - quaesisse: the point must have been something like this: 'you have been looking for *some particular* fish, ordering them from *specialized* tradesmen and

[1]. HERRMANN 1952 argued that the argument concerning fish was related to a charge of Christianity. His arguments, however, were not convincing and were rejected by MORTLEY 1972, 585n6 and SIMON 1974, 299-300.

paying *much* money for them.' By omitting such details in reformulating the charge, the speaker makes it look innocent, and so turns it into an easy target for his rhetoric.

29,2 **utrum**: Apuleius starts by reducing the charge, speaking of two rather than three suspicious elements. *Vtrum... horum* refers to the elements of fishermen and buying for money respectively. Both are exploited for rather easy jokes (29,3-6), in which much must have sounded familiar to the audience, notably the names of various craftsmen[1] and the notion of buying food for dinner.

29,3 **scilicet...**: for the ancient construction see B/O and CALLEBAT 1984, 155, who calls it a 'recréation étymologique'.

29,5 **uinum et holus...**: more elements from daily life are compared. Vegetables and wine were already mentioned in a similar rhetorical context in 24,4. Here, fruit and bread are added.[2]

pretio mutaui: a remarkably accurate periphrasis for buying. Apuleius' words have even given rise to legal definitions of the concept in modern manuals of Roman law, such as *emptio uenditio est permutatio rei cum pretio*; cf. NORDEN 1912, 167. The element of *pretium* is crucial in the legal transaction (NORDEN, 167-8); it is also highlighted in 31,3 *pretio dato*.

29,6 **cuppedinariis omnibus**: the rare word for 'confectioners' recalls comedy; cf. Ter. *Eu.* 256 *concurrunt laeti mi obuiam cuppedinarii omnes*. In the present jocular context, this seems no coincidence. There is, of course, a further pun on 'sellers of food' being sentenced to hunger.

29,7 **neque... neque**: after the scornful jokes, the two elements of 29,2 are assumed to have been refuted. Typically, it is only now that Apuleius touches upon objections that would seem *judicially* valid: no fishermen have been produced as witnesses, and no price has been specified.

nulli fuere: Apuleius' suggestion that there were no such fishermen who could bear witness, is misleading; he admits to his ordering fish from them at 33,4 *piscatoribus*. Even B/O put aside their habitual reserve, calling the present argument 'unconvincing.'

29,8 **rei uenalis**: like *pretio mutaui*, another legal periphrasis: the *merx* for which a *pretium* is paid, must consist of *res uenales*; cf. NORDEN 1912, 169wn1.

30,1 **nolo negare**: for the speaker's strategy of admitting the bare facts, but offering acceptable explanations for them, see on 28,2.

lepores... apros... altilia: three examples of animals are adduced to illustrate the absurdity of a link with magic. Scholars have noticed that at least the first two do occur in contexts of medicine, superstition, and magic; see B/O; ABT 1908, 63-4. So Apuleius may well be bluffing here no less than in his denial of magical properties of fish. However, the main association seems gastronomical. The *altilis*, a fattened fowl, occurs repeatedly in passages on luxuries of the table, sometimes together with *apri*; cf. Petr. 40; Juv. 5,114-6.

[1]. The suggestion of GUTSFELD 1992, 263 that craftsmen play only a marginal role in the speech, must be rejected. The number of passages he refers to seems indicative of the opposite.

[2]. MOINE 1975, 357n34 notices that cheese is missing. Augustine, immediately before his famous reference to the *Met.* in *C.D.* 8,18,1, had referred to cheese as a magical element. However, the omission seems hardly relevant: Apuleius is simply giving a few examples of plain food.

30,2 **hoc si scis...**: a cleverly formulated dilemma for the prosecution. Since knowing how magic functions implies being able to practice it, it was potentially dangerous for anyone to show such expertise, and it may even have counted as an offence; cf. NORDEN 1912, 39wn2. Therefore, Apuleius has to pretend being totally ignorant of even the basic rules of magic, while casting some of the charges back on his opponents.

30,3 **uulgi fabularum**: a particularly insulting expansion of *litterarum*: the accusers are said to be unfamiliar not merely with higher culture, but even with its vulgar counterpart. For *fabulae* in a negative sense, cf. earlier 25,5.

30,4 **quid enim competit - accendendum**: a surprising statement, involving an outright denial of the magical relevance of fish, which is well attested; see the introduction to 29-41. However, the specific use of fish in love philtres is less clear. ABT 1908, 66-70 tries to prove it, but the evidence seems rather meagre; cf. TUPET 1986, 2639-41, who demonstrates that reptiles and birds were more common animal ingredients.[1]

It is suggested that fish, with its unrefined and cold nature, and in general all things from the water, are unfit to kindle the subtle fire of love; for this, other elements are required. That is: what the opponents have said, does not agree with the fundamental rule of magical analogy or sympathy; cf. TUPET, 2639. Later on, Apuleius will deny this very rule (see on 34,4ff).

dicitur pelago exorta: this typical example of *uulgi fabulae* (30,3) hides another unmistakable reference to sympathetic magic (Venus / sea fish). Apuleius will elaborate on the story in *Met.* 4,28 (97,5-6) *deam quam caerulum profundum pelagi peperit et ros spumantium fluctuum educauit*.

30,6 **si Virgilium legisses**: with a turn of phrase familiar by now (cf. 17,11; 22,5, further 16,7), an impressive literary model is introduced. For Vergil cf. earlier on 10,5. From Vergil's not alluding to fish Apuleius infers that fish was never used for magical purposes; this amounts to a sophism; cf. GAIDE 1993, 228.

alia queri... solere: the speaker is clearly seeking cover behind his authority for the statement on magic. It would certainly have been too dangerous to make it on his own account; cf. on 30,2.

30,7 **quantum scio**: the expression of modesty and uncertainty provides an extra safeguard for the speaker. On a different level, however, it also conveys the notion of his *scire* as opposed to Aemilianus' *nescire* (the word repeated in 30,2; 30,5-6).

enumerat uittas...: now follows a rather long list of objects used in magic. The first part of it is taken from *Ecl.* 8; the second is quoted from *Aen.* 4, with some final remarks added as a rhetorically effective summary (30,9-10).

For *uittas mollis*, *uerbenas pinguis* and *tura mascula*, cf. *Ecl.* 8,64-5 *effer aquam*[2] *et molli cinge haec altaria uitta / uerbenasque adole pinguis et mascula tura*. For these three magical objects cf. B/O and ABT 1908, 70-74, and commentators on the Vergilian passage. Following a remark in Plin. *Nat.* 12,61, scholars remark that *mascula* refers to incense in a coarse shape, like round drops; B/O add that 'superiority' as such can also be indicated. It may be added that the word also evokes

[1]. Luc. 6,674-5 does mention fish as ingredients of a philtre, but one of a non-erotical nature.

[2]. One may observe that this first element of 'water' is left out by Apuleius. In the present discussion of fish it would have been inopportune.

the notion of men as opposed to women, a point not absurd in the context of love magic.

licia discolora: a less literal borrowing from *Ecl.* 8,74-5: *terna tibi haec primum triplici diuersa colore / licia circumdo*; cf. B/O and ABT, 74-6.

laurum fragilem...: three more elements from *Ecl.* 8,80-2. The first one is fairly literal, Vergil writing *fragilis... laurus* (82), while the other two are slightly more free: cf. *limus ut hic durescit et haec ut cera liquescit* (80). For these three elements, see B/O and ABT, 77-85. On the Vergilian line on wax and clay see now FARAONE 1989: these are symbols of a magical role reversal: the beloved man must melt as the wax, while the female speaker (Amaryllis in *Ecl.* 8) wishes to become harder than clay.

The slight rephrasing of the items of clay and wax seems largely due to Apuleius' syntactical choice of listing nouns with epithets, but it also produces an 'incantatory' effect of three similar elements;[1] cf. EITREM 1941, 60n1; MCCREIGHT 1991, 371-2.

What Apuleius selects from the Vergilian passage from *molli... uitta* (8,64) to *laurus* (82), is perhaps no less significant than what he passes over in silence. Most conspicuously absent are the intervening lines on the magical force of *carmina* (*Ecl.* 8,67-72, e.g. 69 *carmina uel caelo possint deducere lunam*). This subject must have highly embarrassed Apuleius, who already defended his own *carmina* against charges of magic in c.6-8 and 9-13. Other elements missing are the ritual importance of the number three (*Ecl.* 8,74-5)[2] and the practice of sprinkling *mola* (82).

liquabilem: this neologism corresponds to *liquescit* in the Vergil passage, as B/O point out. Its form has been inspired by the foregoing *fragilem* and *durabilem*; cf. FACCHINI TOSI 1986, 137.

in opere serio: just as the former allusions were made without a precise reference to the *Bucolica*, the indication of the *Aeneid* is only indirect. One can assume the audience to have been familiar enough with Vergil to know right away what 'serious'[3] poem was meant. The *Aeneid* is quoted only here in the *Apol.*; for other cases in Apuleius' works, cf. MATTIACI 1986, 163wn16.

30,8 **falcibus...**: the quotation is Verg. *Aen.* 4,513-6. The lines refer to Dido's magical schemes before she decides to kill herself. For the various magical objects in the quotation, cf. ABT 1908, 85-92; on the last one, the so called *hippomanes*, a growth on the forehead of a young colt, cf. PEASE on *Aen.* 4,515-6; TUPET 1986, 2653-7; further e.g. MYNORS on *G.* 3,280-3.

30,9 **piscium insimulator**: the second word occurs only here, and underlines a rather comical note: confronted with the Vergilian list of magical objects, Aemilianus is seen to be making wrong 'allegations against fish.'

non frontibus...detergenda...: now follow two lists, each containing three contrasts between Vergil and Aemilianus. The essence is taken from the foregoing lines from the *Aeneid*, but the pairs are worked out in a highly rhetorical manner, exploiting the difference of 'real' magic and fishing, and illustrating this in concrete details. The

[1]. This can explain why Apuleius changed Vergil's word order: *laurum* now allitterates with the neighbouring *limum*, while *durabilem* and *liquabilem* produce a powerful rhyme at the end.

[2]. One is inclined to think of the last three elements *laurum - liquabilem* again, or of the list of twice three contrasts in 30,9-10. However, using *tricola* was also a common rhetorical device.

[3]. The contrast is obviously *ludicrus*; cf. 10,5. For *serius* applied to Apuleius' own poems, cf. *Fl.* 17,18-9 *meum de uirtutibus Orfiti carmen... serum fortasse sed serium.*

parallells in syntax, rhythm and sound (with even puns like *fundo... profundo*) all contribute to the effect of ridicule. In the first list of three, the Vergilian items refer to cutting off the *hippomanes* and collecting herbs, as contrasts of catching fish. The second list puts poison and herbs against fish, and land against sea.

30,10 **pulmentum**: a small portion of fish eaten at the start of a meal. The word adds another gastronomical note, now at the expense of Aemilianus.

fluctum scrutaris: perhaps also an allusion to the proverbially futile activity of 'counting waves', although the verb *numerare* is missing here; the point is made by McCreight 1991, 78n59 with a reference to Otto 1890, 138 (and Nachtträge 26) for places.

30,11 **Theocriti**: after Vergil, a short list of other literary models giving information on magic is added. Uncharacteristically for Apuleius, a Hellenistic poet comes first. The name may have occurred to him because of his allusion to Verg. *Ecl.* 8: Vergil had been mainly inspired by Theoc. 2 ('the sourceress').[1] On the magic in this idyll, see Gow a.l. (esp. p.39-48); Meillier 1991.

Homeri: unlike Theocritus and Orpheus, Homer will actually return as a source for magic in 31,5-7. In addition to the lines referred to or quoted there, one may think of other Homeric passages, like *Od.* 10, 234-6 (Circe) and 302-6 (Hermes), both mentioned by B/O. Some other passages are given by Abt 1908, 169 and Eitrem 1941, 39-44.

Orphei: for some magical Orphic lines, editors refer to Orph. Fr. 172ff. (Abel), *A.* 955ff. and *L.* 172ff. Surprisingly, Orpheus figured in 27,2 as an 'innocent victim' of common allegations of being a magician. His present inclusion in the list of sources of magic seems careless at least.

comoediis - historiis: for examples from Greek comedy, tragedy, and historiography,[2] see Abt 1908, 95-100, Eitrem 1941, 45-51, and brief notes of B/O.

multa: one may notice the careful variation *paria - alia - plurima - multa*, which enlivens the somewhat dull list.

Pudentillae epistulam: a brief announcement of what is to come in 82-4. Cf. also 87,5 *hic, qui epistulam Pudentillae Graecatiorem legere non potuerat*.

30,12 **unum - Latinum**: the speaker says he will add another Latin name, i.e. a 'simple' example, but he is actually going to quote a preclassical poet, who is unlikely to have been known to persons not belonging to the elite.

uersus ipsos: a rather harsh apposition to *poetam Latinum*. Nevertheless, Pricaeus' insertion of <*En*> before *uersus* is not absolutely necessary, and among modern editors B/O are the only ones to defend it.

Laeuium: Lipsius' correction for *Laelium*, the reading of the MSS, is now generally accepted; cf. also Abt 1908, 100-1. Laevius is one of the pre-neoteric poets from the early 1st cent. BC, whose verses display a bizarre novelty in metre and

1. Abt 1908, 94 even suggests that Apuleius may have known Theocritus' idyll only indirectly. He also points to missing names like Catullus and Horace.

2. That only Greek historiography is meant, becomes clear from the context, as Abt, 99 shows. Especially the transition to a Latin quotation in 30,12 is significant.

diction,[1] and who became fashionable again in the 2nd cent. AD. For an introduction and the remaining fragments, of which the present one is one of the longest, see Courtney 1993, 118-43; on Apuleius and Laevius see Mattiaci 1986, 178-9.

30,13 **philtra omnes...**: the quotation is Laevius, Fr.27 (Courtney). The lines are in iambic dimeters with synapheia; for text and commentary cf. Courtney 1993, 140-1 and see also brief explanations in B/O.

Laevius first covers some inanimate objects, then plants, and then animal examples; for these three types of ingredients in philtres, see Tupet 1986, 2626-47, esp. 2627 on the present passage. Detailed references on the individual magical items are given by Abt 1908, 101-12. Some of them already occurred in the Vergilean passages (30,6-8), notably *taenia, herbae / surculi*, and *hinnientium dulcedines*.[2] Graf 1994, 49 underscores the basically Greek character of the list.

(2) antipathes: many editors still refer to the black stone used to ward off magic, as mentioned by Plin. *Nat.* 37,145. However, this clearly does not fit in the context, as Abt 1908, 102-3 has shown. The word must be explained here as 'a charm, perhaps for arousing mutual love' (OLD, giving this as a separate entry).

(3) trochiscili...: this line is discussed in great detail by Ingallina 1991. Following an emendation by Scaliger, she wants to correct it as follows: *trochisci, iynges, taeniae*. However, the traditional reading *ung(u)es* seems perfectly acceptable (for nails in magic, see Abt, 105-8), and with Courtney I have kept it.

(5-6) hinnientium: metrically, the first syllable belongs to line 5. Therefore, Courtney divides the word and prints a hyphen.

31,1 **longe uerisimilius**: Apuleius almost seems to betray some knowledge of real magic. However, by adding *si tibi ulla eruditio adfuisset*, he turns 'truth' into a matter of 'literary credibility'.

ad quam rem - adiutare: another explicit denial of magical properties of fish, with a reference to its culinary use.

31,2 **Pythagoram**: after the lofty literary models a more simple anecdote is inserted for the same purpose of rejecting the possibility of magical use of fish. For Pythagoras see on 4,7 and 27,2; for his teacher Zoroaster see on 26,2. Pythagoras is now called an expert on magic; it may be noticed that the difference between honourable Persian magic and black magic becomes blurred.

The anecdote about Pythagoras and the fishermen at Metapontum is traditional; cf. Plut. *Mor.* 729 e and 91 c.[3] Apuleius probably derived it from a handbook of *exempla*, as Sallmann 1995, 151n29 suggests. Anecdotes on philosophers can also be found in the *Fl.*, notably *Fl.* 18,19-35 on Protagoras and Thales.

1. He is the creator of words like *subductisupercilicarptor* 'eyebrow-raising fault finder.' The word is one of the examples quoted by Gel. 19,7,12-6, and may well be echoed in *Met.* 9,21 (218,22) *subductisque superciliis incedit*; cf. Mattiaci 1986,178 (with further reff.); GCA 1995, 187 a.l. fails to mention Laevius.

2. The last item refers to *hippomanes* again, although not necessarily in the same sense as in 30,8. Here, it is usually taken to mean 'a mucuous secretion discharged by mares in heat', as OLD defines it, adding that in philtres the two senses are not always distinguishable.

3. In later versions the location is different, and the story appears considerably expanded with miraculous and legendary details; see Porph. *V.P.* 25; Iamb. *V.P.* 36.

subsiciuam: originally a technical term of the *agrimensores* for land cut off and left remaining; cf. now *Met.* 8,23 with GCA 1985, 198. Here *subsiciuam Graeciam* means as much as 'adjunct of Greece' (OLD), which is an original way to name *Magna Graecia*.

31,3 **fortunam iactus**: B/O quite rightly point to a similar anecdote in V.Max. 4,1, ext.7, which is, however, not about Pittacus (as they maintain) but about all Seven Wise Men, with an anonymous *quidam* as the buyer: *a piscatoribus in Milesia regione euerriculum trahentibus quidam iactum emerat... hoc fortunam ductus emisisse dicente.*[1] The parallels in vocabulary are noteworthy. For the legal background of *emptio spei*, of which *fortuna retis* is the standard example, see NORDEN 1912, 170-1 (cf. also on 29,5 for *pretio*).

si quid: editors emend *si quidem* of F either with Plasberg to *si quid esse*, or to *si quid* of Φ (after correction). Both seem possible, but since the latter remains closer to the MSS, I have kept it, with HELM, MARCHESI and AUGELLO.

31,4 **quos scilicet - comperisset**: the original doctrinal motif appears in Plutarch's version of the story: Pythagoras considered these fish to be friends and relatives, for which he paid a ransom to set them free. Apuleius has reduced the story to just another *argumentum ex silentio* opportune to his case: 'if fish were of any magical use, Pythagoras would have acted otherwise.'

31,5 **uir egregie - aemulator**: the lavish praise for Pythagoras underlines his trustworthiness as an authority, especially because of his connection with the authority *par excellence*, Homer, who is even more exuberantly glorified (cf. also 40,4). In addition, the praise for Pythagoras drowns out the possibly negative tone of 31,2 *magiae peritum*.

multiscium: for this word cf. *Fl.* 3,9 (Apollo); 9,24 (Hippias), 18,19 (Protagoras); *Met.* 9,13 (213,6) (Lucius). Only in the last case the word is slightly negative, as an alternative to real wisdom; cf. GCA 1995, 132. In our passage, the word is an unqualified compliment.[2]

medicaminum: a tacit extension of magic to medicine. For magical herbs, sacred plants, and roots in Homer cf. SCARBOROUGH 1991, 139-42. On the ambiguous meaning of words like *pharmakon* and *medicare* see ABT 1908, 112-3.

de quadam saga: Apuleius is referring to Agamede. The line quoted is *Il.* 11,741.

31,6 **alibi carminum**: the second Homeric quotation is *Od.* 4,229-30. Almost imperceptibly, Apuleius gives a twist to the quotation by omitting the beginning of the first line. Τῇ actually means not 'for whom' (for the *saga*) as he seems to suggest, but 'where', referring to Egypt, the leading land of magic.

There is a further disturbing element in the quotation itself, which seems to have escaped the notice of commentators: πολλὰ δὲ λυγρά acknowledges the existence of harmful magic for the first time in the speech. The second Homeric line is also quoted in Lucian. *Alex.* 5 on the magical interests of the false prophet Alexander: there full stress is laid on this negative element.

31,7 **nec Proteus...**: six Homeric passages are referred to, each involving non-marine magic. The episode of Proteus adopting different forms is found in *Od.* 4,382ff;

[1]. The result, however, is different: the catch contains a golden table, which gradually passes to each of the Seven Wise Men.

[2]. One might argue that the following *uel potius* casts a shadow over the word, but it only serves to introduce an even more adequate expression; cf. OLD s.v. *uel* 3 with examples.

Odysseus digs a hole in the ground to prepare for his descent into the underworld in *Od.* 11,24ff; Aeolus' bag of winds occurs in *Od.* 10,19ff.; Helen adds a narcotic to wine in *Od.* 4,220-33;[1] Circe's harmful potion is mixed and given to Odysseus' comrades in *Od.* 10,233-243; finally, the magic girdle of Aphrodite is mentioned in *Il.* 14,214-23. *Medicare*, governing all six objects from *faciem* till *cingulum*, can best be rendered as 'treat with drugs.'

Not all examples seem equally suited to dispel doubts about the marine aspect. Especially the first example of Proteus comes as quite a surprise: although he does not literally use fish for his miraculous transformations, he is a *sea god* 'knowing the depths of all the sea' (*Od.* 4,385-6). The associations of Venus with the sea have already been touched upon in 30,4. Finally, the strongly marine atmosphere evoked by the *Odysseia*, which covers five out of six examples, seems to undermine Apuleius' contentions too.[2]

The speaker counters the dangers by overwhelming his audience, summarizing six tales in no more than two words each, with sound effects (e.g. *poculum - cingulum*) to enhance the effect, and furthermore by subsequently launching another attack on the prosecution. For the concise form of the Homeric allusions one may compare *Soc.* 24 (178), which includes *Circae poculum*.

31,8 **at uos...**: the acccusers appear completely isolated, not merely from literary culture, but from tradition in general. The verbal forms *transferatis* and *insuatis* effectively picture them as actively 'reversing the normal situation,' which, incidentally, is typical for magicians.

lapillorum: as to magical stones, the Orphic *Lithica* readily come to mind after the mention of Orpheus in 30,11; cf. also ABT 1908, 115-6.

31,9 **ut solebat...**: once again, Apuleius appears to be quite familiar with magical practice. The vocabulary (*caerimoniae*; *aduocari*; *carmina*) and the names (*Mercurius*; *Venus*; *Luna*; and *Triuia*, i.e. Hecate) all point to this; cf. ample evidence gathered by ABT 1908, 116-30; on the moon also e.g. PRÉAUX 1973, 119-23.

Mercurius: for this god see later in the speech (63). For his epithet *carminum uector* see B/O and ABT 117-20. He is a 'bringer of oracles' as they prove, but I would suggest that according to Apuleius he also conveys magical *carmina* from men to higher powers; cf. *Soc.* 6 (133) on demons: *inter <terricolas> caelicolasque* uectores *hinc precum inde donorum*.

illex: the word occurred shortly before in 30,13 (5) *inlices bicodulae*.

uobis auctoribus...: after the ominously sounding magical names, Apuleius ends by poking fun at his accusers, suggesting that they transpose ancient sea gods to the waves of love.[3] His pun on the literal and figurative sense of *aestus* (cf. also GCA 1977, 28), with the additional sound effect in *fretorum / amorum*, seems almost a parody of 'sympathetic' magic itself.

[1]. This immediately precedes the Homeric quotation just given by Apuleius (31,6).

[2]. It may also be pointed out that just before Proteus is named, Menelaus' comrades are said to be *fishing* (*Od.* 4,368-9; cf. also below on 32,5), and that the sea god orders Odysseus to make a journey to *Egypt* (*Od.* 4,477 and 483). In the second example, Odysseus' hole for the dead is mainly filled with liquids such as wine and water, not with herbs (11,28).

[3]. ABT 1908, 130-1 observes that the suggestion is not as absurd as it seems: sea gods are actually invoked in ancient curses.

Salacia: an obscure goddess, who also occurs in Pac. *Ex.inc.fab.* 7 (Warmington) and Var. *L.* 5,72.[1] This is one of the very rare occasions where a connection can be made between Apuleius and Pacuvius; cf. MATTIACI 1994, 67n52. Salacia, Portunus and the *chorus* of *Nerei filiae* are mentioned together again in *Met.* 4,31 (99,17-9); cf. KENNEY a.l.

32,2 **credamus Aemiliano**: a first example of the strategy announced in 28,2-3.

potestates: on Apuleius' use of the word see HIJMANS 1987, 444-6.

myoparonem: a remarkable Greek word for a light vessel, almost exclusively used by pirates; cf. examples in OLD s.v., and TLL 8, 1742, 16ff. Therefore, it can be asserted that Apuleius' argument is invalid on this point: whoever acquires such a boat, *is* likely to be a pirate. A rhetorical comparison of a magician with other types of criminals, such as the *sicarius*, was made earlier in 26,8.

32,4 **ut si tus et casiam...**: much the same as the defensive argument in 32,2, with even more concrete examples and a typical change of atmosphere: it is no longer criminal actions that stand in the foreground, but pious and religious behaviour; cf. the final word *sacrificio*. The three substances are certainly used for various honourable purposes, but what remains unsaid is that they are also common in magical burnt offerings; cf. ABT 1908, 131-4.

32,5 **Menelai socios - propulsasse**: a *reductio ad absurdum* argument, involving yet another Homeric reference. The passage meant is *Od.* 4,368-9, the lines on Menelaus' comrades, which immediately precedes the tale on Proteus; cf. above on 31,7 with note. With *flexis hamulis*, *insulam*, and *famem*, Apuleius literally renders words from both Homeric lines. He could, however, have avoided mentioning the Egyptian (and hence potentially magic) *Pharus*, named earlier by Homer in *Od.* 4,355.

poeta praecipuus: after the glorification of Homer in 31,5, this expression looks as a more conventional title; it was used before in 7,4.

32,6 **etiam mergos...**: now the argument is developed in its full absurdity, with three fish-eating creatures coming between the Homeric heroes and gluttons.

Mergus is not the name of any single identifyable bird, but rather a 'blanket term covering a number of species' of large, diving sea birds; cf. ARNOTT 1964.[2]

Scyllam: FΦ have *scillam*, which is recorded as another general term for crustaceans; cf. OLD s.v. *squilla*.[3] But this poses a problem, since the present sentence is about 'devourers of fish.' Some editors propose *squalos*, but this offers no serious solution, since the *squalus* is a fish itself; dictionaries give the sort of explanations that send their readers off empty-handed, like the dreaded 'unidentified sea fish' (OLD). Instead, we may keep the text basically unchanged and print it as a name, i.e. with a capital; this ingenious suggestion has been made by CATAUDELLA 1954, 56-57.

1. The name seems to have been associated with *salum*, but it is also explained as a derivation from the sexual word *salax*; cf. note a.l. in the Loeb-edition of Varro by Kent. If the latter etymology is relevant, the goddess is not as misplaced in a context of *aestus amorum* as Apuleius would have it.

2. ARNOTT's observations on the *mergus* are confirmed by other ornithological experts, e.g. CAPPONI 1979, 326-30.

3. OLD has both an entry *squilla* for the animal, and *scilla* for a seaside-plant, though adding that it is probably the same word. Obviously, the plant cannot be meant by Apuleius.

According to CATAUDELLA, the allusion is to the seabird *ciris*, into which Scylla, daughter of Nisus, was changed (cf. Ov. *Met.* 8,81-151). The metonymia of a human name for an animal would be paralleled by examples like Procne and Philomela, although there does not seem to be any such example for Scylla. And sadly, as the Italian scholar admits, the *ciris* is no great consumer of fish either.[1]

But we need not look for a bird, as *delfinos* already shows. A much more likely candidate is the famous sea monster Scylla, a suggestion merely touched upon by CATAUDELLA. Apuleius mentions this Scylla in *Soc.* 24 (178) along with some other highlights from the *Odyssey*, including *Circae poculum* (cf. 31,7). Here the ravenous monster is a perfect climax in the short list of fish-devourers. She is even described by Homer as 'fishing for dolphins'; cf. *Od.* 12,95-6, a detail which may well explain Apuleius' order here. That he may have thought of the Homeric passage is quite likely, considering the Odyssean context of c.31-2 as a whole.[2] The confusion of *y* and *i* is paleographically quite common, especially in names; examples abound in FΦ, e.g. *Pithagoram* (4,7); *Siracusano* (10,10); *Siphacis* (24,7); *Mitilenae* (39,3). For the suggestion that the Homeric sea monster Scylla is meant here, see also my short notice 'a sea monster in court (Apul.Mag. 32)', to be published in *MH* 55, 1997.

merguntur: the traditional reading has been unduly questioned by HELM, whose *mercantur* spoils much of the point. As editors notice, the first sense of *mergi* must be metaphorical, 'to be plunged in ruin'. But in a more literal sense, the word also sets forth the image of being swallowed up and drowned, with a pun on *piscatores*[3] and a verbal echo of *mergos*.

32,8 **elleborum...**: a repetition of the main argument of this section (cf. on 32,4). Like incense, cinnamon and myrrh, the three plants *elleborus*, *cicuta* and *papauer* may be used for several purposes. The connotation of harmfulness is stronger in our passage, if only because the plants do not have the religious associations of the first-mentioned substances and, moreover, can be used in magical practice; cf. ABT 1908, 134-5.

33,1 **rara**: for the first time, mention is made of special, *rare* fish, which probably was one of the elements in the prosecution's argument; cf. on 29,1.

33,3 **leporem marinum**: a seaslug, identified as the *aplysia depilans*. It was known for its poisonous effect (Plin. *Nat.* 9,155, 20,223; 32,8-9) and may therefore have seemed suspicious; cf. GRAF 1994, 88. Still, there is no evidence that it was used for magical purposes; see ABT 1908, 135. We may observe that Apuleius does not deny having interest in this fish; the slave has just not succeeded in finding it (*leporem nondum*

1. Other, less convincing, objections are made by CAPPONI 1991, 313-6. His main arguments are that a mythological Scylla does not fit the culture and experience of Apuleius and the judicial setting of the speech. This is contradicted by the facts even in the immediate context, where Apuleius has just given a mythological example from Homer.

2. Among editors, only the Spanish translator SEGURA MUNGUÍA (p.113n135) seems fully convinced. AUGELLO in a note still adds remarks by MARCHESI, who rejects the suggestion. BALTAR VELOSO 1986 wants to have it both ways, suggesting that some latinized form for 'sharks' is meant (*sculia* or *sculiam*), but that there is also a conscious wordplay on the monster Scylla.

3. Paradoxically, the fishermen bring their customers literally 'into the water' by catching fish out of it.

inuenit). So, it seems as if Apuleius has been trying to get hold of *lepores* after all, in spite of his remark in 30,1 *non magis quam si lepores quaererem*.[1]

alius omnino piscis: unexpectedly, the real name of the fish is not given. It will be discussed later, in 40,8-11.

Themison: a common name for physicians; cf. e.g. Juv. 10,221.[2] See RÖMER 1990, esp. 88, and SOLIN 1995, 126-8, who suggests that Apuleius chose the name himself. The slave has apparently made a formal declaration as a witness before Claudius Maximus. He will reappear in 40,5 and 48,3.

33,4 **sed profiteor...**: an admission of facts, to which even a little extra is added (*et cetera*; *etiam amicis*). As before, Apuleius will claim that his motive was different from what the accusers had argued. The actual argumentation is postponed, but several details in this passage, such as the casual mention of *medicina*, clearly point in one direction: that of scientific research.

33,5 **duas res marinas impudicis uocabulis**: the explanation of the terms used in the following passage has caused considerable difficulties to scholars; cf. the confusing or incorrect remarks in ABT 1908, 135-8; VALLETTE 1908, 61-2; COCCHIA 1915, 79-80, and GOBERT 1951, 12-3 or recently SALLMANN 1995, 151.

The following attempt at reconstruction may be helpful. Tannonius had referred to two kinds of fish, almost certainly those known in Greek as *βάλανος* and *κτείς* (ABT, 136-7). He could have used the common Latin names, *balanus* and *pecten*, but he wished to convey the obscene echo of male and female genitals as it resounds in the Greek words. Decency, on the other hand, prohibited him from using primary Latin obscenities. After much hesitation he came up with a clumsy invention of himself, *marinum*, for the male part here called *uirile*, and an Apuleian coinage, *interfeminium*, for the female part here called *feminal*. Apuleius ridicules Tannonius' lack of style and poor idiom, and then drops some further Latin neologisms of his own, which might have been more suitable for the prosecution's purpose of denoting the fish: *ueretilla* and *uirginal* (34,5). For this terminological reconstruction see TIETZE 1938, which is a preliminary study of TLL; an extensive analysis is also made by BARDONG 1944, 265-73;[3] and MCCREIGHT 1991, 240-50. Cf. further discussion below on *marinum* and other words involved.

33,6 **infantiam**: here in its basic sense of 'unability to speak', as a strong contrast of *eloqui*. But there is also a secondary sarcasm: the *causidicus summus* behaves 'like a little child' (cf. OLD s.v. 2), appearing even smaller than the *puer* Pudens on behalf of whom he speaks. This sense of 'little child' gains additional force in this context of 'dirty words'.

uirile 'marinum': nearly all scholars take the words together, as either 'a sea creature of phallic shape' (OLD s.v. *uirilis* 1b; HELM: 'das nach dem männlichen Gliede benannten Seetier'), or 'i genitali maschili di un pesce' (MARCHESI). But this destroys the balance of the passage; as TIETZE 1938, 486n29 righty observes, a parallel with the following *feminal* is required.

Instead, if we take *marinum* separately, as derived from *mas*, we may well have Tannonius' contribution to Latin idiom; cf. TIETZE 1938, as discussed on 33,5; TLL 8, 396, 19f.[1] Calling the male private parts *marinum* would certainly serve his purpose of rendering the sexual element without using directly vulgar language. To Apuleius however, it may also have seemed silly and misplaced, since it obviously confuses *mas* with *mare*.[2]

TIETZE assumes without discussion that the singular *uirile* stands for 'male organs'. One might object that the singular *uirile* poses a problem, since Latin usually has *uirilia* or *pars uirilis*; cf. ADAMS 1982, 69-70. But given the Apuleian nature of the corresponding *feminal*, the shift to the singular may well be due to Apuleius' intervention too: he wants to outdo Tannonius' stylistic brilliance right away.

nescio qua circumlocutione: this does not necessarily mean that Apuleius has omitted the entire *circumlocutio* (for ancient definitions see TLL 3, 1155, 7ff.), as most translators and scholars suggest. More likely, it refers to a somewhat longer clause or sentence in which the word *marinum* figured, as the corresponding *interfeminium* does in the following quotation.

sordide: evidently not 'vulgarly' or 'obscenely', as is confirmed by the following *sed enim... nullo pacto repperiens munditer dicere*, implying that the first word was decent at least. Instead it refers to 'a mean or squalid style' (OLD s.v. 1b); cf. TIETZE 1938, 486-7wn32.

33,7 **feminal**: an Apulean invention 'of recherché quality', to denote the female parts; cf. ADAMS 1982, 93-4 and 215. It is also used in *Met.* 2,17 (38,19). The conspicuous and learned word seems to have been inserted to prove Apuleius' own stylistic and moral superiority: unlike Tannonius, Apuleius is quite able to avoid primary obscenities like *cunnus*.

quodam libro meo: the quotation comes from a lost work, on the contents of which we can only speculate.[3] It describes a statue of Venus (34,3) adopting a classical pose (see next note).

interfeminium: an effective euphemism, probably coined by Apuleius: the sexual organ is named by reference to its position in relation to non-sexual parts of the body;

1. Of course, *lepus* had its usual sense of 'hare' there. But the Latin word for the hare and the seaslug is the same; cf. OLD s.v. In the latter sense, the epithet *marinum* can be omitted; cf. Ov. *Hal.* 126 (OCT-edition); Mart. 10,37,16.

2. Juvenal's line does sound rather ominous: *quot Themison aegros autumno occiderit uno*. This however, merely reflects the prejudice against physicians, which was common in antiquity, especially in epigram and satire.

3. BARDONG partly adopts a different reconstruction: he assumes that the 'obscenities' Tannonius wanted to point at, were not the Greek names, but *uirile marinum* and *feminal*, both coined by Apuleius (p.267-8). However, this is by no means clear, *impudicis uocabulis* being rather unspecific. Also, we might have expected a somewhat stronger defence by Apuleius of these words, had they been called into doubt. *Ad mea scripta confugit* (33,7) and the added remark in 34,1 rather suggest that it is only in the second instance that Apuleius' own terms had been questioned.

1. With due caution TLL even gives a distinct, new entry *marinus -a -um*, on the basis of the present place: TLL 8, 398, 46.

2. Possibly, this was not so much an error on the part of Tannonius as a deliberate strategy. Of course, Apuleius would have no scruples in detecting the sort of suggestive wordplay he is only too familiar with himself.

3. Possibly it was a declamation or a treatise dealing with statues. These Apuleian lines do not occur in the *Fragmenta*, neither as edited by OLDFATHER, nor by BEAUJEU, who merely adds a brief reference to the relevant places in the *Apol.* (p.180). A new, complete edition of the Apuleian fragments would be most welcome.

cf. ADAMS 1982, 93, who compares some sexual passages in the *Met.* likewise referring to the thighs; e.g. 10,24 (256,13). The passage will meet a striking parallel in *Met.* 2,17 (38,18 - 39,1) on Photis: *in speciem Veneris... paulisper etiam glabellum feminal rosea pulmula potius obumbrans de industria quam tegens uerecundia*. Cf. also *Met.* 10,31 (261,24 - 262,1) on a girl looking like Venus, almost naked *nisi quod tenui pallio... inumbrabat spectabilem pubem*. For the motif of covering one's nudity cf. also *Met.* 11,14 (276,25-8); further *Fl.* 14,6 *procinctu palliastri*.

34,1 **hic etiam - pigeret**: this probably refers to an added remark by Tannonius on the description of Venus' pose. This is shown not only by *etiam* in the present sentence but also by the following remark in 34,3, which is only about *interfemineum*.[1]

34,2 **at ego illi contra...**: throughout the speech the defendant frequently attempts to fling elements of the accusation back at his opponents, but rarely as explicitly as here.

sordide blateret: for the former word see on 33,6; for the latter on 3,7. The suggestion by FICK 1987, 286 that here Tannonius is scolded for his Punic accent is totally unfounded. The sarcasm of the remark lies in the fact that the 'supreme orator' has so little command over his language that he 'stutters' (*fringultiat*) even when there is no problem at all.

34,3 **tam stultitiae quam linguae**: Tannonius lacks rhetorical skills, as has become plain for all to hear. Now this is firmly linked to his alleged stupidity. The implication is difficult to miss: Apuleius, the brilliant orator, is intelligent and is above such silly charges.

34,4 **ex nominum propinquitate - coniectam**: an amazing and indeed startling denial of one of the most elementary patterns of ancient magic, based on the analogy of name and effect; cf. ABT 1908, 139. In view of Apuleius' obvious familiarity with magical practices, his statement simply cannot be sincere. He is deliberately feigning saintly innocence, pretending to know nothing of magic at all, not even what anyone else in the audience was bound to know. This supreme bluff (cf. GAIDE 1993, 228) must have left the accusers dumbfounded.[2]

34,5 **ueretillam et uirginal**: two more names for the fish under scrutiny; cf. the reconstruction given above on 33,5. *Veretilla* is a hapax legomenon derived from *ueretrum*, a rather unusual word for penis, on which see ADAMS 1982, 52-3. *Virginal* is formed analogously to *feminal*, and is another Apuleian invention. Here it denotes a fish with the shape of a vulva; later it came to be used as 'hyper-euphemism' for the female genitals; cf. ADAMS, 94.

Not only are both terms unusual, they also seem to have been invented by Apuleius on the spot, as BARDONG 1944, 270 rightly remarks. One of his objectives could be to make the fish seem innocent by means of subtle humour: how could a 'small penis'[3] and a 'virgin's part' possibly arouse sexual desire of a widow?; cf. MCCREIGHT 1991, 309-10 and 316. The terms, then, would parody name magic by using it *a contrario*, as it were.

1. Neither has been noticed by BARDONG 1944, 268, who quotes 34,1-3 as evidence for his suggestion that Apuleius' terms for fish had been Tannonius' first and main point (see on 33,5).

2. The comment of ABT, 139 is disappointingly weak: 'diese Verteidigung des Apuleius ist nicht besonders glücklich.' This would be to the point only if the speaker were aiming for truth.

3. *Veretilla* is feminine, as the more common word *mentula*, which may be felt as a joke in itself. A correction to *ueretillum*, as earlier editors and BARDONG 1944, 270 propose, is unnecessary.

Perhaps more obviously, with this improvisation Apuleius is able to impress his audience again. He is even outdoing his opponents, achieving what they manifestly have failed to do: inventing beautifully formed names for fish with a touch of elegant eroticism.

disce etiam - Latina: the most natural interpretation is that Tannonius has mentioned the Greek names of the fish, failing to add either their proper Latin names or any of Apuleius' inventions (cf. on 33,5).[1] He now receives a lesson: 'this is how we can do this in good Latin!'

34,6 **tam ridiculum fore...**: the denial of name magic is resumed and extended by means of some examples, with a *reductio ad absurdum*.

pectinem: probably the same fish as the second one in this passage; cf. on 33,5. It was used in love magic; cf. ABT 1908, 141. The pun is on *pectere* as synonym of *comere*, but perhaps also on *pecten* as 'pubic hair' as in Juv. 6,370 (cf. ADAMS 1982, 76-7). As such, the motif of combing hair recalls 4,11-3 (*comere* was used in 4,12).

piscem accipitrem: perhaps the flying gurnand (OLD s.v. *accipiter* 2). This fish seems to occur only here.[2]

piscem apriculam: another 'unidentified fish'.[3] One is tempted to ask whether Apuleius has not simply made up these names for their comic effect, but the parallels in Ennius quoted in c.39 (this fish in line 5; further line 3 for the *pecten* and line 10 for *caluaria*) shows that this is not the case. The pun here is on hunting again, but with a slightly different analogy of names: the *aper* is a symbol of what is to be caught itself.

marina caluaria: a rather sinister last example, referring to 'skull fish'. The practice of evoking the dead was, of course, standard magic, and human skulls were commonly used in this; cf. ABT 1908, 141-4. With this 'pun' Apuleius again plays the innocent. After his bold denial of name magic he may just as well make a joke on necromancy.

34,7 **insulse**: both 'stupidly' and 'in a dull style' (for the latter, see OLD s.v. *insulsus* 2b). The word also produces an attractive assocance with *absurde*. In this marine context one may also regard it as a pun on its original, literal sense of 'unsalted'.

quiscilias: as a derogatory term for fish this word is also used in the market scene in *Met.* 1,24 (22,23 - 23,1), where the background may be a magical ritual; cf. DERCHAIN / HUBAUX 1958. In 35,2-4 we will actually get a list of real 'waste material'.

neque pretio: of the charge as initially presented in 29,1 only the element of *pretium* is unequivocally denied. For fishermen see 33,4.

1. Following his different interpretation, as set out above, BARDONG 1944, 270-4 concludes by declaring this phrase corrupt. He suggests *disce enim <noua> nomina rerum <m>arina<rum>*. This is quite unnecessary.

2. There is a fish, probably the sturgeon, called in Latin *acipenser*; cf. OLD s.v. It was discussed by Archestratus, the model of the Ennius passage in 39, which already seems to be in Apuleius' mind now. Could he have confused the names here?

3. OLD quotes the word in our passage as *apriculam*, apparently adopting HELM's reading with *-am*, for which I have not been able to find any other evidence. But in TLL 2, 317, 83-4 the lemma is given as a noun of masculine gender, *apriculus*, and *apriculum* is the spelling generally adopted.

35,2 **congestim et aceruatim**: the suggestion is that material available in large quantities is innocuous and unsuited for magical purposes, which is a rather dubious assertion. As a whole, the sentence is rather misleading: the fish discussed up to now did certainly not lie piled up on the beach; cf. the last clause of 33,3. It appears that the words *haec enim friuola quae nominastis* resume Apuleius' own terms *nugas marinas et quiscilias litoralis* (34,7), rather than the actual words of the accusers.

Apuleius is fond of adverbs on *-tim*, which had an archaic ring; for another series of these cf. *Fl.* 9,30 *non singillatim ac discretim, sed cunctim et coaceruatim*. More Apuleian examples are listed by FACCHINI TOSI 1986, 141-2.

35,3 **quin ergo dicitis...**: pursuing his strategy of sarcasm, Apuleius mentions various 'worthless' substances that the accusers might have mentioned equally well. The long, stylistically polished list literally heaps up these waste materials, many of them indicated by means of diminutives. We may, however, doubt whether all of them were to be found in such great masses as Apuleius says. Moreover, some of them do have magical connotations, notably *conchula*, *cancri*, *echini* and *resticulae*; cf. ABT 1908, 144-9.

conchulam striatam, testam hebetem: FΦ have *conchulam striatam testam habentem*, which is defended by HELM, ABT, 144-5 and, with some doubt, B/O. However, the context of the list requires a division into two nouns, each with an epithet.[1] Following VALLETTE and AUGELLO I print *hebetem* of the *codd. dett.*, a traditional, minor correction which produces not only a vigourous order but also excellent sense: 'shells with dull edges', analogous to the following smoothened pebbles.

echinum: editors write *echin<or>um*, but here the reading of FΦ may well be retained as the genitive plural of a 2nd declension noun; cf. TLL 5,2, 45, 22/52 and ARMINI 1928, 328-9, who further points to a possible confusion between *echinoi* and *echines* ('mures Libyci').

lolliginum ligulas: 'tentacles of squids', a euphonic combination which also echoes comedy, cf. Pl. *Cas.* 490-98. There, *lolligunculas* are mentioned in a list of fish to be bought for dinner of a woman (493), with a pun on *lingulacae* (497-8), derived from *li(n)gula*; cf. MCCREIGHT 1991, 268-9. I may add that there is perhaps even a distant echo of 'sympathetic' magic: *molliculas escas, ut ipsa mollicula est* (492).

35,4 **ostrea [Pergami] uermiculata**: the addition of *Pergami* destroys much of the rhythm. The name hardly makes sense in the text and cannot be satisfactorily emended.[2] It may be a gloss to *ostrea*, or, as Van Lennep already assumed, an error. Since *ostrea uermiculata* fits in perfectly (cf. ABT 1908, 148-9), *Pergami* is probably to be deleted.

expelluntur - deseruntur: a sonorous and heavily marked ending of the list, again with a strict balance of two words for each element.

1. It is sometimes objected that we must not expect complete and rigid symmetry in Apuleian lists. True as this may be in general, the evidence adduced by HELM in his apparatus fails to convince: in both 25,7 and 54,2 the cola are of *increasing* length ('wachsende Glieder'), not the reverse as we would have here.

2. Only HELM's cautious suggestion (in his apparatus) *ne ostrea pergam uermiculata* seems attractive, but this would introduce a concluding clause well before the end of the list. Some other emendations proposed for *ostrea Pergami* are *ostracoderma* (CHODACZEK 1929, 279-285, accepted by HELM, Addenda) and *ostreorum terga* (Brant, accepted by AUGELLO). MARCHESI brackets all three words, MOSCA the first two.

35,5 **similiter - suspiciones**: Apuleius alludes to the properly 'magical' ring of the words in his list. Some examples will follow in 35,6.

35,6 **spuria et fascina**: for both words, this is the only place where they refer to kinds of fish; cf. ABT 1908, 149-50; OLD s.v. *spurium* and *fascinum* 2c. So, they were certainly not current as proper names for fish.

Actually, the former is a rare, probably Etruscan word used for the female genitals and it may have belonged to the slang of the brothel; cf. ADAMS 1982, 96-7 and 215-6. The latter noun normally designates a phallus-shaped amulet worn around the neck to ward off the evil eye, and can hence also be used for the penis; cf. ADAMS, 63-4. Therefore, it seems that Apuleius is deliberately choosing obscene words, with a distinctly magical undertone in *fascinum*.[1]

calculus ad uesicam...: four examples from the list in 34 are now explained, continuing the ridicule of name magic. The first three analogies are obvious: pebbles to cure stones of the bladder or the kidney; a *testa* (shell) used for testicles (cf. B/O and OLD s.v. *testamentum* 2); crabs against cancer (*cancer* having both senses and *ulcus* representing the disease). Only the last example is rather farfetched: *alga* 'sea-weed' is associated with *algere* 'to feel cold', taken to be the result of a shivering fit, *quercerus* (or *-um*).[2]

No external evidence exists for three of these four remedies, which makes them likely to have been invented by Apuleius for the sake of the argument. But the use of crabs against cancer is attested and seems to have been widespread; cf. ABT 1908, 150-2, who refers to Plin. *Nat.* 32,134. It seems hard to believe that Apuleius would not know this.[3]

The examples show some further ominous associations: *uesica* evokes urine, commonly used for magical purposes; *testamentum* in the sense of 'will' is an important issue in the trial; crabs were considered to possess various magical powers (ABT, 146); while cold and fever are among the harmful effects that can be invoked on an enemy by means of a binding spell. I would suggest that Apuleius deliberately drops these 'dangerous' words, while formally playing the innocent again. If the accusers dared to point out anything magical in his words, *they* would betray their knowledge of magic.

35,7 **ne tu...**: one of the numerous examples of flattery of the judge. Here his patience, *humanitas*, and endurance are praised.

eorum: a significant addition: the words might be misunderstood to refer to Apuleius' own, lengthy argumentation.

36,1 **discat Aemilianus...**: the passage resumes a number of invective elements: e.g. curiosity as to Apuleius' personal affairs (23,1), old age and decrepitness (e.g. 1,1), late learning (10,8). Apuleius also returns to philosophical authorities, now of the most prominent class, and once again shows off his erudition and linguistic talent.

1. It may be observed that the order of 'male' and 'female' is reversed here, if compared to 33,6-7 and 34,5. The speaker may deliberately have put the stronger, magical word in the more effective final position.

2. Emendation to *quercera*, as in B/O, is unnecessary.

3. B/O a.l. comment: 'Apuleius betrays his ignorance of magic'. Even ABT, 152 makes a similar remark, which seems to be at odds with his general conviction that Apuleius did know much about magic.

36,2 **praecipiti - senectute**: for *occidua senectute* editors rightly compare Ov. *Met.* 15,227 *labitur occidue per iter decliue senectae.* To this may be added Curt. 6,5,3 *praecipiti senectute* (OLD s.v. *praeceps* 1f).

postumam: 'coming (almost) after death'. Originally the word was a technical legal term: *postumi* were those who had become heirs after a will had been made, thereby annulling the will; Apuleius likes to use the word metaphorically; cf. NORDEN 1912, 147wn4-7.

36,3 **Aristotelen dico...**: Aristotle and Theophrastus rightly come first in the list of great predecessors (*maiores*) in the field of biology. They are also mentioned together in *Mun.* prol. (289): *nos Aristotelen prudentissum et doctissimum philosophorum et Theophrastum auctorem secuti...* Apuleius may have read or become familiar with their works during his stay in Athens; cf. SANDY 1993, 170.

Theophrastus is now chiefly known as the founder of botany,[1] but in the stunningly long list of his works given by Diog.Laert. (amounting to over 7 pages in the Loeb edition), books on animals figure too; see Diog.Laert. 5,43-4; further Thphr. 350 (Fortenbaugh). Apuleius will mention one of them by name in 41,6. The testimonium here is Thphr. 351 (Fortenbaugh); cf. commentary a.l. by Sharples (p.48). On the biological inquiries by Aristotle and Theophrastus see e.g. FRENCH 1994, 6-82 and 83-113.

It has been observed that after Aristotle and Theophrastus antiquity witnessed no flowering of biological studies; on this curious problem cf. recently LENNOX 1994.[2] So, for this time, Apuleius' return to 'classical' sources seems motivated not only by the rhetorical effect but also by the facts.

Eudemum et Lyconem: two peripatetics. Eudemus of Rhodus (2nd half of the 4th century BC) was a pupil of Aristotle himself, and Lyco of Troas (ca. 300-225 BC) succeeded Strato of Lampsakos as head of the Peripatetic school. Apuleius' reference to biological works by these two men is questionable. For Eudemus there is some additional, dubious evidence in the works of Aelian, but for Lyco this is not the case.[3] The present testimonia are Eudemus Fr. 125 (Wehrli, s.v. 'Tiergeschichten?') and Lyco Fr. 30 (Wehrli s.v. 'Zweifelhaftes').

ceterosque Platonis minores: a rather vague reference to 'other Platonic disciples' or successors (for *minor* see B/O). Here the Platonist Apuleius does not distinguish between the Academic and Peripatetic schools. In the treatise on logic *De int.*[4] he does refer to *Peripatetici minores* (13 (280)), while the Academy is mentioned in e.g. *Pl.* 4 (188).

1. His interests included *magical* herbs and plants; cf. SCARBOROUGH 1991, 146-51.

2. According to LENNOX, this may be explained by philosophical problems the program involved. Many must have doubted whether contingent things like animals and plants could be legitimate objects of theoretical science.

3. Apuleius' reference to Lyco is curious for another reason, too: among the very little we know about Lyco, it seems that he was known for his rather wordly interests; Diogenes mentions him as a sportsman and a dandy.

4. Recently, a strong case has been made for the authenticity of the work; cf. LONDEY / JOHANSON 1987, 9-19.

deque omni differentia: distinguishing characteristics play an important role in Aristotles' *HA*, mentioned below. That work is subdivided according to differences e.g. in parts, reproduction, diet, and disposition.

36,5 **qui - legisti profecto**: taken at face value, yet another flattery of Maximus, highlighting the high culture and philosophy he shares with the speaker. But it seems rather unlikely that Maximus had actually read Aristotle's technical and voluminous zoological works, although he would surely not openly admit this. So, Apuleius is almost making fun of Maximus, as VALLETTE 1908, 177 says, or, better phrased, his strategy of bluffing and intimidating is now also directed at the judge.

Aristotelis...: the present testimonium on his works is Arist. Fr. XXXIX (Rose, p.215). The second work, on the anatomy of animals, is lost. In addition to the three works named here, Apuleius may also have known Aristotle's book 'On fish', now also lost; cf. Fr. 294ff (Rose).

problemata: B/O say this cannot be the existing spurious work *Problemata*, but 51,4 *Aristoteles... in problematis scriptum reliquit* suggests otherwise; in translations the word is usually printed with an initial capital.

eiusdem: before the word, FΦ show an empty spot, for which KRÜGER proposed <*cum*>. This would give a perfectly Ciceronean balance with the following *tum* (as in e.g. 38,5), but that is not sufficient reason to accept it.

ex eadem secta: in view of 36,3 *Platonis minores*, the 'Platonic' school must be meant, i.e. both the Academy and the Lyceum.

36,6 **cur turpe sit...**: *imitatio* and *aemulatio* are combined: the authority of the philosophers is presented as a valid precedent, but the speaker has also added something of his own. His achievement, so he claims, is threefold: he has systemized and summarized[1] their results, he has written about them in both Greek and Latin, and he has made some additions and corrections; cf. HIJMANS 1987, 418.[2] Because Apuleius' biological works have been lost, we cannot verify these claims, but his method of freely adapting Greek originals in e.g. *Mun.* (see BAJONI 1994) would seem to confirm them.

36,7 **de magicis meis**: obviously not an admission of writings on magic, but a piece of irony.

36,8 **prome tu**: for the first time a remark is addressed to an anonymous attendant in court. It remains unclear whether an official assistant of the judge or a servant of the speaker is meant; scholars refer to both. Given the numerous other references to follow, the former is more likely.

e Graecis meis: the phrase announces a Greek quotation, which is shortly to be followed by a Latin one in 38,9. It is also a subtle indication that Apuleius has written a number of works in Greek. Curiously, the Greek work relevant here is referred to by means of Latin words: *liber... naturalium quaestionum*. This looks like a title; cf. STEINMETZ 1982, 219. The work in question has been lost; see also on 84,3 with note.

sedulique: to be taken together with *amici* only. Earlier scholars made *naturalium quaestionum* depend on it, but *librum* seems a more logical choice. B/O print a comma after *sedulique* in their text, while leaving the matter open in their note.

1. For the latter word cf. *Soc.* praef. (111) *eandem istam fabulam in pauca cogamus, quantum fieri potest* cohibiliter.

2. For a largely similar remark on dealing with Aristotle's books on animals, CAPPONI 1991, 314n9 rightly adduces Plin. *Nat.* 8,44. Pliny, however, does not boast about his linguistic achievements.

forte: hardly a plausible assertion.[1] Still, the imitation of spontaneity was much praised in ancient oratory; cf. HELM 1955, 99-100; MCCREIGHT 1991, 386.

37,1 **Sophocles**: having announced a break, Apuleius uses the time to present an anecdote from literary history. The story on Sophocles accused of madness by his son (or sons) and responding by reciting the *Oedipus Coloneus* (or lines from it) is traditional. Cf. *Vita Soph.* 13; Cic. *Sen.* 22; Plut. *Mor.* 785 a-b (who even gives the lines allegedly read in court: *OC* 668-73); Ps.Lucian. *Macr.* 24; Athen. 12, 510 b; Charisius, GLK 1, p.215; for the different versions of the anecdote cf. MAZON 1945 and Powell on Cic. *Sen.* 22.[2]

In this speech the anecdote has two main functions. First, it is quite clearly presented as an interlude, intended to give the audience a moment of relaxation, while retaining its interest by the picturesque details of the story. One may compare the function of similar anecdotes in the *Florida*: a strictly literary example is *Fl.* 16, 6-18 on the poet Philemon. As a technique from epideictic rhetoric, this goes beyond what is appropriate for a forensic speech.

Secondly, being *competens rei* (36,8), the anecdote invites the audience to compare the great Sophocles to Apuleius himself. The most obvious parallel is that both are unjustly sued by a relative. But there clearly is a further implication: Apuleius' speech must be set alongside the *OC*. As Sophocles did not enter into the charge but merely recited from his literary masterpiece, so Apuleius is delivering his superb rhetorical performance; and as the tragic poet found favour with the audience and was acquitted, while the charge was nearly cast on the accusers themselves, so the orator can look forward to a similar result. Of course, the anecdote also illustrates Apuleius' erudition, literary taste, and familiarity with great authorities of the past.[3]

Euripidi aemulus et superstes: apparently Sophocles needs a brief introduction, whereas Euripides is known to all.[4] In addition, given his strong identification with Sophocles, Apuleius may be having a dig at one of his personal rivals here; for some of his polemics cf. *Fl.* 7,9-13 and 11,1-2.

filio: in some other versions, e.g. Cic. *Sen.* 22 and Plut. *Mor.* 785 a-b, Sophocles is accused by his *sons*. But the *Vita Soph.* 13 may have caused the rumour that Sophocles was accused by one son, Iophon; cf. Powell on Cic. *Sen.* 22. We cannot say whether Apuleius had the choice between two versions, but at least 'one son' suits his purpose here, since it most clearly draws the parallel with his own situation: he had been sued by only one stepson, Pudens.

Coloneum suam: as in *Vita Soph.* 13 and Cic. *Sen.* 22, Sophocles is said to have recited the entire drama rather than a few lines. Given the length of the piece (1779 lines), this is a quite unlikely version of the story.

1. According to KRONENBERG 1908, 311 (who needlessly questions the text here, see HELM's apparatus), the friends had brought the book with them to have something to read during idle moments. The thought seems typical of a scholar.

2. For the Greek legal background of property conflicts between fathers and sons, cf. FOXHALL 1989, 31n47.

3. The anecdote may also be interpreted as illustrating the power of language, 'as embodying some mystical significance'; cf. O'BRIEN 1991, 39.

4. It may be relevant to notice that early Roman tragedians, such as Ennius and Accius, were inspired mainly by Euripides; cf. VON ALBRECHT 1994, 109 and 127.

quam - conscribebat: the time of composition is specified in Cicero's version, too, although with a small difference: *eam fabulam quam in manibus habebat et proxime scripserat*.

37,2 **carmina**: perhaps an echo of Apuleius' defence in c.9: other men have made verses too; cf. MCCREIGHT 1991, 387.

37,3 **argumenti sollertiam**: MCCREIGHT 1991, 387 explains: the cleverness of his argument, i.e. of simply presenting his own text as evidence. However, the primary reference is to the 'clever plot and construction' of Sophocles' play itself; cf. OLD s.v. *argumentum* 5.

coturnum: B/O rightly render this as 'elevated style', but it may be added that the word specifically refers to the solemnity of tragedy; cf. also *Met.* 10,2 (237,12-4) *scito te tragoediam, non fabulam legere, et a socco ad coturnum ascendere* with GCA 1996, a.l.; *Fl.* 16,7 (on Philemon) *ioca non infra soccum, seria non usque ad coturnum*. For the opinion on Sophocles' style cf. also Quint. *Inst.* 10,1,68.[1]

37,4 **an et mihi - prodesse**: Apuleius makes sure that the close parallel with Sophocles is obvious even to the less bright members of the audience.

de principio: it is not made clear what this passage referred to. Some methodological remark would seem appropriate, e.g. on the principle of ordering and supplementing Aristotelian material (36,6).

aquam sustine: a remark clearly addressed to a second attendant in court. The waterclock (see on 28,1) was stopped when a piece of evidence was read. Regrettably, the quotation itself has not been preserved in our MSS, and one may well wonder whether it was ever included in the written text at all.

38,1 **antiquos philosophorum**: for this combination cf. *Fl.* 1,1 *religiosis uiantium*; Tac. *Ann.* 14,8,2 *obuios seruorum*; 3,61,2 *supplicibus Amazonum*; cf. SCOTTI 1988, 127; further VON GEISAU 1916, 263.

38,2 **qui eorum...**: the entire passage 38,2-4 with its questions and distinguishing characteristics is reminiscent of Aristotle's biological research in the *GA* and *HA*. For spontaneous generation from mud cf. e.g. *HA* 539a22ff., *GA* 762a10ff.; for the difference between *uiuipari* and *ouipari*, as applied to fish, *HA* 539a12-4.

coitu: the context is strictly zoological, but the word could also be used for intercourse of human beings; Apuleius may have appreciated the ambiguity.

subent: another word which could also be used for humans; cf. Apul. Fr. 7,15 (COURTNEY) *subantis uoculas*; Hor. *Epod.* 12,11.

38,3 **uiuiparos... ouiparos**: Apuleius appears indeed to have coined the Latin terms for Greek ζῳοτόκα and ᾠοτόκα, as used in Aristotle.[2] The Apuleian inventions are still in use today, cf. the English 'viviparous' and 'oviparous'. The Latin formations are regular; MCCREIGHT 1991, 383 remarks that the words testify not so much to Apuleius' ability to coin new words as to his ability to grasp difficult biological subject matter. However, it may be noticed that Apuleius has managed to retain the close

1. Interestingly, the context there is a comparison between Euripides and Sophocles (Quint. *Inst.* 10,1,67-8). For the training orator, Euripides is said to more useful, since his style and pathos are more akin to oratory.

2. Although Apuleius was speaking about his Greek works on fish (36,8) and had some lines quoted in Greek, he now uses specific Latin vocabulary. In doing so, he anticipates 38,5ff., which is concerned with Latin terms.

similarity to both Greek words even in their first syllable. On Apuleius as a translator of philosophical vocabulary cf. MORESCHINI 1978, 193-210.

38,4 **perose**: the word is unparalleled, but its meaning seems clear: 'moleste et odiose', as HILDEBRAND paraphrases. The word has often been corrected to *operose* (e.g. HELM and B/O), but with MARCHESI, MOSCA, and AUGELLO, I have retained the text of FΦ here.[1]

deinde de differentia...: an almost literal echo of 36,3 *de genitu animalium deque uictu deque particulis deque omni differentia*. The parallel is effective, since it clearly ranges Apuleius' work with the *ueterum philosophorum monumenta* already mentioned.

in iudicio alienis: slightly ironical, since the same is true for much of what the speaker has already presented in court. Moreover, he does not stop here, but will go on to add details of dubious legal relevance in the next lines.

38,5 **de Latinis scribtis - pertinentibus**: after the first reference to both Greek and Latin in 36,6 and the Greek examples in 36,8 / 37,4, now the Latin work is highlighted. For the spelling of *scribtis* cf. Introduction E.1 (1).

cum res cognitu raras: FΦ have *cum me cognitu raras*. The correction of *me* to *res*, proposed by Bosscha, is the most simple solution, accepted by all modern Italian editors and HIJMANS 1994, 1775n216. More drastic interventions have also been proposed, e.g. *cum me <collegisse res>* (B/O, following an early proposal by HELM) or *cum me<morabiles res et>* (HELM's edition).

inusitata: the first meaning is 'unusual, unfamiliar'. Still, in this case Apuleius has not revived existing archaisms but made new words, as is confirmed by the following *infecta*. So the specific nuance must be 'not used before'; cf. LEBEK 1970, 59wn42, comparing Cic. *Fin.* 3,5.

ut Latina moneta - sint: by now, Apuleius seems far more interested in his own linguistic achievement than in the zoological facts. This is not, or at least not merely, the result of superficiality and vanity on his part,[2] but rather reflects a conscious rhetorical strategy. He is eluding the real issue and concentrating on a stronger, though hardly relevant point: his talent to create new words. For the metaphor of *moneta* editors compare Hor. *Ars* 59-60 and Juv. 7,55.

38,6 **nisi - differentis**: i.e. only where they show the same distinguishing characteristics as fish, e.g. going solitary or in flocks; see further B/O. Apuleius' remark, along with the list of Greek words, is included among the fragments of Aristotle; cf. Arist. Fr. 279 (Rose). We cannot be absolutely sure, though, that Aristotle rather than one of his successors is the Greek source used by Apuleius.

38,7 **iam me clamabis...**: anticipating the opponent's reaction is of course a common rhetorical device. Here it is remarkable, since it daringly provokes the accusers on their own territory, and goes to the heart of the matter.

We may go even one step further: the very irony and denial of 'magical intentions' enables the speaker to impart a magical note to his words without exposing himself. His long list of strange Greek names of fish actually sounds like a menacing magical formula or an instance of *ὀνόματα βαρβαρικά*; cf. ABT 1908, 154 ('die Namenreihe ist

1. The following *genitum*, however, is an inevitable correction for FΦ's *genita*.

2. As HIJMANS 1994, 1745 notices, the speaker initially appears to create the impression of caring more for the expression than for the substance.

recht geschickt gewählt') with some examples from papyri.[1] Apart from the sheer length of the list and the strangeness of the words, the magical reminiscence is evoked by the added *Aegyptio uel Babylonico ritu*; both countries were regarded as centres of magic and witchcraft (cf. ABT, 152-4). It is also significant that this Greek list is actually pronounced by the speaker himself, unlike the Latin equivalents (38,9) or the earlier Greek passage on fish (37,4).

38,8 *σελάχεια...*: thirteen Aristotelian terms for classes of animals. The first six refer only to fish and molluscs: (1) cartilaginous fish (i.e. having no scales); (2) molluscs without external shells; (3) soft-shelled molluscs; (4) fish with cartilaginous skeleton; (5) hard-shelled molluscs; (6) fish with saw-like teeth. Two slightly broader terms follow: (7) amphibious animals and (8) animals (including fish) covered with scales. Three terms do not seem to refer to fish at all: (9) reptiles covered with scales; (10) animals with membranous wings (i.e. bats)[2] and (11) web-footed animals. The last two names sound less threatening and more familiar, referring to a general *differentia*, (12) solitary animals as opposed to (13) gregarious animals.

38,9 **in istis diem terere**: leaving his opponents and the audience at large probably baffled by his counterattack, Apuleius suddenly withdraws, suggesting the matter was not important in the first place. Nonetheless, he has the Latin equivalents of the Greek names read in court. The testimonium has, again, not been preserved in the MSS.

39,1 **Cynicam temeritatem**: one of the rare passages in the speech involving some criticism directed against philosophers: Cynics and Platonists are now sharply opposed. However, it is probably only the lack of culture of contemporary Cynics that Apuleius refers to; cf. the discussion on 22,7. Their *temeritas* and lack of education puts them on a par with men like Aemilianus (for his *temeritas* cf. 1,1); cf. MCCREIGHT 1990, 42.

Platonicae scolae: considering the Aristotelian atmosphere in the passage on fish, 'the Platonic school' again comprises both the Academy and the Lyceum, as in 36,3 and 36,5.

Until now, Apuleius referred to philosophical schools as *sectae*; cf. 9,11; 19,2; 22,7 and 36,5. The term *schola*, occurring only here in the speech, is probably used on purpose: on the one hand it suggests a broader education, including medicine, law, and rhetoric (cf. OLD s.v. 3 and 2b), on the other hand it evokes the dependence of a pupil on his teachers, who alone are responsible for the subject matter.

nosse - credere: having started the question in a still conventional manner ('is it a disgrace for a philosopher to know this?'), the thought unexpectedly takes an important turn. Zoological research appears honourable, since it aims at investigating the workings of providence (cf. 27,2) and the immortal gods (cf. 26,1). This pious note was not prepared during the section on fish.

1. The point is noticed by i.a. MARCHESI, MORESCHINI and TATUM 1979, 116. Already HILDEBRAND remarked: 'summa cum ironia Apuleius haec protulit. Magi enim solebant in incantationibus Aegyptiis verbis uti, ne a ceteris intelligerentur'. On *ὀνόματα βαρβαρικά* see further GRAF 1994, 244-9.

2. It may be noticed that bats were used not only to avert evil but also to arouse women sexually; cf. Plin. *Nat.* 30,143 *mulierum libidinem mouere*.

matri et patri: the words carry a disparaging note; B/O compare Min.Fel. 23,1 *has fabulas et errores ab imperitis parentibus discimus*. This lack of reverence seems slightly strange after Apuleius' proud remarks about his father (24,9).

39,2 **Q. Ennius hedyphagetica scribsit**: the great Roman poet was already mentioned and briefly quoted in 13,1. This is the only ancient source mentioning Ennius' work *Hedyphagetica*, and no less than eleven lines are quoted. The Apuleian passage is therefore of considerable importance for literary history. On this section cf. MATTIACI 1986, 182-3; further Courtney's notes.

We do not know a great deal about this *Hedyphagetica* of Ennius,[1] but it is certainly an adaptation of a Greek original by Archestratus of Gela (4th cent. BC), for which cf. now WILKINS / HILL 1994. Archestratus' work was a mock-didactic poem on cookery,[2] mainly concerned with fish. His volume was probably 'to be enjoyed at a rich man's banquet and symposium.' (WILKINS / HILL, 11). Only 62 fragments of this Greek work are extant, all quoted by Athenaeus (cf. below). There is nothing manifestly satyrical in Ennius' lines.

The role of the Ennian excerpt within the speech runs partly parallel to that of earlier quotes: as an erudite interlude it is bound to have been appreciated by the learned (the rest of the audience is likely to have enjoyed it as a pause at least), and it displays Apuleius' literary interest and knowledge in a fairly impressive manner. But in addition, this fragment shows Ennius as an adaptor of Greek material and a creator of new Latin forms, and hence as a predecessor of Apuleius himself. It also provides an *a fortiori* argument: if Ennius studied fish without incurring blame, Apuleius' loftier aims justify the same interest.

curiose cognorat: as B/O rightly say, rather from the verse of Archestratus than first-hand. For *curiose*, here with a positive sense, see on 27,2.

paucos uersus - dicam: given the length of the fragment and the abstruse detail contained in it, the suggestion that Apuleius is recalling the lines on the spot is as unlikely as in e.g. 25,11.

39,3 **omnibus ut Clipea...**: the fragment is Ennius *Var.* 34-44 (Vahlen); *Hedyph.* (p.406-11 Warmington); Fr. 28 (Courtney). The text of the Ennian lines presents many problems, as is to be expected in a old Latin list of rather obscure fish and place names. I have followed Courtney's version throughout. The metre is remarkable in several aspects; Courtney (p.25) mentions the coincidence of lines with units of meaning (quite unlike what we read in e.g. *Ann.* 72-91), the anapaestic beginnings in line 3 and 9, the hypermetric line 4, instances of hiatus and iambic shortening, and a high frequency of elision. These features suggest stylistic sophistication rather than inexpertness, as Courtney rightly concludes.

By a lucky coincidence we are able to compare some of Ennius' lines with their main models in Archestratus, as preserved by Athenaeus. Ennius appears to keep fairly

1. It is rather neglected in modern scholarship on Ennius, which tends to concentrate on either the *Annales* or the drama. I have found no literary monography on the poem in *L'année philologique* of the last 25 years. In recent studies on food in Roman literature the poem is usually neglected. In GOWERS 1993 it is not even mentioned.

2. Its plain, refined style may properly be compared to *nouvelle cuisine*, as WILKINS / HILL point out. It is quite different from the elaborate, spicy, and coarser style of cookery of the Roman Apicius (1st cent. AD).

close to the details of Archestratus' verse, but does not literally follow him (see below for some examples of additions). In particular, he seems to have selected from the Greek material, combining lines from different parts of the poem, and sometimes changing the connection between species and location.[1]

Clipea... Aeni...: the places indicated are geographically widespread. Clipea is a town in Africa; Aenus in Thrace; Abydus near the Hellespont; Mytilenae at Lesbos; Caradrus is probably a small town near Ambracia in Epirus; Brundisium and Tarentum are towns in the south of Italy; Surrentum and Cumae in Campania; Nestor's town is Pylos in the Peloponnese; Corcyra is the island of Corfu.

The four Italian towns do not figure in the extant fragments of Archestratus (although e.g. the Sicilian towns Syracuse and Messina do) and Ennius may well have added them. Especially Tarentum, the town where he is assumed to have received his education, may easily have crossed his mind.

mustela marina: probably the burbot, a fish famous for its use in erotic magic; cf. Ael. *NA* 15,11, who discusses both the weasel and this marine species.[2]

(2) mures: mussels. For lines 2-3, cf. Archestr. Fr. 56 (Brandt, =*Athen.* 92d) (quoted in B/O and Courtney). Abydus was to remain famous for its oysters, cf. esp. Verg. *G.* 1,207 *ostriferi fauces... Abydi*.

At the end of the line F has *finis*, which does not fit into the hexameter at all and may have slipped into the text as a (wrong) explanation of the genitive *Ambraciai*; with Courtney I delete the word.

(3) Mytilenae: probably to be scanned as an anapest, replacing a dactyl, as (9) *melanurum*.

pecten: the scallop. Apuleius jokingly referred to the *marinum pectinem* in 34,6.

Caradrumque apud Ambraciai: a much disputed point. I follow Courtney in interpreting it as 'and near the town of Caradrus close to Ambracia.' Others have taken *Caradrum* as 'channel' or 'water-course' or replaced it with a fish name. Ennius must have added it, since Archestratus mentions only Ambracia.

(4) sargus: the sar or sargue. Archestratus gives a recipe for this fish, but without a specific location, in Fr. 36 (=Athen. 321 c).

sume: the last vowel is hypermetric.[3]

(5) apriculum piscem: another fish mentioned earlier in the ironical passage 34,6. Its identification is not certain. For Tarentum see the note above (on line 1).

(6) elopem: Archestratus praises the *elops*, probably a kind of sturgeon, of Syracuse in Fr. 11 (=Athen. 300 e), and the *glaukos*, an unidentified 'grey-fish', of Olynthus and Megara in Fr. 20 (=Athen. 295 c).

aput: probably to be scanned as a short syllable. This produces an example of iambic shortening, as in (7) *scarum*.

1. The various names for fishes in the poem are briefly explained in the notes below, but I have avoided entering into ichthyological dicussions. I have mainly relied on notes in WILKINS / HILL and entries in OLD and THOMPSON 1947.

2. One is also reminded of the weasel (*mustela*) appearing in the witches' scene in *Met.* 2,25.

3. Seneca seems to have ascribed hypermetric lines in Vergil to a conscious imitation of Ennian practice. Courtney points to Seneca's critical remark given (and rejected) by Gel. 12,2,10: *Vergilius quoque noster non ex alia causa duros quosdam uersus et enormes et aliquid supra mensuram trahentes interposuit, quam ut Ennianus populus adgnosceret in nouo carmine aliquid antiquitatis*.

(7) scarum: almost certainly the parrotfish (parrot wrasse). It is discussed by Archestratus in Fr. 13 (=Athen. 320 b), with the locations Chalcedon and Byzantium, and Fr. 41 (=Athen. 320 a) with the location Ephesus.[1]

cerebrum Iouis: proverbial for a delicacy; Athen. 514 e explains the expression as having originated among the Persians. More Greek examples are given by OTTO 1890, 179.

(8) Nestoris ad patriam: the line is likely to be an addition by Ennius, since in Archestratus' verse places are referred to directly by name. This periphrasis for Pylos, with its distinctly Homeric touch, suits the taste of Ennius[2] and, for that matter, Apuleius.

(9) melanurum...: the small melanurus, two types of wrasse, and the maigre. These four species are not mentioned in the remaining fragments of Archestratus.

(10) polypus: the octopus, equally recommended by Archestratus Fr. 53 (=Athen. 318 f), who apart from Corfu mentions Thasos and Caria.

caluaria acarnae: 'brains of brass'. Courtney compares Lucil. Fr. 51 (Warmington) *cephalaeaque acarnae* and passages in Archestratus on fish heads. This is the third echo in the Ennian lines of the previous passage 34,6, now of the ominous *marina caluaria*.

(11) purpura...: the last four fish are: the shellfish yielding purple dye, a small variant of the same, mussels (mentioned earlier in line 2), and sea-urchins. No special imitation of extant lines of Archestratus seems intended here.

39,4 **assus aut iurulentus**: after the long list of fish in Ennius, Apuleius adds yet more culinary terms: 'baked (roasted) or stewed (with gravy).'

elegantibus uocabulis: as such, the words might be interpreted as a veiled criticism of Ennius, whose unpolished vocabulary earned him little praise during the classical period.[3] This seems rather unlikely, however, in the light of Apuleius' general sympathy for the archaic poet and his appreciating tone in the entire passage. He merely says he uses elegant language himself. The difference between Apuleius and Ennius lies in their subject matter; but, it must be noted, even in that respect Apuleius does not distance himself from the great poet.

40,1 **si medicinae...**: the argument is presented as fully new, but amounts to a mere variant of the general defence of studying fish for scientific purposes. After zoological and linguistical interests comes medicine. In antiquity the boundary between magic and medicine often remained indistinct; cf. e.g. ÖNNERFORS 1993.

1. There is some doubt whether the two Greek fragments refer to the same fish; see WILKINS / HILL (p.49-51). These scholars further draw attention to an interesting point: the Romans greatly valued this rare fish, whereas Archestratus recommends preparing it with strong flavours (cheese, oil, and cummin), a way of seasoning he refuses for the more delicate species.

2. Ennius followed Homer in many points of idiom and style, even in this line with the epic *magnusque bonusque*. Moreover, he strongly identified with the Greek poet. This is illustrated by his famous vision of Homer at the beginning of the *Annales*: *Ann.* 2-11 (SKUTSCH); cf. also Lucr. 1,124-6; Cic. *Ac.* 2,51 and 88. See SKUTSCH (p.147-67) with further literature; further AICHER 1989.

3. Cf. the well known judgement in Quint. *Inst.* 10,1,88: *Ennium sicut sacros uetustate lucos adoremus, in quibus grandia et antiqua robora iam non tantam habent speciem quantam religionem.* Further e.g. Ov. *Tr.* 2,259 *Annales (nil est hirsutius illis)*.

Apuleius' interest in medicine will be clearly shown in the next section on epilepsy. Doctors play important roles in his other works: cf. esp. *Fl.* 19 and 23,3-5; *Met.* 10,2-12.[1]

neque instudiosus neque imperitus: the modesty suggested by the litotes is feigned. Apuleius shows his erudition in this expression itself: *instudiosus* occurs only here, and seems to have been coined by him for the occasion. The following section contains several other rare or new words, e.g. *interspersa*, *interseminata*, *exossis*.

40,2 **nonnulla in piscibus**: an outright contradiction of 30,4 - 32,1, where magical use of fish was explicitly denied.

40,3 **philosophi**: the speaker manages to bring back the subject immediately to his main argument in the speech: all of his activities are worthy of a philosopher. Still, examining fish for medical purposes was not the first thing an ancient audience would expect from a philosopher.

non ad quaestum: whatever the philosopher's activities, he does not act for the sake of sheer profit. Throughout ancient literature there is a remarkable prejudice against making profit, which was regarded as a base motive typical of the lower classes. Of course, the gap between this openly expressed view and everyday life could be considerable, as even the case of the wealthy Pudentilla shows (see the latter part of the speech).

usurus est: this change for *usura est* of FΦ seems inevitable; cf. B/O for a full discussion of other suggestions.[2]

40,4 **carmina**: Apuleius admits the existence of magical incantations used as cures. Given the defence of his own *carmina* in c.6 and 9, he is on dangerous ground now.

omnis uetustatis - auctor: for lavish praise of Homer see on 31,5. Here his authority is highlighted to overshadow the rather suspect remedies from fish and incantations.

qui facit - cantamine: cf. Hom. *Od.* 19,456-8. For the form of such incantations see ABT 1908, 155-6. Many magic formulas to staunch blood have come down to us. Curiously, in one of them, from late antiquity, Apuleius himself is invoked: *item in chartas (sc. scribis) ad aurem ipsius "sanguis, imperat tibi Apuleius Madaurensis, ut cursus tuus stet"!*; cf. ÖNNERFORS 1993, 207 (Ps.Theodorus, nr.10).

40,5 **Themison**: the slave was mentioned earlier in 33,5, in a clause running largely parallel with this one: *quem mihi Themison seruus noster... ultro attulit*.

de particulis...: although anatomy was indeed mentioned as a subject of research (36,4; 38,4), and *causa* may refer to procreation (38,2), the two middle terms (*situ*, *numero*) refer to topics not yet specified: place and frequency. So, Apuleius seems to have smuggled them in. One may bear in mind that a discussion of rare fish found in special locations might raise suspicions of magic. Particularly, the dissection of such

1. Given Apuleius' interests, it is tempting to identify him as the author of the herbal known as *De herbarum medicaminibus*, which has come down under his name; or as the Apuleius mentioned in the Greek *Geoponica*, a Byzantine agricultural work which contains many magical recipes. As to the latter, an attempt to defend this identification was made by MARTIN 1972, but his arguments were rejected by ROGERS 1978, 202-3. The herbal is commonly held to be unauthentic. The best list of *spuria* and *dubia* among Apuleius' works is FLAMAND 1989, 311-3.

2. It can be added that Purser's *usurust*, printed by HELM, may well have been the reading at some stage in the tradition of the MSS (see B/O), but it is impossible to establish whether F's model or Apuleius himself wrote it.

fish could be explained as an attempt to extract poison from them, as GRAF 1994, 88-9 suggests.

Aristoteli: for his books and Apuleius' method of adapting them see 36,5-6.

40,6 **unum... pisciculum**: the mysterious fish in question is presented as a harmless 'little fish'. Secondly, the speaker adds a little extra to the point: he admits dissecting *many* fish instead of only this one.

40,7 **nihil... clanculo**: an important point, since magic was invariably thought to be practised in secret without witnesses; cf. 47.

magistrorum meorum: most likely not Apuleius' contemporary teachers, but philosophers and poets of old. For the motto editors quote e.g. Enn. *Trag.* 8-9 (Warmington): *amicitiam atque inimicitiam in frontem gero promptam*; Cic. *Planc.* 35 *hic, quod cum ceteris animo sentiebat, id magis quam ceteri et uoltu promptum habebat et lingua.*[1]

si queat: this reading is usually changed to *si quo eat* (HELM), but no emendation is necessary: one's face ought to reflect one's mind *if possible*, that is, everywhere and anytime; cf. also HUNINK 1996, 161. MOSCA is the only other modern editor who keeps *si queat*.

40,9 **quid uocent**: this does not refer to words of the accusers, but to the more general question 'how the fish is called'.

nisi quaeram sane accuratius: a justification of 'further research'. The fish in question provides a clear example of Apuleius' claim of making corrections and additions to Aristotle's findings.

40,10 **duodecim...**: the detail is rather abstruse: the fish is a mollusc, with twelve little bones, looking like the knuckle-bones of a pig, set around the alimentary canal. There is an interesting discussion in B/O, who even had a sea-hare dissected for the purpose of philology, and found eleven such bones. They conclude that the accusers had good reason for supposing this fish to be a sea-hare. For this possibly suspect species see also on 33,3.

40,11 **quod Aristoteles numquam...**: the argument of authority involves a classical *argumentum ex silentio*. *Numquam* is the easiest correction for *si umquam*; HELM has *si <scisset n>umquam*.

aselli piscis: probably the hake (OLD s.v. *asellus* 3), which is also mentioned by Archestr. Fr. 14 (=Athen. 316 a). The curious anatomical detail comes from a lost work of Aristotle; cf. Arist. Fr. 326 (Rose) (p.236-7, with parallels). For *asellus* meaning 'ass, donkey' see on 23,6.

pro maximo: 'as an important fact', but there may also be a play on the contrast with the diminutive *corculum*.[2]

41,1 **piscem...**: the closing paragraph of the section on fish opens with a recapitulation. The speaker mainly asks indignant questions in response to brief statements allegedly uttered by the accusers. For this technique see e.g. 9,4-5; 13,5-7; for the repeated *'piscem... proscidisti'* cf. *'pisces... quaeris'* (30,1).

[1]. Cf. also expressions in OTTO 1890, 147 s.v. *frons* 1. None of these passages, however, is quite exact, since they only show the link between inner feelings and facial expressions. The pedagogic precept to show one's mind *consciously*, as given by Apuleius, is unparalleled.

[2]. The noun has comic associations by itself: in comedy it can be used as term of endearment ('sweetheart'), and OLD further quotes examples of its use as a nickname for shrewd persons.

lanio uel coquo: the philosopher is no longer compared to a gourmand, as before (27,6), but to craftsmen of lower status: butchers and cooks. As a matter of fact, the mention of a *lanius* is surprising, since this craftsman works with meat rather than fish; TLL 7, 935, 7ff gives no other passage where he is linked with fish.

41,2 **rusparer**: a very old word, occurring in the works of Accius (e.g. Fr. 429 and 489 (Warmington)). It probably belonged to colloquial language, just like the following *hepatia*; cf. MATTIACI 1994, 57.

ita ut apud te...: what Pudens is said to be learning looks like a parody of divination (alluded to in 41,3). A second invective element may be that liver as food seems to have been exotic; cf. Petr. 66. For both observations see MCCREIGHT 1991, 154. Pudens living a life of gluttony will return in 98,6-7.

maius crimen est...: probably not to be taken seriously as a statement on a philosopher's actual diet,[1] but a rhetorical exaggeration preparing the next sentence with its picture of the philosopher as a 'high priest' (cf. 26,1-5).

41,4 **ego et Maximus**: even more clearly than before, the defendant and the judge are pictured as having their philosophical education in common. The element of 'admiration' for Aristotle is subtly added here.

bibliothecis: either private libraries as in 53-6 (e.g. 55,3) or public libraries as in 91,2 and *Fl.* 18,8-9.

41,5 **nunc praeterea...**: it is only now that a real alibi is given. It looks as if the defendant has kept his most convincing argument until the very end.

in Gaetuliae - repperientur: apparently the accusers had specified a certain date for the magical practice. Apuleius argues that by that time he had been in the south, in the mountains of Gaetulia (for the name cf. already 24,1). It may be observed that he does not adduce any evidence right now for his claim, *non negabunt* merely alluding to some indisputable proof. Nor does he add a reason for his stay in the mountains.[2]

In this context, the remark on 'fish in the mountains' must be taken as an ironic allusion to the myth of the Flood, as described by e.g. Ovid in *Met.* 1,253ff; in Ovid's paradoxical description of the flooded world, we read about fish being caught in trees (1,296) and waves beating the mountains (1,310). Apuleius' point is simply that he did not have access to living fish.

41,6 **Theophrasti**: Theophrastus (mentioned above in 36,3) did write on 'creatures that bite and sting', but the work has been lost; cf. Thphr. 360 (Fortenbaugh). On the other hand, the poem of Nicander of Colophon (2nd cent. BC) on remedies against bites has been preserved.[3]

[1]. One could think of the strict vegetarianism of Pythagoreans. For their abstention from fish cf. e.g. Iamb. *V.P.* 98 and 107; Porph. *V.P.* 45.

[2]. It remains unclear what Apuleius was actually doing there. According to GUTSFELD 1992, 260wn79, he had possibly been visiting an estate inherited from his father. This guess is as good as any other. He may just as well have been searching fossiles, an older suggestion which is too easily dismissed by B/O. As a matter of fact, Apuleius is not likely to have doubted the existence of fossiles; cf. Tert. *Pall.* 2 *mutauit et totus orbis aliquando, aquis omnibus obsitus. Adhuc maris conchae et buccinae peregrinantur in montibus, cupientes Platoni probare etiam ardua fluitasse*. Tertullian alludes to Plato's version of the flood in *Ti.* 22 a ff.

[3]. Nicander's *Alexipharmaca*, a smaller poem of 630 lines, has also been preserved. This poem on 'antidotes' may have seemed too dangerous to mention even in this provocative sentence: cf. lines 465-81 on the lethal poison of the sea-hare.

etiam ueneficii - postularent: an astonishing remark, since Apuleius actually *was* accused of *ueneficium*; see on 26,8 with note. The inconsistency seems hard to account for.[1]

41,7 **at quidem**: HELM's correction for FΦ *ut quidem*. Some Italian editors (such as AUGELLO) keep *ut*, but remain unspecific in their translations. Since there is no satisfactory explanation for *ut*, the change is unavoidable.

Platone meo: Apuleius' ultimate authority is referred to once again. The use of *meus* shows the speaker's exceptional intimacy with the philosopher's teachings. We may even say that he is claiming him for himself alone, literally excluding the opponents: Plato is 'not yours.'

The Greek quotation is a loose and imprecise reference to *Timaeus* 59 d.

42-52 Magical practices (II): making people collapse

My opponents also made up the story that I cast a spell on a boy in a secret place and made him collapse. But they did not dare to carry the argument further and lie that the boy uttered predictions; this, at least, would have made it more credible, since this is what authors write on magic and boys. Plato's theory on demons would not contradict it either. In any case, the boy in question must be handsome and healthy. But the boy you mentioned, Thallus, is ugly and epileptic. If Thallus collapsed in my presence, there is nothing magical to it: falling down is a normal thing for him, as many can witness. The boy had been sent far away and was called up only the day before yesterday. Meanwhile, his fellow slaves can confirm that he is ugly and ill. Why do you not interrogate the fourteen other slaves who are present? Besides, why should I have used a charm, while there are more innocent ways of making an epileptic collapse? Furthermore, only one witness of the alleged magical séance was named, no other than the boy Sicinius Pudens, my accuser. Tannonius added that other boys were also bewitched. I'd like to hear their names! Or at least interrogate my fourteen slaves! A ceremony at which so many witnesses were present cannot have been magic. - The accusers also referred to a woman similarly enchanted by me. Actually, this epileptic was brought to me for medical research. Besides, how could I benefit from her falling down? Let me explain the medical background... Famous philosophers write about all this. So medical knowledge, both theoretical and practical, is part of the philosopher's expertise. In fact, Aemilianus, it is you who 'falls short' and 'slips up.'

This second serious charge of magical practices is concerned with the treatment of two separate cases of epilepsy, of which the first one, that of the boy Thallus, receives most attention. Apuleius' defence sounds confident, and is actually more convincing than many of the other sections. The symptoms of both persons are clearly not the result of magic but of epilepsy. The boy is pictured as unfit for the purpose of

[1]. Perhaps the point is this: 'in that case, the accusers would have sued me for poisoning in general (or: in *another* trial), rather than bewitching Pudentilla.' The word *ueneficium* here might also refer to poison involving land-creatures, or to murder by means of poison (cf. HELM's 'Giftmordes'), or to a specific charge of fabricating *pocula amatoria*, a point not falling under the Lex Cornelia, as MARCHESI 1917, 164-5 explains.

divination, a practice of which Apuleius shows considerable knowledge. Furthermore, he cleverly exploits the fact that he presents fourteen other slaves in court, and he challenges the accusers on many points. The second case, that of the epileptic woman, is slightly more suspect: Apuleius does not give much information about her (even her name is left unsaid). Instead, he enters on an astonishingly long and complex physiological account of epilepsy (49-51). He does admit having received a visit of the woman at his house, but argues that medical research was the only purpose. The end of the section is yet another piece of invective, ironically casting back the charges to the accusers themselves.

The section involves many philosophical authorities again, but is less diverting than the preceding one. Most noteworthy is the long, serious account of epilepsy, which must have impressed even the learned part of the audience. This passage, which seems to add little to the legal side of the matter, is of great interest for the history of medicine; cf. TEMKIN 1994, esp. 59-60. In antiquity the disease was rather strongly felt to be linked with magic, in particular as far as its treatment was concerned; cf. TEMKIN, 10-5. For the connections with demons, cf. ABT 1908, 198-9 and GRAF 1994, 94, who remarks that the whole affair 'a un parfum d'exorcisme'. Apuleius remains silent on these points, but on the other hand shows his familiarity with divination (42-3) and magical ceremonies (47).

Considering the section as a whole, his case appears to be fairly strong, while several weak points in the charges enable him to launch severe counterattacks. These may well be his main reasons for entering into the issue at such great length. On his strategy cf. ABT 1908, 158-9 and HIJMANS 1994, 1765.

42,1 **pisces... patuerunt**: the combination strikes a comical note, underscored by the allitteration. The argument concerning fish has now 'sufficiently been revealed' (cf. OLD s.v. *patescere* 3b), but the words can also be taken literally, as a pun on fish being dissected (cf. 41,1 *piscem... proscidisti*).

42,2 **scierunt et ipsi...**: Apuleius adds some scornful comments on the preceding subject of fish. This is unusual after a formal transition to the new section, here made explicit in 42,1 (*accipe aliud...*).

quis enim fando...: magical use of fish is once again explicitly denied. The effect of ridicule is enhanced by *disquamari* and *exdorsari*, referring to the hardly mysterious activities of scaling fish and removing their backbones. Both words occur together in Pl. *Aul.* 398-9 *Dromo, desquama pisces. Tu Machaerio, / congrum, murenam exdorsua quantum potest*, lines from comedy which may have been consciously imitated here.[1] For the expression *quis... fando audiuit*, cf. 9,3.

peruulgatioribus... creditis: according to Apuleius, the preceding argument concerning fish was at odds even with the *uulgi fabulae* (cf. 30,3). The following argument will at least be more credible, so it seems. Still, this too is given a negative twist: the accusers have indeed followed commonly held beliefs, but in a rather silly and unimaginative way.

42,3 **puerum - excitatum**: all elements in the sentence evoke a magical atmosphere: spells, removal of priers, secrecy, a small altar (probably used for burning offers), a lamp, the

[1]. This is, however, not a compelling reason to adopt the Plautine spelling of both verbs, as B/O cautiously suggest.

presence of only a few witnesses, a victim falling down and losing consciousness; cf. ABT 1908, 160-5. The defendant will continue along this line for some time with a discussion of divination. The simple, prosaic explanation that the boy is an epileptic is postponed until 43,8.

Later, Thallus will appear to be a slave. Meanwhile, however, *puer* does bring in an ambiguity ('slave' or 'freeborn boy'), as ABT, 159 rightly observes. Cf. further on 9,2.

42,4 **addendum - fuit**: the defendant mentions a necessary addition to the charge of magic. In doing so, he obviously runs the risk of exposing himself as an expert of magic. Therefore he protects himself by referring both to the common beliefs shared by everyone and to the views of philosophic authorities.

puerum - praedixisse: for boys as mediums, especially in divinatory rituals with lamps (lychnomancy), see the examples quoted in ABT 1908, 160-5. See also the notes in B/O, who point to similar rituals involving water reflecting the lamplight (hydromancy).

42,5 **canticis**: here, *canticum* has the force of *incantamentum* (cf. TLL 3, 284, 6). Normally it refers to 'song' without any association of magic, unlike the ambiguous *carmen*. Apuleius may have chosen the more neutrally sounding word on purpose, to avoid an unwelcome link with his own *carmina* devoted to *pueri* in c. 9-13. *Carmen* is, however, an important word in the passage; cf. below on 45,2.

praesagium et diuinationem: probably no more than synonyms; cf. *Soc.* 17 (157) on Socrates helped by his demon: *sicubi... non consilio sed praesagio indigebat, ut ubi dubitatione clauderet, ibi diuinatione consisteret*. Thus ABT 1908, 165-6n5 (on *diuinatio* further 165-170).

42,6 **Varronem philosophum**: the Roman scholar and encyclopedic writer Marcus Terentius Varro (116-27 BC) was certainly not known in the first place as a philosopher.[1] It serves Apuleius' purpose, however, to single out this element: it makes Varro appear as yet another philosophical authority. For *memini... legere*, cf. 11,4; 25,10; 39,2.

uirum - eruditum: a common opinion about Varro; cf. Cicero's verse (quoted by August. *C.D.* 6,2) *uir doctissimus undecumque Varro*; further e.g. Quint. *Inst.* 10,1,95 *uir Romanorum eruditissimus*; Sen. *Nat.* 5,16,3; Gel. 4,9,1.

Trallibus...: the story must come from one of Varro's lost antiquarian works, but it is not possible to say which one. It used to be attributed to his *Curio* (or *Logistoricus*), but there is not suffient evidence for this; cf. the discussion by CARDAUNS 1960, 45-50.[2] Augustine discusses some of Varro's remarks on hydromancy in *C.D.* 7,35.

The story is about the inhabitants of Tralles, a town in Asia Minor (some 50 kilometres east of Ephesus), who wanted to know what outcome the Mithridatic war

[1]. Nonetheless, his oeuvre included philosophical works now lost, e.g. *Liber de philosophia* and *De principiis numerorum*; cf. VON ALBRECHT 1994, 477.

[2]. CARDAUNS even allows for the possibility of an unknown, lost work of Varro *On magic*. For this, however, there is no solid evidence either.

would have.[1] To find out, they practised hydromancy, which can be considered a form of catoptromancy; cf. MCCARTY 1989, 169wn20; further ABT 1908, 171-7.

simulacrum Mercuri: this mention of 'an image of Mercury' in a context of magic seems a particularly inopportune detail in view of the later discussion of Apuleius' statuette of Mercury, also called *simulacrum* (e.g. 61,6; 63,3). In 31,9 Mercury was similarly linked to magic. Apuleius could easily have omitted the name from his summary of the story, and one cannot help wondering why he kept it.

42,7 **Fabium...**: this man cannot be identified. Still, a case has been made for Q. Fabius Maximus (consul in 45 BC) by CARDAUNS 1960, 47, who also argues (p.48) that the present story must come from the same work of Varro. Its protagonist is the famous scholar, politician, and author P. Nigidius Figulus, a friend and contemporary of Cicero. Of his works only fragments are extant; the present testimonium is Nigid. Fr. xii (Swoboda). He is often associated with Pythagorean philosophy, astrology, and divination; cf. e.g. Luc. 1,639-40 *Figulus, cui cura deos secretaque caeli / nosse fuit*. This case of 'magic' by Nigidius is studied by MEVOLI 1992; according to ABT 1908, 177-8 there is no parallel for the form of divination practised here.

denarium: after the *simulacrum Mercuri*, money is another detail which might recall Apuleius' own case, in view of his alleged financial gain from marrying Pudentilla, as will be discussed later. This 'secretly buried money-bag' does not really evoke a favourable association.

42,8 **M. Catonem philosophum**: Cato Uticensis (95-46 BC) was known for his allegiance to Stoic principles. The following remark on the coin received by Cato among offerings for Apollo is entirely irrelevant.[2] Its function is obviously to round off the tale (and the examples) on a note of religion. His name also recalls his great ancestor Cato the Elder, already mentioned in 17,9.[3] In Apuleius' lost *Astronomica* occurred an anecdote on Cato's wife Marcia struck by lightning; see Apul. Fr. 25 (BEAUJEU).

43,1 **magiis**: this reading of FΦ is explained by HELM and other editors as *magicis artibus*. Although the plural *magiae* is rare, there is no need to change it into *magis* (defended by B/O) or *magicis* (defended in TLL 8, 51, 48-9). FACCHINI TOSI 1986, 106 further points to the sound effect *magiis... pueris*.

dubius sententiae sum: here, the defendant questions the reality of magic as presented in the preceding examples. In the following lines, on the other hand, he will confirm and even explain the phenomena. This is considered a serious self-contradiction and a logical error by REGEN 1971, 3-4. This, however, is too harsh; strictly speaking there is no error of logic, since the following lines also express

[1]. Actually three Mithridatic wars are distinguished, of 88-5, 83-1, and 73-63. The event presumably took place in the first of these, which was a turbulent period for the town; cf. CARDAUNS, 46. For some references to the role of the town in the Mithridatic wars, cf. e.g. Cic. *Flacc.* 59 and App. *Mith.* 48.

[2]. The remark is not entirely clear either. Some interpret that Cato's own contribution to an offering is meant (thus e.g. HELM in his 1977 edition). However, we know that Cato held the office of 'priest of Apollo,' (i.e. *quindecimuir sacris faciundis*); cf. Plut. *Cat.Mi.* 4. Therefore, it seems more likely that he acted as the priest collecting the money.

[3]. That Apuleius intended this association gains some support from his mention of the *pedisequus* here. The passage on Cato the Elder had been concerned with his low number of slaves. Some translators seem to interpret *pedisequus* as the slave of someone other than Cato Uticensis himself. This is indeed possible, but some qualifying word like *quodam* would be expected in that case.

caution (cf. the subjunctive *credam*; further *posse* and the beginning of 43,4), as HIJMANS 1994, 1764-5 rightly remarks. More importantly, by expressing doubt the defendant formally distances himself from the theories on magic he is meanwhile presenting at some length. Therefore the statement seems to be made mainly because it is rhetorically opportune.

43,2 **quamquam Platoni credam...**: before entering on a piece of demonology, Apuleius makes sure to name his great authority Plato again, and to express caution (see above).

inter deos - potestates: an accurate periphrasis for *daemones*, a word which seems carefully avoided here. They are described more elaborately in *Soc.* 6 (132-4): *sunt quaedam diuinae potestates inter summum aethera et infimas terras in isto intersitae aeris spatio, per quas et desideria nostra et merita ad deos commeant. Hos Graeci nomine daemonas nuncupant... per hos eosdem, ut Plato in Symposio autumat, cuncta denuntiata et magorum uaria miracula omnesque praesagiorum species reguntur.* For these divine beings, cf. further *Fl.* 10,3 *mediae deum potestates*; *Pl.* 1,11 (204-5) *quos medioximos Romani ueteres appellant*; 1,12 (206) *daemonas*; *Mun.* 24-5 (343); 27 (350-1).

Demons do not occur in the *Met.*,[1] where a different theology is used. As BEAUJEU 1983 clearly sets out, Apuleius adopts two theological models in his works: 1) the threefold system of a transcendent Supreme God, secondary gods, and demons, as in the passages referred to above; 2) the model with the goddess Isis, who can be approached directly, as in *Met.* 11. Apuleius feels attracted by *both* these 'solutions en vogue' (p.385), without trying to reconcile them.[2]

Plato had only briefly dealt with *daemones* in the myth of Eros in *Symp.* 202 e - 203 a. The idea was developed as a theory by later Platonists, on the basis of Plato's text, e.g. [Pl.] *Epin.* 984 e ff.; cf. REGEN 1971, 6-9. Apuleius' version, while being 'dogmatic', also shows some elements characteristic of second century Middle Platonism.[3] The concept of *potestas*, which personalizes the divine power, appears to be a novelty in Apuleius. On Apuleius' demonology, see REGEN 1971, 2-22, esp.19; GERSH 1986, 309-15 and BRENK 1986, 2131-5, esp. 2134; the most recent studies are BERNARD 1994 and MÜNSTERMANN 1995, 175-85.

Ancient demonology did certainly not come to an end with Apuleius; his own ideas as expressed in *Soc.* were still vehemently fought by Augustine in *C.D.* 8 and 9; for this polemic see MORESCHINI 1972 and 1978, 240-54; HORSFALL-SCOTTI 1990, 308-11. Further literature on demonology may be found in the various scholarly works mentioned in this note.

magorum miracula: the statement is based on the myth in Plato's *Symposium* passage, and further influenced by later philosophical doctrines; MORESCHINI a.l. (p.169) points to influence of Posidonius. Nonetheless, Apuleius' insistence on this element is potentially dangerous: he nearly admits the reality not only of demons, but also of magical practices. At the very least, he appears to be fully informed. For demons as carriers of magic cf. also ABT 1908, 178-83.

43,3 **animum humanum**: HIJMANS 1987, 453-4 compares this to *Soc.* 15 (150-4) about the class of demons who are *animi humani*. Here, the youthful, simple *animus* may perhaps be brought back into contact with its origin.

odorum delenimento: most likely a reference to special burnt offerings of incense; cf. GWYN GRIFFITHS 1975, 299 (in his note on *Met.* 11,23 (285,14) *accessi confinium mortis*). In non-magical contexts Apuleius also shows great awareness of smell; cf. LILJA 1972. Here we may observe the strong sound effects in the entire sentence, evoking those of real spells; cf. *auocamento - delenimento*; *soporari - externari - praesagare*;[1] *redigi - redire*.

externari: not merely 'drive out of one's wits', as OLD s.v. *ex(s)terno* says. Apuleius seems to reinterpret the word in a more literal sense as 'depart from (the body)', as the following words confirm.

43,4 **ut**: B/O object that there is no parallel for *ut* 'however', and adopt Colvius' correction *utut*. But this is not the only possible interpretation. In his apparatus HELM already paraphrased *ut* as 'proinde ut', 'pro rerum natura' (cf. OLD s.v. 18); in his later translation he accordingly rendered: 'wie es nun damit steht'. A much similar case is *Soc.* 20 (165) (BEAUJEU) *uerum enimuero, ut ista sunt, certe quidem...*

si qua fides...: the expression recalls a commonplace from poetry; cf. Verg. *A.* 10,792; Ov. *Met.* 15,361; *Fast.* 6, 715.

43,4 **decorus**: ancient references to children as mediums do not mention beauty, intelligence, or rhetorical skills;[2] virginity (*corpore integer*), on the other hand, is an important requirement; cf. ABT 1908, 184-5. Interestingly, the first three elements were among the reproaches made against Apuleius himself; cf. 4,1 *(accusamus...) philosophum formonsum et... disertissimum.*

43,5 **ut in eo aut... an ipse animus...**: Apuleius makes no clear choice between two alternative explanations of the state of trance. Either a divine power takes possession of the body, or the human soul transcends the body and reaches out to its origin. Both result in an immediate contact of human nature with the divine. For the notion of a god dwelling in the body, cf. V.Max. 4,7,ext.1 *fida hominum pectora quasi quaedam sancto spiritu referta templa sunt* and Sen. *Ep.* 41,2; see also on 24,5. One can even compare the famous Bible passages 1 Cor. 3,16-7 and 6,19, although the Christian idea is not quite the same.

ad diuinationem suam: in 43,2 the word had its normal meaning, but here it expresses the concept of return to 'its divine prescience'; cf. HIJMANS 1987, 454.

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1. At best, the story of the Lamiae at *Met.* 1,12-9 and the tale of Cupid and Psyche might be connected with demons; cf. BRENK 1986, 2132-3.

2. BERNARD 1994 does try to reconcile both systems. In his view (p.368) the various forms of veneration of Isis (*Met.* 11,5 (269,18) *multiformi specie, ritu uario, nomine multiiugo*) correspond to the variety of demons. But as a matter of fact, Apuleius does *not* mention demons in relation to Isis, and so this explanation remains unconvincing. What the two theological models share is not a rational, systematic point, but a religious one: they fulfil a basic religious desire. Both Isis and demons allow men to enter into personal, immediate contact with the divine powers. The vital importance of it to Apuleius' audience may be felt in the emotional tone of *Soc.* 5-6 (129-32) or the intensity of *Met.* 11,2 (Lucius' prayer).

3. To mention one or two elements here: the concentration on the physical dimension of the demons' intermediate nature (*loco et natura mediae*) and the attempts at subdivision in various categories, as e.g. in Apul. *Soc.* 14-8. Of course there are also minor differences between Apuleius and other Middle Platonists; cf. REGEN, 19-20 (Plutarch) and 85-6 (Albinus).

1. The last, rare word is consciously preferred to the more common *praesagire*; cf. CALLEBAT 1984, 144wn5.

2. These three elements were among the reproaches made against Apuleius himself; cf. 4,1 *(accusamus...) philosophum formonsum et... disertissimum.*

43,6 **non enim - exculpi**: Pythagoras was called an expert of magic in 31,2. For Pythagoras' saying, OTTO 1890, 220 and editors refer to Iamb. *V.P.* 245, but this does not provide a close parallel for the proverb as Apuleius gives it.[1] He may have coined it himself, or followed some lost source. Later in the speech, this proverb will be confirmed in a remarkably literal manner: Apuleius' own statuette of Mercury will be sculptured in precious ebony (61,6-8).

43,7 **ille puer sanus...**: strongly sarcastic, in view of the following description of Thallus' repulsive appearance. For the allegation that Apuleius made *carmina* to cast a spell on him see on 45,2.

43,8 **ceterum**: for *ceterum* introducing an explanation, see on 8,5.

Thallus: the first mention of the boy's name. It ironically evokes the vigour and health he is so manifestly missing: *thallus* can be used for a young branch or stem of a growing plant; cf. OLD, quoting Apul. *Met.* 11,17 (280,3) *thallos uerbenas corollas ferentes*. There is an almost painful contrast with the boy Critias, whom Apuleius praised in 9,14 in a poem full of flowers and fecundity. In addition, Thallus occurs as a literary name for an effeminate *cinaedus* in Catullus' invective poem 25. Literary connoisseurs in court are likely to have smiled at this rather malicious allusion.[2]

medico potius quam mago: for the sake of the argument a sharp line is drawn between the doctor and the magician. However, cf. on 40,1.

43,9 **morbo comitiali**: this was the common Roman name for epilepsy. The name was explained by the fact that an epileptic attack used to spoil the day of the assembly of the people (*comitia*). Some other Roman names are *morbus maior* or *diuinus* (both mentioned in 50,7), *lues deifica*, *morbus sonticus*; cf. TEMKIN 1994, 7-8 and 21. For the term 'falling sickness', cf. below on *caducus*.

omniaque membra...: a detailed description of the absent boy, depicting him in the most repulsive terms possible. It is clearly intended to make the audience shiver, as SALLMANN 1995, 151 rightly notices. According to CALLEBAT 1984, 165, the characterization is in the style of comedy; cf. Pl. *Mer.* 639-40 *canum, uarum, uentriosum, bucculentum, breuiculum / subnigris oculis, oblongis malis, pansam aliquantulum*; Ter. *Hec.* 440-1 *magnus, rubicundus, crispus, crassus, caesius / cadauerosa facie*.

caducus: although falling to the ground was regarded as a feature common to all forms of epilepsy, the Romans originally did not use a term like our 'falling sickness'. Apuleius' use of *caducus* for an epileptic[3] foreshadows later terminology, such as *caducarius* (August. *De uita beata* 16 and 20) and *passio caduca* (Isid. *Etym.* 4,7,5); cf. TEMKIN, 85-6.

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[1]. In the passage in Iamblichus, teaching for money is said to be inferior to sculpting statues of Hermes: the sculptors will at least look for a piece of wood suited for the purpose, whereas the teachers make no selection at all.

[2]. In Latin literature, there are two other persons called Thallus: a famous charioteer in Mart. 4,67,5 and a personal secretary of the emperor Augustus in Suet. *Aug.* 67,2. However, to Apuleius, and so presumably his audience, the pre-classical Catullus was much more important than these Silver Latin authors, who do not seem to have influenced him at all (for Martial, cf. on 9,2 with note). Catullus was even mentioned by name in 6,5; 10,3 and 11,2.

[3]. In a passage in the *Met.* the ass is considered to be suffering from this illness; 9,39 (233,18-9) *asellus... morboque detestabili caducus*.

In the early Middle Ages, *caducus* was identified with *demoniacus*; cf. e.g. Ps.-Apul. *Herbarius* 131,4 p.224 *ad epilempticos, hoc est daemoniosos et qui spasmum patiuntur* (quoted by TEMKIN 1994, 86n11). So the notion that epilepsy was the same as being possessed by evil spirits seems to have gained force mainly after Apuleius' time; cf. TEMKIN, 91-2. Nonetheless, Apuleius' discussion of demons (43,2) in a context of epilepsy can hardly be a coincidence. He must have been aware of popular superstition on this point.

43,10 **maximus**: perhaps also a joke on the name of judge Maximus. Naturally, it would be bold even to toy with the idea of Maximus as a *magus*. But since being a *magus* is ironized here, Apuleius may have felt safe enough to give the wink.

44,1 **decidit**: as on earlier occasions, Apuleius does not dispute the fact but its explanation.

44,2 **conserui eius**: these words are a clear proof that Thallus, too, is a slave (cf. on 42,3).

quid... despuant: spitting is a common apotropaeic gesture in antiquity; cf. also e.g. Tib. 1,2,54 *ter cane, ter dictis despue carminibus*; further NICOLSON 1897. In the case of meeting an epileptic, it was aimed at escaping contagion; cf. e.g. Plin. *Nat.* 28,35 *despuimus comitiales morbos, hoc est contagia regerimus* or the well-known passage in Pl. *Capt.* 547-58; see NICOLSON, 31-2 and ABT 1908, 186-8.

As TEMKIN 1994, 9 observes: 'the magic conception according to which epilepsy was a contagious disease was one of the factors which made the epileptic's life miserable and gave him a social stigma. For it was a disgraceful disease (...) To the ancients the epileptic was an object of horror and disgust.'

44,3 **negate... negant**: editors commonly change the latter word into *negent*, thereby assuming two exclamations ('Just deny...! Let the slaves too deny...!'). But the text of the MSS can easily be retained if the second clause is interpreted as a question ('Just deny...! But do the slaves deny too?'); thus HILDEBRAND and VALLETTE. The rhetoric is powerful and hardly gives cause for doubts. The suggestion is that the slaves would confirm the facts denied by the accusers.[1]

quam Oeam uenirem: how Apuleius came to Oea will be told in 72-3.

44,4 **in ministerio uestro**: 'who are at your service' (cf. OLD s.v. *ministerium* 1). This does not mean that they *belong* to the accusers, whose slaves are not mentioned before 44,7, but only that they stand at their disposal for questioning. VALLETTE missed the point and needlessly inserted another <*negant*> before *qui sunt*.

nisi rus adeo iam diu: there is a textual problem here, for which see B/O.

ablegatus est: given the social stigma of epileptics (see above on 44,2), the reason Apuleius gives for Thallus' being sent away sounds plausible enough. Nonetheless, it may be added that the element of physical isolation in the remote countryside was also likely to raise suspicions of magic.

familiam: not merely his fellow slaves (as in 47,1), but the entire household subjected to the pater familias; cf. NORDEN 1912, 140wn1.

44,5 **temeraria et repentina**: a clear echo of the first chapter of the speech; cf. 1,1 *temeritatis*; 1,4 *repentinae*; and the similar indication of short term in 1,5 *dies abhinc quintus an sextus*. All of this serves again as an excuse for the defendant.

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[1]. Only the following *nec ab illis negari potest* (44,4) might be taken as implying an earlier denial by the slaves here. But that is not the only way to explain the negation in *nec* (44,4); to *nec ab illis* we can add *nec ab aliis* (*nec a uobis*) in our thoughts.

44,6 **in oppido**: at Oea, as opposed to the countryside. The fourteen slaves possibly formed the *familia urbana* of Pudentilla's house in town; cf. PAVIS D'ESURAC 1974, 93.

ad centesimum lapidem: one hundred miles from Sabratha, the place where the trial takes place. According to DI VITA 1968, 189wn5 this location cannot be to the west or to the south, where there is already desert, but only to the east, some 60 miles east of Oea, in the territory of Leptis. However, we should not expect full topographical precision here. The round number may even have been exaggerated as a further justification for Thallus' absence.

exul est: B/O propose *exul Oea est*, but the emendation by HILDEBRAND for *exoleis* involves less change and is preferred by most other editors.

curriculo: either 'at a run' as in 63,4 *iussi curriculo iret aliquis*, or 'with a chariot' (cf. OLD sv. 1a and 5). Given Thallus' inability to stand on his feet for a long time, the second possibility would at least add a relevant detail. Although Thallus is said to be sent for, nowhere in the speech will he actually appear to be present.

44,7 **turpissimum puerum...**: another brief description of Thallus, but a less specific one than in 43,9. Some of the elements actually recall the accuser Aemilianus himself, as MCCREIGHT 1991, 188n8 rightly notices: notably *barbarum* and *rusticanum* (cf. 10,6).

44,8 **cuius caput - amiciat**: almost unnoticedly, Apuleius drops two more accurate details on the magical procedure of using a boy as a medium. Both touching the head to transmit the magical power and the use of linen clothes are well attested: see ABT 1908, 188-90.

44,9 **tenerem**: whereas everybody shuns the frightening epileptic, Apuleius presents himself as knowing no such fear and touching the boy. This underscores his status as a scientist and a philosopher.[1]

oculos trucis in te...: a powerful evocation of an epileptic attack of Thallus. Distortion of the eyes, emission of foam from the mouth, clenched fists, and shaking of the head: all are possible symptoms; cf. TEMKIN 1994, 40-2.

There is a remarkably threatening tone in the passage, even in its repeated sound of hissing (esp. the five verbs on *-isset*). While Apuleius is holding the boy, Aemilianus becomes involved too: the boy's eyes are menacingly directed at him, the foam is spat on his face and he collapses in Aemilianus' arms. The last two elements would literally 'contaminate' him in a quite shocking manner.[2] The first element is even more revealing: an epileptic's eyes during a fit are described as 'either turned inward, or glassy and immobile first, then twisted and distorted' (TEMKIN, 41-2) but not as menacingly pointed at one person like an 'evil eye'.

In view of the notion of epilepsy as a contagious illness, and of the already existing similarity of appearance between Thallus and Aemilianus (44,7), this may be called a piece of verbal magic: these words turn Aemilianus into a victim, thus becoming like the boy himself. He would even literally be spit at (*faciem tuum... conspuisset*), just as the epileptic Thallus was in 44,2. Personally, Apuleius keeps cleverly out of range by presenting the scene as unreal.

[1]. It may even suggest the professional, unselfish attitude of a doctor, touching his patient at the risk of contamination.

[2]. For Aemilianus, a collapse of Thallus in his arms would have further consequences, such as receiving kicks of the boy's legs or being literally defiled by his urine or excrements. For these and other symptoms of an epileptic fit, see TEMKIN 40-2. They are left out by Apuleius, but as they were well known to occur, they may have been in the mind of the audience.

45,1 **XIIII - exhibeo**: this is the third time within just a few lines that both the number fourteen and the verb *exhibere* are mentioned; for the verb cf. 44,5 and 44,7. Both words will soon be mentioned for the fourth time, in 45,1 and 45,6 respectively. Again and again, the defendant points at the slaves whom he *is* presenting in court, thus trying to compensate for Thallus' absence.

quaestionem: whether this questioning could take place under torture or not, seems unclear. Normally, slaves could not be forced to testify against their masters, but ELSTER 1991, 140-1 points to some cases in the *Met.* where this rule is clearly not followed.

olim abesse: by now, Apuleius no longer points out that Thallus has been sent for (cf. 44,6). As a matter of fact, the boy will remain absent during the entire speech.

45,2 **carmine - dicis?**: as on earlier occasions, Apuleius does not dispute the fact (Thallus' falling down in his presence), but rejects the explanation given by the accusers. The allegation that he used a *carmen* or *carmina* to cast a spell on Thallus (as referred to in 42,3; 43,7; and 44,1) is now countered with various arguments: there is no evidence for it (*puer nescit*), there is a better explanation (45,2-3), and *carmina* are unnecessary (45,4-5).

The speaker leaves some room for doubt here. He has acknowledged the relevance of *carmina* in divinatory rituals; see 42,7 and 43,3. Moreover, he does not explicitly state that the allegation is *untrue*.

45,4 **quod si magnum putarem...**: though starting on a note of irony, this argument appears serious: to test people on epilepsy, there are simple, innocent means which provoke an attack and make them fall down. These methods are adopted both by doctors and by customers at the slave market.

incensus gagates lapis: the use of this stone, probably the jet, is attested by Plin. *Nat.* 36,142 *deprendit sonticum morbum et uirginitatem suffitus*. Some other parallels from late sources are quoted by ABT 1908, 190-1 and HILDEBRAND.

45,5 **orbis a figulo circumactus**: a moving potter's wheel, which makes an epileptic feel dizzy at the sight of its whirling movement (*uertigine sui*). As such, *uertigo* may also refer to the patient's sensation of dizziness; that is how this passage is interpreted in OLD s.v. 2. However, the added *sui* makes the primary sense more likely: a spinning movement of the wheel itself.

figulus... magus: given the preceding reference to P. Nigidius Figulus in 42,7, this is likely to be a pun on this famous name; for the suggestion cf. BRUGNOLI 1967.[1] Nigidius' reputation as an expert in occult matters has the paradoxical effect that the contrast of *figulus* and *magus* is virtually resolved.

45,6 **ego...**: as a counterattack, Apuleius challenges his opponent to mention the names of those who witnessed the alleged séance with Thallus. Apparently, the only name given is that of Sicinius Pudens, who is not only the formal accuser but also just a little boy;

[1]. BRUGNOLI also refers to the Commenta on Luc. 1,639 and August. *C.D.* 5,3, where Figulus' name is said to be derived from an astronomical proof deduced by him from a *rota figuli*, and suggests that Apuleius alludes to the same biographical tradition. His suggestion, however, that Suetonius' life of Nigidius was the source, remains hardly more than speculative.

the denigrating *puerulus* was already applied to him in 41,2 (and to Thallus in 45,1). Naturally, the refutation of this point is easy enough.

45,7 **cuius pueritia - refragaretur**: B/O remain undecided whether the *religio* of the alleged rite or the *religio iurisiurandi* is meant. The second option is generally favoured by translators, and seems more natural in this context of 'credibility'.[1]

45,8 **ex sacro... dementire**: the section is concluded on a farcical note: the image of Aemilianus gone mad after attending a séance, and the suggestion that the whole argument is just a boy's game played by Thallus and Pudens, with the ensuing question whether the enchanter (i.e. Apuleius himself) was a boy too.

46,1 **murmure explosum**: the dominant association is theatrical: the public drives the actor off the stage by showing its discontent (cf. OLD s.v. *explodo* 1). This is confirmed by the verb *frigere*, on which HILDEBRAND notes: 'ita dicuntur proprie actores, musici, rhetores, qui plausum non ferunt et displicent.'

It must be added that *murmur* is an important term in magic; see BALDINI MOSCADI 1976. The word will return shortly, in 47,3 *magia ista... murmurata*. This second association would add a note of threat directed at the prosecution.

pueros alios: as the case is presented, this refers to other *pueri* not mentioned until now and actually said to be absent.[2] The following *spe libertatis* proves that they were slaves.

46,2 **audio**: the rather unspecific verb does not refer to a formal statement made before the judge, but to news received informally or some rumour spread outside court (see the following note).

confirmatos ad mentiendum: the passive form, with no agent specified, is invariably interpreted as follows: the accusers have bribed some of their own slaves to bear false witness against Apuleius (cf. 58,1 for a similar case of corruption). However, it is difficult to see how such slaves could plausibly argue to have been enchanted by Apuleius. More importantly, this leaves unexplained why they cannot be produced.

The obvious alternative is that, according to the accusers, *Apuleius himself* promised freedom to some slaves, owned by either himself or his friends, to bear false witness in his defence, that is, to deny the allegations of having been enchanted by him.[3] This would perfectly account for their ultimate unserviceableness as witnesses for the prosecution, and so for the embarrassment felt by Tannonius and Aemilianus (46,4-5) at being tackled about the issue.

[1]. The legal situation is not quite clear. According to AMARELLI 1988, 122wn40, Roman law did not permit the accuser to use witnesses aged under twenty. But whatever the law, Apuleius is manifestly *not* saying that the boy's minority would be an obstacle to his testimony, as AMARELLI wrongly states. The word *religio* does not refer to strictly legal matters, but to higher, religious or moral, principles.

[2]. Nonetheless, one may be tempted to think of the *pueri* of the poems in c.9, especially since their real names were not mentioned (cf. on 10,2); for the present, the challenge *produc, nomina qui sint* (46,3) remains unanswered.

[3]. This possible interpretation has remained largely unnoticed. COCCHIA 1915, 72 mentions the idea that Apuleius may have corrupted slaves, but in his view there is a connection with the manumitted slaves in c.17. Such a link is unlikely, if only because the slaves referred to in 46,2 appear not to have been set free at all.

46,3 **pollicitu's**: F has *pollicitus*, before which Φ has *es*. Editors either keep *pollicitus* (explained as *pollicitus es*) or print <*es*> after it. Another option is briefly mentioned by B/O: the form of F can stand for *pollicitu's*, with aphaeresis of *es*. This phenomenon occurs in comedy; for some examples see the even clearer case of 103,3 *sectatu's*.

mea aqua: this challenge is modelled on a Greek example, used in Dem. 18,139 *νῦν δειξάτω ἐν τῷ ἐμῷ ὕδατι* ; 19,57 and 57,61; see further Wankel on Dem. 18,139. For the water-clock cf. on 28,1.

46,4 **quid taces**: as in 33,6 (*infantiam*), the prosecution falls silent. This ultimate orator's disgrace befalls both Tannonius and Aemilianus (46,5). As a matter of fact, this is the last instance in the speech where we hear of Tannonius Pudens (cf. *Introduction*, A.2 (2)). Brief references to the opponents' appearance are a common invective device; cf. e.g. Cic. *Phil.* 2,84 *apparet esse commotum; sudat; pallet.*

nescit quid dixerit: editors commonly adopt Van der Vliet's conjecture *didicerit*, but this would anticipate a point made below in *mandaueris*. We can retain the reading *dixerit* of Φ, which remains closest to F's obviously incorrect *dicerit* and makes excellent sense: Tannonius 'does not know what he has said'; see also HUNINK 1996, 161-2.

quod si hic...: the person to whom Tannonius presumably turned around, is now addressed himself.

quid aduocato tuo mandaueris: a further insult of Tannonius: the suggestion that he was taught what to say (and then forgot it). It specifically alludes to *mandatum* as a judicial term for 'carrying out a specific task without payment;' in dealing with an honourable Roman *aduocatus*, the appropriate verb was not *mandare* but *rogare*. This point is made by NORDEN 1912, 177-8.

46,5 **hocine tantum**: B/O in their Addenda propose to correct this to *hocine tandem* because of the following *tantum uirum*. This, however, is not reason enough to change it.

46,6 **uerbo prolapsus**: after some easy, sarcastic remarks comes a clever pun on 'slipping and falling',[1] which is particularly expressive in a context of epilepsy.

exhibui: another case of *exhibere* (cf. 45,1), which stresses again that Apuleius, at least, has produced the slaves who had been demanded.

47,1 **de XV seruis**: most of the chapter consists of sarcastic questions and paradoxes. Their basic point is the incongruity of a large number of slaves where 'secret' magical practices are concerned. To make his point, Apuleius must give a convincing picture of how magic works. The number fifteen is mentioned no less than five times in the chapter. It subtly makes Thallus part of the argument, although he is still absent.

de ui: comparisons of magic to other crimes were made earlier in 26,8 and 32,2.

47,3 **res... legibus delegata**: a description of magic inevitably betrays some knowledge of the phenomenon. To minimize the danger, Apuleius starts by pointing to the law in general. This is followed by a reference to the venerable laws of the Twelve Tables (5th cent. BC).

propter - frugum inlecebras: there are two fragments of the relevant clause: *Lex XII* 8,8a *qui fruges excantassit...*; 8,8b *neue alienam segetem pellexeris*. These have

[1]. OLD quotes our passage s.v. *prolabor* 6 'to fall into a mistake or delusion', but others senses appear relevant too, such as 3 'to slip out' (of a remark), or 2 'to prolapse' (a medical term, used of internal organs). Most important, however, is the literal sense 1 'to slide or slip forward'.

been preserved by Plin. *Nat.* 28,18 and Serv. *Ecl.* 8,99. That the laws of the Twelve Tables prohibited putting a spell on another's crops is also attested by Sen. *Nat.* 4,7,1[1] and August. *C.D.* 8,19. Cf. further MOMMSEN 1889, 639; ABT 1908, 9-10 and 191-3; NORDEN 1912, 61wn3; AMARELLI 1988, 131-2 and GRAF 1994, 52-4.

Putting a spell on crops is obviously not what Apuleius had been accused of. The Tables contained another clause on magical incantations against persons (8,1 *qui malum carmen incantassit*...), but that is clearly not alluded to here. For Apuleius, the Twelve Tables merely provide a safe, traditional starting point for a picture of magic.

incredundas: the word occurs only in Apuleius. Its natural sense must be 'not to be believed, incredible' (OLD). But Apuleius can hardly be rejecting *the existence* of this sort of magic,[2] and so the word seems to express admiration: 'incredibly powerful'. This is confirmed by *Fl.* 15,15, where Pythagoras is initiated by the priests of Egypt in *caerimoniarum incredundas potentias, numerorum admirandas uices*...

occulta... tetra...: a picture of magic, reinforced by powerful rhythm and sound effects. The practice of magic is said to be secret, abominable, and frightening, hidden in night and darkness, and it involves murmered spells (for *carmina* see on 45,2; for *murmur* see on 46,1). Magic requires the absence of priers and the presence of as few witnesses as possible. All of these elements appear conform to the ancient rules of magic; cf. ABT 1908, 193-7. The last feature (concerning witnesses) is the key element for the argument here.

47,5 **nubtiaene - fuerunt?**: this sarcastic question achieves a special effect, considering the background of the trial: the marriage with Pudentilla, which was already mentioned in 22,5 (for the wedding ceremony, see 87,9 ff.)

quasi XV uiri sacris faciundis: an ironical allusion to the board of priests of Apollo (cf. on 42,8 with note). It is triggered not only by the number fifteen, but also by *sacrum*.

47,6 **ergastulum**: 'a kind of prison on a large estate to which refractory or unreliable slaves were sent for works in chain-gangs' (OLD), and hence also a collective term for a group of such slaves (id. s.v. b., with examples). *Vincti* therefore refers to a special group of slaves, and the allusion adds an unpleasant note.[3]

47,7 **gallinas**: it had apparently been argued that Apuleius used hens for some ritual. Hens were actually used in chthonic offerings; see B/O and ABT 1908, 197-8. Surprisingly, Apuleius does not seriously discuss the point, neither here nor elsewhere.[4] Instead, he merely dismisses it by means of two jokes, the latter being a true piece of slapstick ('hens knocking Thallus down').

1. *Et apud nos in XII tabulis cauetur, ne quis alienos fructos excantassit*. B/O print the last five words as if it were another quotation, but modern editions of the laws of the Twelve Tables do not include this as a genuine fragment.

2. This would not suit his purpose: in this passage the authority of the laws is not questioned but underscored, and black magic is not discussed as being unreal but pictured in frightening terms. In general, Apuleius does not deny the existence of black magic (cf. also c.26).

3. Of course there is no direct menace: the accusers are not slaves and cannot be sentenced to emprisonment in an *ergastulum*; cf. RE 6,1,431 s.v.

4. The only other time he mentions *gallinae* is in *Met.* 9,33, in the context of a frightening portent. There are *gallinulae* as innocent food in *Met.* 2,11.

48,1 **mulierem liberam...**: a freeborn woman is said to have undergone the same as the slave Thallus. The section leaves at least two important questions unanswered: why is her name not given? Why does she not appear in court to bear witness?

eiusdem Thalli ualetudinis: B/O insert *ac* between *eiusdem* and *Thalli*, whereas Casaubon proposed the correction *Thallo*. If we keep the text of the MSS, a genitive *Thalli* following *idem* would be difficult to defend. But with MARCHESI and other Italian translators we can take *Thalli* with *ualetudinis*: 'having the same "Thallus' disease"', i.e. epilepsy. This solution is simple and makes excellent sense.

48,2 **palaestritam, non magum**: a similar joke was made on poetry and magic at 9,5 *nomine erratis, qui me magiae detulistis?*

48,3 **Themison medicus**: doubtlessly the same person as the Themison of 33,3 and 40,5.[1] This appears from his profession (33,3 *medicinae non ignarus*), his activity of providing Apuleius with interesting scientific material, whether it be fish or patients (33,3 *ultro attulit ad inspiciendum*; 40,5 *attulit*), and his having been questioned by the judge (33,3 *ut ex ipso audisti*).

quaerente te: this is one of the comparatively rare cases where a Roman judge actively inquires into his case by questioning a witness. This practice emerged only gradually during the Imperial period; cf. MOMMSEN 1889, 422wn2. One wonders why the *mulier libera* had not been called for questioning as well.

obtinnirent: the verb, occurring only here, refers to ringing of the ears. This phenomenon can also have a magical association; cf. the case adduced by ABT 1908, 276. Apuleius will give his strictly medical explanation later, in 51,4.

48,5 **a laudibus tuis tempero**: given the many instances where Maximus was flattered, this is an understatement. At the same time, *quanquam - tempero* delivers the message that more lavish praise is about to follow.

ob causam istam: a slightly dismissive note. The suggestion is that this trial is just a passing element in the relation of Apuleius and Maximus.

48,7 **responderunt...**: now follows a lively repetition of short questions and answers, supposedly exchanged before Apuleius' defence. As a rule we ought to mistrust such verbatim quotations by a defendant, but since all speakers are attending the trial, their words can hardly have been twisted here.

48,8 **pulchre et perseueranter**: to modern readers the judge's questions hardly seem brilliant: he just asks for the motive. But apparently not every Roman judge reached this stage. Apuleius' rather long-winded explanation clarifies the issue for the entire audience. The schematic phrase *causas quaeri, facta concedi* is a fitting summary of his own main line of defence.

causidicos: the explanation is not quite correct, based on *causa* as 'ground' or 'motive' (OLD s.v. A 6-7) rather than as 'legal case' (id. A 1). But this does not necessarily mean that Apuleius is making it up for the occasion. It is clearly not a pun made at the expense of the prosecution,[2] and actually looks like a serious attempt at etymological explanation in the traditional Roman manner.

48,12 **non tam purgandi...**: the following physiological account of epilepsy is a legally irrelevant digression; it can only be justified as an interesting topic for the erudite

1. Surprisingly, this is denied by Courtney on Juv. 10,221.

2. Tannonius was ironically called *causidicus summus* at 33,6, but there is no clear echo of that passage here.

judge. It is bound to flatter him and it must have been hard for him to cut short. Of course, the long and complex account is also designed to impress the general audience, and underscore the defendant's status as a learned *philosophus Platonicus*. It also serves to divert the attention from possible weak points of the defence (cf. on 48,1).

dignum auribus tuis: a rather easy joke about the ringing ears of the woman: what Maximus is going to hear will be far superior to *tinnitus*.

48,13 **admonendus... non docendus**: an ostentatious allusion to the Platonic theory of *anamnesis*, as in 12,5. Nonetheless, it seems to have remained unnoticed by scholars.

49,1 **Plato philosophus**: by now, the added word *philosophus* does not provide any new information on Plato. It functions as a praising epithet and sets the tone for the passage to come: a philosophical discourse on the causes of disease, in particular the cause of epilepsy.

Timaeo: this is the first reference to a Platonic dialogue mentioned by name. The difficult *Timaeus* is not likely to have been widely read among Apuleius' audience. Apuleius faithfully uses Platonic theories as expressed in this work; for an analysis see HIJMANS 1987, 418-22. Another Apuleian passage on health and illness explained in terms of the *Timaeus* is *Pl.* 1,17-8 (215-8); on that passage see BEAUJEU's notes and HIJMANS 1987, 460-1.

caelesti: naturally, the word pays tribute to Plato's eloquence, but its literal meaning is operative too, given the context of a divine activity (see next note). For a similar case see on 12,1 *diuina Platonica*.

molitus: constructing or devising the world is normally a privilege of the Gods. Thus, Apuleius is almost deifying Plato and his work. For the use of *molior*, cf. Tert. *Apol.* 21,10 *ediximus deum uniuersitatem hanc mundi... molitum*; 21,11 *per quae omnia molitum deum ediximus*; for more parallels from Tertullian see TLL 8, 1361, 50ff.[1] The text as given by FΦ requires no change, like *molitur* (Rossbach) or *molitus* <*is*> (Ellis).

49,2 **animi trinis potestatibus**: on the three parts of the soul, cf. *Ti.* 69 e - 71.[2] Apuleius also discusses it in *Pl.* 1,13 (207-8) and 1,18 (216) *tripertitam animam idem dicit*. See further HIJMANS 1987, 452-3 and, for the use of *potestates*, REGEN 1971, 89n279.

cur quaeque membra...: cf. *Ti.* 69 e - 81 a. Plato' next theme is decay and death, which leads up to his discussion of causes of disease in 82 a - 87 b (with the three causes of bodily disease in 82 a-b; 82 c - 84 c; and 84 c - 86 a respectively).

49,3 **primordiis**: a case of influence of Lucretius, according to MORESCHINI a.l. Lucretius, of course, uses the word rather differently as a technical term for atoms.

his duae aduorsae: i.e. the dry and warm elements. The theory of four elements was so common that anyone could easily supply this.

49,4 **illa quae - mixta sunt**: it is not clear what this refers to. There is no parallel for the phrase in the Greek model; cf. HIJMANS 1987, 420n91.

[1]. The Apuleian passage is ranged by TLL 8, 1359, 71ff under the heading 'carmine vel oratione tractare.' This, however, is an uncommon meaning, for which Calp. *Ecl.* 4,83 and Stat. *Ach.* 1,19 are quoted. Worse, it is so weak that it would spoil the point here.

[2]. MOSCA and AUGELLO uncritically copy MARCHESI's patently wrong explanation as 'l'intelligenza, l'immaginazione, la memoria,' which does not correspond at all to Plato's text. Apuleius' own specification at *Pl.* 1,18 (216) is: *rationabilis pars*, *excandescentia* (= *inritabilitas*), and *adpetitus* (= *cupiditas*).

uisceris... ossi: two uncommon forms: the singular of *uiscus* and the old noun *ossum*; both may have a flavour of medical language, as CALLEBAT 1984, 144n6 argues.

49,5 **concretamenta**: the noun is newly formed, apparently to balance *incitamenta* in rhythm and sound; cf. FACCHINI TOSI 1986, 126-7 and MCCREIGHT 1991, 215. Philosophically it is not entirely accurate; cf. HIJMANS 1987, 420n92.

50,1 **praecipuast**: this is the almost certainly correct emendation by HELM of *praecipua si* in F. A case can be made for the older correction *praecipua sit* in Φ, but the subjunctive would be hard to explain.

morbi comitialis: for the name of the disease, see on 43,9. On the rhetorical function of the complex physiological digression, see on 48,12.[1]

cum caro...: in the Platonic theory epilepsy is not attributed to demons (cf. ABT 1908, 198-9) but explained rationally; see *Ti.* 85 a-b. That passage is summarized as follows by TEMKIN 1994, 54: the disease originates in the head, where the most divine part of man's soul is revolving; when a white phlegm, mingled with black bile, disturbes its circulation, the sacred disease results.

Plato's brief statement had a strong influence on later medical authors. Here it has been elaborated by Apuleius into a more detailed account, including references to Aristotle and Theophrastus (51,4). This is what Apuleius says: if a whitish and humid moisture, caused by decomposed flesh, flows forth on the outside of the body, it produces skin eruptions on the chest; if this is all that happens, it may prevent epilepsy; but if the humor turns inside and is mixed with black bile, it will pervade the veins, spread over the brain, and debilitate the 'regal' part of the soul, especially when the patient is awake. For the summary cf. TEMKIN, 59-60; further GAIDE 1991, 39-40. On Apuleius' method of amplification see also HIJMANS 1987, 218-22, who prints this version next to the corresponding parts of the Greek model. On ancient theories of epilepsy in general: TEMKIN, 51-64.

50,2 **omnimodis**: the word does not occur as an adjective before Apuleius, who also has *unimodus* in *Pl.* 2,5 (227). As frequently in contexts where he is following Greek models, the passage contains a number of other new and rare words, which add to the elevated, scientific tone and must have struck the audience with awe.

50,3 **aegritudinem... turpitudine**: even in a complex discussion of physiology Apuleius is careful not to miss any opportunity for sound effects.

50,4 **regalem partem - regiam insedit**: cf. Cic. *Tusc.* 1,20 *Plato... principatum, id est rationem in capite sicut in arce posuit*. The image of the head as an *arx* is traditional and goes back to Plato's *Timaeus* itself (70 a); many parallels have been collected by Pease on Cic. *N.D.* 2,140. In Apuleius' works cf. *Pl.* 1,13 (207) *rationabilem, id est mentis optimam portionem, hanc ait capitis arcem tenere*. Reason also appears as Queen in *Pl.* 1,18 (217) *dominam illam reginamque rationem*. For Apuleius' imagery in regard to the body, cf. on 7,5.

50,6 **repentino mentis nubilo**: an expression for loss of consciousness. HIJMANS 1987, 458 compares *Met.* 10,28 *repente mentis nubilo turbine correpta* (259,15) and 8,8 (183,4-5) *obnubilauit animam*; cf. further OLD s.v. *nubilus* 5.

50,7 **non modo maiorem...**: for the names of the disease see on 43,9.

[1]. Some scholars add bitter comments, e.g. NORDEN 1912, 40: 'Jedenfalls ist der Hörer wiederum mit eleganter Nonchalance gründlich düpiert.'

diuinum: Plato's explanation that the name refers to reason as man's most divine and sacred part (*Ti.* 85 a-b), is of course wrong. The disease was originally thought to be caused by evil spirits taking possession of the body; see ABT 1908, 198-9 (for that notion in Apuleius' own days, see on 43,9 *caducus*). For various ancient explanations of the element 'sacred', see TEMKIN 1994, 3-8.

eam uiolet: according to FRASSINETTI 1991, 1205-6 *eam* is superfluous, and he suggests *inuiolet* for *eam uiolet*. There is, however, no reason to change the text. On the contrary, the repeated pronoun is typical for Apuleius' style (see on 4,8).

51,1 **agnoscis**: probably another allusion to *anamnesis*, as in 48,13.

51,2 **an esset mulieri illi...**: after having set out the Platonic theory at length, the speaker returns to the subject of his examination of the epileptic woman, and adduces some more sources. We may observe a minor inconsistency here: of the four points specified (head, neck, temple, ears), only the last one had been said to be Apuleius' concern (48,3).

51,3 **dextera corporis ualidiora**: for the idea cf. Arist. *Pr.* 958b16ff; *E.N.* 1134b34ff; Plin. *Nat.* 7,77. Cf. further ABT 1908, 199-201, who also points to widespread superstition about the right-hand side being the favourable side.

51,4 **Aristoteles in problematis**: the *Problemata* were earlier referred to in 36,5. The statement on epileptics allegedly by Aristotle does not figure in the work as we have it; the testimonium is Arist. Fr.240 (Rose, p.181).

quibus aeque caducis: 'those who are equally epileptic'. *Aeque* serves to select this group of epileptics, who are struck first in the right side of the body, from epileptics in general. There is no need to adopt the emendation *quibuscumque*, as most editors do. *Aeque* is also kept by MOSCA and AUGELLO.

51,5 **Theophrasti**: mentioned before in 36,3 (also in close connection to Aristotle) and 41,6. His book on epilepsy has not been preserved. This testimonium is Theophr. 362 B (and 328 5b) (Fortenbaugh); cf. commentary a.l. by Sharples (p.77-8).

51,6 **de inuidentibus animalibus**: Theophrastus' work on jealous animals is not extant either. This testimonium is included in Theophr. 362 B (and 350 7d) (Fortenbaugh). That Theophrastus commended the use of skins of serpents is also said by Plin. *Nat.* 8,111; ABT 1908, 202 also quotes a passage from Greek paradoxographers. For ancient therapeutic measures and remedies against epilepsy, see TEMKIN 1994, 66-78.[1]

stelionum: the reputation of this kind of lizard was so bad that the word could be used for a treacherous person; cf. OLD s.v. *stel(l)io* 2.[2]

51,8 **haec idcirco commemoraui...**: some explanation seems due, especially after the rather irrelevant example of the lizard. As usual, Apuleius presents himself in the company of famous philosophers rather than that of any other group. Three things seem significant, as HIJMANS 1987, 421-2 points out: Apuleius has read much more about the disease; the selection of quotations was dictated by his rhetorical intent; and finally, practical application of this knowledge is not foreign to the philosopher.

medicis aut poetis: for the first class we could think of Hippocrates, for the second, of Nicander. The former is not mentioned in the speech, the latter is, in 41,6.

51,9 **curationis gratia**: this goal of Apuleius was made explicit already in 48,1 *quam - curaturum*; it is repeated in 51,10 *morbis mederi*. We may notice that this element of

[1]. TEMKIN does not specifically mention this use of serpents' skins.

[2]. OLD quotes Psyche's words at Apul. *Met.* 5,30 (127,12) *quibus modis stelionem istum cohibeam?*

curing was absent as far as Thallus was concerned, although Apuleius suggests the opposite by mentioning the boy and the woman together in 51,10.

ac mea ratiocinatione: editors commonly adopt HELM's emendation *ad <me et> mea* for *ad mea* of the MSS. However, B/O are quite right in defending Fulvius' correction *ac mea*, which involves less change.

51,10 **magi - mederi**: Apuleius' formulation is misleading. Of course it is not the first aim of a magician and *homo maleficus* to cure the sick. Nevertheless, there are strong links between magic and medicine, a point which is now dissimulated; cf. ABT 1908, 202-5.

caducas calumnias: a pun on *caducus*, exploiting its sense of 'epileptic' (OLD s.v. 1b) and some of its other senses like 'falling' and 'slipping'; OLD quotes our passage s.v. 9 'unavailing, vain, illusory, futile'. The pun is underscored by the allitteration. Cf. earlier 25,6 *caduco incendio*, and further below on 52.

52,1 **tu potius caducus**: the last word triggers a strong attack directed against Aemilianus. The chapter takes up many invective elements used before (insanity, fury, lying, false accusation of the speaker's innocence). It contains a number of comparisons between Aemilianus and Thallus,[1] each of them based on a specific word or pair of words. The vocabulary is carefully chosen to produce a series of amusing contrasts. Meanwhile, these words also carry a more menacing message: they suggest that Aemilianus and Thallus actually have many elements in common; cf. above on 44,9.

collabi... corruere: the puns on slipping and falling carry on the notion of the main word *caducus* in a literal manner. By association, this leads on to what happens to epileptics: *despui* (cf. 44,2),[2] which is then compared to the detestation presently assumed to be felt for Aemilianus.

detestari: used in a passive sense, which is rare, as B/O points out. The word balances *despui*; cf. FACCHINI TOSI 1986, 112-3.

52,2 **quod non domi contineris**: another subtle excuse for Thallus' absence. A *furiosus* was usually kept in the house and entrusted to the special care of a family member; for the legal aspect of *cura furiosi* see NORDEN 1912, 133n1. Rhetorically, this element is used to contrast stability with to constant drive (*quoquo te duxerit*).

contende, si uis: of course, Aemilianus does *not* want to make the comparison. It is Apuleius who wants to do so.

non permultum interesse: this explicitly points to the similarity of Aemilianus and Thallus. The following nuances (*nisi quod...*) are hardly of any help to the accuser: wherever he differs from Thallus, he comes off worse.

52,3 **torquet... contrahit... inliditur**: three puns made by means of ambiguous verbs: they have their literal meaning as far as Thallus is concerned, but a metaphorical meaning whenever Aemilianus is meant. For Thallus twisting his eyes, clenching his fists, and falling down, cf. 44,9. Aemilianus' case is worse: he distorts truth, assembles lawyers, and dashes himself against courts of law.

The last element takes up the motif of 'falling', as in Thallus' falling and hitting the pavement. At the same time, the verb takes on a more aggressive note in its

[1]. It may be observed that the speaker suddenly exchanges the epileptic woman for Thallus again. For his rhetorical purposes the ridiculous, silly, ugly slave proves a better point of comparison.

[2]. That passage did not specify a place, like *in cubiculo* in our passage; this sees to have been introduced here only to serve as contrast of *isto splendidissimo coetu*. The same happens a few lines below: *pauimentis* (52,3) does not occur in 44,9 and is added here as the contrast of *tribunalibus*.

passive form: Aemilianus meets resistance from the court or, even worse, is crushed by it; for this last, most literal sense, cf. OLD s.v. *inlido* 1.

52,4 **uis morbi**: by now, Aemilianus is even called 'ill'. This puts him, again, dangerously close to Thallus (cf. on 44,9 and 52,1).

falsum pro uero: after the savage, shrewd attacks, the concluding sentence seems surprisingly weak. It merely repeats the rather simple contrasts of false and true, fiction and fact, innocence and guilt, which occur throughout the speech.

53-56 Magical practices (III): the linen cloth

You have also accused me of keeping certain objects wrapped in a linen cloth stored near Pontianus' household gods. But you do not even know what these things are! Even Pontianus and his servants do not know. So how can you accuse me on this point? But even if you could be more specific, I would deny a magical function of any object I kept. You will ask: 'what were the things you kept?' But the accuser should not ask; he should produce evidence for the charge. Anyway, I will reveal the nature of the objects: they are religious symbols and souvenirs of my experiences with many mystery cults and religious ceremonies. The linen has a religious significance too. Aemilianus, being an atheist, is not likely to believe this. I will say more about these objects only to the initiated.

After the long passage about epilepsy, the section concerned with the third main charge of magical practices is relatively short. It deals with what looks like a minor remark of the prosecution, perhaps not even included in the official charges, aimed at raising doubts on the private life of defendant: he is said to have preserved some mysterious objects in a piece of linen, safely stored in the library of someone else, namely Pontianus.

Apuleius seizes the occasion to ridicule the accusers for their ineptitude and ignorance. He highlightes the fact that they 'don't know' what they are accusing him of, which enables him to make a number of points, including the formal one that the accuser must produce specific evidence, not merely ask questions. Furthermore, he concentrates on the linen *sudariolum* rather than its contents, and adds a number of puns on it. In the end Aemilianus' intentions are once more reduced to slander.

More importantly, the issue also enables the speaker to add some religious notes. Several times, religion and cults are what he focuses on. The most famous occasion is the autobiographical passage in 55,8, where he presents himself as one who is initiated in many cults and well versed in religious matters. As a proof his own speech on Aesculapius is adduced. The religious atmosphere is enhanced by the short explanation on linen as the traditionally pure material. By contrast, Aemilianus is lively pictured as an enemy of all religion. In his last remarks the speaker suddenly withdraws, suggesting he can speak only to those who, like him, are initiates. On this double strategy of ridicule and religious notes, and on the clever use of vocabulary, cf. McCREIGHT 1990, 56-60.

Speaking as he does, Apuleius manages to leave a fairly convincing, positive impression, without actually responding in detail to the charge: in the end we still do not know exactly what the objects were. Actually, they may well have been used for magical purposes. Several elements can give rise to suspicion: the identity of the objects is only partly revealed; they are kept veiled and stored in a secret place, in someone else's house, near sacred objects; cf. ABT 1908, 207-9; NORDEN 1912, 40-1. In general, since Apuleius confirms that he is familiar with *many* cults, it is highly unlikely that his experience would not extend to magical practices.

53,1 **quod praeterii**: apparently, the present issue could logically have been dealt with earlier in the speech. It may well be Apuleius' intention to shock the accusers, who probably felt relief at Apuleius' initial omission of the subject; cf. HIJMANS 1994, 1765. The phrase *quod praeterii* seems common courtroom-language; cf. CALLEBAT 1984, 150.

nescire... scias: the contrast of the accuser knowing and not knowing easily links this passage to the former one, which had ended on a similar note; cf. 52,4. Both passages have the word *criminaris*.

53,2 **sudariolo**: Apuleius is the first to use this diminutive of *sudarium*, which is a table--napkin or a handkerchief; cf. McCREIGHT 1990, 56wn96 with parallels for both.[1] Here, the diminutive is disparaging, suggesting that the matter is trivial; cf. id., 57.

The handkerchief motif also occurs in Shakespeare's *Othello*. This tragedy is one of the comparatively rare works of literature showing influence exerted by the *Apology*; cf. TOBIN 1982, esp. 28-9.

apud lares Pontiani: that is, at the place where Apuleius' elder stepson Pontianus celebrated his household gods. Some editors assume a cupboard must be meant (B/O; GWYN GRIFFITHS 1975, 332), but from 53,8 it clearly appears that the linen cloth was on a table (*mensa*) in the library. Elsewhere Apuleius uses *Lar* for a specific category of demons, cf. *Soc.* 15 (152-3), 17 (157); so there may have been some link with magic here.

53,3 **nemo tibi...**: the defendant eagerly takes the accuser's 'not knowing' as the starting point of a piece of invective.

furor - senectutis: a compact clause expressing contempt. Fury and old age are standard invective elements, which were used combined already in 28,6. *Acerbus* carries many generally negative connotations, sharing that of 'unripe' with *crudus*, as B/O point out.[2] In particular, *cruda senectus* recalls Verg. *A.* 6,304 *sed cruda deo uiridisque senectus*. The echo seems quite effective: the Vergilian line is about Charon, the mythical figure whom Aemilianus resembles so much (23,7; 56,7). *Misera insania* also ties in with the foregoing attack on him, where he was presented as suffering from a disease just like Thallus (cf. 52,2 *insaniam tuam*; 52,4 *tu, miser...*). The clause is given even more force by sound effects (especially of the harsh consonants *f*, *s* and *c*).

53,4 **paene**: by adding this word, the speaker openly allows himself to quote somewhat freely. An alert reader may now even expect a rephrasing which is not verbal *at all*. Its first sentence (*'Habuit - Pontiani*) is a faithful repetition of 53,2, merely replacing *sudariolo* with the synonym *linteolo*, and it may indeed reflect what had been said. But the rest of 53,4 is obviously rephrased as absurdly as possible.

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1. Curiously, one of the places where *sudarium* occurs, is Catul. 25,7, the same poem where the name Thallus is used (see on 43,8).

2. That Aemilianus is old but acts like a child was already made clear in the opening lines of the speech; see 1,1 *senem notissimae temeritatis*.

'habuit Apuleius quaepiam...': cf. on the issue of the mirror: 13,5 *'habet speculum philosophus...'*. The perfect tense (here and in 53,2 *habuisse*) indicates a small, but important difference: the issue of the *sudariolum* belonged to the near past. This is confirmed in 53,7: Pontianus was dead by the time of the trial.

53,5 **o pulchra argumenta**: Apuleius' first rephrasing has paved the way for some sarcastic comments and another, ironical version of the 'argument'.

scias - nescis: the contradiction of the accuser who does and does not know, started in 52,4 (and in fact running through the entire speech), now reaches a climax: the paradox that he knows that which he does not know.

stultitia euectus: the emendation for FΦ *stultitie uectus* is generally accepted, but the text of the MSS deserves at least serious consideration. HILDEBRAND defends *stultitiae uectus*, citing Plin. *Ep.* 4,27,2 for *uexit* instead of *euexit*: *me laudibus uexit*. The word *stultities* would be a neologism, but regularly formed: nouns on *-ia* often have equivalents on *-ies*.

53,6 **quippe qui - uidemus**: a general statement, which does not refer to any specific school or person. In fact, most ancient philosophic schools share a form of distrust of visual perception.

at tu - audisti: as we could expect, Aemilianus is pictured as adopting a view which is radically different from that of philosophy, and even absurd. *Neque audisti*, introducing a second form of sensual perception, seems to have been added not as a philosophical element but to enhance the rhetorical effect.

53,7 **si uiueret**: by now Pontianus had died; cf. 1,5; 2,1; 28,8. The exact date of his death cannot be established from the speech, but the final sections (c.94 ff.) suggest that it occurred relatively shortly before the trial. See also on 53,4.

inuolucro: another synonym for *sudariolum*, after *linteolo* 53,4. Yet another one is to follow shortly: *linteum* (53,8).

53,8 **eius loci**: a private library, given the fact that the servant is called *promus librorum*; cf. also 55,3 *bybliotheca*.

a uobis: 'on your side', referring either simply to the place he occupies in court, or to his support for the prosecution's cause; cf. OLD s.v. 14-14b. Most translators seem to follow the latter interpretation, but Apuleius does not provide a definite clue.

in mensa positum: the object was apparently not stored in a cupboard (see on 53,2) or locked in some sort of safe, but merely kept on a table in a locked room.

53,9 **magicae res...**: Apuleius now adds some sarcastic remarks, implying that the object cannot have been magical, since it was open to view and was entrusted to someone else, i.e. the librarian. However, the room was locked, and, more importantly, this librarian can hardly count as 'a total stranger'. Being Pontianus' servant, he may just as well have been an associate of Apuleius, with specific orders not to touch the object.

53,10 **contubernio**: living and studying together as friends, either as master and pupil or as fellow students, a relation which often developed into a lifelong friendship; cf. CHAMPLIN 1980, 45-6 and 78 with examples from Fronto; further GCA 1995, 125. In the case of Apuleius and Pontianus, the *contubernium* was not between equals, as appears from the manifest difference of age and social distinction between the two; cf. 72,3-4.

mecum uixit: not at the time when Apuleius had the object in question stored in Pontianus' library. Their common studying had taken place much longer ago; cf. 72,2-4.

53,11 **adsiduus**: whether this epithet is taken to mean 'constantly present' (OLD s.v. 1) or 'assiduous', 'painstaking' (id. 3b), in either case it indicates that the librarian was probably not so much an outsider as suggested in 53,9.

53,12 **intercepisses**: in combination with the trivial *sudariolum*, the official, rather militarily coloured verb adds a mocking note.

ego magicum negarem: this strategy was announced before in 28,2-4.

54,1 **finge quiduis**: the verb *fingere* has already been used a number of times in relation to the prosecution (cf. 21,1 *sed finge haec aliter esse...*; further e.g. 30,3; 34,5; 35,1).

54,2 **aut ego - imperatum**: Apuleius gives four alternative explanations: 1) the object is a substitute for something else (cf. OLD s.v. *subicio* 14); 2) it serves as a remedy; 3) it is used for a religious purpose; 4) it has been commanded in a dream. The third will turn out to be Apuleius' own explanation.

Contrary to what is suggested, the other explanations are not beyond suspicion. The first one remains remarkably vague: what does the object replace, and for what purpose? The very concept of 'substitution' has a rather magical undertone. This is even more true for the second, which, as ABT 1908, 209 argues, refers not to a normal medication, but to an object intended to achieve a 'sympathetic cure', which is a form of magic. The fourth is an expression for the practice of incubation, i.e. seeking healing in temples through dreams revealing the divine will;[1] although this does not count as magic, it may easily have been connected with it.

54,3 **reprehensum**: the reading of FΦ is retained here, as in the editions of B/O (although with some doubt) and VALLETTE. HELM prints *deprehensum*, the reading of some of the less important MSS.

54,4 **an rursus... dicas**: Apuleius now pictures the accusers as constantly asking further questions instead of supplying evidence. It may be observed that in reality, once the defendant has started his formal speech, the accusers could no longer pose any such questions; cf. HIJMANS 1994, 1765n183 (referring to MOMMSEN 1899, 429-30).

cognitum?: editors generally print a full stop. But since this sentence is the immediate sequel to the introductory question *Itane est, Aemiliane?*, we may well interpret it as a further question.[2] Accordingly, a question mark has been printed here.

54,5 **piscis... aegram mulierem**: a brief echo of the two preceding issues, about which Aemilianus had asked similar questions; cf. HIJMANS 1994, 1728n54. One of the speaker's aims is to remind his audience of earlier failures of Aemilianus and, presumably, of his own successful defence.

interrogare, quia nescis: a carefully prepared return to the initial point of 53,1-5, that the accuser 'does not know.' The combination with his present 'asking questions' condemns him to silence.

54,6 **hoc quidem pacto...**: for a similar argument, where an incorrect deduction is illustrated by various absurd examples, see 32,2-8. Here in 54,6-8 the presentation is different, with a strong emphasis on questions, which is due, of course, to the specific

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1. In Apuleius' own works we can compare *Met.* 11,5-6, where Isis reveals to Lucius his way to salvation; cf. GWYN GRIFFITHS 1975, 139.

2. It is conform to Apuleius' habit to 'cast back' elements of the accusation. In this case he would be answering questions through other (more effective) questions. On a minor note, it may be argued that the point sounds more powerful as a question than as a statement.

context. It can be observed that Apuleius' examples are not as absurd as they may seem; cf. the remarks on 54,7 and further GRAF 1994, 98-9.

omnibus - facessitur: the clause attempts to broaden the defendant's case into a more general issue, in which anyone might be accused. The tone becomes rather dismissive; cf. the added *forte*, and the jingling effect of the various verbal forms ending in *-asti*.

negotium: *negotium facessere* is a technical legal phrase, meaning 'bring a case against'; cf. OLD s.v. *facesso* 2; see also s.v. *negotium* 9.

54,7 **uotum - signasti**: B/O suggest that this refers to common wax tablets containing vows, fastened to the thighs of statues of Gods. But as ABT 1908, 210-1 rightly points out, the main allusion must be to a more suspicious practice, such as attaching folded or sealed tablets; cf. Lucian. *Philopseud.* 20.

tacitas preces: undoubtedly, loud and vehement prayer was regarded as the proper manner, cf. GWYN GRIFFITHS 1975, 352. By contrast, murmering was typical for magic, as was made clear in 47,3; cf. also parallels adduced by ABT, 211-3.

nihil precatus: this could be regarded with suspicion too: whoever has nothing to ask from the Gods, must know some other, less humble way to obtain what he wants, as ABT, 213 aptly explains.[1]

uerbenam: the word designates any branch of a tree used for religious purposes, but it also has a manifest link with magic:[2] Apuleius mentioned it himself in 30,7 among the Vergilean materials for magic.

54,8 **calumniator**: formally, a general statement on what 'a slanderer' might ask, but in fact a barely veiled attack on Aemilianus, whose charges were qualified as *calumnia* from the very start (e.g. 1,4; 2,2).

e cella promptaria: the paragraph ends on some comic relief; cf. Pl. *Am.* 156, where the phrase was jokingly used for a prison. Here, the implied comparison of a library to a store for food aims reduces the charge to a laughing matter, while the element of food ties in with earlier culinary allusions (in the section on fish).

55,1 **cuius modi**: FΦ read *cuiuscemodi*. This form is well-attested in Apuleius in the meaning of *cuiuscumque modi*; see GCA 1985, 159. However, it is never used interrogatively, which is what is required here. So the change to *cuius modi* (proposed by Krüger according to B/O and HELM, by Colvius according to VALLETTE) seems inevitable.

quantique sudores...: a etymological pun on *sudariolum*, starting from its normal sense of 'little handkerchief'; cf. also MCCREIGHT 1990, 57. Taken at face value, this would suggest that the innocent defendant is either in a cold sweat under the pressure of fear (cf. OLD s.v. *sudor* 1b, quoting our passage) or that he is working himself into a sweat (cf. ibid. 2). This obvious exaggeration[3] adds to the irony here.

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1. It may be added that there is also a touch of atheism here: to refrain from prayer implies a lack of respect for the Gods. This element will gain full force in 56,3-7, where it is launched against Aemilianus. Cf. 56,4 *nulli deo... supplicauit, nullum templum frequentauit*.

2. ABT, 287-8 says that *uerbena* (like the element of sacrifice) is more vaguely connected with magic than offering gifts is. He must have overlooked Apuleius' own statement in 30,7.

3. Apuleius never so much as hints at any anxiety he felt, and invariably suggests that he is rejecting the charges with supreme ease, in particular because of his mastery of language and philosophy.

55,3 **interrogas**: over and over again, the fact that Aemilianus is asking questions is repeated.

55,4 **habeam dicere**: for this use of *habere* cf. *Fl.* 6,12 *nihil habet adferre cur prandeat*; see VON GEISAU 1916, 274-5 and OLD s.v. 12c 'to have the wherewithal, be in a position (to).'

55,5 **neque - reuincar**: the remark is correct as far as the second alternative (55,4) is concerned: since no one has lifted the *sudarium*, it can be argued that it covered nothing at all. It is, however, difficult to see how Apuleius could have denied the fact that there was a *sudarium* in the library without contradicting the testimony of the librarian (53,8). Or is he insinuating that *unus libertus* would not count as a serious witness?

55,6 **Vlixi socii...**: an allusion to the *Odyssey*. The story on Aeolus' bag of winds, given to Odysseus and foolishly cut open by his comrades, is told at *Od.* 10,19-55. One may observe that Apuleius' example concerns an object with magical properties; cf. earlier Homeric allusions with a magical dimension in 31,5-7 and 32,5. For the verb *manticulor* see OLD s.v. 2 'to cut open (a bag or purse)'; B/O explain somewhat differently as 'to steal'.

55,8 **sacrorum pleraque initia...**: an often quoted key passage for the biography of the author. It clearly testifies his interest in religion and mystery cults, and his familiarity with several of them. Nonetheless, it contains remarkably few hard facts: Apuleius mentions only Greece and the cults of Liber (Dionysus) and Aesculapius, followed in 56 by a general reference to the Orphic and Pythagoric sects. For the present expression, cf. *Met.* 3,15 (63,8) *sacris pluribus initiatus*.

The rest of Apuleius' works provides ample evidence for his insatiable curiosity and keen interest in matters of religion, mysteries, and, for that matter, magic. Cf. e.g. *Met.* 6,2 (the mysteries of Eleusis) and *Soc.* 14 (148-9) (the variety of Greek and Egyptian cults).

Most conspicuous is *Met.* 11, which centers on the initiation of the novel's main character into the mysteries of Isis.[1] Of this cult, there is no trace in the *Apol.* There was an Isiac centre in Greece (at Corinth), which Apuleius may have visited, and it is often assumed that the Isis-cult is implied in our passage too; e.g. GCA 1985, 283. That is not unlikely, but there is no evidence in the text itself.

On Apuleius' religious interests in general, see e.g. WALSH 1968; GWYN GRIFFITHS 1975 (passim); BEAUJEU 1983; SCHLAM 1992, 11-3; SHUMATE 1996; and see also earlier on 43,2 (demonology). For a literary approach to 'I went in quest of wisdom'-tales, see WINKLER 1985, 257-73.[2]

signa et monumenta: this appears to be Apuleius' explanation of the object in the library: it was a sacred object or a religious souvenir, duly kept locked within the house and not shown to the profane (see further 56,1).

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1. By convention, that passage is declared to be autobiographical; cf. recently MERKELBACH 1995, 436wn2. It must be emphasized that this methodologically unsound. With SHUMATE 1996 we ought to distinguish clearly between the *auctor* of the *Met.* and the *actor*, who is part of the tale itself.

2. WINKLER analyses some of these tales. The features they have in common are: the labour of deciphering a foreign language, the exact writing materials involved, the secrecy of the acquired knowledge, the redemptive joy they bring, and their exotic character (p.272). All of these features, WINKLER argues, can also be found in the *Met.* WINKLER's theory is further developed by SHUMATE 1996, who studies the *Met.* as a tale of religious conversion.

Liberi patris: the cult of Dionysus was current in Roman Africa, as is shown by the initiated now addressed by the speaker. According to GWYN GRIFFITHS 1975, 293, the lesser Eleusinian Rites may be meant here. On Apuleius and Liber see also BARTALUCCI 1988, 55 and 61 (with a discussion of the relation between Liber and the *Deus Risus* of *Met.* 2,31 - 3,18) and FICK 1991b, 21; in general on Roman cults of the God see FOUCHER 1981.

quid domi celetis: a reference to some sacred object not to be shown to the uninitiated. B/O think a *cista mystica* is meant, but GWYN GRIFFITHS 1975, 293 rightly argues that it is unlikely that initiates were entrusted with this.

55,9 **sacra... ritus... caerimonias**: for a similar tricolon cf. 25,9 *caeremoniarum... sacrorum... religionum.*

studio ueri et officio erga deos: the basic urge of the philosopher, combined with due respect for the Gods. The latter element is consciously added, if only to avoid the mistaken vulgar connection of philosophy and atheism (27,1).

55,10 **nec - ad tempus compono**: the speaker denies coming up with the argument *pour besoin de la cause*. But even the fact that he mentions the possibility seems telling.

ferme triennium: we should not count in the Roman 'inclusive' manner here: the Latin words refer to *a period* of almost three years. So, Apuleius arrived in Oea in 155/6; cf. GUTSFELD 1992, 260 and SANDY 1993, 163. The words *primis diebus quibus Oeam ueneram* are probably a loose phrase, as B/O rightly say. It seems hard to imagine Apuleius successfully delivering his speech on Aesculapius in the state of illness in which he arrived in town (72,2).

de Aesculapii maiestate: regrettably, nothing at all is left of the speech,[1] but we do know that Apuleius was especially interested in this God. In later years Aesculapius would be the subject of a Greek and Latin hymn and an equally bilingual dialogue. The extant *Fl.* 18 is the introductory speech of this dialogue. It is also known that Apuleius held a public priesthood (*Fl.* 16,38 *suscepti sacerdotii summum... honorem*; 18,38 *antistes*; August. *Ep.* 138,19). This was probably the office of priest of Aesculapius, as RIVES 1994 convincingly argues. Another reference to the God is *Soc.* 15 (154), where his fame and cult is said to surpass that of other deified heroes: *alius alibi gentium, Aesculapius ubique*.

Apuleius' interest in the God may even have formed one of his starting points to study Hermetism, in which Aesculapius played a large role; for the question of the authenticity of the *Asclepius*, see HUNINK 1996b.

55,11 **in omnibus manibus**: Apuleius is shamelessly boasting; the following *non tam facundia mea* is of course nothing but feigned modesty. His claim about the fame of the speech may seem exaggerated, but in view of his high reputation it is probably not misplaced. Moreover, as ANDERSON 1994, 86 points out, in Apuleius' days a religious topic is bound to attract wide attention, in particular if it concerns a healing deity.

In this context, the self-pride is quite effective: it recalls both the speaker's wide renown and his sense of religion, as the audience at large knew it and — as Apuleius suggests — shared it. Of the prosecution no notice is taken it all.

[1]. B/O argue that it must be identical to the speech delivered in Oea after his recovery from illness (mentioned in 73,2). That is certainly not impossible, but one wonders why Apuleius does not drop the name of Aesculapius there. Worse, the phrase *dissero aliquid* (73,2) seems to indicate another, perhaps more trivial subject.

55,12 **dicite aliquis**: the speaker seizes the opportunity to give a lively address to the audience. This is the only example in the speech of a *direct* reaction to the attending crowd; cf. the scheme made by HIJMANS 1994, 1741; for indirect reactions see e.g. on 7,1.

Furthermore, Apuleius provokes some allegedly 'spontaneous' recitation from the speech, as on earlier occasions (see 37,4 and 38,9). First, he invites the audience to quote the opening lines, which were apparently popular. A written text even appears present in court. Then, flattering the judge for his *humanitas*, he has some more read from it. The texts quoted have not been preserved.

56,1 **cui sit... religionis**: this clearly excludes Aemilianus, given his description in 56,3-8.

hominem... conscium: Apuleius pictures himself as a devout admirer of religion, radically different from his atheist opponents; cf. MCCREIGHT 1990, 58-60 (further 38n18).

crepundia: 'religious emblems, amulets', handed over to the initiates in a mystery cult; cf. MERKELBACH 1995, 170. Normally the word refers to birth tokens familiar from comedy: small ornaments or toys. Here this normal, innocent meaning is intended to ring through; cf. MCCREIGHT 1990, 58 (with further references).

lineo texto: by focusing on the material of the *sudariolum*, Apuleius diverts the attention from the mysterious objects it covers. Linen is the traditional material of purity, holiness, immortality, and religion in general. It is mentioned in relation to Egyptian priests as early as in Hdt. 2,37, and it is strongly associated with Pythagoras; cf. QUASTEN 1942 (on Hieron. *Ep.* 64,19).[1] What Apuleius wisely leaves unmentioned, is that the material is also closely linked with magic; cf. ABT 1908, 215-6.

56,2 **lana**: as an animal product, wool was considered profane in Egypt too; cf. Hdt. 2,81; QUASTEN 1942, 209-10.

Orphei et Pythagorae: they were mentioned together earlier in 27,2.

sed enim mundissima...: a small excursus on linen as a sacred material. Apuleius brings home his point by using positive, stately sounding words and lofty associations (Egyptian priests, produce of the earth). This is the first attested occurrence of *mundus* in the spiritual sense which was to become dominant in the works of Christian authors; on the metaphor see SCHMIDT 1990, 142-3.

opertui: the noun *opertus* is a neologism, evidently formed to closely balance the other datives *indutui* and *amictui*; cf. FACCHINI TOSI 1986, 129.

56,3 **res diuinas deridere**: Aemilianus is pictured as an atheist not merely indifferent, but even actively hostile towards the traditional Gods. This has been regarded by some as another argument for his alleged adherence to the Christian religion; cf. GRISET 1957, 38 and BENKO 1980, 1090-1, and see discussion on 16,13 *lucifuga*. For the present passage the idea is commonly rejected; cf. recently TRIPP 1988, 247.

56,4 **ut audio... Oeensium**: the suggestion is that the defendant has specific informants. But the remark is vague and in fact must have been difficult to verify at Sabratha. It turns out to veil a piece of mean gossip and rumour.

nulli deo...: in 56,4-6 Apuleius mentions a great number of religious customs which Aemilianus does not keep up. By appealing to these common practices, the

[1]. For linen as the material of the priests of Isis, cf. also *Met.* 11,10 with GWYN GRIFFITHS 1975, 192; further FICK 1991b, 20wn45.

speaker, who presents himself as a friend of religion, seems intent on entering into a pact with his audience.

nefas habet - admouere: Aemilianus does not observe the normal ancient practice, and even objects to making the common salutation. The reverent gesture is demonstrated at *Met.* 4,28 (97,1-2): *admouentes oribus suis dexteram pri<m>ore digito in erectum pollicem residente*; see KENNEY a.l. The mention of lips recalls Aemilianus' dirty mouth and tongue (cf. 8,2-3).

56,5 **rurationis**: a rare word, with the deprecatory connotation of Aemilianus' boorishness. It occurs only here and in *Fl.* 15,2 and Tert. *Adv. Nat.* 2,5,5; cf. MCCREIGHT 1990, 60wn106.

pascunt et uestiunt: not by means of pure grain and sacred linen, as 56,2 might imply. The association is, by contrast, negative for the accuser: he is described once again as a poor rustic, entirely dependent on the Gods of the countryside. For his miserable fields at Zarath, see on 23,6.

nullus locus aut lucus: cf. *Fl.* 1,1 *aliqui lucus aut aliqui locus*. The parallel should not be used as an argument to reverse the order here, as Vahlen proposed (see discussion in B/O).

56,6 **lapidum unctum**: for the ancient custom of anointing sacred stones with oil, cf. *Fl.* 1,4 *lapis unguine delibutus*. Further parallels are quoted by B/O a.l. The religious use of *coronae* is even more widespread; cf. e.g. Tib. 1,1,15; 2,1,8.

56,7 **Charon**: here Aemilianus is given this name *ob oris et animi diritatem*. Earlier, in 23,7, he had been called so because of his questionable inheritances and his ugly face (*ob istam teterrimam faciem*).

libentius audit: possibly an echo of Hor. *S.* 2,6,20 *seu Iane libentius audis*. Generally speaking, Apuleius' works show remarkably few allusions to Horace; cf. MATTIACI 1986, 166-7wn31.

Mezentius: Aemilianus is labeled as the stereotypic atheist: cf. Verg. *A.* 7,648 *contemptor diuum Mezentius*; 8,7;[1] see further THOME 1993, 455-6. Apuleius' savage attack must even have sounded threatening: Mezentius was known from Vergil as a cruel Etruscan tyrant, who fought Aeneas but was eventually *killed* by him (*A.* 10, 896-908). No doubt Apuleius identifies with *pius Aeneas*, especially in this context of religion.

56,8 **hasce - nugas**: a return to the initial point. Having pictured Aemilianus as an atheist, the defendant feels relieved of the task of discussing the matter seriously: any objections to the *sudariolum* can now easily be explained as signs of his opponent's depravity.

56,9 **quid... Mezentius sentiat**: almost imperceptibly, Aemilianus is no longer compared to Mezentius or merely given his name, but now appears fully identical to him.

manum non uorterim: a proverbial expression for 'lack of concern', also used by Cic. *Fin.* 5,93; cf. OTTO 1890, 211. MCCREIGHT 1991, 223 suspects a punning reference to a hand-signal by which initiates recognized one another. Since the next sentence contains a reference to such a sign, this is not unlikely.

[1]. There was an alternative explanation for Mezentius' epithet *contemptor diuum*; cf. Macr. 3,5,9-11. According to Cato (in the first book of his *Origines*), Mezentius had ordered the Rutulians to offer the *primitiae* intended for the Gods to him instead, i.e. he falsely claimed divine honours. Here, given the reference in 56,5 to *primitiae* that Aemilianus failed to sacrifice, the story may well have been in Apuleius' mind.

ceteris: once more, Aemilianus is explicitly excluded from the audience and contrasted to it.

56,10 **reticenda accepi**: it is of course true that secrecy was due in many ancient cults, and that silence could count as a virtue.[1] But we may also observe that in this case it proves highly opportune for the defendant: he can now avoid further discussion of what the *sudariolum* covered, while at the same time presenting an appearance of piety.

ad profanos: the uninitiated in general (OLD s.v. 2), but particularly, in a more negative sense, the atheist Aemilianus, who is 'contemptuous of sacred things' (ibid. 4).[2]

57-60 Magical practices (IV): nocturnal sacrifices

The next point concerns the testimony of a notorious man, Crassus. He alleges that I held nocturnal sacrifices in his house during his absence, along with my friend Quintianus. Crassus says he could deduce this from signs of smoke and bird feathers. But how could he have noticed these things from such a distance? He argues a slave told him what had happened. But why should I sacrifice in anyone's house but my own? And why would we not have cleaned up afterwards? Besides, why is the witness not here in court? Of course, he must still be in bed with a hangover... He is a drunkard and a glutton, an ugly monster who sold a false testimony. This, Maximus, is known to you too. I could have denounced this illegal transaction, but I preferred to see the prosecution's case damaged.

The issue is as vague as the former one, but the atmosphere in the section is quite different: religion recedes into the background and invective and abuse take its place.

The claim is that Apuleius performed illegal, magical sacrifices at night in the house of Crassus, with the help of a friend. Ridicule and scorn dominate the defence from the very first lines: Crassus' reliability as a witness is called into doubt even before his full name is mentioned (57,2). By first distorting the point of 'smoke and feathers', Apuleius can mockingly compare him to Odysseus and make insinuations about his stay in the taverns of Alexandria. Only then, the slave of Crassus is said to have informed him. Apuleius rejects this statement by referring to the high reputation of his friend Quintianus and to some unlikely points: why would the sacrifice have been held in someone else's house, and why would Apuleius not have ordered a servant to clean up the house afterwards? Some puns on smoke and feathers follow, which in fact conclude the issue (58,8-10).

The rest of the section consists of a torrent of abuse poured out on Crassus. He is pictured in the darkest possible colours, in accordance with the conventional patterns of ancient invective: he is reproached, among other things, for immoderate consumption of food and drink, for hangovers and physical repulsiveness, for squandering his

[1]. MOSCA quite rightly compares our passage to *Fl.* 15,26, where Apuleius boasts that he has learned: *cum dicto opus est, impigre dicere, et cum tacito opus est, libenter tacere*; and 15,27 *oportuni silentii laudem*.

[2]. Perhaps even the meaning 'ceremonially polluted' (OLD s.v. 3) is operative here: as such it was used above (56,2) for wool.

inherited fortune, for shameless lying and selling false testimony. Finally, the audience and the judge are said to have known of his false testimony and the tricks of the prosecution. Apuleius justifies his lack of protest and the fact that he discusses the matter at all: he says he wishes to damage the case of his opponents.

Raising points not strictly relevant to the case was common practice in ancient rhetoric; cf. e.g. Quint. *Inst.* 5,13,17-22. Moral disqualification of one's opponents can, of course, lead to proper 'character assassination', of which Cicero's speeches provide several examples. This attack on Crassus actually owes a great deal to Ciceronean models, notably the speech against Piso; cf. McCREIGHT 1991, 85 (on this whole section: 83-91). For the elements of food and drink cf. GUTSFELD 1991.

Since the section contains so little information on the facts, it is hard to establish whether there was a case at all. But *nocturna sacra* constitued a serious crime, liable to the death penalty under the *Lex Cornelia*,[1] and in this case the charge was even supported by a piece of written testimony. Therefore, the danger to the defendant must have been very real. To counter it he does not explicitly deny the allegations but merely ridicules them, just as he did in the preceding sections. But now, for all his puns and dismissive remarks, his arguments remain far from convincing. It is, moreover, quite remarkable that he does not justify the alleged facts in any way, e.g. by referring yet again to his scientific or religious interests. The strong invective, primarily intended to harm the prosecution, puts up an effective smoke screen: the real matter is left largely undiscussed. On this defensive strategy cf. ABT 1908, 217-8; NORDEN 1912, 41-3.

57,1 **satis uideor...**: the transition to the next topic is made by means of a general cut at the opponents (*cuiuis uel iniquissimo*),[2] and a final pun on the *sudariolum* (cf. already 55,1). It uses *macula* both in its literal sense as 'stain, spot' and figuratively as 'blemish' or 'stigma'; cf. also McCREIGHT 1990, 57.

post ista: it remains largely unclear to us in what order the various charges had been brought. Even this partial indication is in fact rather vague; cf. HIJMANS 1994, 1766 (with notes 185 and 188).

suspicionibus: the foregoing charges are briefly dismissed as mere imputations without proof.

57,2 **gumiae - lurconis**: the suggestion of substantial evidence, raised by the phrases *testimonium... grauissimum* and *testimonium ex libello*, is immediately wiped out by two insults. Even before we hear the full name of the witness, he is branded a glutton and a hopeless pig. His eating and drinking habits will dominate the invective; cf. GUTSFELD 1991.[3] For *lurco* see also GCA 1985, 214-5.

1. Cf. Paulus Sent. 5,23 (*Ad legem Corneliam de sicariis et ueneficis*), 15, as quoted by ALIMONTI 1979, 162n79: *qui sacra impia nocturnaue, ut quem obcantarent defigerent obligarent, fecerint faciendaue curauerint, aut cruci suffiguntur aut bestiis obiciuntur*; further Cic. *Vat.* 14; for the legal aspect see ABT 1908, 12-4 and briefly 218-9.

2. Aemilianus does not even fall under this category. In 56,9 Apuleius had explicitly turned from him to all the others. Besides, he cannot have been satisfied by the explanations given.

3. For eating as a motif in the *Met.* see HEATH 1982 and SCHLAM 1992, 100-5; 108-9.

Iuni Crassi: the name Crassus was not unusual in Roman Africa, according to GUEY 1954, 116wn5. This witness is to be distinguished from the legendary *Crassus Diues* mentioned in 20,5.

qui ibi - deuersebatur: this piece of information somewhat lessens the impact of the frightening key words *nocturna sacra*, but it is also relevant, in that it explains why Crassus' house had been chosen: Quintianus had rented it (on renting cf. NORDEN 1912, 174).

57,3 **scilicet eum...**: signs of smoke and feathers had of course been seen in the house itself, and well after the events had taken place. Apuleius maliciously misinterprets this and presents an absurd picture of Crassus seeing feathers and smoke *actually coming from his house*, while he was at some tavern in Alexandria. The rest of the chapter is filled entirely with puns and invective to elaborate the point.

symposia: the invective on Crassus' loose lifestyle is graced with a Platonic allusion. Apuleius had summarized theories from the *Symposium* in c.12, and the name of the Platonic dialogue was doubtless familiar to the audience.[1] For the suggestion cf. also McCREIGHT 1991, 86wn72.

Alexandreae: the large Egyptian city, probably the rival of Carthage, occurs here for the first time. It does not become clear what Crassus was actually doing in Alexandria. One may assume that he was making a journey for scientific and cultural purposes rather than a culinary trip. It will appear that Apuleius himself also intended to travel to Alexandria (see 72,1). Perhaps more likely, Crassus was a *negotiator*; cf. GUTSFELD 1992, 259.

qui non - conrepat: the insinuations now mount up. Crassus creeps into common eating-houses, of his own free will and during the day. For the bad reputation of inns and taverns, and Roman legislation against them, cf. HERMANSEN 1974, 167-71; a *ganea* seems to have been held in even lower regard than a *popina* (168).

cauponio nidore: a picturesque detail evoking the atmosphere of the tavern. There may be a pun on *nidor* here, as McCREIGHT 1991, 85n71 suggests: it can refer to cooking odours, as Crassus knows only too well, but also to the odours from sacrifices, which is what Apuleius is accused of himself. It may be added that the latter connotation is reinforced by *penatibus* and *aucupatum*.

The first word is given in FΦ as *cauponis*, but that cannot be correct: the establishment, not the man must be meant.[2]

fumum domus suae: for Apuleius' distortion here cf. the first remark on 57,3.

57,4 **ultra Vlixi uota**: Odysseus had been mentioned shortly before (55,6). Now Crassus is ironically compared to the legendary hero, who longed to see the smoke rising from his

1. B/O merely suggest that *symposium* is used just as a Greek word, with reference to the Greek society of Alexandria.

2. Scholars have conjectured *cauponii*, *cauponae* and *cauponio*. The last, the suggestion of Scriverius, is preferred here; cf. also TLL 3, 656, 32-3. *Cauponio* not merely is close to F, but also brings in the variation of an adjective (after the nouns *symposia* and *ganeas*); for *nidor* with an adjective cf. below (57,5) *nidorem domesticum*. The powerful repetition of the *o*-sounds also pleads for this solution. However, we cannot reach certainty here.

native country; cf. Hom. *Od.* 1,58-9. *Oculatus*, a word from Plautus,[1] underscores the comic element.

sine labore: the contrast of Odysseus' hardship to Crassus' luxury and comfort is illustrated in several details. Elsewhere Odysseus appears even as the embodiment of wisdom; he is praised for this in *Soc.* 24 (176-8). This element only adds to the contrast.

57,5 **uincit... canes**: Crassus outdoes not only the sight of Odysseus, but even the scent of dogs and vultures. For the former B/O point to Hor. *Epod.* 12,4-6, but the scent of dogs was proverbial; cf. MATTIACI 1986, 167n31, further OTTO 1890, 71n3. The mention of *uultures* effectively strikes the unpleasant note of greedy devourers.[2] Unflattering animal imagery was applied earlier by Apuleius to his opponents; cf. e.g. 8,4 and 8,6.

57,6 **helluo**: finally, Crassus is abused directly once again, now as 'one who spends immoderately on eating etc' (OLD s.v.). In his speeches Cicero repeatedly abuses opponents by means of the word; cf. examples in TLL 6, 2597, 26ff.

omnis fumi non imperitus: the 'expertise' of Crassus concerns smoke. This is both sarcastic (Crassus' actual statement on smoke is rejected by the speaker) and insinuating again (smoke as an element of inns).

uini aura quam fumi: a devastating parting shot. Sound and rhythm help to establish the parallel between *fumus* and *uinum*. In the next two chapters Crassus' immoderate consumption of wine will be referred to again and again.

58,1 **testimonium... uendidisse**: this was a criminal offence; cf. MOMMSEN 1899, 675. However, as NORDEN 1912, 42-3 rightly points out, the point is not proved; moreover, even if money was involved, this does not mean that the witness was lying. For *testimonium* as a term for a written statement, as opposed to *testes*, cf. AMARELLI 1988, 123n45.

58,2 **igitur scripsit...**: only now, after the sophistic jokes of c.57, Apuleius seems to enter on the statement as Crassus actually made it. But again he leaves important elements in the dark: not a word is said about the length of time passed between the alleged nocturnal sacrifice and Crassus' return, nor do we hear anything about the advantages of holding a sacrifice in someone else's house; cf. NORDEN 1912, 43.[3] Instead, the speaker adds a number of ironical remarks.

There may have been magic in the sacrifice, but the text is too unspecific to establish this. It remains unclear where exactly in the house it took place, or what role torches and feathers played in it; cf. ABT 1908, 219-21.

1. Cf. Pl. *Truc.* 489, quoted by Apuleius at *Fl.* 2,3-4, where he adds an analogous invention of his own, *auritus*.

2. The word can even be used for legacy-hunters; OLD s.v. quotes Sen. *Ep.* 95,43 and Mart. 6,62,4. Given the importance of the element in the later sections of Apuleius' speech, this can hardly be a coincidence. Cf. also the following *helluo*, with its implication of squandering.

3. He may have been so notorious by that time that it was safer to avoid practicing magic in his own house, as NORDEN observes.

58,4 **Quintianum istum**: the name of Quintianus is used no less than six times in the chapter. He is praised not only as a friend, but also as an erudite and eloquent man. The last two elements make him the very opposite of Crassus.[1]

qui mihi assistit: apparently Quintianus is present and supports Apuleius' defence. This is the first instance where the reader becomes aware that Apuleius had assistants at all (cf. also 99,1). In court they must have been visible from the start, as HIJMANS 1994, 1739 says.

58,5 **puerum nullum habuisse...**: some easy, ironical exclamations follow, stressing the unlikelihood of Quintianus' behaving the way Crassus had presented it: naturally, he would have ordered a slave to clean up the feathers and wash the dirt from the walls. But, one might ask, was there enough time for this between the sacrifice and Crassus' arrival?

58,7 **ad focum**: another foul blow at Crassus: he may have confused Quintianus' room with the fireplace, i.e. the kitchen. *Focus* can also be used for the altar of the housegods or a sacrificial hearth (cf. OLD s.v. 1 and 3), but the added *suo more* makes it clear that only the cooking place can be meant. Roman kitchens were not furnished with chimneys, and the use of charcoal as fuel made them look quite dirty; they were commonly called 'smoky' or 'black'; cf. BAGNANI 1954, 25.

58,8 **noctu... fumigatos**: the point is developed as a sophism on 'day-smoke' and 'night-smoke'. Apuleius seizes every opportunity to make fun of his opponents, while still avoiding a serious discussion of the allegations.

58,9 **migrare**: apparently Quintianus no longer lived in Crassus' house at the time of the trial.

plumae quasi plumbeae: a pun exploiting both the close parallel of sound and the contrast of sense between the proverbially light *plumae* and heavy *plumbum*. This may even be a case of etymological play, with an explanation *a contrario*.

58,10 **discedere... a culina**: again, Crassus' gluttony provides the target for a counterattack, now a mere variation of the earlier one in 58,7.

59,1 **legistis**: written evidence was as a rule read by a clerk of the court; cf. B/O on 80,3 *recitabo*.[2]

ubi gentium est?: Apuleius turns from the allegations themselves to the person who has uttered them. The fact that Crassus is absent provides the starting point for a savage attack on both his external appearance and his character. Immoderate drinking and abuse of wine function as the central motif.

an...: three ironical questions start the invective. The first two are merely mocking suggestions,[3] but the sting is in the tail: the last question resumes *helluo* from 57,6

1. It is of course possible that earlier during the trial he had actually spoken in support of Apuleius, as B/O assume. However, this cannot be deduced from *perfectissima eloquentia*, which is a general compliment.

2. In this case, it remains unclear whether Crassus' testimony had been used as official evidence at all. This might indeed be deduced from 57,1 *testimonium, quod... legerunt*; and 57,2 *ex libello legi audisti*. But in 60,4 it will be said that the accusers did not dare to read all of it, or even rely on it, which suggests that it was Apuleius himself who had referred to it.

3. In the first of these, *taedio domus* may be a pseudo-etymological pun on the alleged signs of smoke in the house; cf. *taedae fumo* (57,2). In addition, if Crassus was cleaning the walls, he would be doing a slave's work; for both suggestions see MCCREIGHT 1991, 88n74.

and so produces an explanation for Crassus' absence: he is either drunk or suffering from a hangover.

59,2 **Sabratae**: the only reference to the place where the trial is held. The city was more important than Oea, given the fact that the proconsul held the assizes there. On the town itself, situated at some forty-five miles west of Oea, see e.g. MANTON 1988, 75-79, who locates Apuleius' trial at the old law courts in the Forum (p.78).

hesterna die: the expression replaces the more regular *hesterno die*. Cf. also *Met.* 3,16 (64,3) with VAN DER PAARDT, 124.

satis notabiliter: the fact that Crassus' bad habits were publicly visible is one of their worst aspects, according to the norms of antiquity.

obructantem: the word occurs only here. Belching is typical of the drunkard with his bad breath; cf. Pl. *Ps.* 1295 *quid tu, malum, in os igitur mi ebrius inructas?* (also at 1300). In addition, the word establishes here a physical connection between Crassus and the prosecution, in spite of their efforts to ignore him; cf. MCCREIGHT 1991, 421-2. For belching as part of invective, cf. further Cic. *Pis.* 13: *paulisper stetimus in illo ganearum tuarum nidore atque fumo; unde tu nos cum improbissime respondendo, tum turpissime ructando eiecisti*.

nomenclatoribus: slaves whose function it was to tell their master the names of those he met.

cauponibus... notior: Apuleius insinuates that Crassus cannot easily be met on the street at all, because he is usually hanging around in taverns. This remark literally excludes Crassus from the normal ambience of judge Maximus. For the reading *notior* cf. also ROBERTSON 1956, 70.

non negabunt: since even these slaves have actually seen Crassus in town, his absence in court appears suspect.

59,3 **cuius - nititur**: this will be denied in 60,4: *nec quicquam eo niti*.

quid sit diei: i.e. it is still early in the day; cf. 57,3 *de die*.

Crassum - stertere: Crassus, who had had been belching the day before, may now be drunk and snoring. This negative picture seems to be reinforced by his name, which can refer to fatness, when used of persons of animals (OLD s.v. *crassus* 2); for the the suggestion see GUTSFELD 1991, 403.[1] See further on 59,6 below.

aut secundo lauacro: the alternative explanation is hardly more favourable: if he is not still drunk and asleep, he is sweating out his first hangover of the day, preparing for a second drinking bout. Apuleius can now easily continue his point (59,4): it is not a feeling of shame that withholds Crassus from appearing in court, but drunkenness.

59,4 **ebria**: this is the reading of FΦ, which is often corrected into *ebrius* or *ebriamine* (HELM), but may be retained and explained as a synonym for *ebrietas*; cf. ARMINI 1928, 329, a suggestion accepted by TLL 5,2, 15, 64ff.[2]

59,5 **aut potius...**: a third explanation, which, being the last one, seems to represent the author's own choice. It is suggested that Crassus' repulsive looks make him unfit to

[1]. Apuleius is fond of using 'significant names', as many instances in the *Met.* show, and of making name puns in general; cf. HIJMANS 1978, with many examples from Roman literature in n10.

[2]. The suggestion is, however, rejected by FRIEDRICH 1934, 443, who explains it as 'drunkard'. In that case, the form would be a simple apposition to the subject of the clause. Alternatively, the word is explained by some (e.g. MARCHESI and AUGELLO) as a variant of *bria*, 'cup'. But this solution seems too complex, introducing a secondary form of a rare word in an unusual metonymy for 'drinking'.

appear in court at all. This is illustrated by a detailed picture of Crassus, which largely consists of a simple list with two words for every feature.

He is called a beast, with shaved cheeks and a horrible appearance, beardless and bold, with watery eyes, swollen eyelids, a broad grin, slobbering lips, an ugly voice, trembling hands, and a breath smelling of cheap eating-places.

All details contribute to a devastating picture of a stupid drunkard. This type of character portrayal, while rooted in the tradition of rhetorical invective, owes much to the style of comedy; for an earlier example see 43,9. Furthermore, it shows Apuleius' great interest in physiognomy; cf. introductory paragraph on 4-5. It can even be argued that Crassus is presented like the *maccus* or *bucco* of the Fabula Atellana (see 81,4), as is noted by MARCHESI a.l., CALLEBAT 1984, 165 and SALLMANN 1995, 147. On stage, the *maccus* was usually the target not only of jokes but also of blows. Therefore the picture of Crassus seems to involve what may be called substitute or symbolic violence.

seueris oculis: Maximus was, it may be recalled, a *uir seuerus* (25,3), excelling in perseverant questioning (48,5-8). At present, this detail on his appearance also functions as a contrast to Crassus' rather repulsive features, esp. his *madentis oculos*. Human eyes are paid close attention to in Apuleian descriptions; cf. MASON 1984, 308-9 with examples from the *Met.*

59,6 **beluam**: *belua* is a strong term of abuse, for which OLD s.v. 3 gives various examples. Here it sets the tone for the rest of the description.

uulsis maxillis: shaving, and depilation in general, was often considered a sign of effeminacy; cf. RICHLIN 1992, 93[1] (further e.g. p.137 and 168).

barba - populatum: according to B/O, *barba* and *capillo* are best taken as identical. This seems unlikely, since Apuleius uses both words in close connection. More importantly, the feature of baldness, expressed by the latter noun, adds a relevant new element to the portrait. Natural baldness is considered ugly; cf. 74,7 (Rufinus) *priusquam isto caluitio deformaretur*; Petr. 108,1 *deformis praeter spoliati capitis dedecus superciliorum etiam aequalis cum fronte caluities*; it can even be a sign of debauchery, see Pers. 1,56-7; see in general GCA 1985, 206. On the motif of hair in the *Apol.*, see on 4,11.

madentis oculos: cf. above on *seueris oculis*. The wetness of the eyes must be due to drink; cf. Lucr. 3,479-80 on the effect of wine: *madet mens, / nant oculi*; further OLD s.v. *madeo* 3.

cilia: cf. the mention of eyelids in the passages of Petronius and Scipio quoted in the foregoing notes. In ancient physiognomy, various signs could be deduced from the eyelids.[2]

[1]. She cites a fragment from Scipio Aemilianus, preserved by Gel. 6,12,5: *nam qui cotidie unguentatus aduersum speculum ornetur, cuius supercilia radantur, qui barba uulsa feminibusque subuulsis ambulet, qui in conuiuiis adulescentulus cum amatore, cum chiridota tunica inferior accubuerit, qui non modo uinosus, sed uirosus quoque sit; eumne quisquam dubitet, quin idem fecerit, quod cinaedi facere solent?* This is the first Roman description of a *homo delicatus*; cf. also KOSTER 1980, 111. It provides an interesting parallel for the entire description of Crassus. Apuleius may have known it, especially given his preference for preclassical authors.

[2]. One is tempted to compare the following passage from the Latin treatise on physiognomy sometimes attributed to Apuleius (see introductory paragraph on 4-5): *supercilia quae ex altera parte ad oculos demersa sunt, ex altera ad tempora subrecta, immundum, stultum et insatiabilem indicant:*

rictum <...>: the context obviously requires an epithet here to maintain the balance, although there is no sign of an omission in the MSS. *Restrictum* (by Acidalius) is often accepted (cf. 6,3 (8) *restrictis forte si labellis riseris*), but there are other plausible options. These can be found in the edition of HELM, who personally favours *latum* (by Jahn), comparing Ov. *Met.* 2,481 *lato... deformia rictu*. In the absence of decisive arguments for a specific solution, only the open spot is indicated here, as in the editions of MARCHESI and VALLETTE.

saliuosa labia...: of the last four elements, only *uocem absonam* refers to a fixed quality such as physiognomy was concerned with; for unnaturally sounding voices, see the Latin treatise on physiognomy (see above, note on *cilia*), 78. The other three elements add some further distasteful notes to the picture of the drunkard.

ructus <po>pinam: 'the cookshop of his belching', a mean combination of two preceding motifs (57,3; 59,2 *obructantem*). For the textual problem here, see the long note of B/O. It may be added that HELM's *ructus spiramen* is still accepted by some (e.g. by MORESCHINI), and that comparatively recently an attempt has been made to defend *ructus pinam*.[1]

59,7 **patrimonium...**: two final points round off the devastating picture. The reproach of squandering one's inherited fortune belongs to the standard repertoire of invective. Here it is expressed by means of *abligurrire*, a verb echoing comedy; cf. Ter. *Eu.* 235 *patria qui abligurrierat bona*; OLD also quotes Enn. *Sat.* 17 *cum alterius abligurias bona*; for some late examples see B/O. This point of financial ruin will now be cleverly combined with the allegation made earlier (58,1), that Crassus accepted money for his testimony.

numquam carius: in a moment, this will turn out to be a sarcastic remark; cf. on 59,8 below.

locauit: this recalls 2,6-7 on the *mercennaria loquacitas* of bad lawyers with the habit of *linguae suae uirus alieno dolori locare*.

59,8 **temulentum... mendacium**: the two words recapitulate Apuleius' opinion on the value of the testimony.

tribus milibus nummis: a relatively small price for a false testimony in a capital case, as DI VITA 1968, 190 rightly notices.[2] This casts a rather different light on the preceding *numquam carius*: Crassus has apparently been selling his lies for mere pittances, and so looks rather pathetic.

nemini ignoratur: it is suggested that the community of Oea at large knew about the transaction. In fact, this must have been difficult to verify at Sabrata.

60,1 **potui... impedire, nisi...**: these explicit remarks seem not strictly necessary for the argument, and reveal contempt (*qui merito contemnebam*) and even a touch of triumphalism.

referuntur ad porcum (18).

1. This was done by MAZZARINO 1957, for which see the abstract in Marouzeau's *l'Année philologique* of 1957. It seems hard, however, to imagine what function the *pina*, a shellfish, could possibly have in this context, or even how the expression could be rendered.

2. This can be shown even in this speech, where huge amounts of money are mentioned, such as the dowry of Pudentilla of 300,000 sesterces (92,2). Somewhat similar comical effects of prices may be seen in the *Met.*, where the ass is invariably sold at low prices; cf. GCA 1985, 220 and 1995,4.

uolui... damno adfici: in a modern courtroom this comment would probably damage the speaker's own case. It ought to be recalled that in antiquity 'harming one's enemies' was just as acceptable as helping one's friends.

prostitui: to be exposed to public shame (OLD s.v. 2), but also to be prostituted (ib. 1). As in 10,4, the sexual undertone can hardly be overheard.

60,2 **Rufini cuiusdam**: Apuleius keeps to the subject of the illegal deal. His immediate purpose is to introduce Rufinus, the target of his invective later in the speech (74-8); cf. HIJMANS 1994, 1766.

deprecatoribus: 'intercessors', as in 103,1; B/O's discussion of the word seems needless. It is almost synonym to *intercessoribus*, but involves an element of active 'pleading'.

Calpurniano: he must be the same person as the addressee of the poem in c.6.

ad uxorem suam...: if most of the 3,000 sesterces earned by Crassus are bound to end up in the hands of Rufinus' wife, this can mean only one thing: Crassus is a regular customer of her services as a prostitute (cf. 75,3-4). Although the point is not made fully explicit here, *stupra* leaves hardly any room for doubt.

60,3 **te quoque... suspicatum**: having already appealed to the populace of Oea at large (59,7 - 60,1), Apuleius tries to gain the sympathy of the judge once again.

60,4 **insolita**: the now universally accepted correction of Jahn for FΦ *solita*. Both the sense and the sound pattern seem to require the change, although, as HILDEBRAND remarked, *solita* is not indefensible.[1]

faecem: in this context, wine-lees are a symbol for Crassus' addiction to drink. The word has rather negative connotations in itself. Taken literally, it also evokes jars or cups which have been 'drained to the lees,' and so suggests immoderate consumption and its resulting poverty.

nec ipsi ausi sunt...: although the *libellus* had been seen by the judge (60,3), it was apparently not read in full nor relied upon as substantial evidence. Cf. on 59,1 (with note).

60,5 **pinnarum formidines**: the element of feathers is reduced to mere ridicule by a pun on 'ropes strung with feathers used by hunters to scare game' (OLD s.v. *formido* 2; see also B/O, who quote Verg. *A.* 12,750 *saeptum formidine pinnae*). In addition, the normal sense of the noun seems echoed in the striking combination *formidines... timerem*.

impunitum Crasso: the text is problematic here; see discussion by B/O. HELM's suggestion *impunitum foret <Crasso>, Crassum quod... fumum uendidit* would introduce a quite brilliant pun on 'fat smoke', but remains no more than hypothetical.

homini rustico: in passing by, we are reminded of Aemilianus' boorishness, which has become a stock motif by now. Here it sarcastically refers to his simplicity: 'poor Aemilianus' has been tricked by Crassus. One may observe that for the sake of this argument, Crassus appears not as a lazy drinker lying drunk in bed, but as a clever trickster. Of course, Apuleius pictures himself as cleverer still: he outdoes all his opponents.

fumum uendidit: a fitting parting shot, which resumes the motifs of smoke and selling testimony, and combines them in a proverbial expression for 'empty promises'.

1. WIMAN 1927, 6-7 suggests *solida*, explaining it as *ualida*. Other, older conjectures are *soluta* and *stolida*.

On this expression, see BALDWIN 1985 (with further references). It occurs in e.g. Mart. 4,5,7.

61-65 Magical practices (V): the wooden statuette

A further point concerns an ugly statuette of special wood which I allegedly ordered in secret, intending to use it for magical purposes. My reverence for it is great, it is argued, and I call it 'the King' in Greek. But there is nothing secret about it: here is Saturninus, the man who made it. The wood has no magical properties; it is simply an expensive and rare kind of wood, donated by Pontianus. And as to its ugliness, here you have the statuette of Mercury. Look how beautiful it is! May the Gods curse you, Aemilianus, for your lies! We Platonists reserve the term 'King' for the supreme, transcendent God, of whom I will not give any specific name now. The material, wood, has been used for religious reasons, in accordance with Plato's rules.

The final major charge concerning magical practices focuses on another mysterious object, which appears to be a wooden statuette of Mercury. The elements prompted by the prosecution (the secret ordering; the special wood; the ugly looks; the name 'King') are refuted one after another. Unlike what happened in some of the previous sections, Apuleius can now triumphantly show the object in question, thereby easily removing doubts. The end of the section shows a characteristically Apuleian combination of the 'low' and the 'high': a vehement, threatening curse of Aemilianus, followed by some points of Platonic theology.

Although Apuleius suggests that he is merely following the order of the prosecution's case, we cannot be sure that he does, as HIJMANS 1994, 1766n188 rightly points out. We may, however, safely assume that he has saved what he considers to be his strongest point until the end. The previous sections on the object under the linen cloth and on the nocturnal sacrifice may have left some suspicion and doubt, but now the speaker's self-assured attitude and powerful refutation make his case seem much stronger. No longer does he ignore the points raised by the accusers: he enters into some serious discussion of them. Most of their claims can easily be shown to be false. Particularly strong in this discussion is the evidence he presents here: the witness of the sculptor and the object itself. In his defence of the four other main charges (concerning fish, epileptics, linen cloth, and smoke and feathers) no such concrete evidence had been produced. Having created a favourable impression, the speaker impressively rounds off the section by some counterattacks on two different levels. For the lofty, Platonic elements see notably REGEN 1971, 94-103; HIJMANS 1987, 422-4 and 436-9.

On the other hand, there is much in the section that gives cause for doubts. Almost imperceptibly, there is a significant omission: Apuleius avoids discussing his alleged magical intentions. As a matter of fact, a wooden statue of Mercury does raise very serious suspicions: Mercury is the God of magic (cf. 31,9; also 42,6), wooden statuettes are well-known attributes from magic, and the title 'King' seems quite possible for a magician's God (the use of Greek in spells being widespread), while the allegedly secret fabrication and resemblance of a skeleton would only confirm this; cf. esp. ABT 1908, 222-9 and see further below on 61,8. Of course, Apuleius denies some

of the points, but as ABT, 223 rightly observes, the charges may have been partly inaccurate, or, much worse, the statuette presented here is not necessarily the one really meant by the prosecution (see on 63,4).

Another element of magic can be found at the beginning of 64, where Apuleius utters a startling curse directed at his opponent. The speaker not only calls upon various demons and ghosts, but on Mercury himself in his quality of *superum et inferum commeator*. The invocation of evil on the opponent, with its repeated patterns, sound effects, and near-variations looks like a properly magic formula. Its inclusion in this speech comes as quite a shock. If we put aside the possibility that Apuleius added it only afterwards in the written text, we must conclude that he felt safe enough to utter even a daring curse, bound to reduce to silence his opponents and his audience alike. The smoke screens created by Apuleius in the end, e.g. by refusing to name his God, only add to the effect of mystery.

61,1 **unde**: the text of FΦ is usually corrected to *unum* (Salmasius) or *inde* (Acidalius). However, *unde* can be retained and explained as '*ex quibus* (sc. series of accusations)'; see HIJMANS 1994, 1766n187 (referring to LHS 2,208f and GCA 1981, 151).

sigilli: the accusers had meant a statuette (OLD s.v. 1), not a seal (OLD s.v. 3), as BIRLEY 1968, 634 interprets the word. The following words *quod me aiunt - comparasse* leave no room for doubt here.

Pudentillae litteras: cf. on 30,11.

61,2 **ligno exquisitissimo**: it will appear to be ebony (61,7). The point implied here is that a special kind of wood indicates a special use, notably of a magical nature. In addition, it may involve the element of luxury and extravagance, as FICK 1992, 34 suggests. Cf. also on 43,6.

sceleti: the Greek σκελετός, first Latinized here. Apuleius is probably using a Greek word on purpose: those who critized him for venerating a *basileus* had used another Greek word themselves; cf. MCCREIGHT 1991, 292-3. Apuleius is seizing on a clumsy choice of words by his opponents and making much of the matter.[1]

61,3 **singillatim**: for Apuleius' liking for adverbs on *-tim* see on 35,2. *Singillatim* is fairly common, but it may also be a pun on the *sigillum* (61,1 and 3) this passage is concerned with.

textum retexo: in the metaphor of unravelling a texture there is perhaps a superficial allusion to the 'linen cloth' of 53-6 (OLD s.v. *textum* 1). More importantly, *textum* also refers to rhetorical style (ib. 1b) and *textus* to 'the fabric made by joining words together, the body of a passage' (OLD s.v. 3).[2] So there seems to be a hint again at the speaker's superior command of language, which easily surpasses the faulty rhetoric of his opponents.

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1. It may even be assumed that they had meant it in another sense, viz. the normal Greek sense of 'dried body, mummy' (cf. LSJ s.v.). In a separate study ABT 1915 actually compares a magical amulet, publicized in 1912: a covering in the form of an obelisk, containing a small figure of ebony representing a unwrapped mummy. It symbolizes the dead man's soul, of which the possessor becomes the master.

2. OLD ranges the present passage under *textus* 1 rather than *textum*, but the form allows for either possibility.

61,4 **occulta... qui potest**: strictly speaking, the manufacture could have been concealed, even if the manufacturer is known. Only in 62,4 (*in taberna sua sedens propalam exsculpsit*) the point will be convincingly refuted.

61,5 **an adest**: the sculptor has been called up by the prosecution. Unlike Thallus, who remained absent (44,6), this witness appears to be present in court. The rest of the sentence shows that he has been questioned by the judge and that he has confirmed Apuleius' account of the facts.

Cornelius Saturninus: a sculptor by this name is known from a piece of sculpture found at Carthage and dated in the late 2nd century. Tempting as the identification may be, caution is due here; cf. ROMANELLI 1970, 290.[1]

61,6 **geometricas figuras e buxo**: probably simple models of circles, squares, triangles, and the like. Boxwood was a fairly common type of wood, often used for cabinetwork. Cf. MEIGGS 1982, 280-2; MOLS 1994, 79.

quaedam mechanica: what devices are meant is unclear. We may think of toys or small objects for experiments.

elaborasset... supplicassem: for the unclassical use of tense see B/O and CALLEBAT 1984, 146wn14.

simul et - dei: the special statuette is made to look harmless in three ways: allegedly it was ordered along with some other things, it did not have to represent a specific god, and it did not have to made of a specific type of wood. Scholars tend to take this for granted; e.g. TATUM 1979, 130, who comments on Apuleius' 'indiscriminate' piety ('faith comes first, then the object of that faith'). However, Apuleius' words, notably the second element, are hardly credible: would a religious enthusiast like Apuleius really leave the choice of the god to the sculptor? The remark seems rather intended to mask the significant choice of Mercury; see 61,8.

61,7 **dum - ago**: neither where nor when these events took place can be deduced from the text. All we can say with certainty is that it was in a town (presumably Oea), at some time after Apuleius had come to Africa (see also next note).

priuignum meum: this does not mean that Pontianus was a stepson at the time of the episode, as B/O rightly remark. Since he apparently used the occasion to give the statuette as a present, we may assume a connection with the wedding of Apuleius and Pudentilla.

The mention of Pontianus is of strategic importance, since it presents him in his role of the devoted stepson; cf. HIJMANS 1994, 1766. Moreover, it adds a fourth point to make the statuette look harmless: 'it was made according to the instructions of someone else.'

factum uolebat: a sound Apuleian construction, for which B/O quote parallels. There is no need to alter the text.[2]

1. As ROMANELLI says, the place does not match and the name Saturninus was current in Africa; cf. also GUEY 1954, 116. The cautious remarks of ROMANELLI are misreported by FICK 1987, 295, who suggests that he is simply defending the identification.

2. The latest emendation is the one made by WATT 1994, 519: <*satis*> *factum*. In his view *factum* would be 'intolerably feeble'.

hebeni loculos: a box made of ebony, divided into compartments. This type of wood was extremely rare[1] and was considered luxurious; cf. Luc. 10,117; further MEIGGS 1982, 282-6; MOLS 1994, 81. The fact that ebony has a dark colour may have caused suspicion, as FICK 1991b, 26 says. We have not much evidence for a distinctly magical connotation of this wood, but one significant theurgic formula is quoted by ABT 1908, 228: here ebony is firmly connected to Mercury; cf. also MÜNSTERMANN 1995, 201.

Capitolina: the lady is unknown. Her name is merely inserted to explain the origin of the rare wood and justify its use: Pontianus in some way persuaded her to furnish the precious box as material for the statuette. The exact circumstances remain vague. For instance, it is not made clear what her relation to Pontianus and Apuleius was, or whether she received any money or service in return for the box.

durabiliore: the assertion that this wood is more durable adds yet another element of extenuation. FACCHINI TOSI 1986, 110 points to the complex sound effects in *mateRIia RARIORE et duRAbilIORE*.

61,8 **ex tabellis - crassitudine**: having taken the box apart, the sculptor must have glued the small boards together into a massive block, which he could then carve out and model.

Mercuriolum: at last, it becomes clear whom the statuette represents: no other god than Mercury (Hermes), the patron God of magic (31,9; 42,6); for ample references to Hermes and his Egyptian equivalent Thot in relation to magic, see COPENHAVER 1992, 92-4; for Hermes as a Greek god, HERTER 1976. On the relation of the present statuette with magic, cf. further ABT 1908, 222-9; NORDEN 1912, 44-6; GOLANN 1952, 153-6; FICK 1991b, 23-5. In general on mysterious phenomena concerning statues, such as speaking, see now GLEASON 1995, 14-5.[2]

Of course, Apuleius entirely neglects this highly dangerous aspect; nor does he comment on his identification of the *basileus* with Mercury, as HIJMANS 1987, 424 observes. Instead, he tries to dispel doubts by using a rare diminutive (occurring only here and at 63,4)[3]. Furthermore, the continued indirect discourse creates the impression that it was Saturninus who used the name and perhaps even made the choice of Mercury (61,6).

62,1 **a filio - praesens est**: Capitolina is not present in court, most likely because this seems to have been considered inappropriate for a respectable woman; cf. on 1,5 (Pudentilla). She is represented by her son, whom the speaker praises but does not mention by name. This son appears to have been questioned by the judge too.

1. It had to be imported from India (cf. Verg. *G.* 2,116-7) or Ethiopia. Apuleius does not inform us on the way the wood came to Oea, which was both an important harbour and the end point of a caravan route. In general, he remains silent on matters of commerce and trade; cf. PAVIS D'ESURAC 1974, 100-1; GUTSFELD 1992, 266-7.

2. There is a fascinating passage on speaking statues in *Ascl.* 24: *statuas, o Asclepi (...) statuas animatas sensu et spiritu plenas tantaque facientes et talia, statuas futurorum praescias eaque sorte, uate, somniis multisque aliis rebus praedicentes, imbecillitates hominibus facientes easque curantes, tristitiam laetitiamque pro meritis*; cf. MAHÉ 1982, 99-100 who connects this to Hellenistic magic.

3. Cf. MCCREIGHT 1991, 274-6, who refers to a parallel at Cic. *N.D.* 3,84 *Victoriolas*. In the present instance, the diminutive trivializes the allegation and lends an affectionate tone to the description.

Pontianum... Pontianum...: this name occurs three times on end. Apuleius is evidently passing much of the responsibility on to his stepson, who, it may be recalled, had died by the time of the trial.

62,3 **delitescat**: after *palam atque aperte*, the verb creates a plain contrast of 'hiding' and magic to 'openness' and laying bare one's affairs. Cf. further e.g. on 42,1 (*pisces... patuerunt*).

manifesti mendacii: allegations of lying have occurred many times, e.g. 30,4; 42,4; 46,1. For an 'outright' lie see 4,11 *aperto mendacio*.

62,4 **splendidissimus**: a standard epithet referring to high social status; cf. on 2,11. It may be observed that all leading personalities in the *Apol.* are regarded by Apuleius as his inferiors in status, with the exception of the family of his wife and of magistrates; cf. IFIE / THOMPSON 1978, 23.

62,5 **oppido - oppido**: a pun on *oppidum* 'town' and the archaic adverb *oppido* 'utterly' (for which see on 3,12), two words which are often regarded as etymologically related. The pun can hardly be called functional here, but Apuleius is fond of wordplay even for its own sake, and the audience is likely to have appreciated it.

commentiri: the verb has a legal flavour, denoting not mere lies, but actual perjury; cf. MCCREIGHT 1991, 415-8.

quem afuisse: this refers to 61,7 *dum ego ruri ago*. There is a minor problem in the text here.[1]

qualicumque materia: finally, the speaker states once more that he is not responsible for the choice of ebony. By contrast, we may observe, he adds not a single word on the choice of Mercury.

63,1 **tertium mendacium**: the first two lies concerned the *occulta fabricatio* and the use of extraordinary wood.

macilentam - larualem: the lie about the horrible appearance is paraphrased by means of a number of expressive words, some of them relatively rare (*macilentam, euisceratam*). The speaker's aim seems to be to heighten the contrast with the charming statuette which he will show in a minute (63,5-8).

63,2 **cur mihi - denuntiastis**: a similar remark could of course have been made earlier, e.g. about the linen cloth. But then, unlike now, he had been unable to show the object in question.

63,3 **nam morem...**: Apuleius explains that he carries a statuette of a god wherever he goes, keeping it with his books. For the connection of religious objects and books, cf. above on 53,2; further ABT 1908, 226.

The renewed reference to the speaker's religious attitude seems hardly required by the argument: he could have simply produced his evidence in response to the accusation.[2] An additional favourable note must be intended here, with *alicuius dei* suggesting general piety rather than a particular devotion to Mercury.

[1]. FΦ have *quem quem*, which is obviously wrong. Some lesser MSS have *quem quidem* (adopted by B/O), but given the occurrence of the latter word earlier in the sentence, this seems less likely. It seems a better solution to omit the second *quem*, cf. HELM and VALLETTE, who bracket it; further e.g. MARCHESI and AUGELLO.

[2]. One could argue that a justification is needed for his ability to produce the evidence in court at all. But the limited distance from Sabrata to Oea (cf. on 59,2) would have allowed him to have it brought even from home if necessary. Therefore he could have kept silent about it.

63,4 **curriculo**: clearly used adverbially, meaning 'at a run'; for parallels see B/O, and cf. further on 44,6.

ex hospitio meo: presumably some address at Sabrata, the town where the trial was held. We hear no more about this accomodation. A man of Apuleius' reputation and importance would probably be staying at the home of some friend or acquaintance rather than an inn or lodged room.

Mercuriolum - fabricatus est: it should be noticed that Apuleius does not prove at all that the present statuette is actually the one in question. Even if Saturninus (who is present in court) manufactured it, and even if it was of dark wood like ebony, this would remain inconclusive: the sculptor may well have manufactured more than one statuette for Apuleius, who was one of his customers (cf. 61,6).

63,5 **cedo tu**: the last direct address of an attendant was in 36,8 / 37,4. *Cedo tu* appears to be a standard formula for this; it will be used again at 69,6; 94,7; 100,1. For the following *em uobis*, see B/O on 25,7.

scelestum... sceletum: an obvious pun made by addition of a letter; cf. B/O; for this type of wordplay cf. also HOLST 1925, 27. There is a touch of 'verbal magic' here: the words construct a literal analogy between the opponent and something ominous.

auditis: the question is put to the accusers, and refers to a reaction from the audience.

63,6 **sceletus... larua... daemonium**: the first two words are not surprising; the former occurred at 61,2 and 63,4-5, while the latter, in the sense 'skeleton' (cf. B/O and OLD s.v. c.), was foreshadowed by *larualem* at 63,1. By contrast, *daemonium* appears to have been used repeatedly by the accusers (*appellitabatis*), but has not yet been used in this context.[1]

tam puribus - consecrata: again, conspicuous flattery of the judge: he is credited with a religious purity and piety similar to that of Apuleius himself (63,3).

63,7 **uide, quam facies...**: the following lines offer what amounts to a brief description of the statuette. It mentions the gleam of the face, the facial expression, beard, curly hair and cap, and finally two distinctive features of Mercury: his wings and his cloak.[2] We may observe that the interest is directed almost exclusively at the head, and that the order of elements suggests an upward movement; only the last one, the cloak, vaguely implies the body as a whole. The description carefully strikes pleasant, light notes (*decora, hilaris, decenter, lepide, festiue*), reinforced by subtile sound effects (e.g. the allitteration *capite crispatus capillus*).

Passages such as this have led CALLEBAT 1984, 164 to consider the *Apol.* as, among other things, 'prose descriptive', but ecphrasis techniques are certainly not limited to this speech. For an even more elaborate description of a statue, cf. *Fl.* 15,7-

[1]. *Daemonion* occurred much earlier in 27,3 in relation to Socrates. In our passage, its sense is more negative.

[2]. These features return in a parallel description of a Mercury played in the theatre, at *Met.* 10,30 (261,10-5): a naked fair-haired boy wearing a cloak, golden wings, the staff of Mercury (*caduceus*), and a wand.

10;[1] for a whole group of statues, *Met.* 2,4. For other ecphraseis in the story of Cupid and Psyche, cf. KENNEY 1990, 125-6; 137; 169; 209.

Some scholars have attempted to relate the present text to archeological finds; for one example, concerning an ivory statue of Mercury found in 1910 at Carthage, cf. COLOZIER 1952, who rightly rejects the identification. The present passage simply does not allow a precise art-historical determination, as HIJMANS 1994, 1766n189 points out, referring to to LIMC V,2 s.v. Hermes, plates 974ff for some other statuettes of Mercury of the imperial period.[2]

suci palaestrici: the statuette, made of dark ebony, must have looked shiny. For *sucus* as the vital fluid of human beings, cf. OLD s.v. 3b. The adjective *palaestricus* brings in the positive association of the wrestling school, or, as we might say, of sports in general. It may be recalled that Mercury was a popular god among athletes, and that his statues could be found in sports schools. Apuleius had already spoken of his own *sucus* at 4,10 and joked on himself as a *palaestrita* at 48,2.

lanugo malis: 'adolescent fuzz was a stock feature of poetical descriptions of youthful male beauty from Homer onwards', as KENNEY 1990, 150 observes on *Met.* 5,8 (109,13-4), with many examples. Cf. further e.g. *Met.* 5,16 (115,19-20) and 7,5 (157,25) *ei commodum lanugo malis inserpebat*.

pillei: Mercury is nearly always represented with either this type of hat (a felt cap), or with a *petasus*, a broadbrimmed hat worn by travellers. In both forms, his hat may be winged (if it is not, his shoes are); cf. LIMC V,1, p.384. For a winged *petasus* cf. what Mercury himself says as speaker of the prologue in Pl. *Am.* 143: *ego has habebo usque in petaso pinnulas*.

circa humeros uestis: perhaps a revealing detail: Hermes' wearing a *chlamys* is a distinctive feature especially in magical contexts. In magical texts the god even has the cultic epithet *chlamydephoros*; cf. ABT 1908, 228.

63,8 **simulacra - neglegit**: a brief echo of the charges of atheism and lack of reverence for the Gods, which Apuleius had launched at Aemilianus in 56,3-7.

qui laruam - laruans: a parting shot resemblant of the pun in 63,5 on *scelestus... sceletum*. The combination, however, is less comical, both words being obviously related in advance.

In the text B/O, unlike most other editors, choose *laruatus*, a form attested in the *Met.*, also defended by MCCREIGHT 1991, 453-6.[3] However, *laruans* of FΦ can be retained; cf. HUNINK 1996, 162. It should best be interpreted as a participle of an active verb *laruo* 'to haunt with ghosts', 'to evoke ghosts'; for this, cf. OLD s.v. (further TLL 7, 978, 67, where *laruatus* is printed with some hesitation but *laruans* is

1. Here a statue of Bathyllus is described: in this case, too, the head is given much attention, but other elements are also highlighted, such as the attitude of a *citharoedus*, the elaborate dress, and the hands.

2. According to LEE TOO 1996, 147, what Apuleius describes here is 'nothing other than an appropriate emblem for himself, a representation of what he should be as philosopher and professional sophist.' This scholar even dares to conclude that 'Apuleius is the deity of the Apuleian corpus' (152) — an absurd statement based on a distorted reading of the text.

3. MCCREIGHT adds a full discussion on the word. Admittedly, *laruatus* makes good sense, although it would be less strong than the active *laruans*. The authority of the MSS FΦ should be the deciding factor here. Recently FRASSINETTI 1991, 1206 proposed *larualis*, which is unnecessary.

not ruled out). It projects the charge on the accuser himself, who has been pictured in this passage as an actively bad man (cf. *scelestus*), not as a passive victim.

64,1 **at tibi, Aemiliane...**: now follows a short, amazing passage, in which Apuleius pronounces a solemn curse on Aemilianus.[1] It invokes the wrath of Mercury, who is asked to bring the victim into contact with all infernal ghosts, demons, and other awful phenomena. The curse shows some features which are characteristic of Roman prayers and magical incantations, such as the formal vocabulary (notably *duit*, see below), the syntactic order as an enumeration of elements, the repetitive style and sound effects. One may further notice the choice of very rare words like *occursacula*. Apuleius quite clearly wanted to frighten his opponent by an act of verbal magic; cf. ABT 1908, 229-32.

The curse is sharply marked off from the preceding pleasant notes on the statuette and the following lofty piece of Platonic philosophy. This isolation increases the effect of surprise and threat, while it limits the inherent danger for the speaker himself: he is openly using menacing words, but only in a flash.

The words must have had a great impact, and it is not easy to imagine Apuleius actually pronouncing them in court. Some scholars believe that Apuleius is merely joking here; so MCCREIGHT 1991, 255-6 and GAIDE 1993, 230 ('une dangereuse parodie de *defixio*'). However, sarcasm can be detected only in the closing words *a quibus - abes*, not in the curse itself.[2] Apuleius' intention looks rather serious: this may be another instance of his 'playing with fire' by flinging elements of magic at his opponents. For an earlier case see 38,7.

There are analogous imprecations in the *Met.* See notably 9,21 (219,3ff) *at te... cuncta caeli numina... pessimum pessime perduint...* with GCA 1995, 189 a.l.; further 8,25 (196,23 - 197,2)

duit: an old optative form, common in early prayers; cf. parallels quoted by B/O; further LHSz 2,330.

deus - commeator: a formal invocation of Mercury, who is however, not mentioned by name. He is called upon in his capacity of mediator between the powers of heaven and underworld. The phrase is almost literally repeated in *Met.* 11,11 (274,19-20) for Anubis: *horrendus ille superum commeator et inferum*; cf. GWYN GRIFFITHS 1975, 216.

lemurum... manium... larbarum: all three are treated as various types of *daemones* in *Soc.* 15 (152-3). There a *larua* is said to be *inane terriculamentum bonis hominibus, ceterum malis noxium*. For the three names see the elaborate notes of BINGENHEIMER 1993, 167-70 (n122-6) on the passage from *Soc.*; further GCA 1977, 170-1; 1995, 253-4. For the problem of the inconsistent spelling in F of *larua* (*larba*), see GCA 1995, 253 on *Met.* 9,29 (224,29); for spelling in general, *Introduction* E.1 (1).

1. Many scholars have noticed the force of Apuleius' words: they have been labeled e.g. 'ardens imprecatio' (Petrarca, as reported by TRISTANO 1974, 425); 'echtes Fluchritual' (ABT 1908, 230); 'eine eben nicht harmlose Verwünschung' (REGEN 1971, 94); 'solemn curse' and 'impressive malediction' (HIJMANS 1987, 422; id. 1994, 1728).

2. The fact that earlier examples of *oggero* occur only in Plautus (a point raised by MCCREIGHT), does not necessarily mean that the verb has a comic overtone, since Apuleius often revives archaic words. For GAIDE's general assumption that the entire middle part of the speech was added only after the trial, cf. *Introduction*, C.2 (1).

64,2 **occursacula... formidamina... terriculamenta**: three impressive neologisms, the first two occurring only in this passage. For the third one see the previous note; it may have been inspired by Hor. *Epod.* 5,92 *nocturnus occurram Furor*, as MATTIACI 1986, 166-7n31 suggests. The sequence of three cola, each consisting of three elements, with crescendo in the rhythm, recalls the ritual of malediction; cf. FACCHINI TOSI 1986, 127.

a quibus - abes: probably referring to the last element, i.e. *sepulchrorum terriculamenta*: given his advanced age, Aemilianus does not have long to live, and as a punishment for his evil conduct he will turn into a ghost himself (cf. paraphrase by HILDEBRAND). With this invective on old age Apuleius rounds off the curse on a more familiar note and so in a slightly less threatening manner.

64,3 **ceterum Platonica familia...**: the dark tones of the malediction are immediately contrasted by the bright ones on Platonic theory. Platonism is celebrated as being in pursuit of the most lofty things and knowing only what is joyous, dignified, and majestic.[1]

Up to now, Apuleius had spoken about the Platonic *secta* (22,7) or *scola* (39,1). Here, *familia* adds an affectionate touch, as in 22,7 *Cynicae familiae*. The metaphor of 'Plato's family' is actually quite common: cf. HIJMANS 1987, 416n82 for a number of parallels from antiquity. In this speech we may further compare 36,7 *maiores meos, Aristotelen dico et Theophrastum...*

caeleste: the word not only glorifies Platonic thought but also alludes to heaven in a more literal sense, i.e. to Platonic theology, which is the issue here. For the same effect see also 12,1 (*diuina*) and 49,1 (*caelesti*). The contrast of Apuleius as a Platonist with Aemilianus, the man of the underworld (64,1-2), who was called Charon and Mezentius (56,7), could hardly have been made greater.

altitudinis studia: cf. 12,1 *alta illa et diuina Platonica*.

caelo ipso sublimiora: Platonists inquire into what literally 'surpasses heaven in loftiness.' Ambitious claims like this will not have failed to impress and fascinate the audience at large. This seems to have been the speaker's main goal, since his first point of Platonic metaphysics is quite irrelevant to the argument, Mercury having nothing to do with *mundi dorso*.

in... tergo stetit: the enigmatic Latin phrase on the 'outer surface of heaven' will be paraphrased in Greek but remains unexplained. For the idea cf. also *Mun.* 2 (292) *aetheris dorsum*, analyzed by REGEN 1971, 96-8.

There are some problems with the text: most editors write *resistit* (by Spengel), but here HELM has been followed, as in REGEN, 95.

64,4 **legit in Phaedro**: as often before, the speaker appeals to Maximus' understanding and erudition. The reference is to Plato *Phdr.* 247 b-d, with the two phrases used here in 247 c; for the reconstruction of the Greek words in the MSS, see B/O. Apuleius shows his familiarity with the *Phaedrus* also at *Soc.* 19 (164).

64,5 **ut de nomine etiam...**: the speaker seems aware that his previous remark on the surface of heaven was beside the point. Now he raises the expectation that we will hear the name of the god.

[1]. There is a striking echo of our passage in the Renaissance author Marsilio Ficino, *Comm.in Conv. Platonis* or.4: *atque ita ex Platonica familia re uera nos esse testabimur. Ea quippe nihil nouit, nisi festum, letum, celeste, supernum* (quoted by MORESCHINI 1978, 265-6).

non a me primo, sed a Platone: of course, Plato as the authority *par excellence* is named before any further detail is given. The following Greek words are a quotation from *Epist.* 2, 312 e, a letter which antiquity, unlike modern scholarship, regarded as authentic.

64,7 **quisnam sit ille...**: earlier in the speech we were already informed on various issues of Platonic theory, notably the theories of love (12), demons (43), and epilepsy (49-50). What follows now is a short, but highly interesting, passage on the Supreme God in Plato's theology.

For the position of the Supreme God in Platonic theology, cf. on 43,2. Although his ineffability may have been a commonplace by Apuleius' time, as some scholars say (BEAUJEU 1983, 405; GERSH 1986, 268-9), the passage as a whole seems a remarkable expression of the transcendence of this God.[1]

Similar descriptions of this (Middle) Platonic Supreme God can be found at *Pl.* 1,5 (190-1) and 11 (204); further *Soc.* 3 (124); *Mun.* 24-5 (341-3). On the passages from *Pl.* cf. VAN DEN BROEK 1982, who points to parallels with Gnostic texts. On all the relevant Apuleian passages see FESTUGIÈRE 1954, 102-9; GERSH, 266-73; HIJMANS 1987, 436-9. For the present passage see also FICK 1991b, 25-6, and in particular REGEN 1971, 92-103, who explains it not only in terms of Platonism but also of Hermetism and magic. The case for Hermetism here is strongly defended by MÜNSTERMANN 1995, 196-200.

basileus: a transliteration of the Greek word is not found anywhere else in regular Latin prose. TLL 2, 1760, 75ff, not mentioning the present instance, provides only a few examples from glossaries and grammars.

totius rerum naturae...: a number of distinctive features of the Supreme God are listed. Many of these have parallels in the three other Apuleian texts mentioned above. Cf. GERSH, 270-3, and notably HIJMANS, 437-8, who provides a useful comparative table, which easily shows that the relevant Apuleian texts produce no less than 22 different characteristics of the Supreme God. *Pl.* 1,5 (190-1) gives the richest picture with 14 of them, while our present passage comes second with 10. In the following notes only the most remarkable parallels are indicated.

origo initialis: cf. *Mun.* 24 (342) *originis auctorem*. There are further parallels with descriptions of other gods; B/O compare *Met.* 4,30 (98,7-8) *en rerum naturae prisca parens, en elementorum origo initialis* (Venus);[2] 11,5 (269,12ff) (Isis).

sospitator: cf. *Mun.* 24 (343) *sospitator quidem ille <et> genitor est omnium....* The archaic word occurs several other times in Apuleius' works, and is later used for Christ; cf. GCA 1977, 67.

opifex: 'Apuleius apparently has no problems in describing the supreme god at the same time as *opifex mundi* and as truly transcendent' (HIJMANS, 439). But the added *sine opera opifex* provides the necessary precision: the first principle appears to

[1]. As GERSH, 271 shows, Apuleius is the first Latin writer to reestablish the metaphysical transcendence characteristic of ancient Platonism, as opposed to the physical transcendence advocated by Antiochus of Ascalon, Cicero, Varro, and Seneca.

[2]. KENNEY a.l. (p.121) rightly points at the Lucretian background of the expression as such, notably Lucr. 5,176 *rerum genitalis origo*.

'intervene in a non-interventive manner,' as GERSH, 273 puts it.[1] Besides, any paradox will do to describe a God who is beyond human expression. Middle Platonic and Neoplatonic thought on this point prepare for later theology, notably the so-called 'negative theology' developed by Pseudo-Dionysius Areopagiticus.

neque loco - comprehensus: references to God as one and infinite (ἀπερίμετρος) seem to be the innovative part of the terminology, reflecting the religious milieu of the second century rather than Plato himself; see GERSH, 270-1.

paucis cogitabilis: cf. *Soc.* 3 (124) *uix sapientibus uiris... intellectum huius dei... uelut... lumen candidum intermicare*. The word *cogitabilis* was already used by Sen. *Ep.* 58,16.[2]

nemini effabilis: cf. *Soc.* 3 (124) *maiestatis incredibili quadam nimietate et ineffabili*; *Pl.* 1,5 (190) *indictum, innominabilem*. For the traditional, Platonic concept cf. MORESCHINI 1978, 198-9; GERSH, 268-9, both with further references; further MORTLEY 1972. For the religious vocabulary we may also compare passages like *Met.* 11,11 (275,6-7) *magno silentio tegendae religionis argumentum ineffabile*. The word *effabilis* is uncommon, but not a hapax legomenon, as B/O wrongly state; cf. TLL 5,2, 125,73 - 126,5.

64,8 **en ultro augeo...**: cleverly using the last element of God's 'ineffability', Apuleius leaves the exact identity of the *basileus* in the dark. This is not simply in keeping with Middle-Platonic statements, as MORTLEY 1972, 590 concludes, nor is there any ban of Plato on naming the god, as MÜNSTERMANN 1995, 197-9 adds. In the present context, Apuleius' lack of precision in the end comes as a surprise. One may be reminded of 56,9-10, where Apuleius had kept silent in the end on what the linen cloth covered. But there he had explicitly referred to the esoteric nature of the object and his religious duty, of which there is no mention here. So, Apuleius' silence is rather disturbing.

There must evidently be *some* link of this theological passage to the *Mercuriolum* of ebony. Is Mercury just one of the names for the Supreme God, just as Isis is said to bear many names in *Met.* 11,5 (so SIMON 1974, 300n10)? There is no evidence in support of this. Moreover, it seems rather unlikely that Apuleius maintains any material cult of the sovereign, transcendent God of the philosophers; cf. BEAUJEU 1983, 404-5.

It has been argued that the statuette can be of Hermes as *summus exsuperantissimus deorum omnium* and master of the universe in a Hermetic sense; cf. GOLANN 1952, 155-6; REGEN 1971, 100-2; and MÜNSTERMANN 1995, 196-200. In that case, Apuleius is here tacitly moving from Platonism to Hermetism, which in fact *did* put a ban on naming the supreme god (MÜNSTERMANN, 197-9).

But we may also observe that *basileus* is used in Greek magical papyri for various gods of magic; cf. ABT 1908, 225-6; BEAUJEU, 404; and GAIDE 1993, 230: 'Le refus

1. The picture is actually even more complex, as GERSH says, since some of the other elements stress the active intervention of this principle in the cosmos, or, by contrast, its total freedom and complete separation from the cosmos; for the latter cf. *Soc.* 3 (124) *solutum ab omnibus nexibus patiendi aliquid gerendiue.*

2. Apuleius uses it again at *Pl.* 1 (200) along with *intelligibilis*. There it is followed by an excuse: *detur enim uenia nouitati uerborum rerum obscuritatibus seruienti*. Strictly speaking, the excuse is slightly misplaced, since neither *cogitabilis* nor *intelligibilis* is coined by him first; the latter also occurs in a letter of Seneca, *Ep.* 124,2 and 12. Such expressions of caution can regularly be encountered in Roman works on philosophy, cf. BEAUJEU a.l. (p.266).

de donner le vrai nom du dieu nous place en pleine magie: le Nom ne doit pas être divulgué, car il est lui-même vertu, clé de la connaissance'; see also on 61,8. If this is the decisive point, Apuleius seems even to confuse the Platonic Supreme God with a god of magic. The conclusion must be that the matter is left vague at best, and is possibly distorted on purpose.[1]

ipse proconsul: judge Maximus (cf. on 1,1). It is implied that, familiar as he is with Platonic theology, he will of course not ask this sort of questions. So the defendant's seemingly provocative stand is hardly more than rhetoric display.

quid sit deus meus: *quid* raises a minor smoke screen: at this point the real issue is the name of the God (that is, *who* he is), and one would therefore expect *quis*. Instead, Apuleius alludes to the *nature* of the God, which is, as he argued, hidden and ineffable.

65,1 **de nomine - satis dixi**: the information Apuleius gave on the name of the God is actually far from sufficient; cf. the previous note.

65,2 **ignoscendi... cognoscendi**: a manifest little play on words, for which B/O quote parallels. The defendant refers to some people in the audience who sympathize with him but still feel uncertain about the choice of wood as the material. These men are credited with a 'desire to know', which is rather flattering: it puts them on a par with the great philosopher Apuleius himself.

65,4 **quasi - auditurus**: since what follows will in fact be Plato's own words, the hypothetical element of *quasi* seems strange. The suggestion must be that Plato is going to recite the words personally.[2]

de nouissimo - libro: the quotations are from *Leges* 12, 955 e. As usual, Apuleius' quotations are not entirely literal: in the second part, the Greek words differ on two minor points from the MSS of Plato. For ἰδίᾳ καὶ, the latter read ἰδίᾳ τε καὶ and for εὐχαρι (an emendation by HELM for F's ευχερι) they read εὐχερὲς which is usually changed to εὐαγὲς.

65,5 **θεοῖσιν δὲ...**: the entire passage from Plato had been translated by Cicero in *Leg.* 2,45.[3] One may wonder why Apuleius did not quote these Latin lines, which must have been easier for the audience to understand. However, Apuleius never shows great affinity with Cicero in general. Furthermore, the original Greek is clearly more effective to his case: apart from suggesting a personal address by Plato, it confirms the special bond between the learned Apuleius and the educated members of the audience,

1. The identification of Apuleius' *basileus* with Osiris, an idea advanced without discussion by TRIPP 1988, 250, fails to convince. The suggestion of HERRMANN 1952, 337 and 1959 that it is the Christian God whom Apuleius actually worships by means of a wooden *crucifix*, is quite absurd, and has generally been rejected; cf. notably MORTLEY 1972, 585-7 and SIMON 1974, 299-301, who does add that the statuette may have raised wrong suspicions, given the close association of magic and Christianity in the eyes of non-Christians. If there are traces of Christianity in the speech at all, they are part of the speaker's invective directed against Aemilianus; see e.g. on 16,13.

2. Editors point out that, as Diog.Laert. 3,37 tells, the *Laws* were published posthumously by Philippus of Opus, who found the text written upon waxen tablets. It is not impossible that Apuleius alludes to this non-oral tradition of the text.

3. *Terra igitur, ut focus domiciliorum, sacra deorum omnium est; quocirca ne quis iterum idem consecrato. Aurum autem et argentum in urbibus et priuatim et in fanis inuidiosa res est. Tum ebur ex inani corpore extractum haud satis castum donum deo. Iam aes atque ferrum duelli instrumenta, non fani. Ligneum autem quod quisque uoluerit uno ex ligno dicato, itemque lapideum.*

while it also maintains the impressive, mysterious atmosphere evoked by the earlier quotes in 64. The use of Greek also obscures some dubious points; cf. notes on 65,6-7.

65,6 **hoc eo...**: the first part of the Greek quotation was not really to the point: Apuleius had raised the question why he had not chosen silver or gold (65,1), and he might therefore have limited himself to the Greek words given hereafter (65,7). His explanation that Plato's teaching banned private shrines makes things worse: not only is he currently discussing an object of private worship, but he has also admitted preserving cult objects *apud lares Pontiani* (53,2).[1]

65,7 **ἐλέφας δὲ - σώματος**: a somewhat comparable argument was adduced for wool at 56,2.

μονόξυλον: 'made from a solid trunk', 'in a block' (LSJ s.v.). This is a particularly inopportune detail in view of the nature of Apuleius' statuette, which was composed of several layers of ebony (61,8). It may have escaped the attention of the audience, because Apuleius quotes the text in Greek.

65,8 **Maxime - estis**: cf. 1,1. This is a case of ring composition, according to HIJMANS 1994, 1758. See also on 67,5.

causae patrono: having presented Plato's words in Greek, Apuleius can now argue that his great teacher acts as his advocate during the trial. The statement is 'perhaps the most striking example in Apuleius of the complete blending of philosophy and (applied) rhetoric', as SANDY 1993, 169 says. On a practical note, we should remember the situation in court: unlike the accusers, Apuleius does not use the help of any lawyers.

cuius legibus obedientem: this refers to Plato's teachings in general, and to the *Leges* from which the quotations came, as many scholars have noticed. It may be added that Apuleius does not appear to be a faithful disciple of Plato in all respects; cf. notes above on 65,6-7.

competentissime: as MCCREIGHT 1991, 475 notices, this adds a further legal touch to the pun on Plato's laws, *competens* being a legal term; cf. OLD s.v. b; for the adverb TLL 3, 2070, 73-8.

uidetis: after this word, F has the following subscription: 'Ego G. CRISPVS SALVSTIVS EMENDAVI ROME FELIX. - APVLEI PLATONICI MADAVRNSIS PRŌ SĒ APUT. CL. MAXĪMŪM. PRŌCŌS DE MĀGĪA LĪB. Ī. EXPLICIT. INCIP. LIB. II. LEGE FELICITER.' At the end of the *Apol.* and after most books of the *Met.* there are similar subscriptions by Sa(l)lustius; cf. PECERE 1984, esp. 113-4 and 124; briefly HIJMANS 1994, 1771wn206. On the identity of this 4th century scholar see PECERE, 114-8;[2] further RE 2, 1, 2, 1960.

The arrangement in two books is usually considered to have been made at some late stage of the transmission. However, it marks a crucial point in the speech: the transition from magical practices to the seduction of Pudentilla. It is quite possible that Apuleius himself underscored the major structural feature of his speech by dividing it in two bookrolls; cf. HIJMANS 1994, 1726wn42.

[1]. Cf. also the invective against Aemilianus at 56,5: *nullum in uilla eius delubrum situm, nullus locus aut lucus consecratus*. This obviously implies that Apuleius considered that having a private *delubrum* was legitimate and good.

[2]. According to the Italian scholar, this Sallustius was some younger member of the noble family of the Sallustii, who played an important rol in the cultural and political life of 4th century Rome. There is a still extant Neoplatonic treatise in Greek by Salustius, a friend of the emperor Julian.

66-67 Second main charge: seduction of Pudentilla; *Diuisio*

Now I must turn to the issue of my marriage with Pudentilla. My accusers say I have married her for gain, but in fact I have had few material benefits from the marriage indeed. It is jealousy only which must have inspired Aemilianus, not an honest desire for glory or a moral principle. Five counts must be dealt with: the allegation of my using magical incantations, Pudentilla's letters, her age, the celebration of the wedding in a villa in the countryside, and finally the dowry. All of this will appear so silly that no-one could possibly take it seriously.

Having concluded the important section on magical practices (29-65), the speaker moves on to a second main point, his allegedly seducing the rich widow Pudentilla into marrying him. In our MSS a sharp division is indicated here (see the end of the foregoing paragraph).

From the very first lines onward Apuleius emphasizes the insignificance of his financial gain in the marriage, and flings his opponents' accusations of greed and envy back at them. In 67 he gives a convenient summary of arguments to come. Another *diuisio* had been provided before the former main section, at 27. After that, the narration of events is kept up to the end of 78, although with important interruptions (69,7-71,2 and 74-78,4). Then the attention is concentrated mainly on some individual points; for this main line of thought cf. HIJMANS 1994, 1766-8.

Although many rhetorical techniques are the same as those in the preceding sections, there are some major differences here. First, the subject of magic quickly recedes into the background. It will occur at some instances, but the dominant theme of the whole section is decidedly non-magical. Details on personal life and family affairs become central, with particular emphasis on material issues. The section is basically a discussion of capital and ownership, the trial now looking like a trivial case about 'mine and thine' (cf. NORDEN 1912, 48) rather than about the capital crime of magic.[1] Second, Apuleius easily shows his innocence in a fairly convincing way. To reject the five counts (for which see on 67,2), he has at his disposal not only comparatively sound arguments but also factual evidence, in particular some letters, as well as a written will. There are far less remaining suspicions than in the previous sections on magic. The relatively long, detailed, and open discussion of the various questions confirms Apuleius' feeling of confidence. The marked difference in tone is also noticed by HIJMANS 1994, 1758-60 (with added observations on the varying length of the cola in c.66-7). All of this probably reflects a conscious strategy on the part of the defendant. He has kept his strongest points for the last, whereas the most dangerous matters were discussed in the middle of the speech. See also remarks by NORDEN 1912, 46-7.

The entire final part of the speech is often used as a historical document for the history of Roman Africa, in particular for issues of economic and social history, on which so few other contemporary sources are extant. The marriage with Pudentilla and its various legal aspects, as well as the characters which figure in the section, also continue to attract attention of scholars from various disciplines. Although the text

[1]. Significantly, ABT's book on the *Apology* and magic discusses only on a few points from the entire section 66-103: p. 233-57.

indeed provides many interesting *realia*, caution is due. It must always be kept in mind that Apuleius' aims are those of a defendant in court and a creative, literary talent — not those of a historian, let alone a modern researcher interested in objective data.

The events as reported by Apuleius have often been summarized and analyzed. Some helpful examples are: VALLETTE 1908, 89-110; NORDEN 1912, 47ff; PACK 1940; MCCREIGHT 1991, 8-12; further GUTSFELD 1992, 256ff and FICK 1992.

66,1 **epistulas Pudentillae**: although Pudentilla's letters play an important role in the section 66-102, its theme as such is the marriage in general. By referring to the letters at this early stage, the defendant alludes to one of his strongest pieces of evidence. Surprisingly, the first letter coming up will be one by Aemilianus (69,5).

paulo altius petere: the section to come is largely constructed as a narrative of events. Its character of *narratio* is clearly indicated here; cf. HIJMANS 1994, 1766-7.

quem - dictitant: in essence, the charge apparently consists of only two elements: the motive of desire for gain and the action of taking control of the house. Magic is not mentioned here.

66,2 **minime prosperum matrimonium**: right from the start, Apuleius plays down the material benefits he may have had from the marriage. The following *tot incommoda* and *inimicum*[1] even add a little extra, suggesting outright disadvantages. For the moment, this remains unexplained. Although the following sections will show that he did not receive large possessions, it seems highly unlikely that the marriage with the rich widow Pudentilla did not prove advantageous for him. Surely, he must have made some use of her houses, her slaves, and her capital.

Did Apuleius really marry Pudentilla for her *uirtutes* and did he love her? ALIMONTI 1979, 139 simply denies the latter, but on the basis of this forensic speech we simply cannot say. At least, Apuleius wishes to leave the impression that for him, as a philosopher, her virtues counted most; cf. MICHEL 1980, 13-4. In the background there is a traditional issue of debate, the question whether or not to marry; see MCCREIGHT 1991, 21wn51. It may be added that this was to become an issue much discussed by early Christian writers, e.g. Tertullian.

66,3 **cassam inuidiam**: Apuleius effectively casts back the charge of greed which has been launched at himself. It is his opponents, he argues, who are motivated by jealousy and greed.

et multa - uitae: an intriguing remark. Apparently, Apuleius has similarly stood in danger of losing his life many times before. We can only guess at the facts behind these words. The adverb *antea* can be taken with *multa... pericula*, as a Greek construction, or with the verb; VON GEISAU 1916, 281 opposes the first solution.

etsi - comperisset: cf. 28,4 *etsi maxime magus forem*, and the reasoning there.

66,4 **neque autem...**: other reasons for Aemilianus' attack, apart from self-interest, might be a desire for glory, or moral indignation. Anticipating these two possibilities, Apuleius seizes the opportunity to insert another passage on legendary men from the times of the Republic. These men function as contrasts to Aemilianus and make him look ridiculous again.

[1]. After this word, FRASSINETTI 1991, 1206 wants to insert <*futurum*>. Although Apuleius' syntax is a little rough, the proposal is unnecessary.

M. Antonius...: lists of famous men from the Roman past occurred before; cf. 17,7-9; 18,9-11; 20,5. Now, Apuleius refers to five trials, the first four of which are mentioned in the works of Cicero: (1) *Fam.* 9,21,3; (2) *Brut.* 102; (3) *de Orat.* 2,89; (4) *Brut.* 222. The two men of the fifth trial can plausibly be identified as C. Scribonius Curio and Q. Metellus Celer, both mentioned by Cicero as well; they lived at the beginning of the 1st cent. BC. The relevant Ciceronean texts are quoted by B/O, who also point to a number of minor inaccuracies of Apuleius.[1] But, given the distance in time, there was, as B/O quite rightly add, 'little fear of his accuracy being checked in a provincial law-court.' Of course, these inaccuracies could also be due to errors by scribes.

66,5 **aliquo insigni iudicio**: for this Roman tradition in oratory, older editors as HILDEBRAND compare Cic. *Cael.* 73 *uoluit uetere instituto eorum adulescentium exemplo, qui post in ciuitate summi uiri et clarissimi ciues exstiterunt, industriam suam a populo Romano ex aliqua illustri accusatione cognosci*; further Tac. *Dial.* 34; Quint. *Inst.* 12,7,3-4; Plut. *Luc.* 1,1-2; [Hier.] August. *Ep.* 68,2.

It may be observed that Apuleius considers his present trial as a possible *iudicium insigne*: being a prominent man himself, he could similarly have become the target of a young man looking for glory in eloquence.[2]

mos - exoleuit: cf. Tac. *Dial.* 35 *at nunc adulescentuli nostri deducuntur in scholas istorum qui rhetores uocantur...* Major changes in contemporary Roman oratory are the main subject of this work of Tacitus.

66,6 **nam neque...**: the sarcastic comparison sums up much of the preceding invective against Aemilianus: he is uneducated, boorish, barbarous, and old. Therefore, neither a display of eloquence, nor a desire for glory, nor a start of advocacy would suit him.

capulari: 'ready for the coffin, or the bier', an echo of comedy; cf. the Plautine examples given by B/O.

66,7 **ipsis maleficiis**: since the entire sentence is strongly ironical,[3] these words do not imply an admission by Apuleius of evil practices.

66,8 **Afro... Africano**: a pun on Aemilianus as a boorish provincial, contrasted to a far more famous 'Aemilianus': P. Cornelius Scipio Aemilianus Africanus Minor. This man was the captor of Carthage in 146 BC (hence his name *Africanus*) and of Numantia in 133 BC; he was well known for his moral strictness as a censor.

frutici: at the end of the paragraph the speaker descends to abusive language: Aemilianus is called a 'blockhead', who does not even understand what wrongdoing is. *Frutex* in this sense adds another note of comedy; cf. Pl. *Mos.* 13.

[1]. Several men have other first names: *Q.* Mucius, *T.* Albucius, *C.* Norbanus, *M'* Aquilius (given the other mistakes, FΦ's reading *M.* should not be corrected here). One name is misspelled: *L.* Fufius. Finally, it was Albucius who accused Mucius, not the other way around.

[2]. Naturally, glory and applause are also what Apuleius is trying to obtain for himself as a speaker. But this passage does not apply to him, since he does not belong to *incipientes adulescentuli* anymore.

[3]. Surprisingly, the irony has not been noticed by all: for instance, *pro sua seueritate* is taken seriously by GRISET 1957, 37wn10 as a reference to a strict, Christian lifestyle of Aemilianus. That this is impossible, is shown by *pro morum integritate*, which can only be taken ironically in view of the speech as a whole.

67,1 **clare dilucet**: FΦ read *claridilucet*, which has been much discussed. Most editors follow HELM's *clarius dilucet*, but *clare dilucet*, the reading of some later MSS, is the simplest correction, as B/O rightly remark.

aliam rem inuidia: the argument of the paragraph is rounded off with a repetition of its starting point: it was envy which inspired the accusation. One of its supporters, Herennius Rufinus, is mentioned here for the first time. He will become the target of counter-attacks by Apuleius at 74.

67,2 **quinque res sunt**: here starts another *diuisio* of the elements that will be dealt with in the last section of the speech. The earlier *diuisio* at 27 may be compared, where points to come were indicated by means of questions and answers. Here the form is much simpler: the points in question are merely summed up. Another difference is that the present announcement is rounded off on a note of ridicule, with Apuleius suggesting that it looks as if he had arranged the whole affair personally.

The five issues are: (1) the alleged refusal of Pudentilla to remarry and her enchantment by Apuleius (68,2-73); (2) her letters (78,5-87,9); (3) her age (89); (4) the wedding ceremony in the countryside (87,10-88); (5) the dowry and the intrigues resulting from it (90-104). It may be observed that (3) and (4) will be dealt with in reverse order.

67,3 **meis carminibus coactam**: a brief mention of the subject of love magic, a quite common area of ancient magic. There is a long note on it in ABT 1908, 234-40, who remarks (p.234-5) that in the case of love magic exerted by a man, his goal would be not only to gain the love of the desired woman, but also to exclude rival lovers.

Apuleius will tell at length about events leading up to his marriage, thereby making it clear that Pudentilla in the end did not refuse to remarry, and that he was asked to marry her. So for him, he will argue, there was no reason to use charms. Still, it seems curious that he does not explicitly deny this point, but only makes dismissive remarks about it.

confessionem magiae: the lines of Pudentilla on 'Apuleius as a magician' will be discussed at 81-4. They will turn out to be ironical, and to have been misinterpreted and even misquoted by the prosecution. This is now hinted at in *putant*.

ad lubidinem: this brings in another point along with her allegedly advanced age: a Roman marriage was supposed to be concluded for a rather different reason, namely *liberorum quaerendorum causa*; cf. e.g. NORDEN 1912, 106. In the following discussion both elements will be disconnected again: Pudentilla's age is discussed separately at 89, possibly because this makes the speaker's case appear particularly strong. Much earlier, it will be made clear that Pudentilla had 'medical' grounds for her remarriage (69).

tabulae nubtiales: a legal term for the marriage contract as put down in written form, immediately before the actual conclusion of the marriage.[1] It gave the marriage a formal status as a legal marriage (although it was no indispensable requirement), and contained rules and regulations concerning financial obligations, e.g. on the *dos* of the bride; cf. 91-2. See in particular NORDEN 1912, 93-4 and 100-1, and TREGGIARI 1991, 165.

[1]. The term will return repeatedly in the speech, e.g. 68,5; 88,1; cf. also *Met.* 4,26 (94,26 - 95,2), a passage where legal terms concerning marriage are heaped up.

67,4 **nouissima...**: in this preview, the final point concerning the dowry receives the greatest attention from the defendant. His style grows more elevated, and he even returns to the imagery of the viper emitting venom; cf. on 8,4. There is a pun on *uirus* and *uiribus*, as AUGELLO notices. For *uirus* cf. on 3,7 (end).

grandem dotem: the dowry will actually be shown to have been comparatively small, and not to have been 'extorted' in secret but formally agreed upon in the *tabulae nuptiales*; see 91,6-8.

67,5 **quae omnia...**: here follows an indication of *stasis* ('not guilty'), according to HIJMANS 1994, 1767. For the pathetic *tam... tam... tam...*, cf. 9,3 *quis unquam fando audiuit tam similem suspicionem, tam aptam coniecturam, tam proximum argumentum?*

medius fidius: the expressive exclamation is also used at the beginning (1,3) and the end (99,4) of the speech. The same is true for *Maxime quique in consilio estis* (cf. 1,1; 65,8; 99,1).

uerear... ne... putetis: Apuleius raises the thought that the entire trial is set up by himself. For some scholars this leads to the further idea of a fake trial, that is: that the entire speech is a piece of fiction; see discussion in *Introduction*, C.2 (3). It may be added that in our passage Apuleius does bring up the idea, but denies it right away.

demissum: for *demissum* as used here, there is no exact parallel, but the text can be retained, as B/O conclude; cf. also TLL 5,1, 492, 39 (sense II, as *mittere, immittere*).

67,6 **reabse**: for the spelling, see also *Met.* 11,13 (275,27) with comment by GWYN GRIFFITHS 1975, 234.

friuolam accusationem: until now, *friuolus* had been used only for the subsidiary charges, discussed in the first quarter of the speech; cf. 3,8; 3,12; 25,1. Now the adjective covers the accusation as a whole.

68-78 Seduction of Pudentilla (I): previous history

Now I will tell you what happened before the marriage. As a widow, Aemilia Pudentilla did not want to remarry on the terms of her former husband's father, who threatened to disinherit her sons. After his death she felt free to choose a man by herself. Remarriage was advised by her doctors on medical grounds. Even Aemilianus approved of this, as appears from a letter written by him. Pudentilla wrote a letter to Pontianus, who then was in Rome. Pontianus hurried back, fearing that the family capital was at risk because of her plan. At that moment I happened to arrive in town, on my way to Alexandria. I was ill and had to stay in bed. Pontianus came to see me and sounded me out on how I felt about marriage. He made me stay at his house for the next winter, and I came to know Pudentilla and Pudens fairly well. In these days I was invited to become a citizen of Oea. Then Pontianus revealed his plan: he proposed that I should marry Pudentilla. At first I did not want to, but Pontianus persuaded me. Suddenly, however, he changed his mind under the evil influence of Herennius Rufinus, his father-in-law, who also stirred up Aemilianus. This Rufinus, his wife, and his children are all alike: debased, corrupt, a bunch of pimps and prostitutes... Pontianus fell in love with Rufinus' daughter, who was a whore. Although she could no longer count as a virgin, he was foolish enough to desire marrying her. Rufinus had his mind set on Pudentilla's fortune, and wanted to get rid of me. Therefore he put pressure on Pontianus to prevent

my marriage: if he failed, his own marriage would be canceled. The boy obeyed. Pudentilla, however, refused to abandon her plan. This enraged Rufinus: he called Pudentilla a slut and me a magician, and threatened to kill me — an empty threat for one as effeminate as he is.

The narration of events is given a fairly simple structure: it is basically chronological, starting with Pudentilla's family circumstances in the past years, and ending with the marriage plans. Two elements, however, are given special attention: in 69,7 - 71,2 much is made of Aemilianus' letter to Pudentilla, approving of her marriage plans, and of Pudentilla's letter to Pontianus. The section on Rufinus and his family, 74-8, stands out even more clearly. It is a piece of full-scale invective, in which the defendant descends to outright mudslinging.

Since we have only Apuleius' account of the facts, our perspective inevitably remains one-sided. There is no reason to doubt that the core of his reconstruction is correct. Nonetheless, the story is arranged in such a fashion as to present Apuleius in a favourable light, whereas the reputation of his opponents is blackened. He pictures himself as disinterested, earnest, unwilling at first, and creates the impression that he was persuaded by Pontianus to marry Pudentilla; use of magical means, therefore, would have been unnecessary. Pontianus' change of mind is explained as due to the bad influence of his father-in-law, who now appears to be the villain of the piece.

Of course, we may doubt whether Apuleius was as innocent and decent as he presents himself here. There must have been more than 'his duty as a philosopher' to make him agree to marry the widow Pudentilla, who was older than he. Her immense wealth may well have been an important factor, although Apuleius will insist that he did not gain many possessions. Similarly, we may ask whether Rufinus and his family were really no more than debased, greedy perverts. They may have been concerned for Pontianus and his financial interests, without any intention to actually seize his capital. Economic motives are, on the whole, rather played down by the speaker. He prefers to concentrate on the characters of those involved, quite in accordance with ancient rhetorical practice. A striking feature of the entire scene are the numerous echoes of comedy, both in idiom and in character portrayal. Much of the previous history is presented as a piece of comedy.

68,1 **nunc dum...**: the narration opens with a relatively long period which recalls Cicero's style, but is probably due to forensic practice; cf. HIJMANS 1994, 1711n7. Being inserted at this point, it aims at impressing the audience and making it attentive of what is to come. The request for attention is also made explicit, as in 13,4 (Maximus only) and 65,4. The alliteration *fontem et fundamentum* enhances the effect.

68,2 **Aemilia Pudentilla**: the first name is that of the woman who is the central character of the section. Until this point in the speech, she had remained entirely in the background and was mentioned only a few times. Although Apuleius now provides some information on her, she will still remain a shadowy figure. She is probably not present in court (see on 1,5). The picture that emerges of her is one of a rich but decent, earnest Roman lady. It may be true to life, but it may also owe a great deal to socially accepted standards. For her biography, especially her family ties with the accusers, see GUTSFELD 1992, and *Introduction*, A.2 (1).

quae nunc - uxor est: proudly and perhaps rather teasingly, the speaker starts by stating a point known to all. He may have done so on purpose, to taunt other marriage candidates and his opponents in court.

Sicinio Amico: about Sicinius Amicus, Pudentilla's first husband, we know nothing more than what is said here. Apuleius seems rather dismissive, considering the added *quodam*.[1]

nubta fuerat: for the 'forme surcomposée' cf. CALLEBAT 1984, 147.

pupillos: the legal technical term for minors no longer in the *patria potestas*, due to death of the father or emancipation; see NORDEN 1912, 133wn2-3. If the father died before his own father, his children remained in the *manus* of their grandfather; see NORDEN, 132.

annos ferme quattuordecim: a very long period of widowhood, which also means that Pudentilla had become a widow when she was still young. If, as Apuleius will argue (89,5), Pudentilla is just in her forties, she must have been about thirty when her first husband died. For a list of young Roman widows, see KRAUSE 1994, 240-3; further 79-80 for cases of long widowhood.

At 27,7 Apuleius had spoken of only thirteen years of widowship, but in a phrase put into the mouth of his opponents.

memorabili pietate: the first qualification of Pudentilla is, hardly surprisingly, one of unconditional praise. Cf. 68,5 *mulier sapiens et egregie pia*. But later in the section there will be several less respectful remarks about her; cf. e.g. on 69,2 and 73,4-5.

68,3 **in ipso - flore**: the phrase seems exaggerated, though not entirely misplaced; cf. the note above on her early widowhood.

68,4 **[ceterum]**: the text is problematic here. I have followed B/O, VALLETTE and Novák in bracketing *ceterum*, rather than correcting it, e.g. to *<in> ceterum* with HELM (who renders it as 'in künftig'). The word may have slipped in by accident, due to the following *ceteros*.

Sicinio Claro: about this brother of Pudentilla's first husband we hear hardly anything more, except that he is a 'boorish old man' (70,3). From 98,2 it can be deduced that he was younger than Aemilianus; cf. B/O on 98 *intestati pueri*.

procos: the word inevitably evokes the image of Penelope surrounded by suitors. In fact, Pudentilla appears to have behaved quite like this Homeric model, remaining chaste and virtuous and making up excuses to postpone the marriage to which she was forced by others; cf. MCCREIGHT 1991, 141, who does not, however, notice the significant noun *procos*. In Apuleius' days, Penelope had become a symbol of philosophy and wisdom; cf. HELLEMAN 1995, who refers to the works of Plutarchus and Diogenes Laertius.

The association of Pudentilla with Penelope was already perceived in the Middle Ages; cf. a passage in a medieval *Accessus* on Apuleius, quoted by GARFAGNINI 1976, 316: 'Pudentilla interea sola domi castitatem conservat altera facta Penelopes, expectans rediturum Vlixem...' This Odysseus, we may add, cannot be anyone but Apuleius himself.

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[1]. *Quidam*, however, may also have another sense. In her study of cases of *quidam* with a proper name in the *Met.*, VAN MAL-MAEDER 1994, 217-8 observes than in most of these it underscores a 'significant name', that is: it points to a pun, an etymological note, or some literal meaning of the name. E.g. *Cerdo quidam nomine negotiator* in 2,13 (35,21-2); *quendam Barbarum* in 9,17 (215,10). One feels tempted to consider the name *Amicus* as a clue here.

extrario: that is, outside of the family circle; for the word cf. GCA 1985, 188. Pudentilla had been urged to marry her former husband's brother because the Sicinii wanted to keep the property in the family, as Apuleius suggests. But probably a more important factor was her high social status; so IFIE/THOMPSON 1978, 32. Marriages of a woman with a brother of her first husband are not exceptional in Roman history; cf. NORDEN 1912, 108-9 (with examples).[1]

nihil - relicturum: since Pudentilla's first man had been *filius familias*, he had not been legally entitled to make a will, and his property remained under the jurisdiction of his father. This is why the boys' grandfather can put pressure on Pudentilla, who defends the interests of her sons; cf. NORDEN 1912, 141; in general on this motive for widows cf. KRAUSE 1994, 129wn79 and 154-5. At 71,6 it turns out that the grandfather eventually left his grandsons very little.

68,5 **condicionem**: a stipulation concerning the marriage not put down in *tabulae*, as in *Fl.* 14,4 *Hipparche condicionem accepit*. For *tabulae nubtiales* cf. above on 67,3.

68,6 **nuptias eludit**: as NORDEN 1912, 100 indicates, the *tabulae nuptiales* were not a formal marriage contract itself. The partners remained free to withdraw at any moment before the official conclusion of the marriage. So Pudentilla's behaviour is not illegal or dishonest; it even looks virtuous like Penelope's (see on 68,4 *procos*).

uanis: Lipsius' emendation *uariis* for FΦ *uanis* is almost generally accepted. In fact, the reading of the MSS, retained by HILDEBRAND and MOSCA, makes excellent sense. Pudentilla's pretexts may well have been 'trifling'.[2]

fato concessit: a slightly euphemistic expression for dying; cf. OLD s.v. *concedo* 3c. It may have been chosen here to counter any suspicion that Pudentilla's tricks played a role in this death.

tutor: Pontianus was appointed *tutor* in the will. If nothing had been written down, he would still have received this *tutela legitima* over his brother, since he had become the male heir closest in order of succession; cf. NORDEN 1912, 134.

69,1 **solitudinis**: probably not to be taken as an emotional motive. For a woman, being without a husband implied a lack of protection against legal action and material fraud. Cf. 77,7.

aegritudinem corporis: now follows another curious medical passage (cf. the earlier section on epilepsy, esp. c.49-51). Apuleius actually adduces health reasons for Pudentilla's remarriage. Typically, he omits any other, more selfish, grounds either for her or for him, and concentrates on an element where he can display his knowledge and which forms an 'objective' motive beyond discussion. On health reasons as a motive for remarriage, see KRAUSE 1994, 111-2.

69,2 **sancte pudica**: the remark is included to establish firmly that sexual desire (or 'lust') did not play any role for Pudentilla.

assuetudine - torpens: a difficult phrase. 'Privée des habitudes conjugales' (VALLETTE) mistranslates *torpens*, whereas a change of the first word to *desuetudine* (Casaubon) or *absuetudine* (MARCHESI) seems an unnecessary strong intervention. The idea is clear: Pudentilla had become lethargic (OLD s.v. *torpeo* 3a) through lack of

[1]. However, KRAUSE 1994, 88 points out that most recorded examples date from early Rome.

[2]. In his apparatus HELM observes: 'si vanae fuissent, nemo eis deceptus fuisset', a strangely naive remark. If Apuleius calls these tricks 'false' or 'silly' (OLD s.v. *uanus* 3a and 6a), this judgement was not necessarily shared by the Sicinii, whom he considers less intelligent than himself.

sexual intercourse, to which she had grown accustomed. As HELM explains in his apparatus, 'sed torpebat quia assueta erat coniuge uti.' See also next note.

diutino - uteri: the thought is that for women prolonged involuntary sexual abstinence led to bodily complications, in extreme cases to 'hysteric suffocation' and fits not unlike those of epilepsy (a parallel explicitly drawn by Cels. 4,27,1 A). This notion was common in ancient medicine. Cf. especially GAIDE 1991, 40-2 on the present passage. Widows in particular were thought to be at risk here; cf. GOUREVITCH 1984, 117-8.

As GAIDE specifies, the exact cause was traditionally attributed to the womb: this, it was thought, dried out and started 'wandering' through the body as a result of its emptiness. This Hippocratic idea may be found in Plato too (*Ti.* 91 c.). Apuleius, however, does not allude to such a 'wandering womb' and his text therefore reflects a more modern medical theory.[1]

One may wonder that Apuleius enters into such intimate detail to make his point: to a modern reader this looks rather inappropriate and disrespectful. On the other hand, women in antiquity may have felt less embarrassed, and interest in medical matters was generally great in this century. It must also be kept in mind that Pudentilla was probably not present in court herself. Finally, on closer scrutiny, Apuleius' words do retain a touch of vagueness: *uitiatis intimis uteri* does not really provide an accurate description.

69,3 **nubtiis - medicandum**: marriage now appears as an antidote for Pudentilla's disease. Hysterical disorders were usually treated with strictly medical means; cf. GOUREVITCH 1984, 121-6.

69,4 **approbant... Aemilianus**: the reason for Aemilianus' approval is obvious: he is still assuming that Pudentilla will marry his brother Sicinius Clarus, as appears from 70,2.[2]

uiduitatis... uirginitatem: an original combination, reinforced by the sound effect. Apuleius suggests that Pudentilla is not merely chaste, but almost a virgin. This makes her the very opposite of the depraved women in Rufinus' family, notably Rufinus' daughter, who also remarried, as it will appear.

At 92,5-11, Apuleius stresses the fact that Pudentilla is *not* a virgin. But there his aim is different: he argues that she might well have offered him a large dowry to compensate for her loss of virginity.

carminibus et uenenis: almost a standard expression in Latin for magic; cf. ABT 1908, 240-1. It will be used again at 90,1.

69,5 **mendacem memorem**: cf. Quint. *Inst.* 4,2,91 *uerumque est illud, quod uulgo dicitur, mendacem memorem esse oportere*. For further parallels see OTTO 1890, 219.

Romae agebat: we do not know where Pontianus stayed or what he was doing. Recently COARELLI 1989 proposed a house at Ostia as the house where Apuleius

[1]. Galenus presents another explanation for problems resulting from continence: a retention of 'female sperm'; cf. *De locis affectis* 6,5/6. GAIDE, 42 raises the thought that Apuleius studied contemporary medicine during his stay in Rome, which was a centre of medicine in his days.

[2]. FICK 1992, 32 thinks that Aemilianus hopes to be the most likely candidate *himself*. This, however, does not result from the text. Surely Apuleius would have exploited the point more fully. In my Dutch translation of 1992 (p.73), I similarly misinterpreted *uti nuberet* (69,5) as a personal proposal of marriage by Aemilianus himself, instead of a more general encouragement to marry.

himself lived during his stay in Rome. It is not impossible that Pontianus lived in the same house, but there is no evidence for this.

69,6 **cedo tu epistulam**: the letter produced here by the attendant in court apparently comes as a surprise for Aemilianus (cf. also below on 70,4). The effect is increased by the melodramatic (and surely empty) exclamation that Aemilianus should read it aloud himself. For *cedo tu*, see 63,5.

erubescere: a pun on facial colours: Aemilianus visibly knows what embarrassment is, but is said to be unfamiliar with shame. For the former cf. also 46,5 (to Tannonius Pudens) *quid expalluisti?*[1]

69,8 **recita...**: as before, the quotation itself has not been preserved in the MSS (but cf. on 70,1). The phrase *ut omnes intellegant* is one of the comparatively rare references to the audience in the entire section 66-102; cf. HIJMANS 1994, 1739.

70,1 **'nubere - nescio'**: Aemilianus' words are given in Latin. He had probably written in Latin, not in Greek. Generally speaking, Apuleius might be paraphrasing a Greek letter in Latin (cf. 83,4-5, where a Greek letter is imagined as speaking Latin), but writing Greek is a skill not attributed to the boorish Aemilianus. Moreover, after the references to Aemilianus' letter in 69,6-8, this must be a verbatim quotation.

petitore: the word has the specific sense of 'suitor for a woman's hand'; cf. OLD s.v. 2c. It was more neutral than *procus* (68,4).

70,2 **dum eam putas...**: although Aemilianus was quoted just now as saying he did not know whom Pudentilla would choose, Apuleius seems sure about his opponent's thoughts: Aemilianus assumes that his brother will be the candidate; see also above on 69,4.

denubturam: the verb is used only for women, the element *de-* suggesting leaving the paternal house; cf. OLD s.v. In 70,3 we find the rare *nubturire* 'desire to marry', which is equally used for women only.

70,3 **rusticano - seni**: the apposition carries two points of invective. Sicinius Clarus is called a boorish and decrepit old man. He is, therefore, much like his brother Aemilianus, who was repeatedly described in similar terms, e.g. 1,1 *senem*; 10,6 *uir... rusticanus*. Given his age, this Clarus may have been a widower, as THOMPSON 1978, 2 supposes.

iuuenem - dicitis: these words refer to Apuleius himself. He had been called a *philosophum formonsum et (...) disertissimum* (4,1), and *iuuenem* (27,9) — the very opposite of an illiterate old man.

70,4 **nescisti**: a deliberate echo of Aemilianus' *'nescio'* of 70,1. It confirms the notion that there is actually quite a lot that he 'does not know.'

quam tamen epistulam...: this letter of Aemilianus to Pontianus somehow got into the hands of Pudentilla. B/O discuss whether Pontianus sent it to her from Rome, or brought it back himself when he came to Oea. But as *maluit retinere quam mittere* shows, the letter must have been intercepted by Pudentilla, and it probably never even

[1]. For the latter, CALLEBAT 1984, 150 compares Cic. *Q.Rosc.* 8 *erubescit, quid respondeat nescit*. But the pun made by Apuleius is, in fact, rather different: Aemilianus does *not* know how to blush.

reached Rome.[1] There is actually no sign in the text that Pontianus ever read Aemilianus' letter.

70,5 **ipsa - scripsit**: this refers to a second letter, written by Pudentilla herself. According to MCCREIGHT 1991, 142-3, Apuleius is conflating both letters, but in the text they are clearly distinct: the letter of Aemilianus is dealt with in 69,5 - 70,4 and Pudentilla's letter in 70,5-8.

Whatever the precise facts, the general effect of the passage is clear, as MCCREIGHT, 144 rightly adds: the speaker makes it seem as if Pudentilla was suspicious of Aemilianus even before Apuleius' arrival.

etiam causas: the medical grounds discussed above at 69,2.

70,6 **hereditatem**: a normal legal term, equivalent to *successio*; cf. NORDEN 1912, 140wn4-5. Similarly, the following *supremo iudicio* (70,8) is a common term for a will; cf. NORDEN, 141n2.

70,7 **deum uoluntate**: in this indirect version of Pudentilla's words, this phrase is not strictly necessary. It has probably been inserted on purpose, to characterize her as a pious woman.

ipsum uxori...: according to Pudentilla, her elder son Pontianus had reached the age at which he ought to marry himself.

70,8 **recitari...**: it is not clear whether the entire letter is quoted, or just the fragments relevant to the points mentioned in 70,6-8.

exemplum: the letter was not the original sent to Pontianus, but a copy (cf. OLD s.v. 9), most likely one kept by Pudentilla.

71,1 **utiquam**: this is HELM's emendation for *quam*, the reading of the MSS, which does not make sense.[2] *Vtiquam* is an archaic adverb meaning 'in some way', which occurs at *Fl.* 16,23 (and possibly 17,16). The form is defended by HELM 1904, 541-2. Alternatively, the emendation *unquam* of Bywater may be adopted, as is done by several editors; however, the required meaning 'at some time' is actually very rare; see OLD s.v. 3.

me - maluisse: this clause and the remarks in 71,2 anticipate the events to be told in the following chapters. It has not yet been made clear that Pudentilla had chosen Apuleius.

71,2 **feminae**: both *femina* and *mulier* are used in this speech without clearly negative associations. For a discussion of *femina* in the *Met.*, where it is often accompanied by pejorative adjectives, see SANTORO L'HOIR 1992, 188-96.

cum hi - praelatum: an unverifiable assertion, probably also for those present in court. It seems rather unlikely that all other *proci* of Pudentilla cheerfully accepted defeat.

71,3 **quod - faceret**: i.e. choosing Apuleius. That her son Pontianus was the initiator of this plan will be demonstrated in the next chapter.

[1]. The letter may also have been entrusted by Aemilianus to Pudentilla to forward it to Rome, since she probably had easier access to her son. Then, on reading the letter, she apparently decided to keep it rather than send it on, and instead wrote a letter to Pontianus herself. This reconstruction would also make Aemilianus' surprise (69,7) easier to understand.

[2]. Nonetheless, *quam* is defended by WIMAN 1927, 7-8, who explains it as *tamquam*; and by CHODACZEK 1929, 287-9, who interprets it as an exclamation. Both solutions are rather contrived.

71,4 **acceptis litteris matris**: Pontianus did receive Pudentilla's letter, unlike that of Aemilianus, which had probably been intercepted by her; cf. above on 70,4.

in mariti domum: Pudentilla's sons were to inherit everything she owned. They feared that she reserved much money for the dowry, which then could come under the jurisdiction of her new husband for as long as the marriage was to last; cf. NORDEN 1912, 97-8.

71,6 **modicum**: now it appears that the high hopes which the boys' grandfather had raised when he had put pressure on Pudentilla (68,4), have not come true.

quadragies: an important piece of information on Pudentilla's capital: it amounted to 4,000,000 sesterces, which makes her a *locupletissima mulier*;[1] it consisted mainly of estates. On her possessions see e.g. DI VITA 1968, 188-9; PAVIS D'ESURAC 1974, 90-4; STOK 1985, 365; GUTSFELD 1992, 252-6.

ex quo - debebat: it remains unclear what money this refers to.[2] Apuleius' words could refer to some sort of loan of the boys to their mother. But given her wealth, one wonders for what reason she would have needed to borrow money. Since there was no formal document (on these *tabuli* cf. NORDEN, 166) her obligation was a matter of 'good faith'.

timorem mussitabat: 'muttered this fear'. *Timorem* is explained as an internal accusative by TLL s.v. *mussito* 1. However, in the light of the parallels from comedy adduced by B/O, it may simply be explained as an accusative of the direct object; cf. also TLL 8, 1707, 71-4.

72,1 **inter precationem**: all editors accept Casaubon's emendation *inter procationem* for *interpretationem* of FΦ. However, being derived from *procare*, its meaning must be 'the act of wooing, suit' (OLD), which requires a male subject. This would make *matris* an objective genitive, thus producing an awkward lack of balance with *fili*. More importantly, in this passage Pudentilla is not courted at all, but actively looking for a husband herself.

Alternatively, we may follow M1 and read *inter precationem*, as proposed by HUNINK 1996, 162-4. The word *precatio* is common, although in the Apuleian corpus it is only found in *Ascl.* 41 (85,12-3 MORESCHINI). Furthermore, it involves only a very small difference from F, and retains the balance with *metum fili*. Pudentilla is asking her son for his support and consent (cf. 70,5-8), or, on a more religious note, praying the Gods for a suitable husband.

aduenio: sc. in Oea, as the context in 73 shows. The year of his arrival in town was 156 AD; see on 55,10.

pergens Alexandream: Apuleius was undertaking a journey to Alexandria, as the witness Crassus had done (see on 57,3). He does not specify his point of departure, but given his route over Oea, we may assume that it was Carthage. His purpose was probably scientific or religious (Alexandria was the capital of the Isis cult, as BEAUJEU

1. Comparison, however, remains difficult for lack of contemporary data; the known private fortunes listed by DUNCAN-JONES 1974, 110-1 are all from Africa and are derived from the *Apol.* This same scholar even reconstructs the land price for Pudentilla's estate: about 390 HS per *iugerum* (p.347-8). That, however, seems a hazardous thing to do on the basis of this rhetorical text.

2. According to FICK 1992, 31 the money due concerned the original *dos* of Pudentilla to Sicinius Amicus. But it is difficult to see why this *dos* would be due to the sons as long as she was alive. GUTSFELD 1992, 256n52 argues that it must be a bequest of the boys' other grandfather, the father of Pudentilla. But nowhere in the speech is this man mentioned.

1983, 393 remarks), although we hear nothing on this either. Apuleius may have paid his canceled visit later.

72,2 **Appios istos**: probably the family of Appius Quintianus. This man has been mentioned before (57,2) and is present in court as one of Apuleius' assistants (58,4).

decumbo: Apuleius was so exhausted by travel that he had to take to his bed for some time. Maintaining his friendly relations with the Appii would have been a good motif to stay, too.[1]

72,3 **ante multos annos**: these words are bracketed by KRÜGER, a solution accepted by B/O. But with HELM we can interpret them as a specification of *pridem*; see also HELM 1904, 524-5. Pontianus and Apuleius had stayed in Athens about four or five years before, as B/O and AUGELLO estimate.

Athenis: a biographical element: for some years, Apuleius had stayed at Athens, obviously to continue his studies. Cf. also *Fl.* 18,15 *pueritia... Athenis Atticis confirmata*; 18,42 *quendam ex his qui mihi Athenis condidicerunt*.[2] On Apuleius' curriculum at Athens and his relations with other scholars, see especially SANDY 1993. Apuleius himself explicitly mentions his study of poetry, geometrics, music, dialectic, and philosophy; see *Fl.* 20,4 *ego et alias creterras Athenis bibi...*

The reference confirms Apuleius' strong relations with Pontianus, but it also functions at another level: it suggests his own background of higher education, philosophy, and Greek culture in general. In particular, combined with the reference to Alexandria, it pictures him as an extensive traveller and a 'man of the world'. In nothing of this, Aemilianus can stand the comparison with Apuleius.

per quosdam - iunctus: the speaker is eager to present himself as the more important man, with whom Pontianus had first become acquainted through intermediaries. Their following *contubernium* was clearly not one of equals; cf. on 53,10.[3] Pontianus must have been about ten years younger than Apuleius.

72,4 **salutem**: we may observe that health concerns were the main motive adduced for Pudentilla's plan to remarry. Given the consequences of Apuleius' illness, the course of events can be said to have been directed by medical factors. The century of Apuleius was particularly concerned with physical health, as modern studies from Foucault onwards have shown.

72,5 **periclitabundus**: the word occurs only in the works of Apuleius; see B/O. In general on new forms on *-bundus*, see LANGLOIS 1962. The Apuleian forms are listed by CALLEBAT 1994, 1645n158.

1. One wonders whether it was Apuleius' visit to these Appii which gave rise to the rumour that he and Appius Quintianus had practiced nocturnal sacrifices at the latter's lodging (57-8): it is not impossible that Apuleius had undergone some special treatment for his illness. If so, this would have taken place *before* he met Pudentilla, and therefore would have nothing to do with the alleged seduction. The passage on 'smoke and feathers' (57-60) contains no indication of the exact chronology.

2. The main character in the *Met.* similarly refers to his studies at Athens: cf. *Met.* 1,24 (22,11-2) *Pythias condiscipulus apud Athenas Atticas meus*. Cf. further Fr. 1 (COURTNEY) *sed fuisti quondam Athenis parcus atque abstemius*, which may be an address to a former fellow-student; cf. on 6,1 (with note).

3. A somewhat similar case is the *commilitium studiorum* of Apuleius himself and Aemilianus Strabo, recalled at *Fl.* 16,36-7. There Apuleius himself seems to have been the 'junior' partner.

conuersum ab uxoria re: that Apuleius had no desire to marry does not mean that he was opposed to marriage, nor that he had not been previously married; cf. HIJMANS 1987, 413n62.

hiemem alteram...: given the climate, only winter is suitable for travel by land to Egypt. The journey could be made either along the coast or more inland. *Syrtes* refers to the entire desert region adjoining the coast (OLD s.v. *Syrtis* c). The wild beasts must be lions, which moved to the south during the winter. On the whole passage see the extensive geographical and zoological note by B/O.

exemisset: the illness itself had lasted *aliquam multis diebus*, as Apuleius said at 72,2. We may add that after his recovery he is not likely to have been fresh enough to undertake such a long journey.

72,6 **salubriorem**: Pontianus was probably right. Pudentilla's house was situated outside of Oea, as the next clause implies, and near the sea. Given her wealth, it must also have been spacious. On Pudentilla's houses see PAVIS D'ESURAC 1974, 92-3. Once again, health concerns are adduced as a motive; see on 72,4.

prospectum maris: a surprising, personal note: Apuleius expresses his fondness of having a view of the sea.[1] It must be added that he does not say one word about the important harbour of Oea, even if it may have cut off part of his view. This reflects the common prejudice of the higher classes against matters of trade and commerce; (cf. on e.g. 40,3 and 61,7 with note).

73,1 **in communibus studiis**: either *studia litterarum* (5,1), or more in general *studia liberalia* (28,9). B/O mention literature, philosophy, and rhetoric as possible subjects. The last one seems rather unlikely as far as Pudentilla is concerned. See further on 73,7 below.

73,2 **dissero aliquid**: it has been suggested that this must have been Apuleius' speech on Aesculapius, mentioned in 55,10-1; so B/O (on 55) and e.g. GUTSFELD 1992, 262n89. Although the chronology would match and Aesculapius would be a most fitting topic for a healed speaker, we cannot be sure. No mention was made in 55 of an invitation to become citizen of the town, nor is Aesculapius mentioned here. Besides, *aliquid* is an extremely modest indication if the allegedly impressive *de Aesculapii maiestate* were meant; it seems to point to another, more trivial subject.

basilicam: as a speaker, Apuleius performed in large public buildings, as he indicates himself. Some of his speeches have even been delivered in a theatre: cf. *Fl.* 5,1; 18,2-5.[2] Huge audiences are also mentioned in *Fl.* 9,1-4 and 18,1-2.

'insigniter': an expression of admiration, 'how remarkable!'. B/O refer to Hor. *Ars* 428 *'pulchre, bene, recte!'*; Mart. 1,3,7 *sophos*; and 2,27,3-4 *'effecte! grauiter! cito! nequiter! euge! beate! hoc uolui!'*. TLL 7, 1907, 44 gives no parallel for *insigniter* used as an exclamation.

fierem ciuis: a detail Apuleius is eager not to leave out. He has gained distinction in Oea on his own account, independent of Pudentilla. The prestige of a renowned man of culture was thought to reflect upon cities, which paid such men tribute by erecting statues or offering citizenship; cf. IFIE/THOMPSON 1978, 28. This is true even for the classical period, as the example of the poet Archias shows (Cic. *Arch.* 5 and 10). Apuleius himself was later offered statues at Oea (Augustin. *Ep.* 138) and Carthage (*Fl.* 16).

[1]. In a charming note on *qui mihi gratissimum est*, Petrarca added 'et mihi'; cf. TRISTANO 1974, 427. Most modern readers will also share this preference.

[2]. Various points in *Fl.* 16 suggest that it was pronounced in the *curia* of Carthage; e.g. 16,35, 41, 44, and cf. 16,47 (senators mentioned first).

73,3 **diuino auspicio**: the detail is significant. Respect for the divine is presented as characteristic for Apuleius himself (esp. 55,8-9), for Pudentilla (70,7), and now also for Pontianus.

inhient: the audience is asked to believe that all other suitors were only after her money. This is of course the very thing Apuleius had been accused of. He now cleverly puts the remark in Pontianus' mouth.

73,4 **non formosa...**: as earlier, the reference to Pudentilla seems hardly flattering for her and even disrespectful. That her son Pontianus is presented as their author does not make things really better. It must however be added that Apuleius described himself in similarly unfavourable terms in 4,10. What seems to matter most to him is the rhetorical effect: in this passage, a marriage with Pudentilla is presented as a 'burden.'

pupilla: probably used as a legal term; cf. on 68,2. Similarly, for *condicionem*, cf. on 68,5.

philosopho: the key word in Apuleius' account of the events. He consistently adopts the role of the unselfish philosopher, who does not care about wealth or physical beauty, but is only concerned with moral obligations, virtue, and lofty pursuits.

73,5 **nimis multa...**: the stress on Pontianus' ardent requests and Apuleius' initial refusal can again be considered rather offensive for Pudentilla: if it took so much effort to persuade him, she must have been a particularly unattractive wedding partner. But Apuleius' aim is surely not to offend *her*, but to present an opportune picture of *himself*: a detached man of science, who in the end put aside his own interests.

73,6 **uerbigeratum**: the word occurs only here in extant Latin; cf. MCCREIGHT 1991, 440-2, who suspects 'something of the argot of students and academics.'

73,7 **adsiduo conuictu**: the phrase makes the relationship look much like a *contubernium* of scholars, as in 72,3; cf. MCCREIGHT, 146-7wn15. The reference to *communibus studiis* in 73,1 now appears to have prepared this.

uirtutium eius dotes: for *dos* as 'gift, talent' see OLD s.v. 3. Of course, it also alludes to what Apuleius as a philosopher presents as her 'real dowry': her good character.

peregrinationis cupiens: cf. 72,5 *uiae cupidum*.

73,8 **persuaserat... matri**: Pontianus now appears as the intermediary who persuaded *either* party to agree on the marriage. So the decision to marry is made to appear as unromantic and businesslike as possible. There is, it seems, no room for greed, lust, or love,[1] let alone for magic.

73,9 **auspicaretur**: 'enter upon, have one's first experience of', constructed with an accusative (cf. OLD s.v. 3). The verb adds another religious touch, echoing *auspicium* (73,3).

74,1 **ne Pontiano - exprobrare**: even before it has been made clear what Pontianus did wrong, we hear that he repented and that Apuleius forgave him. Through this

[1]. Between Pudentilla and Apuleius, love seems to have come only in the course of time; cf. 92,4 (see note a.l. for the textual problem). What Apuleius expresses is no more than admiration for her virtues. In general on mutual love as a basis for Roman marriage, see QUARTUCCIO 1978.

anticipation Pontianus is excluded from the following savage attack, which puts all the blame on Herennius Rufinus; the point is explicitly stated at 74,3.

74,2 **quod mihi obiectum**: it is not clear what this remark refers to. The suggestion is that Apuleius had been critized for some 'breach of contract'[1] and change of mind after his wedding. But until here, the accusation concerned only his behaviour leading up to the marriage.

uxorem: the marriage of Pontianus and the daughter of Rufinus is described below (76,3-6). Here the reference motivates the invective against Pontianus' father-in-law (*socer*, 74,3).

74,3 **tam**: the simple correction by VAN DER VLIET for *tum* of FΦ is very attractive and has won general approval. Nonetheless, VON GEISAU 1916, 281 has made a case for *tum* as an adverb accompanying a noun, for which he compares 15,15 *sine ullo foris amminiculo*. This is not impossible but would make for rather harsh syntax.

Herennio Rufino: the man is known only from Apuleius' speech. For a brief portrait see GUTSFELD 1992, 259 and MRATSCHEK-HALFMANN 1993, 373. One of his ancestors may be the African T. Herennius mentioned by Cic. *Ver.* 2,5,155-6.

qui - reliquit: even before entering upon the real invective, Apuleius flings three insults at Rufinus. Being called the most *uilis* and *improbus* person on earth is hardly a compliment, but *inquinatus* seems the strongest of the three terms; cf. Cic. *Cael.* 13 *quis in uoluptatibus inquinatior?*; Catul. 33,3 *dextra pater inquinatiore est*. Its sexual undertone is only a prelude of what is to come in the next few chapters.

74,4 **paucis...**: given the extensive and vehement attack which follows, both *paucis* and *quam modestissime potero* are outright understatements. In length and intensity, the invective launched at Herennius Rufinus and his family surpasses all earlier invective in the speech, either against Aemilianus or against helpers of the prosecution such as Crassus (see 59). The central motifs are that of sexual licence and debauchery on the one hand, and greed on the other hand. As in the earlier invective, echoes of comedy play an important role in the characterisation; see on 59,5.

If we add up the various invective elements, the initial picture we get of Rufinus has almost nothing personal: his characterization remains within the limits of stereotype and caricature.

ne... operam perdiderit: the irony could hardly be stronger: by paying this attention to Rufinus, Apuleius argues, he is rendering him a service.

74,5 **hic est enim...**: the invective starts with a powerful series of insults, recalling the curse on Aemilianus at 64,1. Here, too, the syntactic order, repetitive style (*hic...*), and sound effects (notably of the nouns in *-or*) turn the passage into an example of verbal magic. The first series ends on three metaphors suggestive of fire and violence (*fornacula*, *fax*, *flagellum*), which are closely linked by the allitteration of *f*. Rufinus was the scourge (*flagellum*) of the accuser, but these words of Apuleius are similarly meant to come down on him as a punishing lash.

These first few elements also summarize the defendant's objections: Rufinus provoked Pudens to take judicial steps, hired advocates, bribed witnesses and 'lighted the fire' of this accusation.

1. *Compecti* ('agreement') is the emendation of HILDEBRAND for *conspecti* of FΦ. It is generally accepted; cf. also TLL 3, 1996, 32-3.

conductor: the financial connotation of this noun makes the prosecution's advocates appear in a bad light again; cf. on 3,7.

testium coemptor: a reference to the earlier example of Crassus; cf. on 58,1. *Coemptor* is a striking, very rare noun.

fornacula: a furnace or oven. This metaphorical use ('instigator') is unparalleled in Latin. It is highly effective here: it implies setting fire to rumours and keeping them ablaze, while the diminutive form adds a note of scorn; cf. MCCREIGHT 1991, 257-8, who also points to earlier fire imagery in 25,5-6. On a more material note, there is also a link with the *focus* and *culina* of the infamous Crassus (58,7; 58,10).

machinatu: another very rare word (only here and in Sid. *Ep.* 5,6,2), probably coined by Apuleius. We may observe that its sense 'machination' also illustrates the artificial nature of the word itself.

74,6 **est enim omnium...**: a second series of insults, formed and arranged similarly to the first one. Here again, nouns in *-or* and rare neologisms are important constituents, while metaphors build the climax. In this case the imagery is more elaborate. First, *seminarium* 'nursery of young trees' (OLD s.v.) is boldly combined with *omnium malorum* and so applied to a person. Then, vile lust and sexual licence are brought up in the striking phrase *libidinum - lupanar*, bound together by the allitteration of *l*.

depector: a rare word with a negative meaning, 'he who makes a shameful contract'; cf. NORDEN 1912, 170wn4, who quotes *Dig.* 3,6,3,2 *depectus id est turpiter pactus*.

commentator: this word, with a similarly negative connotation, occurs here for the first time; cf. TLL 3, 1862, 40-3 paraphrasing as 'qui aliquod malum fingit.'[1]

ganearum: this element ('gluttonous eating') puts Rufinus on a par with Crassus, who, as will be remembered, was pictured as a regular visitor of *ganeae* (57,3). Cf. also on 74,5 *fornacula*.

locus: a bold metaphor of *locus* applied to a human being. It was too bold for many editors, who accordingly proposed various corrections, such as *lutum* or *lutus* (HELM);[2] see the apparatus of HELM. Nonetheless, the reading of FΦ is generally retained. The metaphor is continued in *lustrum* and *lupanar*.

lustrum: 'a place of debauchery' (OLD s.v. 3), but in the first place a muddy place or morass. There may also be an allusion to the use of the plural *lustra* for haunts of wild beasts: in referring to his opponents, Apuleius has repeatedly used animal imagery.

iam inde...: more sexual allusions are piled up, remounting to Rufinus' younger days. The slurs at allegedly passive sexual behaviour, considered shameful for Roman freeborn males, belong to the standard repertoire of ancient invective.

74,7 **caluitio**: a malicious, but hardly exceptional reference to the opponent's appearance. Judging people by their exteriors was common in ancient courts, and it formed the basis of the art of physiognomy. Baldness was earlier underscored as a feature of Crassus; for its negative implications see on 59,6.

1. The modern 'commentator' who is writing these lines can only hope that the Roman legal definition is no longer in the mind of his readers.

2. For this suggestion, editors compare Catul. 42,13 *o lutum, lupanar!* Apuleius may well have been inspired by Catullus, but that is not a sufficient reason to change the text in our passage.

emasculatoribus: the word occurs only here. It is not merely a synonym for *corruptor* or *pedicator*, but as McCreight 1991, 235-7 rightly observes, it suggests castration and permanent damage done to Rufinus: he has been 'unmanned'. This point is emphasized by *morigerus*, as *morem gerere* was a term normally used for sexual behaviour of females; cf. Adams 1982, 164wn7-8 (McCreight adduces some parallels from Plautus where *morigerus* is applied to boys).

saltandis fabulis: the taunt of performing as a *histrio* was another commonplace of invective. Cf. Leppin 1992, 135-6wn6, who lists various parallels of such taunts directed at opponents, either based on facts or purely imaginery, e.g. Cic. *Cat.* 2,23; *Phil.* 11,13; *Red.Sen.* 13.

exossis... eneruis: cf. *Met.* 1,4 (4,8-10) of a dancing youth: *puer in mollitiem decorus insurgit inque flexibus tortuosis eneruam et exossam saltationem explicat*. In that passage both words imply skill and admirable technique. Here, however, any possibly positive association is quickly ruled out: Rufinus was too unskilled and crude to be numbered among the real *histriones*, and in fact only shared their *impudicitia*. Earlier in the speech, *exossis* was used of a fish (40,10).

75,1 **hac aetate**: now that Rufinus' behaviour as a boy and a young man has been hinted at, the attention is concentrated on his attitudes at the time of the trial. One wonders why Apuleius avoids the word *senectus*, which would certainly have added to his invective. Rufinus' household is pictured as a brothel, with his wife and children acting as the prostitutes and himself as the pimp.

qui... perduint!: a brief curse, which has lost much of its original force. It was familiar in comedy; cf. Pl. *As.* 467 *hercle istum di omnes perduint*; *Aul.* 785; Ter. *Hau.* 811; further e.g. Cic. *Att.* 15,4,3; Apul. *Met.* 9,21 (219,3-6): *at te (...) cuncta caeli numina (...) pessimum pessime perduint*. A much more powerful curse was uttered at 64,1-2. For the interrogative *qui*, here used in an exclamation, see GCA 1985, 57-8.

honos... praefandus: another formulaic sentence. *Honorem praefari* is used in the meaning 'to open with an expression of respect, request for indulgence' (OLD s.v. *praefor* c), or 'to apologize for one's language' (OLD s.v. *honor* 3b); cf. Cic. *Fam.* 9,22,4 *honos praefandus est*.[1]

lenonia: the adjective ('belonging to a pander') strikes another note of comedy; it occurs mainly in Plautus' works.

uxor: Apuleius refrains from uttering the names of Rufinus' wife and daughter, as McCreight 1991, 137 rightly observes. It may be added that the *filii* remain even more shadowy: we hear nothing whatsoever about these sons.[2]

75,2 **ianua... fenestrae...**: a graphic portrayal of the house as a full-blown brothel in comic style. All is full of movement, noise, and unrest. The places are carefully mentioned in sequence: starting at the entrance, we quickly end up in the bedroom. For *comisator* see on 10,1.

pretium: money and commerce already played a largely negative role in the speech (cf. e.g. on 72,6), but this is about the worst it can get: Rufinus is actually

1. Cf. also the famous opening chapter of the *Met.*, which contains the phrase: *en ecce praefamur ueniam, siquid exotici ac forensis sermonis rudis locutor offendero* (*Met.* 1,1 (1,12 - 2,1)). In this phrase *honor* and *uenia* are synonyms, according to OLD s.v. *praefor* c.

2. Although the plural *filii* can include Rufinus' daughter, the word clearly points to sons here.

presented as the pimp of his own wife. The next sentences drive home this point, adding some illustrative details. For the stock character of the *leno maritus* see Tracy 1976. In theory, his behaviour was against the law, as is shown by Gardner 1990, 131-2.[1]

75,3 **uulgo**: the adverb ('publicly') refers in particular to prostitution; cf. examples in OLD s.v. 1.

cum ipso... cum ipso: an effective repetition of words, fully in accordance with the precept of Quint. *Inst.* 9,3,29 (referred to by Helm 1955, 97): *similis geminationis post aliquam interiectionem repetitio est, sed paulo etiam uehementior: "bona, miserum me -- consumptis enim lacrimis tamen infixus haeret dolor -- bona, inquam, Cn. Pompei acerbissimae uoci subiecta praeconis"* (= Cic. *Phil.* 2,64). Apuleius' words show the same structure as the Ciceronean example.

75,4 **nota conlusio**: the text as restored by Helm from FΦ *non tam conlusio*.[2]

pro adulteris deprehenduntur: a similar sort of deceit, by the couple Stephanus and Neaera, is described in the Pseudo-Demosthenic *In Neaeram* 41 (mentioned by Helm 1904, 530).

aliquid scripserint: a pun on 'writing an acknowledgement of debt', deliberately conflated with 'learning to read and write'. Cf. the earlier pun on *litteras discere* in 10,8.

75,5 **ampliuscula**: the diminutive occurs here for the first time, but Pl. *Mos.* 967 has the adverb *ampliuscule*. The diminutive element is 'deteriorative', according to Abate 1978, 40. The entire passage is heavily sarcastic.

pater eius: the speaker digs into Rufinus' past and refers to his father (who, incidentally, remains anonymous again). The behaviour of this man was completely dishonourable: rather than settling his debts, he forfeited his honour and went bankrupt. It is tacitly suggested that the son has some traits in common with his father.

75,6 **flagitaretur**: as Augello points out, this may allude to the ancient formal act of *flagitatio*, a form of public abuse of an insolvent; cf. also on 1,6.

75,7 **pax**: 'enough!'; an interjection common in comedy; see examples in OLD s.v. *pax* (2). The emendation for *flax* of the MSS is by Lipsius.

insignia dignitatis abicit: such behaviour would seem abject to any Roman citizen; cf. Ifie /Thompson 1978, 24. To a 'social climber' like Apuleius it must have been the worst thing one could possibly do. For the aureole surrounding *insignia*, see also *Fl.* 8,2 *non licet insignia eius uestitu uel calceatu temere usurpare*.

depaciscitur: elsewhere, the word is usually spelled as *depeciscor*. The verb adds another dishonourable element: underhanded bargaining.

75,8 **in nomen uxoris**: Rufinus' mother is not mentioned by name any more than his wife and daughter. This mother had been made the legal owner of the property. This means that her marriage had been *sine manu*, like all marriages in the speech. The traditional

1. She explains that Augustus' *Lex Iulia* compelled the husband to dismiss his wife and take legal action against her and the adulterer, even when he made some deal with the adulterer. If he did not, he could be accused of aiding and abetting adultery. In practice, the law remained ineffective.

2. Earlier, Helm had considered a bolder correction, *non tam <concordia quam> conlusio* (Helm 1904, 530). Similar fanciful suggestions were made by e.g. Walter 1921, 23: *non tam <confusio quam> conlusio*; and Rossbach: *non tam conlusio <quam conluuio>*, printed in TLL 3, 1664, 38-40. Apuleius' general fondness of wordplay should not entice us to invent additional puns.

type of marriage, in which the wife came under the jurisdiction (*manus*) of her husband, had grown obsolete in Apuleius' days; cf. NORDEN 1912, 114-5wn5; GARDNER 1990, 12-3.

non mentior!: Apuleius' vocabulary seems a bit poor here; cf. 75,3 *nec mentior!*

reliquit... deuorandum: i.e. indirectly, *ex bonis matris*. The capital is specified as 3,000,000 sesterces. That is a huge amount of money, coming close to Pudentilla's four million (71,4). However, we must keep in mind that the number is possibly exaggerated for rhetorical purposes. The innuendo of *deuorandum* cannot be overheard: Rufinus will squander all the money, quite unlike the prudent Pudentilla.

dotibus: another pun on *dos*, now referring to the income Rufinus' bride generates by prostitution. Pudentilla's *dotes* (73,7) form a sharp contrast again.

75,9 **degulator**: Rufinus is described not only as a squanderer of an inherited fortune, but also as an adept of immoderate eating and drinking, much in the style of Crassus. For this, Apuleius poured his abuse on Crassus throughout the section 57-60.

The verb *degulare* is attested in comic authors (see OLD s.v.), but the noun is first found here. MCCREIGHT 1991, 227-8 rightly points out that it forms the climax of a series of compounds with *de-* used in this section (*deuolutus*; *defaeneratus*; *depaciscitur*; *deuorandum*).

studiose: given the importance of *studia* for Apuleius, this adverb conveys a biting, cynical comment on Rufinus' pursuits.

conlurchinationibus dilapidauit: two highly expressive words in a striking combination. The noun, rendered as 'gourmandizing, guzzling', is probably coined by Apuleius; Crassus had already been called a *lurco* at 57,2. The verb is normally used for bringing an edifice into a state of ruins. The resulting picture is that of Rufinus as a monster, devouring everything to the ground.

75,10 **morum**: the presentation of Rufinus ends with some more sarcastic qualifications and remarks. They add nothing new, but continue elements of the foregoing lines. *Morum* is the equivalent of *bonorum morum*.[1]

male partum... male periret: this type of expression is proverbial, cf. OTTO 1890, 206 (and 'Nachträge' 278).

76,1 **totam domum... adnuit**: the text is problematic here, and many attempts have been made to change it. FΦ read *totam domum contumeliis abnuit*.[2] The simplest correction, involving the slightest change, is *adnuit* for *abnuit*, as proposed by MARCHESI and adopted by MOSCA. The wife now decides to 'concede the entire house' to prostitution, in particular her daughter, as the next lines show. There is, admittedly, no close parallel for this use of *adnuere*.

76,2 **filia**: Rufinus' daughter is not mentioned by name either; cf. on 75,1. Amazingly, FICK 1992, 32 calls her *Hérennia*, a name FICK seems to have given her on her own accord.

[1]. After *morum* VAN DER VLIET actually inserts <*proborum*>, which is accepted by B/O and AUGELLO. The single genitive plural *morum*, however, is defended by LÖFSTEDT 1908, 93-4, who compares similar cases of *moratus* in the sense *bene moratus*; and BRAKMAN 1928, 182-3. *Morum* is therefore retained by VALLETTE, MARCHESI and HELM.

[2]. Some editors wish to add a verb, like *sustinere* or *alere* (HELM), or suggest a lacuna (VALLETTE). B/O, surprisingly declaring *totam domum* to be 'meaningless', avoid adding a verb, but end up with a rather strained interpretation: *contumeliis* taken with *effeta* only, and *abnuit* used absolutely. In all of these attempts the meaning would be that Rufinus' wife has got enough of maintaining the house through her income from prostitution.

The description of the daughter is more elaborate than that of her mother; see below. Readers may be reminded of Petr. *Sat.* 140, where an old, worn-out legacy hunter has herself replaced by her son and daughter.

procis... permissa: a very unflattering point: she was 'given on probation', as if she were a thing and not a respectable woman. The family was obviously aspiring to a profitable marriage.

uidua - nupta: the comparison with Pudentilla, already implicit in the entire portrait of Rufinus' wife and daughter, becomes plain to see. In this sentence *uidua* refers to lacking a husband (OLD s.v. *uiduus* 1), not to losing one. There is, of course, a strong paradox in being a widow before having been a bride; WEYMAN 1893, 341 compares Tert. *De Carne Chr.* 23 *mater antequam nupta*.

76,3 **dehortantibus nobis**: Apuleius and, apparently, Pudentilla, were opposed to Pontianus' marriage. The point is not developed by the speaker.

At this stage there was no controversy yet between the couple and Pontianus (73,8-9). From 74,2 it appears that this started only *after* Pontianus' marriage. Therefore it is quite possible that this protest of Apuleius and Pudentilla provoked Pontianus' anger and made him oppose *their* marriage in turn. Rufinus, then, would be not the only one to blame for the controversy.

domi sedit: a phrase used for unmarried girls, as B/O remark. But given the particular nature of her parental home, the phrase definitely alludes to prostitution. For *sedere* and *sella* in this sense, HILDEBRAND compares i.a. Pl. *Poen.* 265-70; Petr. 126,10; Juv. 3,136; Tert. *Cult.Fem.* 2,12,3.

honestissimo iuuene: obviously one of the *proci* (76,2), who had quickly got tired of her.

76,4 **noua nupta...**: a devastating portrait of a 'bride' who has nothing that is typical of a bride: she is not nervous or frightened (cf. *Met.* 5,4 (105,18-9) *uirginitati suae (...) metuens pauet et horrescit*); she has lost her shame and her blossom, and her veil is outdated. Worse, far from being shy and modest, she has herself carried on a luxurious litter, wearing make-up and impudently looking around. The picture is largely stereotypical; cf. e.g. Clodia as described by Cicero (*Cael.* 49).[1]

repudium: a legal term, explained by NORDEN 1912, 92: after the marriage had been agreed upon (*sponsio*), man and woman were allowed to be in closer contact before the marriage was concluded. During this time, it remained possible to refuse the marriage (*repudium mittere*). The procedure is perfectly legal, but Apuleius tries to give it a negative twist.

76,5 **octaphoro**: a litter carried by eight bearers. This was a symbol of luxury and oriental extravagance; OLD refers to e.g. Cic. *Ver.* 2,5,27 (of Bithynian kings); Suet. *Cal.* 43 (of Caligula) and Mart. 6,84,1. Apuleius could have quoted Martial's short epigram to drive home his point: *Octaphoro sanus portatur, Auite, Philippus. / Hunc tu si sanum credis, Auite, furis*. The name of Avitus in these lines may have deterred him; a magistrate by that name is mentioned in 24 and praised in 94.

[1]. The picture may also owe something to the 'anti-wedding' of Cato and Marcia in Lucan 2,354-71, in which all traditional elements are explicitly omitted. Cf. e.g. 2,360-1 *non timidum nuptae leuiter tectura pudorem / lutea demissos uelarunt flammea uoltus*; for the passage see FANTHAM's notes. However, there is a substantial difference of motifs: Lucan's Marcia is a model of chastity and self-denial.

ostentatrix: the word is used only here for an individual; cf. TLL 9, 1143, 42-4. Apuleius obviously chose it as a counterpart to the preceding Plautine word *circumspectatrix* (*Aul.* 41).

disciplinam matris: the role of prostitute. An abundant use of cosmetics was associated with prostitutes.

inlices: a hint at magic. The adjective has been used twice before with unmistakably magical connotations; see 30,13 (*saurae*) and 31,9 (*Venus*).

76,6 **dos... a creditore**: the dowry (on which see 92,2) was entirely borrowed, perhaps in some anticipation of Pudentilla's capital, as B/O suppose and 77,1 suggests.[1] The sum was certainly unduly high, which seems indicative both of Rufinus' lack of modesty and of the importance generally attached to the Roman custom; for the latter aspect cf. NORDEN 1912, 95-6. See also on 92,2 with note.

ad teruncium: 'down to the last penny'. With B/O I print the latter word as written in one of the lesser MSS, rather than FΦ's obviously incorrect *ternuntium*, or Plasberg's emendation *terruncium*.[2]

plena liberis: a minor, vague reference to the anonymous *filii* of 75,1.

77,1 **pari auaritia et egestate**: the phrase about Rufinus recalls parts of the earlier diatribe on poverty; e.g. 20,3 *si qui est auaritia egenus et ad omne lucrum inexplebilis, nec montibus auri satiabitur*; 20,8 *pauper enim eris appetendi egestate*; 20,9 *si pauperem me haberi uis, prius auarum esse doceas necesse est*.

totum - deuorarat: Rufinus had set his heart on Pudentilla's fortune; cf. on 76,6. The sum of 4,000,000 had been mentioned at 71,6. Rufinus appears no less prodigal with Pudentilla's money than with his own; the verb *deuorare* emphasizes the analogy, cf. 74,8 *reliquit... deuorandum*.

praesumptione: the word is often used in a pejorative sense for a preconceived opinion to which one sticks stubbornly; cf. the elaborate note in GCA 1985, 248-9.

77,2 **infit**: Apuleius uses this verbal form in its original meaning of 'he begins', not 'he says'. OLD quotes parallels from comedy and epic.

desponderat: in the legal act of *desponsio*, a marriage was formally agreed upon by family members, cf. *Met.* 4,32 (100,10). Usually the agreement was set down in *tabulae*, as NORDEN 1912, 92-3 explains.

amanti adulescentulo: in this scene fashioned in comic style, where Rufinus is the *leno* and his daughter the *meretrix*, Pontianus fulfils the role of the *iuuenis amans*, who will do anything to keep the love of his girl.

ueterator: 'old hand'. The word is also used at *Fl.* 18,26 for the pupil of Protagoras: *Euathlus, utpote tanti ueteratoris perfectissimus discipulus*. Earlier, at 46,1, the adverb *ueteratorie* was used. Apuleius even has a *ueteratrix femina* at *Met.* 9,29 (224,25).

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1. Nonetheless, it seems difficult to see how Pudentilla's capital could be legally claimed, even if she were to marry one of the Sicinii. Only her dowry would actually come into their hands. This would probably not have sufficed to cover the debts made for the 400,000 sesterces (92,2) of Rufinus' daughter: Pudentilla's actual dowry amounted to only 300,000 sesterces (92,3).

2. MARCHESI, followed by MOSCA and AUGELLO, has misunderstood the text on two points, assuming that *three-quarters* of the sum had been *seized* by a creditor. But *ad teruncium* is clearly formed like *ad assem* in Hor. *Ep.* 2,2,27, suggesting 'the entire sum'; for *sumere* of borrowing money see OLD s.v. 6, where our place is quoted.

minatur - abducturum: in the type of marriage current in Apuleius' days (see on 75,8), a woman remained in the power of her father even when she was married; cf. NORDEN 1912, 114-5.

77,4 **quid multis?**: a colloquial expression, normally in the form *quid multa?*[1] At *Met.* 10,27, (258,17-8) Apuleius has *quid pluribus?*

inlecebris obfrenatum: there may be a touch of magic here, (cf. on 76,5; further 47,3), but the rare, expressive verb has a stronger association with comedy; its only other occurrences are Pl. *Capt.* 755 and Apul. *Met.* 6,19 (142,27).

77,5 **it ille...**: these lines briefly (*quid multis?*) describe an unsuccessful mission of Pontianus to his mother and the harsh response he carries back to Rufinus. Her *grauitas* appears unfaltering.

77,6 **immobili**: being adamant is not regarded as a virtue by itself (it is even said to be quite unlike Pudentilla's kindly nature), but her *pertinacia* is provoked by that of Pontianus (74,2). This attitude of calm resolve also suggests that her judgement is unaffected by magic, as MCCREIGHT 1991, 148 acutely observes.

alumentum: the reading of F is retained by most editors, except HELM who prints *adiumentum*, as given in Φ.

77,7 **non clam se esse**: the colloquial construction mainly occurs in comedy, though not, as B/O state, exclusively; cf. OLD s.v. *clam* 2c. *Se* is an accusative; cf. TLL 3, 1247, 71ff.

uel magis: 'even more so' is certainly the first, usual meaning. However, there may be a teasing ambiguity: the words can also be read as 'even by means of magicians.' For a similar case see on 14,3 *uel magis miranda*.

78,1 **aquariolus**: a strong insult, expressed in a word which is first attested here. Rufinus is even less than a pimp: he is called only a servant carrying washing-water to a prostitute. As a denigratory term it also reduces the importance of Rufinus' *ira* and *furor* (see on 78,2).

extumuit: the form is either derived from *extumere* (OLD s.v.; B/O) or from *extumescere* (TLL 5, 2090, 84; OLDFATHER 1934, 153). In either case, the verb has probably been chosen to match *EXacerbatus* and *EXarsit*, as FACCHINI TOSI 1986, 156-7 rightly notes. For *exacerbatus* cf. 50,3 (on Aemilianus) *furor infelix acerbi animi*.

pudicissimam: very likely a pun on Pudentilla's name, as MCCREIGHT 1991, 36 suggests.

digna cubiculo suo: that is, shameless, obscene remarks. The following *amatricem* 'hussy' (cf. OLD s.v.) well illustrates the point.

78,2 **me magum et ueneficum**: in Apuleius' narration of events, this is the first moment where the allegation of 'magical practice' appears. By so presenting it, he makes it look quite insignificant: Rufinus uttered it in a rage, between an insult and a threat.

78,3 **uix hercule possum...**: naturally, the defendant exploits the rather empty threat of Rufinus. He depicts himself as one nearly overcome by anger and indignation. This strong feeling is, of course, hardly fitting for a Roman philosopher, but in this context it makes him look macho, the antipole of the 'effeminate coward' Rufinus; cf.

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1. Cf. e.g. Pl. *Bac.* 1162 *quid multa? ego amo*; *Truc.* 20; Cic. *Att.* 13,52,2; *Ver.* 2,4,62; Petr. 70,11; 76,2. The present form seems influenced by other phrases, like Ter. *An.* 114 *quid multis moror?* or Lucil. 973 (Warmington) *ne ego multis loquar*.

McCreight 1991, 207. Rufinus' anger (78,1-2) is easily surpassed by Apuleius' indignation, which seems both more powerful and more justified.

tune... minitaris?: FΦ have *tune... minitari*. Hildebrand and B/O retain the infinitive and so have to correct the former word to *tene*. With Helm and other editors I retain *tune* and adopt *minitaris*, found in some lesser MSS.[1]

78,4 **Philomelae...**: the names are not chosen at random: all three are women and legendary cruel murderers. Medea was even well-known as a poisoner; the preceding *magum et ueneficum* undoubtedly made the speaker think of her name.

In this period, tragic subjects were usu
ally no longer dealt with in complete tragedies[2] but in *fabulae salticae* (already hinted at in 74,7), performed by a pantomime dancer, who was accompanied by a choir. Cf. Lucian's dialogue *Salt.*, where among the numerous subjects specified are both Clytemnestra (c.43) and Medea (c.53). Within Apuleius' works, there is an elaborate pantomime act in *Met.* 10,29-34 (see GCA a.l.). On pantomime in general, cf. Steinmetz 1982, 348-55.

Clytemnestrae: the original reading in FΦ stands for *Clytemenstrae*. Closest to this comes the variant spelling *Clytemnestra*, which occured after the classical period. Accordingly, that form is printed here. The argument given by B/O that *Clytemestra* is the correct spelling in the Laurentian MS of Aeschylus and Sophocles is not a valid criterium to judge the Apuleian text.

sine cludine: Rufinus is too much of a weakling to dance even with a *cluden* (or *cludo*). This word occurs only here, and must refer to a some special dagger used by actors. It is likely to have been blunt and innocuous, like the *nouacula* with which Giton stages his melodramatic suicide at Petr. 94,12-4.

78-87 Seduction of Pudentilla (II): the letter in Greek

Pudentilla left for the countryside. There she wrote a letter to Pontianus, in which she allegedly acknowledged to have been bewitched and to be mad with for love. Here is a copy of the letter. Even if she had stated that I am a magician, this would be an excuse that she herself was not to blame. Besides, am I a magician just because she wrote so? And if she was really mad, should we believe her anyway? The letter was, in fact, written in my defence, but has been turned against me. Maximus, you have never seen such cunning as Rufinus showed here. He isolated two sentences from their context and showed them to all in the marketplace. No one asked for the whole letter to be read. That is a base trick! Let us hear the entire passage. If only words were really winged... they would have come flying to my rescue! Pudentilla's words actually deny the very existence of magic. - My thanks to Pontianus for keeping this letter, and to you,

[1]. It is difficult to choose here. The latter option, however, seems slightly preferable. An error in *minitari(s)* seems more likely than in the striking *tune*. The form *tene* could even be confusing. On a minor note, *minitaris* is found in some MSS at least.

[2]. Apuleius' general preference for theatrical subjects is evident in all of his works. It influenced even his character portrayal. For tragedy, one may point to Psyche in the *Met.*, who has many traits in common with female characters like Iphigenia, Dido, Medea, Andromeda, and Io; cf. Schiesaro 1988.

Maximus, for speeding this trial. Suppose Pudentilla had really confessed some secret love; then it would have been indecent to publish this private letter. But Pudens, having lost hi own honour, easily gave up that of his mother. Poor Pudentilla, what a monster have you borne! The Athenians did not recite a private letter by their enemy Philippus, but your own son felt no such shame. There was another insulting letter written by you, Pudens, to Pontianus. Furthermore, there was a forged letter allegedly written by me, but in bad Greek. Of course, Rufinus wrote it himself. A final remark: after sending her letter, Pudentilla invited her sons to stay with her for two months. During this period, she certainly showed no signs of madness at all.

Having set out the previous events leading up to the marriage, Apuleius enters on the subject of Pudentilla's letter in Greek. This single piece of evidence used by the prosecution is introduced, analyzed, and commented upon in a long and varied section.

Starting with some pieces of clever reasoning and 'dialectics', it gradually introduces the matter in question. The accusers are compared to legendary impostors, and only then the Greek sentences they used are quoted. A lively picture of Rufinus running around in the marketplace rounds off this first part. It is only after all this that the entire Greek text of the relevant passage is quoted. It is followed by some rhetorical fireworks: Homeric imagery of 'winged words', sophistic reasoning on magic, flattery of the judge, and elaborate invective against Pudens, 'the ungrateful son'. At the end, two more letters are discussed almost in passing.

Naturally, Apuleius could have gone straight to the heart of the matter: he might have restricted himself to having read the letter as a whole (as in 83,1) and adding some remarks on it. However, he obviously wants to make full use of the fact that his case is clear and convincing: the opponents have misunderstood the irony of the letter and flagrantly misquoted the text. To be unaware of irony is of course a crucial blunder, and the orator Apuleius does all he can to drive home his point.

It effectively appears to be one of the strongest arguments for his case. No one will seriously doubt that the prosecution had simply missed the mark. By carefully presenting the facts step by step, the speaker manages to show this to the entire audience. Moreover, he even suggests that the accusers misquoted it not through lack of understanding but on purpose. Meanwhile, it may be observed that the two other letters which Apuleius lets slip in at the end, are given very little space when compared to the first letter. One wonders whether they made as convincing a case as Apuleius wants his audience to believe.

78,5 **ne longius...**: a clear sign that the invective is omitted and the regular *narratio* resumed; cf. Hijmans 1994, 1729.

contra suam... sententiam: this is not a paraphrase of *praeter opinionem* or a gloss on these words. Unexpectedly for Pudentilla, Pontianus has been persuaded to oppose *his own* initial view. Less to the point are Marchesi, Mosca and Augello, who render 'contro di lei'.

mea magia: Apuleius can use this combination without incurring real danger: the ironical context and the indirect representation of allegations reduce the impact of the ominous words.

78,6 **testato**: 'with sworn statements by witnesses' (OLD s.v., also quoting Plin. *Nat.* 8,130). Here the *tabularius*, the bookkeeper or administrator[1] of Pontianus, was present, while Aemilianus also made a copy of the letter for his records. The fact that the judge gave orders for this preliminary procedure shows that the letter played a central role for both parties involved. The original of the letter, which Pontianus had obviously kept in his files, must have been in the possession of the *tabularius*, as B/O rightly suppose.[2]

pro me: the announcement of the letter sounds impressive and self-confident. Here, even a note of triumph may be detected.

79,1 **destrictius**: 'more strictly', 'categorically'; cf. TLL 5,1, 772,7ff. The adverb rarely occurs in the comparative degree. Translations are often somewhat too free here; e.g. 'effettivamente' (AUGELLO), 'explicitly' (B/O Addenda, p.180) or 'nettement' (VALLETTE).

excusabunda: a neologism, occurring only here. It is stronger than the simple participle *excusans*. For forms on *-bundus* see on 72,5.

Phaedra: her *falsum epistolium* must refer to her written message to Theseus, in which she accused Hippolytus of indecent 'love', that is, of assaulting her; cf. Eur. *Hipp.* 856-7. The motif is varied in Sen. *Phaed.* 864ff: Theseus meets Phaedra on the verge of committing suicide, and she tells her tale personally. Within Apuleius' works, the Phaedra motif is dominant in *Met.* 10, 2-12, on which see GCA a.l. and MÜNSTERMANN 1995, 94-121.

Again, Apuleius' comments may be considered to be offensive to his wife. The implicit comparison of Pudentilla to Phaedra is rude as such: Phaedra is the fourth legendary wicked woman mentioned within only a few lines (cf. 78,4). More specifically, Phaedra's love was illicit, she caused the death of the 'lover', and killed herself, three points clearly not applicable to Pudentilla.

at: the reading of FΦ, usually changed to *an*, which is found in one of the lesser MSS, or to *ac* (Novák). It may, however, be kept if we print a question mark after *commenta est*. The adversative *at* introduces a second, protesting question after an implied affirmative answer to the first one. For *at non* introducing a short question, see 25,2. On this textual problem see further HUNINK 1996, 164.

epistolium: see on 6,1.

79,2 **quia hoc - Pudentilla**: of course, Apuleius' point is in essence a valid argument. It is blown up in the following lines, where it develops into a piece of sophism (79,4).

uno uerbo: i.e. by referring to Apuleius by means of the word *magus*.

79,3 **factis... uerbis**: such contrasts are common enough in Latin; cf. OLD s.v. *uerbum* 12 (*uerba - res*). Apuleius reinforces it through the second contrast *meis... alienis*.

1. B/O suggest he may have been identical with the *libertus* of c.53, the man who was in charge of Pontianus' library. This is of course possible. On the other hand, it can be argued, the specific title of *tabularius* and his different task suggests that another person is meant.

2. So the defendant was granted special access to private papers of which his opponents had made use; cf. MOMMSEN 1899, 419-20wn2. The German scholar assumes that the *tabularius* actually belonged to Apuleius' opponents. However, given the eventual reconciliation of Pontianus with Apuleius and Pudentilla (c. 94-6), that is not certain.

79,4 **ceterum eadem uia...**: for the expression and the type of reasoning *ad absurdum*, see 54,6 *ceterum hoc quidem pacto omnes homines rei constituentur...* Cf. also 29,6 *eo pacto...* and 32,2.

'magum...': as often before, words are put in the mouth of the accusers which are not necessarily their own; cf. e.g. 4,1; 9,4ff; 13,5, and many other instances. The last case was 54,5.

79,5 **atqui...**: the sophism is concluded by a more straightforward argument. The words *posse ad salutem* anticipate the triumphant passage 84,1-4, where Apuleius will actually use the letter in support of his case.

<habere - melioribus>: the words do not occur in FΦ, but are added by some of the later MSS. Editors unanimously print them in the text, which would be incomprehensible without them.

79,6 **inquieti**: the reading of FΦ *sed inquid animi fuit* (with a change to *inquit* in Φ) is obviously wrong. Various solutions have been proposed, for which see B/O, who propose ... *sed', inquit, '<inquies>*, and HELM who has ... *sed', inquit, 'animi <furens>*; cf. also e.g. KRONENBERG 1928, 46 who defends *<uecors> animi*. However, the least drastic solution is to write *inquieti* for *inquit*, as some of the younger MSS do.[1] For *inquieti animi* cf. Liv. 25,7,11.

efflictim: an adverb typical of comedy (cf. examples in OLD s.v.). It is also used at 100,9 and several times in the *Met.*, e.g. 1,8 (8,16) and 3,16 (63,22).

concedo: not a real admission, but one just for the time being (*interim*) and, it can be added, for the sake of the argument.

num tamen - scripserit?: the thought is essentially the same as in 79,4. It is given a clever twist: 'if Pudentilla had openly written anything that could cause me harm, she did *not* really love me.'

80,1 **sanam an insanam**: Apuleius enters on a piece of dazzling reasoning, modeled on the example of 'the Liar', for which MORESCHINI compares Cic. *Ac.* 2,95; cf. also MICHEL 1980, 17.

On closer scrutiny, there are several weak points in the argument. (80,1:) Being sane does not automatically exclude influence of magic, while a woman may be insane but still know what she has written. An insane woman may well be aware of her insanity. (80,2:) The truth of the statement 'I am insane' does not depend on the speaker's own knowledge, while being sane does not consist in knowing what insanity is. 'Insanity knowing itself' is a misleading personification (insanity cannot know). (80,3:) The conclusion is a paradox which, on the speaker's terms, could equally have been reversed: 'if Pudentilla was really sane, she would not think that she was insane. She wrote that she was insane. Therefore she was not sane.'

Instead of 'dialectics' we can apply the term 'sophistry' here. The passage is clearly designed as a showpiece to impress the audience.

80,3 **possum... pluribus**: for the expression cf. 77,4 *quid multis?*

accipe tu: a direct address to one of the attendants. The last time this occurred was at 69,6-8. The scheme of addressees given by HIJMANS 1994, 1741 neglects the attendants.

1. Alternatively, a case could perhaps be made for HILDEBRAND's *inquies*, a conjecture he did not venture to print in his text.

80,4 **sustine...**: this is the interruption Apuleius announced just before the attendant started reading the letter. As often before, the evidence itself has not been preserved. From 80,5 it appears that the relevant portion of Pudentilla's letter dealt with the previous history as set out by Apuleius from 68,2 onward. The following, crucial passage of the letter will be quoted by Apuleius himself at 82,2 and 83,1. Finally, the attendant will be asked to read part of the conclusion at 84,1-2.

Nothing more of the letter is quoted.[1] It is difficult to estimate how much has been left out, but it may be only very little. Taken together, the summary of its first part and the quotations in 82-4 read like a fairly coherent whole. Only the very last words are manifestly skipped (84,2 *etiamne amplius?*).

deuerticulum: 'the crucial point'. This metaphorical use of the word, normally meaning 'byway' or 'branch', is unique: cf. OLD s.v. 1d. TLL 5,1, 854, 42-3 wrongly quotes our place in a list of examples for a more general sense.

80,5 **ordinem... eundem**: the long widowship was discussed at 68,2ff, the health motif at 69,1ff, and Pudentilla's desire to remarry at 70,5ff. Pontianus' praise of Apuleius and his advice that Pudentilla should marry him remained implicit in the chapters 72-3, and were made explicit at 73,8.

81,1 **uertit cornua**: for this expression, scholars refer to Pl. *Ps.* 1021 *ne... nunc mihi obuortat cornua*. The inherent animal imagery is now applied not to a human being, but to an inanimate object. A more elaborate personalization of the letter will occur at 83,4-5.

memorabili laude: an ironical remark. This reading of FΦ is rightly retained by most editors. Only B/O object to it and accept the emendation *fraude*.

81,2 **fando... audisti**: 'you have heard by hearsay', a standard combination; for examples see OLD s.v. *for* 1b. Apuleius has used it as a model for the next two phrases, *legendo didicisti* and *experiendo comperisti*.

81,3 **quis Palamedes...**: Rufinus is compared to four legendary scoundrels and symbols of cunning. Apart from this general point, made explicit at 81,4 *dolo memorandi*, the examples chosen by Apuleius contain some threatening allusions.

Palamedes had thwarted Odysseus before the Trojan War, when he had seen through Odysseus' feigned madness; but later Palamedes was put to death, on the basis of (false) accusations by the same Homeric hero.[2] Sisyphus was best known for his legendary, eternal punishment. The last two, Eurybates and Phrynondas, are historical persons, known as traitors. They are mentioned together in Plato *Prot.* 327 d and Aeschin. 3,137 (quoted by B/O); further in Lucian *Alex.* 4. The passage in Aeschines is the most significant: there they are compared to magicians.

81,4 **macci et buccones**: all legendary scoundrels are said to be mere 'clowns and fatheads' when compared to Rufinus. The words allude to two stock characters of the Roman

[1]. B/O say that it is not clear from the text 'when the rest of the letter is read.' They obviously assume that this rest *was* read in court, a point we cannot be sure of.

[2]. Of course, Apuleius does *not* present Palamedes as the 'convicted innocent', as he was also known, nor does he allude to the *Defence of Palamedes* by the Sophist Gorgias, an important piece of early oratory which Apuleius must have known. It is possible that he personally identifies with Odysseus, a name significantly absent from this short list; cf. also on 68,4 (Pudentilla as Penelope). At *Soc.* 24 Odysseus is given a prominent, positive role as the model *par excellence* of virtue.

fabula Atellana. There is, again, an element of threat: on stage, the *maccus* often received blows; cf. the earlier note on 59,5 (Crassus).

81,5 **o subtilitas**: this looks like another fairly simple, ironical exclamation. However, it unexpectedly takes a nasty, threatening turn: Rufinis' cunning contrivance is called worthy of prison. *Robur* refers to the oak post to which prisoners were chained and perhaps also the cell containing it (OLD s.v. 2c).

quae defensio fuerat: the point was already made abundantly clear at 81,1. A new element however is added here; see the next note.

transuerteretur: the incredible and invisible change from defence to accusation was brought about in some mysterious way. The innuendo is unmistakable: Rufinus' trick resembles magic.[1] For the 'incredible phenomena' of magic cf. especially 26,6 *incredibili quadam ui cantaminum* and 43,3 *incredundas frugum inlecebras*. We may also think of 'metamorphoses' in general: in Met. 3,26 Lucius is changed into an ass by magical means.

82,2 **uerba ipsa**: now follows the first literal quotation of a nonliterary text preserved within the speech. As Pudentilla's letter is in Greek, there is an obvious link with other Greek texts quoted in the speech. The last one was from Plato's *Laws* (65,5 and 7). For *uerba ipsa* as an announcement of literal quotations, cf. 25,10 and 65,4 (in both cases of Plato). On the textual problems involved in the Greek letter of Pudentilla, cf. HELM 1904, 545-8.

The present text shows that in Africa knowledge of Greek must have been sufficiently widespread for a basic, general understanding: Rufinus takes the Greek phrases to the street and shows them to the people. On the other hand, competent writers of Greek, such as Apuleius or Pudentilla, were obviously exceptional; cf. PAVIS D'ESURAC 1974, 97.

μεμάγευμαι: the word is clearly used in an ironical manner. On the Greek verb cf. briefly ABT 1908, 241. Pudentilla may have been influenced by Greek and Latin magic imagery applied to love, on which cf. MURGATROYD 1983.

82,3 **haec - interposui**: B/O call these words 'redundant and unnecessary', which seems rather harsh. There is, at least, a remarkable word order, with the subject *Rufinus* inserted in the middle, rather brutally separated from its verb *ostendebat*. It looks as if Apuleius is paying Rufinus in his own coin, if we consider the following words, *sola excerpta et ab ordine suo seiugata*

82,4 **occultabat**: one wonders how Rufinus managed to do that. Did he simply keep his hands on the passages he wished to remain unread?

82,5 **quae purgandi - scripta**: cf. on 81,5 *quae defensio fuerat*. Here the point is used to introduce the familiar motifs of *inuidia* and *imperitia*.

82,6 **impurus**: a common epithet of insult, with a strongly sexual ring; cf. OLD s.v. 2. Here, there is also a contrast to the letter intended to 'clear' Apuleius (*purgandi gratia*).

bacchabundus: the adjective suggests that it was Rufinus who was 'possessed', not Pudentilla, as MCCREIGHT 1991, 430 acutely remarks. Moreover, since *bacchari* was restricted to women, the speaker seems to allude to Rufinus' effeminacy again (cf. 78,3-4).

[1]. The audience may have realized that a change from 'defence' to 'accusation' is possible: it might apply to Apuleius' speech itself. The threatening elements in this passage underscore this suggestion.

proquiritabat: a remarkable, probably archaic word, which is thought to come from an uncertain place in the *Leges XII Tabularum*. Cf. in particular McCREIGHT 1991, 427-31, who concludes: 'the entire description smacks of politicking. Apuleius' exhumation (...) of a word from the Twelve Tables adds a nice touch to his unflattering description of Rufinus' spreading of false and misleading rumor by applying to it ironically an official word used for the legitimate promulgation of agreed-upon legislation' (431).

82,7 **pro me ferret**: 'took my side', 'spoke up for me'. For this somewhat unusual use of *fero*, there seems to be no immediate parallel (I have not been able to find anything relevant in either OLD or TLL s.v. *fero*). Modern editors generally retain the text of the MSS here. Perhaps a word like *opem* is to be supplied, as B/O (addenda, p.180) suggest.

totam: this crucial word is stressed by the emphatic *sodes*, and varied by both *omnia* and *<a> principio ad finem*. The following lines explain this in full detail: words must not be quoted in isolation from their context or in a manner at odds with their original intention.

To a modern reader the point seems so obvious as to be self-evident. Apuleius, however, must make sure that even the less educated members of his audience fully grasp the thought. We must bear in mind that the average citizen of Oea had apparently not been prepared for such a 'selective quotation.'[1]

82,8 **cuiauis**: the indefinite adjective *cuiusuis* occurs only here. It is perhaps reminiscent of Plautus; cf. McCREIGHT 1991, 332-3.

simulationis causa: this last general remark will turn out to apply most closely to Pudentilla's words. She had given an ironical twist to words ascribed to Pontianus. This was quoted by Rufinus in such a tone that it seemed as if she acknowledged the point rather than reproached the boy for it.

quam: used without a preceding comparative, as in 28,5.

83,1 **testato**: cf. the earlier reference at 78,6, where *testato* was also used.

haec: at last Apuleius quotes the entire passage under dispute: 'for since I desired to marry for the reasons of which I told you, you persuaded me to choose Apuleius in preference to all others, since you had a great admiration for him and were eager through me to become yet more intimate with him. But now that certain ill-natured persons have brought accusations against us and attempt to dissuade you, Apuleius has suddenly become a magician and has bewitched me to love him! Come to me, then, while I am still in my senses' (translation by BUTLER, with a small change of punctuation).

After Apuleius has read the isolated phrases at 82,2, and has argued that Rufinus had been quoting selectively, the transition to this full quotation is smooth and natural. His point must have been convincing to everyone. The Greek words involve some textual problems, but there is general agreement about most of the words.[2] Within the

[1]. It may also be remarked that Apuleius himself, in spite of what he is saying here, does not always shy away from selective or distorting quotations, cf. e.g. on 26,5.

[2]. There are two exceptions: for the reading (*οἰκεῖον*) *ἡμῖν*, HELM prints Salmasius' emendation *ὑμῖν*. The change is unnecessary, and accordingly the text of the MSS is retained here, as it is in other editions. In his edition with German translation of 1977, HELM prints *κακήγοροι* instead of the generally accepted correction *κατήγοροι* for the obviously wrong *μακάριοι* of F.

words repeated from 82,2, there is a minor difference of word order (the position of *ὑπ' αὐτοῦ*).

It has been suggested by Dr. Elaine Fantham (in a paper presented in Amsterdam on August, 31th, 1993) that this is not the letter Apuleius' opponents had used, but some clever concoction of his own, made after he had been sued. Naturally, we should always be suspicious of Apuleius' words, but this is one step too far. The accusers would have protested sharply against such behaviour, and Apuleius could not possibly have got away with it. The official terminology surrounding this piece of evidence (83,1 *testato*), the speed with which it was copied (cf. the remark at 84,5), and the fact that the original was not in Apuleius' possession in the first place (see on 78,6) make the assumption quite unlikely.

αὐτὸς ἔπεισας: the letter basically agrees with the version of events presented by Apuleius; cf. 73,8 *persuaserat idem Pontianus...*.

ἐγένετο Ἀπολέιος μάγος: it does not result with absolute certainty from the letter *exactly who* called Apuleius a 'magician' and Pudentilla 'bewitched'. But the implication is clear enough: it is Pontianus himself who used these qualifications, inspired by Rufinus (on whom cf. 78,2 *amatricem eam, me magum et ueneficum clamitaret*).

ἐλθὲ τοίννν: at 87,6 Apuleius will assess these words as having been written *dissimulamenti causa et deridiculi*, and further explain them.

83,2 **uocales dicuntur**: an ostentatious note on linguistic theory: the common distinction of vocals and other letters, such as consonants. The literate elite is likely to have been familiar with this notion, but the same cannot be expected from the rest of the audience. Undoubtedly the remark is meant as a display of the speaker's erudition. At the same time it prepares for the following, elaborate personification of letters: the *litterae*, now taken in the sense of 'letter', are literally given 'a voice'.[1]

Apuleius combines this with a literary reference to the Homeric 'winged words'. On winged words within the Homeric epics see VIVANTE 1975. A similar Homeric reference is *Fl.* 15,23 *uerbaque quae uolantia poetae appellant, ea uerba detractis pinnis intra murum candentium dentium premere*; for the latter element see the note on 7,4.

83,3 **suppressa - manibus**: the personification is as lively as possible, illustrating what has been said at 82. The words which Rufinus had left unquoted now literally 'escape from his hands, fly away, and speak for themselves.' Their *tumultus* on the Forum would exceed the turmoil created by Rufinus himself (82,6).

sibi: sc. *esse*.

83,4 **improbo ac nefario**: these terms refer to Rufinus; cf. 74,3 *improbriorem*. Apuleius seizes the opportunity to insult his opponent, hiding behind the alleged words of the letter.[2]

83,5 **absolutum**: this will be explained in the following chapter.

[1]. HELM 1955, 107 compares a work ascribed to Lucian (*Jud.Voc.*), where the letter Sigma puts the Tau on trial and delivers a speech. As a matter of fact, Apuleius goes one step further by using the ambiguity of *litterae*.

[2]. We may recall his own criticism (at 2,6) of Aemilianus, who refuses close combat and merely harasses from a distance (*eminus calumniis uelitatur*).

83,6 **luce illustrius... patent**: Apuleius resumes and combines his earlier imagery of light versus dark, and openness versus hiding; cf. e.g. on 16,7. The second element is underscored in a conventional tricolon: *patent*, *hiant*, *detectum est*.

The 'gaping lies' also recall the *hiatus* of the monstruous crocodile at 8,6-7, as McCreight 1990, 56 says. The image may be even more meaningful if we accept the ingenious suggestion of Harrison 1988, 267: as Aemilianus is compared to Charon and Mezentius, so Rufinus is implicitly compared to the monster Cacus, described in Verg. *A.* 8,241-6. These Vergilean lines contain the words *detecta*, *patuere*, and *dehiscens*, and also the comparatively rare *barathrum*.

The parallel is functional: just as Cacus had hidden the stolen cattle in his cave, so Rufinus tried to suppress the truth. It may be added that in the Vergilean passage the monster Cacus was fought by Hercules, a hero with whom Apuleius could certainly identify; cf. on 22,9.

83,7 **se effert**: this old correction of FΦ *se fert* is now accepted by most scholars; cf. Cic. *Lael.* 100. Only Helm retains *se fert*, but with the suggestion (in his apparatus) of *<solutam> se fert*. For the image cf. *Met.* 10,12 (245,22-3) *patefactis sceleribus procedit in medium nuda ueritas*.

calumnias emergit: a vexed place, for which various emendations have been proposed. The most popular is Elmenhorst's *calumnia se mergit*, which is also adopted in the editions of Helm and B/O. Its most natural meaning would be: 'and calumny plunged into the deep abyss.'[1]

However, as Helm 1904, 580-2 indicates, the text of FΦ can be defended here (as e.g. Hildebrand does). With *ueritas* as subject and *calumnias* as object, the meaning is: '[truth comes out] and, as if from a deep abyss, rises above calumny.' This clear and simple translation seems perfectly possible.[2] In support of this interpretation, it may be added that in the Vergilean model (*A.* 8,241ff; see on 83,6), there are no bad things like calumny fleeing *into* the *barathrum*, as in e.g. Lucian *Cal.* 32, but only elements dragged *out* of it. Harrison 1988, 267 also prints this Apuleian phrase as *calumnias emergit*, but without further explanation.

84,1 **litteras... litteris**: another clear example of how Apuleius flings his opponents' accusations back at them. The repetition of the word shows that he knows what he is doing.

dic tu: again, the speaker directly addresses at the attendant in court, who had started reading the letter at 80,3.

obcantata: the participal form occurs only here. See the detailed observations on this verb by McCreight 1991, 456-65, who discerns a double meaning: Pudentilla is

1. *Alto barathro* would then be taken as a dative (Von Geisau 1916, 96). A less likely solution is to take both *barathro* and *calumnia* as ablatives, as is suggested by Helm 1904, 582. This would produce: 'and [truth] rose from calumny as if from a deep abyss'. TLL 2, 1724, 32-3 prints *barathro calumniae emergit*, the emendation of Casaubon.

2. In this case, *alto barathro* is an ablative of separation without a preposition. For this cf. e.g. *Met.* 2,1 (24,18) *somno simul emersus et lectulo*; 11,1 (266,13) *marinis emergentem fluctibus*; 11,3 (267,29-268,1) *pelago medio... emergit diuina facies*. For *emergere* used of *ueritas*, cf. Cic. *Clu.* 183 *saepe multorum improbitate depressa ueritas emergit*; the transitive construction is rare but not impossible: cf. *Met.* 1,2 (2,8-10) *postquam ardua montium... emersimus* (corrected text); further Catul. 64,14. Helm, 581 adds some more Apuleian examples of verbs starting with *ex-* governing the accusative.

ironically 'bewitched' by Apuleius, but also in reality calumniated by the prosecution; for the latter, old meaning, cf. e.g. Cic. *Rep.* 4,12.

amens, amans: the similarity of the words often led to puns in Roman literature; cf. examples given by B/O and further Otto 1890, 18.

84,2 **Ἐγὼ οὔτε...**: the third and last quotation from the letter, apparently from its concluding sentences. The end, however, is a *locus uix sanandus*, as B/O say. In F, it breaks off on *τὴν εἱμαρμένην ἐκφ*. Numerous attempts at restoring the text have been undertaken, most of them mentioned by Bardong 1944, 275-81. However, none of them is really satisfying. Given the following lines (84,3), it must have been something like *ἐκφ<εύγειν τίς ἂν δύναιτο>*; (Helm), for which cf. e.g. Plato, *Gorg.* 512 e, or *ἐκφ<εύγειν οὐκ ἔξεστιν>* (Helm, addenda p.123).

For the abrupt ending of the Greek quotation several explanations are possible. Of course, it may have been caused by a scribal error. But it can also be due to a deliberate choice of the speaker, or even (as Mosca assumes) closely reflect Pudentilla's language in the letter. The second and third options have some support in the following question *etiamne amplius?*, which reads like 'and so forth'; cf. Helm's German rendering 'das Schicksal aber usw.'

84,3 **fato**: this must refer to *τὴν εἱμαρμένην*. Meanwhile, it is not Apuleius' aim to produce a philosophically adequate translation.[1]He merely revels in a piece of sophistic reasoning, concluding that a reference to fate excludes influence of magic and even denies its existence.

torrens: the image of fate as a torrential stream, which cannot be slowed or accelerated, is not original. Already in Cicero's works the verb *fluere* was often used in connection with fate; cf. *Div.* 1,125; *N.D.* 1,55; *Tusc.* 5,70. The inherent river metaphor is fully elaborated by Sen. *Nat.* 2,35: *quemadmodum rapidorum aqua torrentium in se non recurrit nec moratur quidem, quia priorem superueniens praecipitat, sic ordinem fati rerum aeterna series rotat*.[2] One is also reminded of many passages in Seneca's works, e.g. *Ep.* 77,12 or the famous Stoic sententia *ducunt uolentem fata, nolentem trahunt* at *Ep.* 107,11; cf. further e.g. Luc. 7,505.[3]

84,4 **esse magiam negauit**: for a comparable sophism on the existence of magic, cf. 26,9. As Abt 1908, 241-2 rightly points out, ancient magicians actually claimed they could *break* the power of fate.

84,5 **integras**: an important circumstance, since it enabled Apuleius to have the disputed sentences read in court within their context.

1. Hijmans 1987, 446n214 objects that this rendering is insincere, in view of the limitation of *fatum* given by Apuleius at *Pl.* 1,205-6. However, philosophical consistency within his works is not Apuleius' primary concern. Besides, what he sets out in *Pl.* are Platonic teachings, which are not a priori identical with his own views.

2. It is probably more than coincidence that the parallel is from this work of Seneca. We know that Apuleius composed works on various themes from the field of *Naturales Quaestiones*, cf. Fr. 14, 15, 16, 22 (Beaujeu) and the works on fish mentioned in the *Apol.*; cf. on 36,8, where even the words *naturalium quaestionum* are used. These works of Apuleius are not mentioned by French 1994, who discusses Seneca at p.171-8.

3. Things are turned upside down in many passages of Lucan's poem, where fate *can* be slowed down or speeded up; see Hunink on Luc. 3,392.

festinatio iudicii: that Maximus speeded up the trial can also be deduced from earlier allusions; e.g. 1,5; 1,7; 2,5; 78,6.

ex otio: the sense can only be 'in peace, undisturbed'. The usual Latin expression for this is *per otium* or *(in) otio*; cf. OLD s.v. 1b. TLL 9, 1184, 81-2 wrongly ranges this place among regular examples of *ex otio*.

84,6 **subneruiasti**: the word does not occur before Apuleius. Its figurative use of 'to hamstring', combined with that of 'driving on to destruction' (*praecipitasti*), produces the effective image of a limping animal controlled and reined in by the intelligent judge, as MCCREIGHT 1991, 436-7 argues.

84,7 **adsolet**: the verb is used impersonally; cf. examples in OLD s.v. *assoleo* 1b. As B/O rightly explain, it does not refer to a habit of Pudentilla's of writing letters about love, but it makes the general statement that such letters are generally secret.

uerum: 'morally right, honest' or 'proper' (OLD s.v. 9-10).

84,8 **sumne... inscius**: the reading of FΦ *sum... inscius*, adopted by HILDEBRAND, is invariably corrected by modern scholars to *sumne... inscitus*. The first change is inevitable if we print a question mark after *perdideris*, given the cogent parallels adduced by scholars for the interrogative particle. Meanwhile, it remains at least conceivable that Apuleius is simply affirmative here, inserting a note of irony amidst his many questions (84,7 and 85,1-4): 'well no, *it is me who is ignorant*, when I demand...!'

The second change, however, is far less convincing. *Inscitus*, the emendation of Vulcanius, is inspired by the parallel in *Soc.* praef.4 *ne ego inscita*. But *inscius* makes good sense; cf. OLD s.v. 2 'ignorant'; TLL 7, 1845, 38 'fere i.q. imperitus, inscitus.' Therefore it has been restored here.

qui tuum perdideris: another insinuation recalling the earlier invective, where Rufinus' allegedly loose sexual morals were pictured in detail (74-5). There is a close imitation of the Apuleian phrase by the Christian author Zeno Veronensis in his *Tract.* 1,1, *De pudicitia* 6: *(non sexui parcens, non aetati, non pietati, non sibi) quia pudorem alienum qui appetit primo suum perdit*. Such cases of direct influence on later authors are rare in the *Apol.*

85,1 **istum puerum deprauatum**: the harsh qualification refers to Pudens. He remains the target of Apuleius' savage attacks in the rest of the chapter.

85,2 **procons.**: the abbreviation as used in FΦ is explained as either *proconsulari* or *proconsulis*.

sanctissimum: the highly praising adjective brings in a religious note; cf. some earlier cases where the superlative was used: 56,2; 56,8 and 78,1. The moment is well-chosen: judge Maximus now appears as the very opposite of the 'unholy' and disrespectful young Pudens.

Puns on names seem piled up here. MCCREIGHT 1991, 154-5 rightly observes that the name of emperor *Pius* implies a contrast with 84,7 *impium*. It can be added that the name *Maximus* is an impressive superlative by itself. Finally, there may be even an allusion to the name *Pudens* in *pudenda... stupra*.

Pii: the emperor Antoninus Pius, whose reign lasted from 138 to 161 AD. This is an important clue for the date of the trial; see further on 1,1. There are no further references to this emperor in Apuleius' works.

statuas: for other statues mentioned in this speech cf. 14,3; 15,2; 34,3; and 54,7. For statues of Apuleius himself see the notes on 14,2; 24,9; and 72,2.

85,3 **quis est - exacerbescat?**: the question aims at justifying the anger and indignation of the speaker, and so at passing it on to the audience. A similar case was 78,3 *uix hercule possum irae moderari, ingens indignatio animi oboritur*. The verb *exacerbesco* does not occur before Apuleius and is probably coined by him; it seems inspired by 85,1 *acerba*; cf. also 78,1 *exacerbatus*.

ultime: used as a term of abuse, i.e. *pessimus*; for parallels cf. B/O and VAN DER PAARDT, 127. Being *ultimus*, Pudens is literally far removed from *Maximus*.

in istis: 'in such matters' (BUTLER), or, less likely, 'in these letters' (MORESCHINI). Some scholars object to the words because they break the balance between *animum scrutaris* and the other clauses of two words each. However, no change is required.[1]

scrutaris... exploras... reuincis: the poignant passage shows a remarkable parallel to *Met.* 5,29-31, where Venus scolds her son, Cupido, for being in love with Psyche. Cf. notably Cupido's defence at 5,31 (128,13-5): *mater autem tu et praeterea cordata mulier filii tui lusus semper explorabis, curiose et in eo luxuriem culpabis et amores reuinces...* The parallel is analyzed by MCCREIGHT 1991, 155-6; on the present passage see also CALLEBAT 1984, 160-1.

tabulas intercipis: Pudens got hold of Pudentilla's Greek letter to Pontianus and handed it over to Rufinus. Meanwhile, it remains unclear how and when this happened. Intercepting letters is possibly what Pudentilla herself did earlier; cf. note on 70,4.

85,4 **in cubiculo... perquiris**: Apuleius felt no scruples either, when he revealed what happened in the bedroom of Rufinus and his wife (75,2-4; cf. also 78,1 *digna cubiculo suo*). Yet that is a different thing: he is their opponent, not their son.

ne - femina sit: Pudens denies Pudentilla not merely her privacy as a lover, but even her rights as a woman. The MSS are confused here. The emendation *sit* (VAN DER VLIET) for *est* of the MSS, though hardly small, is the simplest solution.[2]

85,5 **o infelix...**: a highly dramatic apostrophe of Pudentilla's womb, her imaginary sterility, her months of pregnancy and her years of widowhood. Pudentilla herself was probably not present in court; cf. on 1,5. See also HIJMANS 1994, 1740n107 who considers these words 'hard to read as spoken to one bodily present.'

sterilitas: a strongly offensive element, implying that it would have been better if Pudens had not been born at all. Cf. e.g. Cic. *Phil.* 2,58 *o miserae mulieris fecunditatem calamitosam!*

decem menses: i.e. ten lunar months, the equivalent of 280 days.

XIIII anni: cf. on 68,2 *annos ferme quatuordecim*. Restrictions like *ferme* are omitted here for the sake of the effect.

uipera: Pudens is explicitly compared to a viper. He is therefore no better than Aemilianus, who was also compared to a viper and a crocodile early in the speech; cf.

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1. AUGELLO considers transposing *in istis* to the place after *ultime*, and renders as 'l'ultimo venuto in mezzo a costoro' i.e. among the sons. The solution is awkward, if only because Pudentilla had only one other son. WATT 1994, 519-20 proposes deleting the words. Such 'improvements' of the author's style of writing should be avoided as long as there are no compelling reasons for them.

2. HELM, addenda p.123 proposed a much more drastic intervention, *aest<imetur>*, which has not met with scholarly approval. On the other hand, his insertion of *<Nihil>* before *ne tu in ea cogitas* is almost generally accepted. Only WATT 1994, 520 disagrees, proposing: *ne tu in ea cogitas <nihil> nisi unam parentis* (with asseverative *ne*). This merely transfers the difficulty.

on 8,4 and 8,6-7. For the superstitious belief about the viper, cf. Plin. *Nat.* 10,170, who tells us that the last vipers still in the womb become impatient and rupture the mother's sides, killing her in the process.

uiuenti et uidenti: a variant of the proverbial *uiuus uidensque*; cf. OLD s.v. *uiuus* 1d; further OTTO 1890, 377 and for similar Apuleian 'callidae iuncturae' FACCHINI TOSI 1986, 160-1. Here the words perhaps also allude to *uenter* and *dentes*, two relevant words in this context.

Apuleius not only compares Pudens to a viper, but he also manages to make the comparison work to the boy's disadvantage. The viper, in the ancient belief, causes his mother's death accidentally and in the course of a natural process (see above); Pudens' bites are *acerbiores* (a key word in this chapter) and hurt his mother when she is alive and seeing, long after his birth, that is, purposely and needlessly.

85,6 **laniatur...**: the imagery is extended and subtly amalgamated: the *uterus* of the viper gradually evokes the intimate parts of Pudentilla's body. Four steps work up to the climax *uiscera intima protrahuntur*. The implication is that Pudens cruelly offended the honour of his mother.[1]

85,7 **ut, si compertum - uxorem**: a rather infelicitous clause, since the thought is strained and hardly relevant. It looks as if Apuleius has conflated two ideas: the ironical question 'is that the sort of teaching your uncle gave you?' and his own assessment 'if you were sure your sons would be like yourself, you would not dare to marry!' Later Pudens will appear to be paired off with the daughter of Rufinus (97,7 - 98,1).

85,8 **poetae uersus**: this is one of the rare cases in which a poet quoted by Apuleius cannot be identified. Usually Apuleius adds the name himself. The present fragment is Inc. Pall. 95 (Ribbeck).

Apuleius applies the line to Pudens and prolongs the invective as far as he can. No one else in the speech is called a *monstrum*, although the image of Crassus at 59,5-6 comes very close. The notion of a young boy acting like an old man[2] is elaborated in some effective wordplay, which reads like an incantation.

85,9 **uel potius...**: the wordplay develops into outright invective again. There are still contrasting notions (guilt versus pardon; injustice versus hideous crimes), but no striking verbal correspondences. In the end there is a new climax in the impressive tricolon *nefando, immani, impetibili*.

cum uenia: a reference to the limited legal responsibility of Pudens; see on 2,3.

sceleri...: Pudens used a private letter of his mother and did all he could to prevent her marriage. That was indeed 'ungrateful' or 'morally wrong,' but hardly an unpardonable *scelus erga parentem*. Apuleius' terms are exaggerated to enhance the

1. Inevitably, one is reminded of Apuleius' clinical attitude in opening Pudentilla's 'medical file' at 69,2. Especially the words *diutino situ uiscerum saucia, uitiatis intimis uteri* seemed painfully detailed (see note a.l.). This earlier behaviour of Apuleius is, however, not justified in retrospect here, as some editors (e.g. AUGELLO) wrongly assume. Just as Pudens is the implied agent in the first three clauses (*silentium - foditur*), it is he who must be meant in the fourth.

2. By contrast, Aemilianus was pictured as an old man acting like a foolish boy (e.g. 1,1); the point is made by MCCREIGHT 1991, 121-2.

effect. Only the boy's legal cooperation with the prosecution might properly be called a *scelus*, however, not one against his parent but against Apuleius himself.[1]

86,1 **Athenienses quidem...**: as on other occasions, Apuleius is happy to insert an anecdote or an interesting tale. Here it is a story on the parents of Alexander the Great (on whom see 22,8). As Plut. *Demetr.* 22,2 tells us, the Athenians came into possession of private letters addressed to Olympias, but returned them with the seal unopened.

The honourable example functions as a break and a source of amusement for the audience at large, and again illustrates the speaker's broad erudition and his familiarity with *litterae*. On another level, it is directly relevant to the argument. Young, ignorant Pudens finds himself compared to the assembled people of Athens, the symbol of wisdom and culture - a comparison he cannot stand. Meanwhile the marriage secrets of Pudentilla and Apuleius are tacitly put on a par with those of the renowned figures Olympias and Philippus. For a similar, more elaborate interlude, cf. on 37,1.

commune ius humanitatis: an expression referring to what is commonly called *ius gentium*, a judicial and philosophical concept which had become widespread in Apuleius' days; see NORDEN 1912, 58-9; AMARELLI 1988, 139-40. For the expression cf. *Met.* 3,8 (57,24); Gaius *Inst.* 1,1 (with commentary by David/Nelson); further Cic. *Flacc.* 24.

hosti...: the example is short and simple, and so the speaker must paraphrase it to emphasize his point.

86,2 **tu qualis - matrem?**: B/O and HELM punctuate the clause as an exclamation, but others read a question here. Both are possible, but the second option gives a better contrast with the preceding clause *tales - hostem*.

quam similia: this is, of course, ironical. The difference between the Athenians and Pudens could hardly have been greater.[2]

poetam lasciuiorem: scholars have failed to notice that this is not a disqualifying combination, as the rest of the speech proves. Apuleius associates *lasciuia* with several poets: Sappho (9,7), Solon (9,9), Voconius (11,3), and even himself (87,4). Furthermore, he defends erotic poetry at 11,1-4 and inserts many quotations from it in c.9-11. If Pudens therefore, as Apuleius suggests, does not dare to quote such poetry, his sense of shame is a misplaced and perverted sort of shame. It is difficult to miss the pun on his name: 'Pudens being held back *pudore aliquo*.'

86,3 **si - attigisses**: the *litterae* of Pudentilla trigger an effective pun on being literate in general. It is not the first of its kind in the speech; cf. notably 10,8 *si tamen tantus natu potes litteras discere*; further e.g. 34,5; 36,1 and 75,4.

We can now complete the thought of 86,2: if Pudens were literate like Apuleius, he would have remained silent on private letters but read love poetry without false shame. As things are, the reverse is true. The contrast is made even more explicit in

1. Perhaps *parentem* is ambiguous: earlier in this chapter the word clearly referred to Pudentilla (85,3; 85,4), but later the term will also be applied to the stepfather Apuleius himself; see 97,1 (Pontianus) *me parentem... uocans*; cf. also 99,8 *uitricus, ueluti pater pro optimo filio*.

2. As MCCREIGHT 1991, 159 adds, Alexander the Great had a 'notorious affection for and devotion to his mother', something which cannot be said of Pudens. MCCREIGHT further discerns a connection with the section on the viper (85,5), in the light of the well known tale that Olympias had slept with a serpent and as a result bore Alexander. That seems too subtle; such a link would be more convincing if the viper *immediately* preceded the anecdote.

the following lines with their repetition of *audere* (86,4): what Pudens did dare, was to have another shameless letter read.

86,4 **at quam**: a necessary correction for *ad quam* of FΦ.[1] HELM explains *quam* as *qualem*.

tuam ipsius epistulam: this refers to another, clearly different letter: not Pudentilla's Greek letter but some letter of Pudens himself, addressed to Pontianus and concerning his mother. We do not know more about the letter than the few details given here; *legendam dare* does not even make clear *whom* the letter was shown to. Probably, Apuleius has heard about Pudens' letter from Pontianus or his secretary. The fact that he has nothing quoted from it would suggest that he has no copy at his disposal.

in eius sinu... alerere: a return to the theme of 85,5.

optutu: this is the reading as corrected in Φ (F has *optuto*), which is rightly defended by HELM. Pudens does not want to sin just once but, in a way, twice, by writing his brother about his deed and so making him 'see it with his own eyes.' For *obtutus* with a verb, cf. *Fl.* 2,2 *homines... animi obtutu considerandos*; for *capessere* used of the senses, cf. OLD s.v. 3.[2]

86,5 **miser**: unexpectedly, Apuleius argues that Pudens is being tricked by Rufinus. This is a clear attempt at spreading discord among the accusers.

cum - blandirere: at an early stage Pudens had been polite and friendly to his mother. For the defendant there can be only one explanation: the boy was a hypocrite. The animal imagery of the fox (symbol of cunning and cowardice) is prepared by *blandior*, which can be used for the fawning of dogs (OLD s.v. 7). *Volpio* occurs only here.

87,2 **commenticia epistula**: the third letter in the section 78-87, allegedly written by Apuleius himself and addressed to Pudentilla. This letter, like the one written by Pudens (86,4 - 87,1), has not been preserved and again we hear only a few particulars. The letter apparently contained flattering, seductive, but unrefined words. Apuleius declares that it is a forgery: not only does the handwriting not match, but the appalling style and barbarous use of Greek are uncharacteristic of him and betray the hand of the opponents.

In what way the letter had been used against Apuleius remains unclear (*fuit et illa...*). His arguments against authenticity appear convincing, but there is reason to ask why he does not have the clerk read anything from this fraud. If what he says is true, quoting from the letter could have brought considerable damage to the case of his accusers, if only by raising a laugh at their style.

uerisimiliter: generally written as one word in this speech; cf. also OLD s.v. Only B/O and MORESCHINI print it as two words.

1. MARCHESI, MOSCA, and AUGELLO retain *ad quam* and translate 'inoltre', apparently interpreting it as *ad quam rem*. This is difficult to defend.

2. The claims of B/O that the Latin would have been unintelligible to Apuleius' audience, and that Casaubon's emendation *obliuio* involves the slightest of changes, are exaggerated. The recent proposal by FRASSINETTI 1991, 1206-7 to read <*omnium*> *obtutu*<*s*> *capesseret* (or <*quiuis*> *obtutu capesseret*) misses the point.

cur - blandirem: a minor sophism.[1] Of course, *blandiri* is an activity Apuleius wishes to deny, because it was typical of Pudens (86,5 *cum matri blandirere*). As to the form of the verb, the active mode of this deponent is rare but not impossible; cf. TLL 2, 2030, 54ff.

87,3 **qua autem uia**: an answer would be fairly easy to supply: earlier in the speech it appeared possible to intercept a letter (85,3), or to copy the original from someone's files (78,6).

87,4 **tam uitiosis uerbis**: given Apuleius' consistent choice of conspicuous and beautiful words, this argument must have appeared indisputable to the audience. For the high expectations he had to come up to, cf. also *Fl.* 9,6-8, esp. 9,7 *quis enim uestrum mihi unum soloecismum ignouerit? quis uel unam syllabam barbare pronuntiatum donauerit? quis incondita et uitiosa uerba temere quasi delirantis oborientis permiserit blaterare?*

Graecae linguae: the reference to Apuleius' proficiency in Greek suggests that the alleged forgery was in that language. This will be confirmed at 87,5.

tabernariis: the word, which is rare as an adjective, evokes the 'smoky atmosphere' surrounding the drunkard Crassus (57-61), and the vulgar, low sort of life men like him lead.

subigitarem: an old verb from comedy. It has a distinctly sexual undertone, though weaker than in the related *subigo*; cf. ADAMS 1982, 155-6. OLD s.v. renders 'to excite sexually by fondling.'

satis scite lasciuire: clearly not an activity to be ashamed of; cf. above on 86,2.

87,5 **Graecatiorem**: this form, the comparative of *Graecatus* 'written in idiomatic Greek', occurs only here. *Graecatus* can be analyzed as an adjective derived from *Graecus* (OLD) or as a participle of *graecari* (MCCREIGHT 1991, 446-9). As MCCREIGHT, 449 adds, the use of the comparative underscores the distinction between the competence in Greek of Apuleius' family and the illiteracy of the prosecution.

hanc ut suam: it is insinuated that, because the letter was by his own hand, the accuser could understand it and make good use of it. Things were different as far as Pudentilla's letter were concerned. The man referred to by *hic qui... legere non potuerat* must be Rufinus, as B/O rightly argue.[2]

87,6 **dissimulamenti...**: the disputed passage in Pudentilla's letter, fully quoted at 83,1, is now explicitly qualified as ironical and mocking. Furthermore, the concluding sentence is explained: Pudentilla actually invited her sons to come and stay with her for a while. *Dissimulamentum* is a striking word, occurring only here and in *Fl.* 3,7. The OLD's explanation as 'dissimulation, pretence' is not adequate: here it clearly means 'irony', as in the related word *dissimulatio* (OLD s.v. 2).

The repeated Greek phrase shows a minor difference: after τοίνυν, the words πρὸς ἐμέ have been left out.

1. There is, in fact, no reason why the use of magic would exclude all other means. Apuleius could well have relied on magic and blandishments at the same time. The letter might also represent some initial, 'innocent' attempt to approach Pudentilla.

2. Illiteracy and poor knowledge of Greek are indeed characteristic of all members of the prosecution. But this does not mean that the present statement can apply to any of them, as MCCREIGHT, 449 argues. The explicit comparison to 'reading Pudentilla's letter' makes Rufinus the only likely candidate.

nurum: Pontianus' wife, the daughter of Rufinus. For their marriage cf. 76,3-6 and 87,10 below. Pontianus had already been called the *gener* of Rufinus at 77,2.

87,7 **neget eam rationibus - subscripsisse**: a brief but effective picture of Pudentilla as the prudent landowner, carefully checking the accounts of her estate. This shows that she is by no means out of her senses. The three types of special servants (overseers, stablemen and shepherds) indirectly characterize her as a very wealthy woman. Her huge capital (71,6) had already made this quite clear.

Scholars are eager to draw conclusions from this description, using it as factual information on aspects of social and economic history; e.g. that Pudentilla produces for the market (FICK 1992, 31), that the use of overseers points to slave labour in African agriculture (GUTSFELD 1992, 254), or that this is evidence for *uilici rustici* in Roman Africa (CARLSEN 1991, 628-9. Some caution seems due here; for example, one may wonder whether the various servants were all literate enough to produce *rationes*. — Apuleius wishes to draw an opportune picture of Pudentilla, not to give a detailed description of facts.

rationibus: the procedure was traditional; cf. Cato *Agr.* 5,3 (on the *uilici officia*): *rationem cum domino crebro putet*; further ibid. 2,2 and 2,5. On the tasks of the manager see AUBERT 1994, 170.

uilliconum: the form *uillico* instead of *uil(l)icus* occurs only here. It is obviously designed to balance the sound effect of *upilio* and *equiso*. For their tasks cf. the list of various servants in the speech as given by NORDEN 1912, 72n1. *Vpiliones* (cf. 10,6) and *equisones* also occur in the *Met.*; cf. GCA 1985, 29.

87,8 **neget fratrem...**: Pontianus was apparently rebuked by his mother for his behaviour concerning the letter she had sent to him. Her warning against Rufinus is not likely to have had much effect in the immediate presence of the man's daughter (*nurum* 87,6).

uulgo - legisset: only now, in the end, it is suggested that Pontianus was not a helpless victim of Rufinus' tricks (82,3 esp. *Pontianum flentem... ductans*), but that he actively participated in Rufinus' plan.

87,9 **iam pridem condicto loco**: a first excuse for marrying in the country rather than in town, even before the theme itself is brought up. Apuleius gives a rather weak reason: 'the agreement had been made long before.'

87-88 Seduction of Pudentilla (III): the wedding in the countryside

We wished to celebrate our wedding in a country house in order to save further expenses after a recent donation to the people and to avoid the usual tiresome dinner parties. Still, I wonder why you, a countryman yourself, would object to a country wedding. Besides, there is nothing illegal to it. On the contrary, it is an auspicious symbol if a future mother marries among the elements of mother nature. And in Roman history there are many famous men who lived on the land. — But I should not oblige you by praising of the countryside.

The third issue of the five announced at 67,2 is treated somewhat casually. The section starts almost imperceptibly and is surprisingly short, especially when compared to the long passages on the previous history and the letters. The relevant facts are briefly

presented in the opening lines, where they are immediately justified on two more grounds. Most of the section looks much like a rhetorical exercise. An invective note and a legal pun lead up to a melodramatic image of a future mother marrying in the lap of Mother Earth, with some historical examples at the end.

Unlike the previous issue, this case is rather weak. Pudentilla's recent donation was indeed considerable, but her immense wealth would have allowed her to grant another such gift to the people (see on 87,10). So the argument of saving money is not very convincing. Perhaps worse, marrying in private meant neglecting the public aspects of the institution. Admittedly, it was not a matter of legality, since one could formally marry anywhere; cf. NORDEN 1912, 102-3; AMARELLI 1988, 130n77. Nonetheless, it must be considered a serious breach of social duties and a cause for scandal, since Pudentilla occupied a prominent place in the society of Oea and was expected to let the people have their share; cf. PAVIS D'ESURAC 1974, 96; IFIE/THOMPSON 1978, 28; GUTSFELD 1991, 412. It is therefore hardly surprising that the unusual behaviour of the couple provoked criticism and possibly raised suspicions of magic.

Apuleius immediately turns the unsociable motif *ad hominem* (88,1), but that is a rather feeble trick. His rhetoric appears to be designed mainly to dispel doubts and uncertainties. As a result of Apuleius' defensive strategy we do not get a very clear picture of the wedding itself, nor of the real motives for it.[1]

An interesting parallel of a marriage *in uilla sine testibus* is found at *Met.* 6,9 (135,2-3), where Venus calls such a marriage, as KENNEY a.l. puts it, 'a dubious hugger-mugger affair'.[2] The motif could also be part of rhetorical school exercises; VALLETTE 1908, 101n1 compares Sen. *Con.* 8,6 *matrimonii celebritatem remoti angulo ruris abscondis*. Centuries later, the same motif returns in Shakespeare's *Othello*; on the influence of the *Apol.* here, see TOBIN 1982, esp. 27.

87,10 **quippe...**: the words used at 87,9 (*apud uillam...*) allow for a smooth and quick transition to the next theme.

quinquaginta milia: Pudentilla had donated 50,000 sesterces at the combined occasion of Pontianus' marriage and Pudens' assumption of the *toga uirilis*. It is only here that we learn that these two events took place on the same day. So, Pudentilla seems to have arranged matters much as she wanted; cf. her message to Pontianus in 70,7: *ipsum uxori, fratrem eius uirili togae idoneos esse*. When Apuleius described Pontianus' marriage with the disreputable girl (76,3-6), he had remained silent on any leading role of Pudentilla. On the practice of giving donations at the occasion of a wedding, cf. Plin. *Ep.* 10,116, quoted by B/O (p.156).

A gift of 50,000 sesterces is considerable; see 101,5 where 60,000 sesterces is the price for a small estate; cf. DUNCAN-JONES 1974, 106; further DI VITA 1968, 189-90.

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1. We can only speculate here. In a country house, Apuleius could be thought to obtain a larger donation for himself; cf. 67,4. Alternatively, the couple might intend to avoid riots in town, engineered by Apuleius' enemies and their clients; for this assumption cf. IFIE/THOMPSON 1978, 28. On a more general note, second marriages seem to have been celebrated with much less splendour; cf. KRAUSE 1994, 104-5.

2. KENNEY even assumes a sarcastic allusion to the charges brought against Apuleius himself. As the *Met.* are probably of a later date, this is possible; cf. also B/O a.l. (p.156).

However, it must be added that the very wealthy Pudentilla could surely have afforded to repeat such a donation. The passage at 101,5 actually proves this: the number of 60,000 sesterces will be specified in response to the allegation that the property has been bought *magna pecunia mulieris* (101,4). This means that 60,000 sesterces is a comparatively small amount of money for Pudentilla.

87,11 **conuiuiis**: the third excuse (after 87,9 and 87,10) is that the couple wished to avoid 'the usual tiresome dinner parties.' By ancient standards, the remark seems surprisingly unsociable. On the other hand, *conuiuium* carries negative associations everywhere in the speech; see 29,4; 47,5; 98,6; cf. further 57,3 *symposia*.

88,1 **habes, Aemiliane...**: Apuleius is eager to resume his last two arguments and to give them an effective twist. In the first place, the donating of money (which at first was described by the bookkeeping term *expunxisset* 'to record as paid out'),[1] is now referred to as *profundenda*, which carries the notion of wasting money and throwing it away; cf. OLD s.v. 8b. Secondly, the wish to avoid dinner parties is now shrewdly applied to the person of the accuser only: 'we wished to avoid having dinner in *your* company!'

tabulae nubtiales: the procedure of signing the marriage contract is not quite the same as celebrating the wedding; cf. on 67,3. Apuleius does not explicitly say that there was a wedding ceremony at all. On Roman marriage celebrations in general, see TREGGIARI 1991, 161-70.

88,2 **qui - rure uersere**: a rather clever resumption of the earlier motif of Aemilianus as an illiterate, poor rustic (cf. e.g. on 8,1; 9,1; 16,7; 23,6). This rusticity is first used to eliminate Aemilianus' objections to the *uilla suburbana*. Cf. further on 88,7 (at the end).

88,3 **Lex... Iulia**: Apuleius gives the full name of the law, *Lex Iulia de maritandis ordinibus*. It was enacted by Augustus in 18 BC, and restricted marriages between persons of different rank. The law is also briefly mentioned at *Met.* 6,22 (145,11); for other laws referred to by Apuleius, cf. NORDEN 1912, 61. On the Lex Iulia in general cf. e.g. RADITSA 1980. The present reference can be considered 'jocular' (HIJMANS 1994, 1767), in particular the quasi-legal formula *uxorem in uilla ne ducito*. But it is also to the point: it is not illegal to marry in a country house.

88,4 **auspicatius in uilla**: the thought introduces a brief 'praise of the countryside' (*laus ruris*). This was a standard theme in rhetoric and poetry, no less than 'praise of poverty', dealt with earlier (c.17-23); cf. VALLETTE 1908, 160-1. Apuleius elaborates the contrast of town and countryside with two opposing pairs closely parallel in rhythm and sound (*in solo - silice*); on the same contrast in the *Met.* cf. FICK 1991.

fori: Pudentilla's place is therefore in the countryside, not on the forum. This may be another indication that she is absent from Apuleius' trial (e.g. 1,5; 68,2).

88,5 **mater futura**: the implication of the former sentence, having babies, now becomes the central issue. Given Pudentilla's age (see the following section 89) and the fact that she already has two grown sons, it may seem unlikely that she would bear Apuleius any children, but this is not impossible. In fact, the possibility of Apuleius and Pudentilla having children will appear to have been accounted for in the regulations concerning the dowry; see 91,8. AMARELLI 1988, 125 further points to Apuleius' later dedication

[1]. The verb subtly reinforces the picture of Pudentilla as a prudent landowner and careful bookkeeper.

of *Mun.* to a son, Faustinus; this son may well have been born from the marriage with Pudentilla.

Meanwhile, the general picture is highly effective: it suggests that the couple behaves fully in accordance with Roman norms by marrying not *ad lubidinem* but in order to have children; cf. on 67,3; further e.g. KRAUSE 1994, 118-9. When applied to Pudentilla, *mater futura* could also suggest that Pontianus and Pudens do not really count as sons. Finally, the symbolic link between the bride and various fertile elements of nature, illustrated by close correspondencies, is strong and must have impressed the audience. It is even reminiscent of 'sympathetic magic'.[1]

sub ulmo: clearly not a factual reference to woods in possession of Pudentilla, as GUTSFELD 1992, 254 naively suggests. Since the elm is commonly used for training vines, it is a symbol of fertility; cf. OLD s.v.

88,6 **ille - uersus**: this line which is 'famous in comedies' cannot be identified exactly, but probably goes back to Menander; cf. *Perikeir.* 1013-4 (with Gomme/Sandbach a.l.); and Fr.inc. 682 (Körte). There may be an error of Apuleius or some scribe, or a gloss, in the last two words. Nevertheless, the Greek words as written by F can be retained if we print a comma after ἀρότῳ; see B/O.[2]

88,7 **Quintis et Serranis**: another example of legendary Romans of old times; cf. earlier 10,6 *Serranis et Curiis et Fabriciis*; further 17,7-10; 18,9-11. The former name refers to L. Quin(c)tius Cincinnatus (5th cent. BC); the latter to C. Atilius Regulus (3rd cent. BC), as in 10,6. Both men were offered important state functions while they were at work in the field.

consulatus et dictaturae: by Roman tradition Regulus was offered the consulate, Serranus the dictatorship; neither, however, seems to have been offered a wife, a point unnoticed by scholars. The only one who 'had been offered a wife in the countryside' is Apuleius. By smuggling in the element of *uxores*, he indirectly ranges himself among the great Romans of the past.

cohibeam: FΦ have *cohibebam*, which is commonly rejected. By itself, it could be defended, but *ne... faciam* and *si... laudauero* make an imperfect nearly impossible. It is difficult to choose between HELM's *cohibeam* and *cohibebo* of M1, adopted by B/O. A subjunctive is perhaps more natural here, although B/O say the same about the future tense.

ne tibi - laudauero: by praising the countryside, Apuleius praises Aemilianus. Before this point can be made against him, he anticipates it himself. The moment appears, as usual, well-chosen: it justifies his breaking off the theme as a whole, after he has dealt with it only briefly.

[1]. The passage is discussed by ABT 1908, 242-3 ('die uralte Parallelsetzung von Weib und Saatfeld'), but he does not specifically refer to magic.

[2]. HELM and others consider the last two words redundant and bracket them. But in his 1977 edition HELM has restored the Greek (not printing a comma) without further notice. AUGELLO gives the text as found in a fragment of the Oxyrhynchus Papyri (II,16, line 38-9): *ταύτην γνησίων παίδων ἐπ' ἀρότῳ σοι δίδωμι* (also quoted by B/O). His quotation is not accurate, since *σοι* has been left out.

89 Seduction of Pudentilla (IV): Pudentilla's age

Next comes the lie concerning Pudentilla's exact age. She is said to have remarried at the age of sixty. Her birth certificate proves that this is false. She appears to be almost twenty years younger! You, Aemilianus, should be punished with twenty years of exile: this cannot have been a mistake of yours.

The fourth item, like the third, is treated briefly, but the point is much simpler: Pudentilla is just past forty, not sixty. Apuleius can easily prove this by means of external, written evidence: the official document on her birth. He spins out the point as best he can, emphasizing again and again that the prosecution has been exaggerating and deliberately lying. The latter is shown in an interesting note on counting gestures (89,6-7). The evidence and the powerful rhetoric, which includes even a Homeric reference (89,4), cannot have failed to impress and convince all; cf. also NORDEN 1912, 107, who calls this one of the 'Glanzstellen' of the entire speech. Apuleius himself already referred to it in a self-confident tone at 27,9.

If we compare it to the previous section about the wedding in the country house, which remained rather shadowy and dubious, the difference is indeed manifest. This may well explain why Apuleius deals with the various issues in this order (cf. on 67,2): a weak point is now followed by a strong point. By attributing to both the same, small space, he creates the impression that both are equally strong and almost self-evident. So, the potentially dangerous topic of the wedding has been made harmless.

Although the passage on Pudentilla's age seems convincing, one or two doubts may be raised here too. One may ask what the basic reproach against Apuleius really was. It was generally considered socially unacceptable if a middle-aged widow married a younger man; cf. KRAUSE 1994, 116-7. There was also a legal aspect to this: the *lex Iulia de maritandis ordinibus* (cf. 88,3) and the *Lex Poppaea nuptialis* (of 9 AD) prohibited marriage for women over fifty, and for men over sixty; cf. NORDEN 1912, 106;[1] AMARELLI 1988, 124-5; KRAUSE 1994, 120-1. If marriage took place beyond those limits, it caused a scandal, since the partners, held to be sterile by then, obviously did not marry to have children but only *ad libidinem*.

We may go still one step further here: if a young man married a *rich* old woman, the man could properly be considered a *legacy hunter*; on the topic in general cf. KRAUSE, 134-8. Typically, Apuleius does not waste a single word on this clear implication.[2] Instead, he concentrates on one specific element, her exact age, and so turns the entire argument into an easy matter of counting. On Pudentilla's age cf. also B/O, xix-xx.

[1]. NORDEN, 106 also quotes a Senatusconsultum from the reign of Tiberius, which renewed the prohibition: *Sexagenario masculo, quinquagenariae feminae nuptias contrahere ne ius esto*. This legal aspect is denied by GUARINO 1988, 341, who argues that the Lex Iulia is not relevant here.

[2]. In the final sections of the speech he will in fact speak about financial questions and his alleged enriching himself. But the point is that he entirely separates this from the question of Pudentilla's age, with which it is likely to have been connected.

89,1 **de aetate...**: a very quick change of subject. The speaker has suddenly left the last theme (88,7), and without any form of transition he enters upon the next one.

necesse non: this is the reading of Φ (and a late correction in F). Not without reason Novák inserts the necessary *non* before *necesse*, 'secundum usum Apuleianum'. This is accepted by most modern editors (MARCHESI defending *nec necesse*). Indeed, there is not a single instance of the word order *necesse non* in Apuleius' extant works. But this is not enough to justify transposing *non*. Therefore, *necesse non* has been restored here.

89,2 **professus est**: within thirty days a father had to declare the birth of his child to the *tabularii publici*. He did so by submitting a written document, one copy of which was kept in the public archives; cf. MOMMSEN 1887, II, 547n5. The procedure was made obligatory by Marcus Aurelius, but as the words *more ceterorum* show, it had been common practice for some time. On the legal aspects see further NORDEN 1912, 126-7; AMARELLI 1988, 140; and GUARINO 1988, 340-1.

ob os: a fine detail. The *tabulae* are put 'before the mouth' of Aemilianus. So he is effectively reduced to silence by the *professio* of Pudentilla's father.[1]

89,3 **porrige tu**: again, the speaker addresses an attendant in court.

89,4 **probet...**: Apuleius does not simply refute the alleged figure 'sixty', as he might have done, but spins out the argument in a theatrical manner. Evidently, his aim is to pour salt in the wound of the prosecution by gradually building up the counterattack.

Mezentius - errauit: the irony of 'granting years in return' is increased by means of a literary pun. Aemilianus has already been called *Mezentius* at 56,7. This Vergilean villain is now allowed to 'err' with the Homeric hero. The pun is made possible by the ambiguity of *errare*: as Odysseus wandered for ten years before reaching Ithaca, Aemilianus is ten years off the mark. Odysseus (Vlixes) was mentioned several times earlier in the speech; cf. notably 57,4, where he was compared to the drunkard Crassus.

quinquaginta: fifty years would have been the crucial age from the legal point of view; cf. the introductory paragraph. The speaker carefully avoids the issue.

89,5 **quid multis?**: for this expression cf. 77,4. We may observe that here it does not conclude a thought, but instead is followed by more examples of irony and pathos.

quadruplatore: a technical word for 'a bringer of a criminal accusation in cases involving a fourfold penalty', where part of the fine was probably awarded to the accuser. Apuleius takes the word literally as 'one who multiplies by four'; cf. OLD s.v.

haud - quadragensimum: an imprecise, diplomatic phrase. If Pudentilla is 'not much over forty', her real age might be as much as forty-four or forty-five; cf. FICK 1992, 39. Even if she is only forty-one, the promise *uiginti annos... detraham* is not kept to the letter.

89,6 **exilio**: Apuleius suddenly gives the sustained irony of 'granting the same number of years' a nasty, threatening twist: a severe punishment, twenty years of exile, is called down upon Aemilianus.

[1]. There may be also an association of throwing food to wild beasts; cf. OLD s.v. *obicio* 1, and the parallel quoted by B/O.

sesquealtera: 'one and a half times as much', an adjective to be taken with *falsa*. The correction of the reading of the MSS is commonly accepted; B/O spell the word as *sesquialtera*.

computationis gestu: it is impossible, Apuleius argues, that Aemilianus made a mistake by confusing counting signs. Perhaps Aemilianus adduced some excuse of this kind, to which Apuleius now reacts (cf. MOSCA's note). However, given the broader context of this brilliant and self-confident section, it is more likely that Apuleius brings up the argument himself. It serves his purpose of driving home the point and raising a laugh at his opponent.

The Roman gesture for ten (the tip of the index finger held against the middle of the thumb, forming a small circle) resembles that of thirty (the tips of index finger and thumb touching to form a wider circle). But the easy gesture of forty (the stretched thumb held on the stretched index finger) cannot be confused with the more complex one of sixty (the index finger bent over the bent thumb).

The ancient gestures can plausibly be reconstructed with the help of a passage in *De loquela per gestum digitorum et temporum ratione* of Beda Venerabilis (fl. 700 AD). It is quoted in the excellent, long note of B/O (which is identical to BUTLER 1911). On this form of symbolic or secret language, cf. also SÜSS 1923, 145-8 and RE Suppl. XIV, 112 s.v. *digitorum computus*. Counting gestures are also briefly alluded to by Quint. *Inst.* 1,10,35 in a revealing passage: if a speaker in court hesitates or makes a mistake with them, Quintilian says, he is considered *indoctus*. That is exactly what Apuleius insinuates about his opponents all the time.

quos - aperuisse: Apuleius' thought is expressed rather concisely. It may be paraphrased as follows. 'Suppose you said "thirty" for something which in reality is ten. That could be a simple mistake, due to your confusing the gestures. You had apparently widened your fingers (*aperuisse*),[1] which is the sign for thirty. But for the correct number, ten, you ought to have made a small circle (*circulare*).' For a largely similar paraphrase see B/O (middle of p.160).

89,7 **porrecta palma**: the words do not denote an outstretched hand in a literal meaning,[2] but suggest the comparatively easy gesture of forty (cf. above on *computationis gestu*).

triginta: the passage is rounded off on another note of irony: 'you say Pudentilla is sixty. Perhaps you really think she is *thirty* and count every year twice!' The thought should not be taken as a serious argument as in ABT 1908, 243-4. It is clearly intended to poke fun at Aemilianus. The element 'thirty years' produces a subtle effect: it is fictitious, but since it is the last age mentioned, it must have resounded longest in the ears of the audience.

[1]. B/O convincingly argue that the commonly accepted reading *aperuisse* (being closest to the wrong *adperisse* of F) can be kept, and should not be corrected to *adgessisse* with HELM. The verb *aperire* denotes the wider circle instead of the smaller, i.e. the sign for thirty instead of ten.

[2]. The words unduly puzzle ABT 1908, 244; further MARCHESI (whose rather unhelpful note is partly quoted by MORESCHINI) and AUGELLO.

90-3 Seduction of Pudentilla (V): the dowry

Now I come to the heart of the matter. What financial gain would I have had from bewitching Pudentilla? Here I will not restrict myself to the usual lines of defence. If even the slightest possible gain can be shown, then I may indeed rank among the great magicians. (My opponents, ignorant as they are, protest at the mere mentioning of their names!) What they bring forward is the allegation that I exacted a huge dowry from her. This is easy to refute because I have solid counter-evidence: the dowry was modest in the first place, and was not given but promised, with further restrictions as to the later inheritance. This dowry was only 300,000 sesterces. (In fact, a widow would be well-advised in offering a huge dowry, to compensate for her loss of virginity!) If greed had been my motive, I should have stirred up strife between the mother and her sons. Instead, I have done the very opposite, even persuading Pudentilla to give substantial gifts to her sons.

In this fifth section, the last one announced at 67,2, the defendant enters upon what he calls the 'root of the accusation': the alleged reason for practicing magic would have been sheer greed, leading to the extortion of a great dowry from Pudentilla. Apuleius can easily submit documents regarding the marriage agreement, which clearly show that the allegations are wrong. As in 89, this written evidence, unknown to the prosecution, puts Apuleius on safe ground, and he could well have been concise here too. But again he seizes the opportunity to elaborate on the topic and make the most of various elements in it.

First, he postpones the issue in a piece of provocative rhetoric (90-1), in which he even dares to mention some renowned magicians by name. This enables him to return to his familiar invective on illiteracy and ignorance. After briefly stating the facts (91,7-8), he dwells on the low value of the dowry, which amounts to just 300,000 sesterces. This triggers a picture of their harmonious marriage and a rather surprising excursus on virginity (92). Finally, a new element is brought in: Pudentilla's sons did not suffer any loss, but they were given even more than what they were entitled to. This is explained by the speaker as entirely due to his influence. Therefore, he can pose as the unselfish promotor of harmony and love, a 'virtuous stepfather' and benefactor.

One cannot escape the impression that the defendant feels particularly confident here; cf. e.g. HIJMANS 1994, 1767-8. His case seems strong indeed. Still, his self-portrait looks heavily retouched. It is, after all, rather unlikely that Apuleius sacrificed himself to such an extent as he says, by marrying an ugly, old widow without any financial recompense, and by promoting the interests of ungrateful and disloyal stepsons who had opposed him. For instance, he must have had considerable material advantages of marrying the rich widow. Even if the dowry did not legally enter into his possession, he could surely use Pudentilla's houses, the income of her estates, her slaves, and so forth. Furthermore, he may have had less disinterested reasons for encouraging Pudentilla to give her sons their due: to keep on good terms with them and smother their opposition to the marriage.

90,1 **missa haec facio**: a formula of transition, for which BERNHARD 1927, 314 adduces Cic. *S.Rosc.* 76.

stirpem: this is not first time the speaker catches the attention of the audience by suggesting a climax; cf. 80,4 *ad deuerticulum rei uentum est*; further 25,5 *ipsum crimen magiae*.

carminibus et uenenis: see on 69,4.

90,2 **uitam suam... abhorrere**: a common line of defence in antiquity. If objective motives had been established, a defendant could bring up his good character and decent life in general, and so turn the factual discussion into a personal and moral issue; cf. introductory paragraph to 4-5.

Apuleius says that he could follow this line of reasoning but will not do so. As a matter of fact, it has dominated most of the speech and is crucial for his defence; cf. 4-27 and 28-65. Notably the consistent portrait of himself as a scientist, a man of letters, and a philosopher serves this purpose.

maleficiundum: B/O state that the verb *maleficio* does not exist, but OLD and TLL have separate entries of it. With most modern editors I print one word here.

90,4 **si nusquam**: this is usually changed to *nisi nusquam* but can be retained, as B/O convincingly argue. It may be added that this second clause is clearly on a par with *si omnium... purgaui*.

90,5 **despectu**: Apuleius has shown his contempt for his opponents throughout the speech, but this is the first instance where this feeling is made explicit.

90,6 **ego ille sim...**: a daring and highly provocative statement. 'If you can point to anything at all, then I may be counted among the greatest of magicians!' Apuleius feels so sure that he even dares to mention the names of the most notorious magicians. Almost inevitably, his list gave rise to confusion in the MSS.[1] For other lists of magicians, usually Persian, Assyrian, Hebrew, or Egyptian names, see e.g. Plin. *Nat.* 30,9-11; Tert. *De anima* 57; Arnob. *Adv.Nat.* 1,52. For all names mentioned here see also B/O and ABT 1908, 244-52.

If a defendant mentions such names in court, he runs a real risk: the audience may get the impression that he is quite familiar with these magicians. In the next paragraph (91) this danger will be warded off. But by then the frightful names have already been pronounced. This must undoubtedly have had a threatening and intimidating effect, especially on the prosecution. The use of the plain, real names, rather than pseudonyms or periphrases, increases the impact: the tremendous powers (cf. 26,6-8) of the magicians are almost literally invoked.[2] Similar effects of intimidation were achieved earlier; see the Greek fish names at 38,7 and the curse at 64,1. Cf. also the short list of magicians at 27,2, which includes the last name mentioned here (*Ostanes*).

The present passage has been used as a model by Petrarca in one of his letters. In *Fam.* 2,9,22 (dating from 1336) he writes: *iam Zoroastres uideri mihi incipio, repertor magie, siue unus aliquis suorum sequacium. Esto, sim Dardanus uel Damigeron uel Apollo uel alius, siquem ars ea notiorem fecit;* cf. TRISTANO 1974, 429-30.

1. According to HIJMANS 1994, 1767n5 it has become 'somewhat of a playground, both for the textual critics and for scholars attempting to determine Apuleius' attitude towards contemporary monotheistic religions', and he refers to GCA on *Met.* 9,14 (i.e. p.380-2).

2. There may also be a veiled threat in the sentence itself. The subjunctive 'so may I be' (*sim*) is probably to be interpreted as concessive (LHS 2, 332). But it is not impossible to read it as a proper optative with considerably less irony: 'if you find any evidence against me, then I wish I were that Carmendas (i.e. so I could overpower you!)' Of course, this is *not* the message Apuleius wants to transmit openly.

Carmendas: the name is unknown, but is commonly retained by editors.[1] As ABT 1908, 244-5 argues, it may have been invented by Apuleius, or it may be taken as a 'speaking name': *qui carmen dat*. In the latter variant, it may well have been the surname of any great magician.

Damigeron: a well known magician, who also figures in other lists of magicians. He was the author of a work on stones.

uel + his: a *locus desperatus*, for which numerous solutions have been proposed. Among them, two attractive ones clearly stand out. First, the words can be interpreted as the introduction to the name Moses. The corrected *uel is Moses* (or *hic* or *iste*) would then closely correspond with the following *uel ipse Dardanus*. We would then have two parallel groups of three names, as ABT, 246 notes.

Alternatively, another name may have been lost here. The most intriguing reconstruction is *uel Iesus <uel> Moses*. The name of Jesus could originally have been written as *Hisus* (as Bosscha thinks), or in its abbreviated form as *IHS*. That among non-Christians Jesus had the reputation of a magician, is established beyond any doubt; cf. e.g. Cels. *Contra Chr.* [ap.Orig. *Contra Cels.*] 1,6b and 2,48-9 (cf. also 1,28; 1,68 and 1,71); Arnob. *Adv.Nat.* 1,43. See on this subject further SMITH 1978, 45-67;[2] with the nuances added by ANDERSON 1994, 224-7; further the iconographic material collected and analyzed by MATHEWS 1993, 54-91.

The latter possibility is often mentioned by scholars; cf. e.g. BENKO 1980, 1091; TRIPP 1988, 251. It may be added here that a combination of Jesus and Moses, two Jewish names, would seem quite natural in this context. However, the first solution is plausible too. Certainty is simply beyond our grasp here.

Moses: modern readers may feel surprise on reading this name. In antiquity, however, it was firmly linked to magic; cf. the abundant evidence assembled by ABT 1908, 247-8; further in particular GAGER 1972, 134-40; FELDMAN 1993, 285-7 and MATHEWS 1993, 72-7. Moses is mentioned e.g. in Plin. *Nat.* 30,11.

Iohannes: it is tempting to think of John the Baptist or John the Evangelist here. However, there is no evidence that either was known as a magician. There is general agreement among scholars that *Iannes* must be meant, a famous Egyptian magician who opposed Moses, and many editors (B/O and HELM among them) even correct the text here. In fact, the names *Iannes* and *Iohannes* were confused already at an early date, and so no change is required here; cf. RE s.v. *Iannes*, 694; GAGER 1972, 139n15.

Apollobex: this is HELM's almost certain correction for *Apollo haec* of FΦ. A name of a god would be hard to accept in this list. The magician *Apollobeches* is mentioned by Plin. *Nat.* 30,9.

Dardanus: perhaps the legendary founder of Troy. As the added *ipse* indicates, he was considered a great magician; cf. the parallels listed by B/O and ABT, 250.

Zoroastren et Hostanes: both were mentioned earlier in the speech. For the former see 25,11; 26,2 (with note); 26,5 and 31,2; for the latter (spelled *Ostanes*) 27,2. Further references may be found in ABT, 250-2.

1. Of the various conjectures, *Tarmoendas* deserves to be mentioned, a name still defended by BIDEZ / CUMONT 1938, II,15. This magician is mentioned by Plin. *Nat.* 30,5.

2. Jesus' name was used for magical purposes even by Christians themselves; cf. SMITH 1978, 61-4 and AUNE 1980, 1545-9.

celebratus: a small but effective note. The verb bears strong connotations of praise and honour (see OLD). It makes the magicians look distinguished rather than notorious.

91,1 **quem tumultum...**: Apuleius calls Maximus' attention to a strong reaction from the prosecution. On several occasions it has been suggested that the audience at large showed a lively interest and sympathy for the defendant's case; cf. e.g. on 7,1. Here, only the opponents are meant, who express disagreement and so arouse general commotion.

Meanwhile, the nature of their feeling is not fully clear. It may be anger and protest at Apuleius' clever namedropping (MOSCA), or, more likely, a real sense of fear and panic at the threat involved in it. Either feeling would be far from unfounded, given the strong impact of the names just mentioned.

tam rudibus: having delivered his attack, Apuleius withdraws by means of a familiar tactic. He blames his opponents for their lack of culture, in a series of four powerful rhetorical questions. The implication is that everyone knows magicians' names like these.[1]

barbaris: Aemilianus was already labeled a barbarian at 10,6 and 66,6. Here the word rather paradoxically associates him and his helpers with the magicians, whose exotic, 'barbaric' names were just pronounced.

91,2 **bybliothecis**: for libraries cf. on 41,4.

apud clarissimos scriptores: actually, we cannot supply many names of pagan authors here; cf. on 90,6. Pliny the Elder (cf. his book 30) and similar encyclopedic writers seem to be referred to. Scholars add that specialized magic books could not be found in public libraries in the 2nd century AD; cf. e.g. ABT 1908, 254-5.

longe aliud...: in this third rhetorical question, Apuleius makes a correct, though rather weak point: knowledge does not imply practice. For a similar argument cf. 27,2 *quasi facere etiam sciant quae sciant fieri*. In Apuleius' days, knowledge of magic was not yet a criminable offence, as it was in later centuries; cf. MARCHESI 1917, 167. Earlier in the speech the word *communio* was used in immediate relation with magic (26,6).

91,3 **stultis et improbis**: a repeated dig at the ignorance and corruption of the accusers, now contrasted with the excellence and wisdom of the judge. The passage comes down to an outright *refusal* of Apuleius to discuss his surprising namedropping.

91,4 **nauci non**: 'of no account', an old expression with a predominantly comic colour; cf. examples adduced by OLD s.v. *naucum*. Its explication is still a matter of dispute.[2]

91,5 **formam et aetatem**: a recapitulation of the charges that Pudentilla was ugly and old. The opponents had indeed made quite an issue of her age (89). Her unattractive looks were merely referred to in the words of Pontianus (73,4 *mediocri facie*), but seem to have been part of the allegations; for her looks cf. further on 92,5 below. The conclusion in our passage is that if Apuleius desired her, he could only have been inspired by greed, and that he immediately cheated her out of a great dowry.

1. Whether this is true or not, is a different matter. But at any rate it is flattering to the audience, which is obviously expected to understand what Apuleius is doing, and to remain calm under it. Ignorance and panic are the share of the prosecution only.

2. Recently KNOBLAUCH 1993 has related it to *naulum* 'fare on the ferry', like *paucum* is connected to *paulum*.

91,6 **tabulae loquantur**: the *tabulae nubtiales* (mentioned at 67,3), which included stipulations concerning the dowry. These must have formed a solid piece of evidence. It may be observed that Apuleius produces them only at a late stage, undoubtedly as part of a deliberate strategy. On the level of style, the proof itself is personified and made to 'speak out' for Apuleius (as in e.g. 83,3-5).

ex sua rapacitate: as the details of the charge turn into their opposite, so the charge of greed itself is launched back.

91,7 **locupletissima**: it is only now that Apuleius acknowledges that Pudentilla is 'very rich'; earlier he had merely stated that her fortune was 4,000,000 sesterces (71,6). Naturally, the present admission serves his purpose: her wealth makes the dowry look almost insignificant.

modicam dotem: the conditions of the dowry are briefly indicated. Specific details on the amount of money will follow shortly; cf. on 92,1.

Roman dowries usually were small, though not negligible. The main purpose of a dowry was not to give the woman a share of the family estate, as in many other cultures, but to support her and her children in her husband's house. The law provided rules for the return of most of the dowry at the death of the husband or on dissolution of the marriage through divorce. For marriages of the upper class, the agreement often contained specific terms, as in the present case.[1] On Roman dowries cf. NORDEN 1912, 93-9, and recent studies by SALLER 1984; GARDNER 1990, 97-116; and TREGGIARI 1991, 324-64.

modo <promissam>: a word for something less than 'given' must obviously be supplied. Many solutions have been brought forward; e.g. *commodatam* (Purser; B/O); *creditam* (HELM) or *sed <dictam> tantummodo* (NORDEN 1912, 97); there is support for *promissam* in the MSS tradition (L3 V1 V5 and a late hand in Φ).

The last two options, both of which produce a legal phrase,[2] are attractive, but it is difficult to choose between them. In support of *dictam* one may refer to 102,1 *dotem... diceret* and to the sound effect with *datam*. On the other hand, *<promissam>* may be defended as being the older conjecture; cf. also AUGELLO a.l.; HUNINK 1996, 164-5.

91,8 **liberis susceptis**: this was apparently considered as a real possibility, although Pudentilla was already in her forties. In ancient medicine a woman was thought to be fertile until she was between forty and fifty; see KRAUSE 1994, 119-20. Apuleius may in fact have had children from Pudentilla; cf. also on 88,5.

posteriori filio: i.e. a future child could reclaim half of the dowry.[3]

1. Roman law distinguished between *dos profecticia*, given by the bride's father, and *dos aduenticia*, given by the woman herself or by another person. At the death of the wife, a dowry of the former type could be reclaimed by the father, whereas one of the latter type remained in the power of the husband. Pudentilla's case is an example of this second type, but her dowry could be reclaimed according to the specific arrangement described by Apuleius. For this explanation see GARDNER 1990, 105-7wn25; TREGGIARI 1991, 350.

2. There were formal distinctions between *dotem dicere* and *dotem promittere*, two methods of contracting to give a dowry. The first, 'declaring a dowry', did not include a formal question but only a one-sided statement; cf. GARDNER 1990, 99-100.

3. Here, *filius* must also refer to a future daughter, given the preceding *uno unaue*. For this use of *filius* in the singular I have found no parallel; for the plural as synonym for *posteri*, see TLL 6,1, 757, 62ff.

92,1 **trecenta milia**: the figure is preceded by *sola*, which leaves no doubt that the speaker considers it to be very low. A dowry of 300,000 sesterces seems moderate indeed, especially in relation to Pudentilla's considerable capital of 4,000,000; cf. NORDEN 1912, 97; SALLER 1984, 200-2 and TREGGIARI 1991, 340-8 (esp. 346). Nevertheless, some caution is due here, since we have only a few hard figures at our disposal.

The speaker adds two arguments to support his case: the dowry could be reclaimed (this is a recapitulation of 91,8), and it was lower than the 400,000 sesterces with which Rufinus provided his daughter (see below).

92,2 **cape sis ipse tu**: these words are addressed to Aemilianus, whom Apuleius triumphantly confronts with the evidence. For similar 'moments of glory' cf. 69,6-8 (*cedo tu epistulam uel potius da ipsi: legat, sua sibi uoce reuincat*), 83,1 and 89,3; cf. further 100,3, directed at Pudens.

ambitiosae mendacitatis: the polished oxymoron anticipates the following detail (*quippe...*). It recalls Juv. 3,182-3 on the Roman custom of living above one's means: *commune hic uitium est, hic uiuimus ambitiosa / paupertate omnes*; Courtney a.l. also refers to Sen. *Ep.* 50,3 and Quint. *Inst.* 2,4,29.

ipse egens, nudus: Rufinus had squandered his entire legacy of 3,000,000 sesterces (75,8-10). Exactly the same words had been employed for his infamous father: *ipse egens, nudus* (75,8).

CCCC milibus: Apuleius suggests that for Rufinus a dowry of 400,000 sesterces is extravagant, particularly because he had to borrow all the money. This shameful circumstance had already been mentioned at 76,6: *dos erat a creditore omnis... sumpta*.[1]

92,3 **locuples femina**: this sounds less impressive than 91,7 *mulieris locupletissimae*. Now Apuleius pictures his wife as a modest and unpretentious woman.

multis - spretis: the speaker poses as a detached philosopher, who often received profitable proposals of marriage, but rejected them. This latter claim is not substantiated in any way, and therefore may be called hollow.

inani - dotis: the *dos* was not merely small, but it was also either 'declared' or 'promised' (91,7). *Inani* adds a negative note, but the assessment is not further explained.

92,4 **supellectilem**: the word was similarly used in a moralistic context at 22,2.

concordia - amore: the portrait of the detached philosopher is complemented by an idealized picture of marital bliss. Sound and rhythm (cf. *concordia coniugis*) emphasize the thought.

Most editors tend to go too far here, reading *concordia coniugii* (with Casaubon) and *mutuo amore* (with Lipsius). We should retain the readings of FΦ (*coniugis* and *multo*), as HIJMANS 1994, 1778-9 rightly argues, supplying useful parallels. Apuleius is not speaking of their relationship, but of his own gain. It consists, so he claims, in the loyalty and great devotion of Pudentilla rather than in a dowry.

[1]. At the present Apuleius does not enter upon the question *why* Rufinus attached so much importance to a large dowry. But his discussion of Pudentilla's situation (92,5-11) implies the reason: since Rufinus' daughter had lost her honour (76,2-7), the money had to compensate for this disadvantage.

92,5 **mediocri forma**: this may look like an outright admission that Pudentilla is not beautiful. However, the reference is indirect again, as in 73,4. The paragraph has, at least on the surface, the appearance of a general observation.

iuuenem - paenitendum: as the words *mulier - aetate mediocri* indirectly refer to Pudentilla, so at the word *iuuenem*, the audience is expected to think of Apuleius himself.[1] The word *fortuna* may well allude to his fame as a philosopher and orator.

92,6 **uirgo formosa...**: the thought is developed into a melodramatic excursus. The 'greatest gift of a virgin, her virginity,' is compared to the rather gloomy prospects of a widow. There is a further contrast to the immodest bride of 76,4, *nomen potius afferens puellae quam integritatem*; see further MCCREIGHT 1991, 364-5. For a stylistic analysis of the present section, see CALLEBAT 1984, 161-2.

Praise of virginity is yet another rhetorical stock theme, like the earlier praises of poverty and the countryside. But in real life, too, virginity was considered to be of primary importance for a bride. Under the influence of Christianity, its value even increased in late antiquity; cf. KRAUSE 1994, 122-6 (with further references).

abunde dotata est: a rhetorical notion. There is, of course, no evidence that beautiful young brides really married without a dowry, as SALLER 1984, 202n38 duly notes.

92,7 **apud maritum - remanet**: the judicial thought on 'returning parts of the dowry' (for which see on 91) ends on a melodramatic note, in which virginity is almost personified.

92,8 **uidua autem...**: a widow's loss of her virginity made her less attractive for a new marriage. The point as such is true enough in Roman society (cf. on 92,6). Here it is rhetorically developed into an entirely negative picture of a widow: she will also be less submissive and more suspicious. Worse yet, if her first husband died, she is ill-omened; and if the first marriage was ended by divorce, she is to blame for it, either by giving cause to it or by arrogantly seeking it herself. The basic thought is that a marriage with a widow can *only* be attractive if she has a large dowry.

Although the idea is expressed in general terms, inevitably Pudentilla herself seems to be referred to. This makes the whole paragraph, to put it mildly, not very tactful or respectful towards Pudentilla.

diuortio: another negative touch. Right away, one is reminded that remarriage with a widow can end in divorce. The following *iam ob unum diuortium* makes the allusion quite clear: a second time may occur. On Roman divorce see further on 92,10 below.

nihil... irreposcibile: i.e. like virginity. The adjective is rare, occurring only here and in Sid. *Ep.* 8,15,2.

praeflorata: cf. 76,4 *pudore dispoliato, flore exsoleto*.

92,9 **morte**: as a matter of fact, this general point applies to Pudentilla. This is how she lost her first husband Sicinius Amicus (68,2).

[1]. Apuleius' self-portrait in 4-5 was much more negative, but it seems unlikely that he now 'forgets' what he has said, as B/O suppose. The earlier part of his defence had been determined by the specific allegations brought against him, while the rhetorical effect aimed at here is different. Meanwhile, it may be observed that the present passage is not without dangerous implications. For instance, it may raise the thought that Pudentilla attracted Apuleius by offering him large gifts *before* the marriage itself; cf. GUTSFELD 1992, 261.

92,10 **repudio**: in this paragraph Apuleius refers to divorce by means of the two most common terms, *diuortium* and *repudium*. There is still discussion among scholars about the exact difference between the two. A common conclusion is that *diuortium* requires mutal assent, whereas in *repudium* one partner rejects the other; see TREGGIARI 1991, 435-41. For the latter word, used in an older, slightly different sense, see also 76,4. The clause *aut tam insolens ut repudiaret* does suggest that the procedure was considered inappropriate for a woman. On Roman rules and customs concerning divorce, see further NORDEN 1912, 117-21; GARDNER 1990, 81-95; TREGGIARI 1991, 435-82.

92,11 **philosophum spernentem dotis**: these three words may be considered as a summary of Apuleius' self-portrait in the speech as whole, and so as the core of his defence.

93,1 **quid mihi utilius...**: a convincing argument of probability rounds off the section: it would have been natural for Apuleius to cause strife and disagreement between Pudentilla and her sons. Instead, as he can easily prove, he acted in the interest of his stepsons.

liberorum... liberius: B/O note the pun and compare Pl. *Mil.* 682-3.

93,2 **praedonis**: this offensive term had apparently been used by the prosecution; cf. *quod uos fingitis* (sc. *me esse*); further 100,1 *me quem isti praedonem dicunt*. It does not occur earlier in the speech. Obviously, Apuleius has saved it up for now, in order to make the most of it.

quietis - fauisor: an impressively-sounding self-description, built up as a double tricolon.

serui: one would expect *seui* here (from *serere* 'sow') and HELM reports an emendation to this effect by Elmenhorst. However, *serui* is attested as a variant form of *seui*. It occurs in Enn. *Protrept.* 3 (p.406 Warmington) and here; cf. OLD s.v.

extirpaui: the verb is often used in a metaphorical sense, e.g. of eradicating impulses (cf. OLD s.v. c). Apuleius emphasizes the agricultural nature of the metaphor, as the combination with *serui* shows. Given the important role of agricultural motifs in the entire speech (notably the polemical use by either party of motifs like boorishness, provincialism, working the land, or the countryside in general), the use of this metaphor is rather teasing.

93,3 **suasi... persuasi**: for puns on *suadere* and *persuadere*, see GCA 1995, 223 on *Met.* 9,24.

transuoraram: another recurring metaphor, that of 'swallowing down'; cf. 59,7 *abligurriuit*; 75,8 *deuorandum*; 75,9 *degulator*. The colloquial tone of the verb underlines the difference with Apuleius' lofty conduct (*quietis - fauisor*), as MCCREIGHT 1991, 438-40 rightly notes.

pecuniam - reposcentibus: it is not clear what money is meant. Scholars usually refer to the debt of 71,6 (*ex quo sane - debebat*); cf. notes by most editors, further e.g. GUTSFELD 1992, 256. Regrettably, the passage in 71 was already vague by itself. According to MORESCHINI (a.l.) the reference here is to the money for Pudentilla's dowry, a suggestion which is rather unlikely.[1] I would suggest that the money of the

[1]. MORESCHINI assumes that the 300,000 sesterces had been taken from her sons' possessions, a point for which there is no support at all in the text. Moreover, the additional agreement on the restitution of the dowry (91,8) clearly did not apply yet, since Pudentilla was still alive.

boys' father can be meant here,[1] but there is not enough information to decide on the issue.

de quo dixeram: HELM and B/O adopt *qua*, the emendation of Casaubon. But the pronoun need not refer to the word *pecunia* only: the whole issue of the claim is meant. Therefore, *quo* is rightly kept by VALLETTE, MARCHESI, and AUGELLO. For the use of the pluperfect see CALLEBAT 1984, 146.

uili aestimatis: an act of generosity. Pudentilla paid out in kind, agreeing upon a low price per *iugerum*. In this way her sons received much land for their money.

93,4 **praeterea...**: an additional gift, as an advance on the inheritance. Formally speaking, such a donation is made as an 'act of grace.' Meanwhile, it may have been intended to compensate the boys for the delay in payment, or even to reduce them to silence and stifle their opposition to the marriage.

agros... domum: Pudentilla's additional gift is also paid out in kind. Indirectly, the description creates a vivid impression of her wealth: the boys receive fertile lands, a house, much wheat, barley, wine, oil, and other fruits of the earth; further, four hundred slaves and a great number of precious cattle. -- If such opulence is merely an 'advance' and a friendly gesture, one realizes what huge interests were really at stake in this trial.

This passage has aroused great interest among historians as a comparatively rare testimony for agriculture and economy in Roman Africa; cf. e.g. below on *seruos - CCCC*. There are some intriguing missing points here. For example, it has been noted that camels are absent. More importantly, there is no mention of income from interest or from trade in general; cf. notably GUTSFELD 1992, 264-8. We must, however, keep in mind that Apuleius is not making an official record of Pudentilla's income but enlarging upon her munificence for the sake of the effect.

domum opulente ornatam: one is tempted to think of decoration in the form of mosaics, for which Roman Africa is famous. This is not utterly impossible, but most mosaics from Africa date from the 4th century AD; cf. DUNBABIN 1978, 13-4.

seruos - CCCC: this number has attracted most attention from scholars. If Pudentilla donated 400 slaves, she evidently must have possessed many more. Estimates vary, with 600 as the absolute minimum.[2] It is usually held that extensive slave labour was not common in North African agriculture of the 2nd century. Pudentilla's case shows that this rule was not without exceptions and may need some adjustment; cf. PAVIS D'ESURAC 1974, 92; GUTSFELD 1992, 253-4. For some general studies cf. GARNSEY / SALLER 1987, 111; KEHOE 1988, 24-5 and AUBERT 1994, 139n164.

93,5 **bona spe**: probably to be taken together. *Bona* could also be 'goods', as an accusative plural with *cetera heriditatis*. For *spes bona* cf. e.g. Cic. *Fin.* 2,117.

[1]. This sum had long been withheld by their grandfather (68,4) and turned out to be only a small amount of money (71,6, at the beginning). Pudentilla had indeed added it to their possessions (85,7 *adquisitam hereditatem*), but the sum itself had perhaps not been paid out. Legally, this money would not have come into Pudentilla's hands, as she was no heir to it (78,6). But during the fourteen years of her widowhood, the money may have been invested in her properties. This would explain not only her involvement but also the delay, and even the payment in kind currently referred to.

[2]. DUNCAN-JONES 1974, 347-8 goes as far as attempting to reconstruct the price of Pudentilla's land, on the exclusive basis of the number of slaves mentioned by Apuleius. This use of a rhetorical text is rather questionable.

93,6 **patietur...**: as has been observed earlier, Pudentilla is probably not present in court. The speaker's reference is rhetorical.

aegre extudi...: the melodrama steadily increases. Apuleius now poses as a detached philanthropist, taking great pains to persuade a mother to benefit her sons. Subtly, he starts claiming all the credit for what Pontianus and Pudens have received. In the end we can even get the impression that it is he who has paid: *grandi pecunia auxi*.[1] This, too, is a deliberate exaggeration; cf. 96,4.

uitrici: to the Romans, a stepfather acting in the interest of his stepsons is something of a paradox. There were even legal rules to prevent a stepfather from getting hold of the estates of stepchildren; cf. e.g. DIXON 1992, 144-5. Apuleius increases the surprise effect by *primo*: this was merely his *first* proof of stepfatherly charity.

94-101 Seduction of Pudentilla (VI): additional points

Before Pudentilla's donation, Pontianus had come to us and apologized for his behaviour. He also asked me to write about the matter to Lollianus Avitus. So I did, and Avitus answered me in a fine, complimentary letter. What a brilliant orator he is! How did you dare to accuse me, Aemilianus, when a man like Avitus praises me? Shortly before he died, Pontianus showed his gratitude and respect for me in some letters sent from Carthage (an example for young Pudens!) and in his unfinished will. This last will was suppressed by Rufinus, as it was disadvantageous and openly offensive to him and his daughter. After Pontianus' death, Pudens moved in with his uncle Aemilianus. Under his influence he started devoting himself to mean acitivities rather than to his studies. I have nothing more to do with him. Only recently, when Pudentilla wanted to disinherit him, I still pleaded for him. So, it appears to be not me who is named as her heir, but Pudens! Let him open the will and see for himself. Before I conclude, one last remark. It was argued that I had bought an expensive estate for myself with my wife's money. I can prove that it was only a small estate, bought in her own name. As you see, I have not received even this small sum.

Apuleius has discussed all five points announced in 67,2, but he does not conclude his speech yet. Instead, he enters on some recent developments and adds final evidence of his innocence. In this tightly packed section, four themes may be distinguished: (1) the repentance of Pontianus, evident in his flattering letters and in his last, unfinished will (94-7); (2) the outrageous behaviour of Pudens (98); (3) Pudentilla's will, which makes Pudens the heir (99-101,3); (4) the small estate allegedly bought by Apuleius (101,4-8). The first of these additional themes includes a digression on the magistrate and famous orator Lollianus Avitus, whose authority is effectively invoked in support of the speaker (94,6-95,8).

In so far as he is describing 'subsequent events', Apuleius ties in with the account of 'previous events' in 68-78 (cf. HIJMANS 1994, 1768), but the section is also working

[1]. Some scholars have actually fallen in the speaker's trap here. Thus, GUTSFELD 1992, 261 states that Apuleius has given a large sum out of his own pocket.

up to a last climax before the peroration. As is to be expected in an apology drawing toward a close, Apuleius is intent on leaving a particularly strong impression here. This is evident already from the fact that he is continuing the theme in the first place: he does not simply stop when the charges are refuted, but brings up some further, unexpected points. Meanwhile, most of the attention is diverted from himself to others, notably Pontianus, Pudens, and the accusers.

There is more emphasis on documentary evidence than in the rest of the speech. Within these few paragraphs, Apuleius mentions or quotes as many written documents as he can to substantiate his assertions: the letter from Avitus (94,8), Pontianus' letters (96,6) and wills (97,2-7), letters by Pudens (97,2), Pudentilla's will (99,3ff) and the contract of sale for the small estate (101,5). This evidence is crowned by spoken testimonies of a tax collector and of Pudentilla's guardian, who are both present in court (101,7).

Naturally, it is unlikely that Apuleius would still deal with any points that could leave room for serious doubt. This evidence indeed speaks out strongly in support of his case: it seems that Pudens' interests were in no way harmed by Pontianus and Pudentilla, and that Apuleius was honoured in every sense but a financial one. The prosecution, being unaware of much of this evidence, must have felt dumbfounded at all the surprises Apuleius had in store for them.

Although the section is concerned with what may seem petty details and private circumstances,[1] it is also turned into a matter of wider interest. Apuleius takes care to allude to his rapport with Avitus and Maximus, an element which lifts his case to a higher level. Then again, some of his counterattacks are given the broader forms of invective and caricature; cf. notably Pudens' portrait in 98 and the picture of Aemilianus as a will hunter (98,2-3). There is even room for 'loftier pursuits': the section on Avitus enables the speaker to insert an interesting catalogue of *uirtutes dicendi* embodied by famous Roman orators of the past. It is in their company that Avitus, and by implication Apuleius himself, must be ranked (95,4-6). All of this must have amused and thrilled the educated members of the audience right to the end, and inspired admiration in all.

94,1 **ciuitate**: a common word for 'town' in the *Met.*, which occurs only here in the speech; see CALLEBAT 1984, 147.

94,2 **priusquam...**: Apuleius points out that Pontianus started feeling remorse before he, thanks to his stepfather, received the gift. So, it is suggested, the boy is not corrupt but sincere. Meanwhile, the real cause or occasion of his change of mind is left in the dark.[2]

donationem: its terms were put down in writing; cf. NORDEN 1912, 181-2. The official document (*tabulae donationis*) will be referred to only at 102,8. The subject of

[1]. Perhaps for this reason, scholars generally pay little attention to this section, although it contains many problems of text and interpretation, notably on the precise course of events before the trial. VALLETTE 1908, 102-10 may be mentioned as an exception, but his analysis rarely rises above paraphrase.

[2]. According to MCCREIGHT 1991, 179, the very fact that the reconciliation with Pontianus is brought up after the terms of the dowry makes it look as if Apuleius' generosity was the stimulus. However, the text itself suggests something else. Perhaps Pontianus was reprimanded by Avitus, or suddenly realized that the issue could impede his career as an orator.

perficeret must be Pudentilla. No mention is made of Pudentilla's *tutor*, whose consent was required for conveyance of property; see on 101,6.

dissimili isto: right at the beginning of the section, a clear distinction is drawn between the two brothers. From now on, Pontianus is the good, repenting son, whereas Pudens is the bad son, who turns away from his mother.

94,3 **suppliciter**: the former sentence had already pictured Pontianus kneeling, begging for pardon, weeping, humbly kissing hands (cf. *Met.* 11,6 (270,16)), and expressing regret. The adverb sums it all up: the boy has become a supplicant.

Lolliano... Auito: cf. on 24,1; for the abbreviation *C.V.* also on 2,11.

tirocinio orationis suae: Pontianus was starting his career as an orator, probably in the function of a lawyer in court; cf. *Fl.* 18,20 *si primo tirocinio agendi penes iudices uicisset*. Apuleius himself has probably followed the same path before he became famous for his epideictic speeches.

a me commendatus: although Apuleius stands lower on the social ladder than Pontianus (he is of decurial rank only (24), whereas the latter is a *splendidissimus eques* (62,4)), he introduced him to a man of senatorial and consular rank. Apuleius' prestige based on his eloquence and learning is the decisive factor here; cf. IFIE / THOMPSON 1978, 31.

94,4 **omnia me - perscripsisse**: Apuleius first wrote a letter of recommendation. This was followed by a second letter, in which he obviously took back much of his praise. Finally, he was asked to write a third letter, in favour of Pontianus again.

94,5 **Carthaginem pergit**: the first time that Carthage, capital of the province, is mentioned in the speech. Apuleius probably moved to Carthage after the trial, although it is not clear when. Of many pieces of the later *Fl.*, roughly dated between 160 and 170 AD, we know that they were pronounced in this town, notably 9; 16; 17; 18 and 20. In the last fragment (possibly the introduction to a full-scale panegyric), the city is extolled: cf. 20,10 *Carthago prouinciae nostra magistra uenerabilis, Carthago Africae Musa caelestis, Carthago Camena togatorum!* For its position as a center of learning, cf. VÖSSING 1991 (passim); in general on the town MANTON 1988, 103-27.

te Maxime: Apuleius does not pass up the opportunity to insert a detail in which the illustrious Avitus is closely linked to judge Maximus.

94,6 **humanitate**: a feature typical of Maximus also: cf. 35,7 *uir... proxima humanitate*.

uir - peritus: as the letter is praised as a rhetorical masterpiece, so Avitus himself is described as a model speaker. Apuleius quotes the well-known definition of Cato, quoted by Sen. *Con.* 1, pr.9 and Quint. *Inst.* 12,1,1.[1]

94,7 **scio te...**: the letter of Avitus is not said to contain valuable proof. Therefore, from a legal point of view, its reading is irrelevant. It is not without reason that Apuleius secures Maximus' sympathy beforehand.

si praelegam: 'if I may read it aloud'. There is no reason to change the text.[2]

cedo tu: one of the attendants in court is addressed. The following *at tu licebit...* is probably addressed to another attendant, who is in charge of the water-clock.

[1]. Apuleius probably also knew the parody of this definition: *orator est uir malus dicendi imperitus*, quoted in Plin. *Ep.* 4,7,5 (who attributes it to Herennius Senecio). In the eyes of Apuleius, this would apply to Aemilianus.

[2]. Most recently, FRASSINETTI 1991, 1207 proposed *et quid<em m>e, si<s>, praelegam*, with 'choose, select' as the sense for *praelegere*, and *me* as the object. This is unnecessary.

94,8 **aquam**: whereas all other documents were read by attendants and the waterclock was stopped (see on 28,1), the defendant proudly recites this letter personally and in his own time. It seems fair to add that since the letter is not a piece of evidence, it would have been difficult to have it read by an attendant.

ter et quater: of course Apuleius is not going to read the letter four times. This piece of bluff makes the testimony look more important and underscores that there was still much water left in the clock.

Regrettably, Avitus' letter has not been preserved, unlike other texts quoted by the speaker himself (e.g. the numerous literary references to Plato or the Greek letter of Pudentilla). Whether Apuleius ever included it in the written version of his speech, is impossible to say.

95,1 **non sum nescius...**: the remark prepares a brief excursus, in which Avitus is pictured both as an authoritative witness and advocate of Apuleius' life and as an excellent speaker. This enables Apuleius to give a list of *uirtutes dicendi* embodied in famous orators of the past.

The defendant's aims are obvious: the high praise of Avitus lends weight to the testimony, while it also flatters 'his friend' Maximus. Indirectly, it suggests that Avitus, Maximus, and Apuleius himself belong to a different, higher class than the ignorant accusers. The excursus on Roman oratory as such is also likely to have pleased the educated spectators and impressed the others.

There is much invective in the *Apol.*, but *laudationes* of persons are a rare phenomenon. For these one has to turn to the praises of magistrates in *Fl.* 9 (Severianus) and 17 (Scipio Orfitus), further 18,39-43.

95,2 **in uita mea**: the digression starts with a dignified, self-confident sentence, which first draws attention to the person of Apuleius himself. In the rest of the paragraph on rhetoric, his name will be 'conspicuously absent'.

95,3 **nemo est hodie**: surprisingly, all names which follow shortly belong to history, not to contemporary oratory.

95,4 **fandi uirtutes**: the *uirtutes dicendi* are a well-known topic from rhetorical handbooks. It forms part of one of the *officia oratoris* 'tasks of the speaker', namely that of *elocutio* 'style'; cf. *Rhet.Her.* 4; Cic. *de Orat.* 3; *Orat.* and Quint. *Inst.* 8-9. Roman authors commonly refer to four basic qualities of style, which reach back to a distinction by Theophrastus: *Latinitas* (purity), *perspicuitas* (clarity), *ornatus* (ornamentation), and *decorum* (suitability); see e.g. Cic. *de Orat.* 1,144; *Orat.* 79.

Apuleius mentions a number of specific qualities of style, most of them in contrasting pairs: *grauitas* 'solemnity' and *lenitas* 'mildness'; *impetus* 'vigour' and *calor* 'fire'; *distributio* 'division' and *argutiae* 'adroitness'; *parsimonia* 'restrainedness' and *opulentia* 'richness'. Most of these terms are well attested as terms of style; only *distributio* is slightly problematical (see below s.v. Hortensius). It may be observed that it is impossible for a speaker to embody *all* of these qualities at the same time, as Apuleius implies here.[1]

95,5 **Cato - Cicero**: seven famous orators are named as representatives of various styles. They all belong to the period of the Roman Republic, i.e. to a fairly distant past for

[1]. To a certain extent, the list resembles the comprehensive catalogue in *Fl.* 20,3-6 of all the arts and literary genres Apuleius professes to practice himself. However, those elements are not mutually exclusive, as most of the included *uirtutes dicendi* are, at least within one speech.

Apuleius and his audience. The names are arranged more or less in chronological order, while the attribution of styles to these speakers is largely traditional and unproblematic (see notes below). Therefore, it is most likely that Apuleius adopted some passage in a handbook as his model. For other short lists of speakers and their typical styles, see e.g. Cic. *de Orat.* 3,28; Tac. *Dial.* 25,4 and Sid. *Ep.* 4,3,6.

In the MS Vat. Lat. 2193, there is a marginal note after the name *Cicero*. In this note the Apuleian list has been extended with five more famous names as representatives of styles: Crassus, Antonius, Menenius, Appius, and Augustus. See B/O a.l., and in particular TRISTANO 1974, 431, who points out that the author of the note is Petrarca.[1]

Cato: M. Porcius Cato (234-149 BC) was one of the earliest Roman orators of repute. *Grauitas* was a standard characteristic of his style; cf. Cic. *Brut.* 65 *quis illo grauior in laudando*? A specific speech of Cato was referred to in the first part of Apuleius' defence; see on 17,9. Cato's famous definition of an *orator* was quoted only a few lines above (94,6).

Laelius: C. Laelius (ca. 190-125 BC), the friend of Scipio, who was already mentioned at 20,5. As a public speaker he earned no less praise than Scipio, and he was also known for his fancy for *uerba prisca*; cf. Cic. *Brut.* 82-3. His *lenitas* is mentioned in Cic. *de Orat.* 3,28.

Gracchus: C. Sempronius Gracchus (154-121 BC). He was the younger of the Gracchi, who are of course best known as revolutionary politicians, but also possessed remarkable qualities in the field of eloquence; for a comparison of their styles cf. Plut. *Tib.Gr.* 2.

Especially the younger Gaius gained renown as a speaker. His style is described in largely complimentary terms in Cic. *Brut.* 125-6; cf. notably 126 *grandis est uerbis, sapiens sententiis, genere toto grauis. Manus extrema non accessit operibus eius: praeclare inchoata multa, perfecta non plane.* Gracchus is credited for his *impetus* in Tac. *Dial.* 26,1; cf. further Gel. 10,3,1 *fortis ac uehemens orator existimatur esse C. Gracchus*.[2]

Caesar: C. Iulius Caesar (100-44 BC), equally a man better known for his achievements in other fields than rhetoric. Nonetheless, antiquity praised him for his style of speaking too, especially his *elegantia*; cf. Cic. *Brut.* 252 and 261; Quint. *Inst.* 10,1,114. There is, however, no exact parallel for the label of *calor*: Cicero speaks of Caesar's *splendidam... rationem dicendi*, while Quintilian also praises Caesar for his *uis, acumen*, and *concitatio*. The last combination may be what Apuleius alludes to.

Hortensius: Q. Hortensius Hortalus (114-50), an important rival of Cicero. He is the main exponent of the exuberant rhetoric style known as Asianism. *Distributio* is not a common term for a *uirtus dicendi*: in Roman rhetoric it more often refers to a task of the speaker at another level than style, namely the 'arrangement' of the speech. However, it seems clear what Apuleius means: Quint. *Inst.* 4,5,24 praises Hortensius for the care he took over his partitions (*diligentia partiendi*), counting headings on his fingers (*diuisionem in digitos deductam*).

1. B/O quote the last element as *ac facetiam Augustus*. TRISTANO reports the reading with a small difference: *ac facetias Augustus*.

2. Gellius goes on to draw an extensive comparison between Cato, Gracchus, and Cicero, which turns out favorably for Cicero. This may seem surprising, given Gellius' antiquarian taste.

Caluus: C. Licinius Macer Calvus (82-47 BC) was known for his strict, Atticist style in speaking. The *argutiae* probably refer to pointed remarks and puns, but we can also compare Cicero's characterization of his style in *Brut.* 283: *accuratius quoddam dicendi et exquisitius afferebat genus*, or Quintilian's reference to Calvus' *iudicium* (*Inst.* 10,2,25).

Sallustius: C. Sallustius Crispus (86-34 BC), the great Roman author, is praised for his *breuitas* in the well-known judgement of Quint. 10,1,32. The fame of his speeches[1] seems to have been considerably less great: Sen. *Con.* 3 pr.8 suggests that they possessed no more than documentary value: *orationes Sallustii in honorem historiarum leguntur*. Other references to his speeches are rare; an example is Fro. *Ver.* 2,1,5 (Loeb vol.2, p.137). We may safely assume that *breuitas* characterized them too. The spelling Salustius with single *l* also occurs in the subscriptions mentioning the 4th century scholar Sal(l)ustius; cf. on 65,8 and 103,5.

Cicero: M. Tullius Cicero (106-43 BC), probably the most remarkable name here. It is inserted almost casually, as the last item in a list of examples. There is not so much as a hint that Apuleius would consider him as the model of oratory *par excellence*, as so many other authors do. In fact, we do not even know whether Apuleius has studied Cicero's speeches. The influence of Cicero on the style of the *Apol.* has generally been overestimated, as HIJMANS 1994, 1711n7 rightly argues.

Cicero's rhetorical style is commonly designated as 'rich' or 'full'; cf. e.g. Cic. *Brut.* 253 (*copia*), Macr. 5,1,7. For the specific term *opulentia* cf. Aus. 18 (*Ep.*), 2 *opulentiam Tullianam*; Sid. *Ep.* 5,5,2 *uaricosi Arpinatis opulentiam loquacitatemque*.

95,6 **additum... detractum... commutatum**: the three verbs neatly sum up all the possible ways of changing a text. They also reflect the technical division of *figurae uerborum* into three groups, as in Quint. *Inst.* 9,3,28-86: the figures formed *per adiectionem* (28ff), *per detractionem* (58ff), and those operating by similarity (66ff), like *adnominatio*, figures of sound, and *antithesis*.

95,7 **uideo, Maxime...**: the digression is ended on another instance of flattery. Maximus' cordial attitude is said to have inspired it in the first place. This also provides a good opportunity for Apuleius to break off the praise of Avitus in a polite manner. Normally, such praise of a magistrate ought to have been given far more room, as the parallel passages in *Fl.* 9 and 17 show.

96,1 **pestes**: the word can be applied to persons as a term of abuse; cf. OLD s.v. *pestis* 5b.

oratio: this is the first place where Apuleius calls his actual defence an *oratio*.[2] The word implies that he must be ranked among the Roman speakers, although his name was not mentioned in the list (but see on 95,2). Moreover, it draws a close parallel between Apuleius and Avitus, whose *oratio* was referred to in 95,5 and whose *commemoratio* Apuleius now says he has to leave (the sound effect *commemoratio - oratio* is probably deliberate). By contrast, in the next sentence Aemilianus is explicitly opposed to Avitus.

1. There are, of course, inserted speeches in his historical works. But it seems unlikely that these are meant, given the context: all other names are related to public performances rather than literary achievements.

2. Until now, *oratio* usually referred to words of his opponents (13,5; 25,4 and 79,2) or to speech in general (e.g. 7,5). In 73,5 and 91,6 it did refer to Apuleius' own performance, but only to words he *left out*.

96,2 **cuius animi disputationem**: 'the explanation of whose character', a slightly awkward combination. It has led to various corrections of the text, such as *dispositionem* (Fulvius), which is adopted by B/O. *Disputatio*, however, may be kept here; HELM compares *Soc.* 3 (125) *non de errorum disputatione... disserimus*, and suggests it may have the same meaning as *dispunctionem*, namely *rationem redditam*. VALLETTE, MARCHESI and AUGELLO also retain *disputationem*, rendering the phrase rather freely as 'whose character' or 'whose behaviour'.

eum tu - insectabere: the passage expresses not merely indignation at the lies and calumny of Aemilianus, but also resumes the earlier motif of his 'contention with authorities' (2,10-1).

magiae - criminis: syntactically, the words are not easy to construct. The problem may be solved by adding *et* after *magiae* (see the note of B/O), or, more simply, a comma, as has been printed here. The sense is then: 'with the charge of magic, of sorcery'.

96,3 **concipilare**: a rare, expressive word from the sphere of comedy. It occurs in Pl. *Truc.* 621.

paucorum dierum... simultates: a surprising piece of information: Pontianus' opposition to the marriage had been a matter of *a few days only*. The lengthy treatment of it in the speech (74-93) had left an utterly different impression.

gratias: that Pontianus had expressed his thanks was not told at 94,5, but seems likely enough. A reference to imaginary thanks will follow in 96,5.

96,4 **acta**: a written record of events (OLD s.v. *actum* 3). The sentence is commonly interpreted as a general remark, but Apuleius may also be referring to his own letter to Avitus: *omnia me, ut acta erant, ad eum perscripsisse* (94,4).

+ **quas quis**: the text is corrupt and cannot be restored with any degree of certainty. HELM's proposal to add *<res>* provides an easy solution and the word is adopted in the text by AUGELLO. However, it does not account for the corruption.[1] In the absence of real alternatives, we must keep *quas quis* surrounded by cruces, as B/O and VALLETTE print it.

meo muneri: this refers to Apuleius' intercession of 93,6. The word *uitricus* is repeated here.

96,5 **quod - reuertisset**: a subtle transition to the precarious topic of Pontianus' untimely death. Before chapter 66 it had already been alluded or referred to several times: see 1,5; 2,1-2; 28,8 and 53,7.

fato decretum: originally, Apuleius had been accused of murdering Pontianus (1,5), but the charge had been dropped. The death of the young man now appears as 'natural', although its circumstances remain largely unclear: Apuleius merely alludes to some illness (96,6) as the cause and does not say a word on the hour of death or the funeral. Obviously he also remains silent on possible advantages for himself by this turn of events: as TATUM 1979, 112-3 points out, Pontianus' death did actually remove an heir to the family fortune that came with Pudentilla.

[1]. Numerous other proposals have been made. VAN DER VLIET's *uel <tu uel> quisquis* has recently been revived by MORESCHINI. Some other emendations are *<tu> uel <al>ius quis* (COULON 1925, 23-4) and *uel quas quis... <actiones>* (HELM, Addenda).

supremum iudicium: for this term for a will, cf. 70,8. Apuleius speaks of two different wills of Pontianus. How Rufinus tried to suppress the last one will be explained in 97,2-3.

in testamento gratias: as such, this is no rhetorical exaggeration. Roman wills often contained unofficial elements, like an expression of thanks; cf. NORDEN 1912, 144-5.

96,6 **litteras**: we hear almost nothing about these letters. They must have been written in the short period after Pontianus' meeting with Avitus, for which he had traveled to Carthage (94,5). Unlike the letter of Avitus (94,7), these letters must be considered relevant evidence: they attested to the fully restored relations between Pontianus and his stepfather.

Carthagine - aeger: from these words it might be concluded that Pontianus fell ill along his way back to Oea.

Mineruae curriculum: a vexed place in the text. Many different emendations have been proposed; cf. HELM (who adopts Van Lennep's *minor u<it>ae curriculum*) and B/O (who defend *<minor> Mineruae curriculum*). However, we can retain the text of FΦ with HILDEBRAND, MARCHESI, MOSCA and TLL 4, 1511, 28ff ('modo sanus sit locus').

The phrase is unparalleled but allows for an interpretation, as is argued in HUNINK 1996, 165-6. Pontianus is closely associated with Minerva, the patroness of arts and culture. This makes him the opposite of Pudens, who does not know Latin and speaks mostly Punic (98,8). So Pudens 'runs a Minerva's course' against his brother, which is impossible for him to win. Recitation of Pontianus' flattering and polite letter will show that Pudens runs such a course *in omnibus*, that is: in the field of letter-writing too.[1]

97,1 **audistine...**: words addressed at Pudens. The three terms allegedly used by Pontianus are flattering indeed: a stepfather would normally not be called *parens*, while *dominus* and *magister* are remarkable titles for someone who was a fellow student in Athens, even though he was older and more important (72,3). *Magister* suggests that Pontianus received lessons from Apuleius.

postquam <...>: a textual problem which cannot be solved. B/O defend *post quam* sc. *epistulam*, to be taken from the following *epistulas*, while MARCHESI interprets it as *post quam rem*, both of which seem hardly plausible. A more elegant solution is given in the MS V5, which reads *Possem tuas... promere*. I follow HELM in assuming a lucuna after the word. The clause may have belonged to either the preceding or the next sentence.

97,2 **tuas - epistulas**: an allusion to flattering, submissive letters by Pudens. This comes as a surprise, given all the invective against the boy. If such letters really existed, they could only have been written at a much earlier stage of the events.

testamentum illud recens: another allusion to a document not presented in court. Apuleius refers to Pontianus' second will, which paid tribute to himself and Pudentilla. But this will had remained incomplete, and therefore may be considered legally invalid. Significantly, nothing is quoted from it.

[1]. Shortly before, Pudens' offensive and impolite letter about his mother had been referred to (86,4). The following reference to other letters by Pudens (97,2) is problematic, and is probably not relevant here.

97,3 **neque perfici**: how Rufinus could prevent this will from being finished remains entirely unclear. We do not get a good idea of the facts: Apuleius is now launching another piece of invective against Rufinus and deliberately blurring the picture; cf. also below on 97,5. The start of the invective is reinforced by the strong allitteration of *p*.

pudore: the implications are that Rufinus knew this second will and suppressed it out of shame, but that the first will (97,7) benefitted him to a certain extent.

quam paucorum mensium: these words are to be taken with *hereditatem*, as B/O rightly point out. HELM's insertion of *praemium* after *quam* is unnecessary.

magno - noctium: a shrewd combination of two invective motifs. Rufinus is pictured as a legacy hunter, who has put his hopes on Pontianus' death. In addition, as he had sold the nights of his wife (75,3), so he appears to regard those of his daughter in terms of money.

97,4 **Chaldaeos**: a facile allegation, which is not substantiated: *ut audio* literally keeps it at the level of rumor. These soothsayers and astrologers had a bad reputation; cf. also ABT 1908, 256-7. Consulting them implied wrong intentions, believing them credulity and superstition. To make matters even worse for Rufinus, the *Chaldaei* were closely associated to magic.

collocaret: B/O duly note that the verb refers to 'investing' of capital (cf. OLD s.v. 10b). But there is more to the word: it can also be used for giving girls in marriage (OLD s.v. 9).

ad consulentis uotum: the practice is amply illustrated by the behaviour of the priests of the Dea Syria in *Met.* 9,8.

97,5 **dii**: in this context, reference to a divine will is, of course, a cliche. But it also resumes the motif of Apuleius as a 'man of religion'; cf. notably 55,8-10.

caeca bestia: animal metaphors are a recurrent invective motif in the speech. For *hiare* see on 83,6.

male compertam: 'after he had discovered what an evil woman she was' (B/O). The text requires no change.[1]

sed ne - impertiuit: it is not immediately clear which will Apuleius refers to. B/O (on 97,3 *testamentum illud recens*) assume that 'the actual will' is meant, that is, the first one. But on closer scrutiny, there are several indications that the second, unfinished one must be meant. In 97,7 it will be stated that both wills agree in making Pudentilla and Pudens the main heirs: *tam hoc testamento quam priore quod lectum est*. The second will is the document he is concerned with from 97,2 onward, whereas the first will had been adduced as evidence by the prosecution. Moreover, Apuleius does not quote from the document, which he surely would have done if the first will were meant. Finally, the very offensive nature of Pontianus' bequest to his wife (see on 97,6) would also suggest that Apuleius is using the second will, which was so embarrassing to Rufinus. — If this analysis is correct, it means that Apuleius is spreading rumors rather than stating facts.

[1]. Recently WATT 1994, 520 pointed to Casaubon's *mali* again and added another suggestion of his own: *male (i.e. malae) <fidei>*. This is unnecessary.

97,6 **lintea - denariorum**: a complex insult. In the first place, two hundred denarii (or eight hundred sesterces) is a very low sum.[1] Moreover, linen was associated with prostitutes, as may be deduced from Isid. *Etym.* 19,25,5 *amiculum est meretricum pallium lineum*. The final blow is that a supply of linen for two hundred denarii would suffice for at least *a dozen* cloaks, and so implies extensive activities in the field of prostitution; for this point see NORDEN 1912, 144wn4.[2]

aestimasse: naturally, the implication is highly unfavorable. Pontianus has 'estimated her worth', but her proceeds turn out to be much lower than her father had calculated (97,3 *computarat*).

97,7 **priore quod lectum est**: not until here Apuleius refers to Pontianus' first will. Since the prosecution had used it as evidence, it must have contained provisions to their advantage, or elements detrimental to Apuleius' case. Perhaps this will was made during the few days of the conflict (96,3), and so contained some rude remarks about Apuleius.

filiae suae machinam: Rufinus uses his daughter a second time, now to seduce young Pudens. The military metaphor is obvious: the daughter is advanced as a siege instrument. The irony is enhanced because war metaphors were common in love poetry. In oratory, this rather comical metaphor of 'siege' was not new either; GEFFCKEN 1973, 38-9 points to some examples, e.g. Cic. *Cael.* 1 *oppugnari... opibus meretriciis*.

mulierem - maiorem: in this context, it suits Apuleius to present the girl as a considerably older woman. The difference in age with Pudens is probably exaggerated, as FICK 1992, 39 argues. Although the parallel with Pudentilla catches the eye, there is also a clear contrast between the two women: for her part, Pudentilla is honourable and had remained a widow for fourteen years.

obsternit: the verb occurs only here. Its sound and sense reinforce *obicit*: she is 'stretched out' before him, like a bed.

98,1 **at ille...**: Pudens becomes the target of a piece of full-scale invective. In its first line the earlier invective of Rufinus and his daughter is briefly resumed; they were pictured as 'pimp' and 'prostitute' in 75-6.

illectamentis: scholars notice the rhyme with *blandimentis*, and the rarity of the word. The most important detail, however, is that *illectamentum* has a distinctly 'magical' ring; cf. 102,7 *magicis illectamentis*. This is reinforced by *possessus* (see OLD s.v. *possideo* 4b). Thus Apuleius partly casts back the charge of magic to his opponent Rufinus.

ad patruum commigrauit: Pontianus had been the tutor of his younger brother (68,6). After Pontianus' death, Pudens moved in with his uncle Aemilianus. Probably it was Aemilianus, his closest male relative, to whom the tutorship legally passed; cf. NORDEN 1912, 134. Apart from the legal issue, this is an important detail: it explains

[1]. It may also be recalled that Pontianus had been offered a dowry of no less than 400,000 sesterces (92,2). FICK 1992, 33 points out that he would have been legally entitled to retain this dowry in case of separation. In fact, regulations were much stricter: if he were innocent and could prove adultery of his wife, he was allowed to keep one-sixth of the dowry, or one-eighth for less serious immorality; see TREGGIARI 1991, 352.

[2]. NORDEN's proposal to insert *<extraneam>* before *aestimasse* is not justified by the situation in the MSS.

that Apuleius and Pudentilla have nothing more to do with the boy, and so motivates and justifies the following savage attack.

98,2 **ehem, recte uos**: as on earlier occasions, a hint is taken from the audience. *Vos* does not refer to the attendants, as HIJMANS 1994, 1741 wrongly suggests: in this speech, attendants are only invited to hand a document or read from it; they do not present information of their own accord.

The reference at this point in the speech produces a lively image of momentary interaction, and provides an excuse for the speaker to make some insinuations. In how far it corresponds to reality in court cannot be established; cf. discussion in *Introduction* C.2. In this case it is hard to believe that the audience acted spontaneously. One would presume that Apuleius had instructed some friends in advance, or that he simply inserted the motif afterwards, while preparing the text for publication.

ehem: a typical word of comedy, found only in Plautus, Terentius, and Apuleius; cf. TLL 5,2, 296, 52ff.

heredem: Aemilianus is pictured as a legacy hunter, but one of a rather unusual kind: he is not waiting for an old woman to die, but a *young man*. Legally, if Pudens were to die intestate, Aemilianus would automatically be the first in order of succession, the *heres legitimus*; cf. NORDEN 1912, 150-1. B/O acutely remark that he therefore must be older than Sicinius Clarus (on whom see 68,4). *Heres iustus*, on the other hand, is a legal phrase for an heir named according to a clear decision of the testator. Of course, Apuleius plays on the common, moral sense of *iustus* here.

98,3 **nollem hercule...**: the speaker's attitude can hardly be sincere. He wants to avoid taking full responsibility for the 'secret suspicions' he is blurting out.

98,4 **si [p]uerum uelis**: the text of FΦ must be corrected either to *si per uerum uelis* (Purser and B/O) or to *si uerum uelis* (M1). The latter is more simple, and has been printed by HELM and most modern editors. The error in the MSS may be due to the following *circa puerum*.[1]

postquam - mortuus: this seems an innocent reference to an established fact. But in this context it conveys the nasty implication that Aemilianus had some part in Pontianus' death, and will have again in that of Pudens.

ut saepe - agnosceres: it is quite unlikely that Aemilianus would not recognize his nephew, in particular given the strong family ties of the *Sicinii*, a major element in the background of the trial.

98,5 **patientem**: in this context, the word clearly carries its sexual connotation. As MCCREIGHT 1991, 360 puts it, 'Pudens has been initiated sexually too early by the daughter of Rufinus, but perhaps also by Aemilianus.' The insult, however, is much stronger than that. We should keep in mind that Aemilianus is the one addressed here. The suggestion is that he has been *sexually passive* to Pudens, and so turned him from a boy into 'a real man' (cf. below on *inuestem*) by giving up his own masculine role. For *patior* as a sexual term, see ADAMS 1982, 189-90.

suspicacioribus: i.e. those who harbour the sort of suspicions alluded to in 98,2-3.

inuestem: NORDEN 1912, 105n4 takes *inuestis* and its opposite *uesticeps* as technical terms of law, cf. also CALLEBAT 1984, 145. But like *patiens* the words have

[1]. To mention one other suggestion, WIMAN 1927, 25 proposes *si purum uelis*. The suggestion is clever enough, but WIMAN can adduce only medieval parallels for *puritas* as *ueritas*.

clear sexual overtones; they refer to a boy below the age of puberty and a sexually mature boy respectively.[1] At *Met.* 5,28 (125,25) Venus calls her son Cupido *puerum ingenuum et inuestem*.

98,6 **ad magistros...**: the invective returns to familiar ground. Various motifs from the speech are resumed and combined in pairs of opposites: the school has been changed for the tavern, fellow students for partygoers, learning how to read and write for hanging around in a gladiator school, and learning Latin for speaking Punic. Thus, three invective patterns which have dominated the speech throughout, apply to Pudens at the same time: 'illiteracy', 'sexual licence', and 'inns and taverns'.[2]

ganeum: a variant form of *ganea*, for which see 57,3.

postremissumis: this highly expressive 'super-superlative' is found earlier in a speech by Gracchus, as scholars duly note; cf. Gracch. *Fr.* 27 (Malc.2), quoted by Gel. 15,12,3: *si ulla meretrix domum meam introiuit (...) omnium nationum postremissimum nequissimumque existimatote*. This early Roman orator and his characteristic *impetus* were mentioned shortly before, at 95,5.

scorta: the word for prostitutes surely recalls Rufinus' wife and especially his daughter (98,1). On the various words for prostitute see also GCA 1985, 33.

98,7 **ipse...**: paradoxically, Pudens himself becomes the man in charge and the master of ceremonies at the banquet. There is a clear allusion to Pudens' abandon of education; cf. *rector* (OLD s.v. 5) and in particular *magister*, used only a few lines above (98,6).

uisi<ta>tor: FΦ read *uisitor*, a nonexistent word. Most editors follow the MS T in emending to *uisitur*. But another noun would seem much more natural here. Therefore, HELM's proposal *uisi<ta>tor* is preferable.

lanista: according to FICK 1992, 33 the suggestion is that Aemilianus has Pudens visiting gladiator schools, in the hope that he might get killed. This is probably too sophisticated. The reputation of such schools, and of gladiators and their trainers, was bad enough in itself.

98,8 **Punice**: in Roman Africa, Punic persisted as a spoken language. It was current in the second century, and there are still many testimonies in the works of Augustine and even later. Meanwhile, at an early stage Greek and Latin were firmly established as the languages of culture. For relevant references to Punic, see MILLAR 1968 (esp. 130-3) and VATTIONI 1976. In general on the relative strength of local languages also MACMULLEN 1966 (on Punic: 11-3).

As a speaker of Punic and just a bit of Greek (*si quid - graecissat*), and one who stutters and stammers (*fringultientem*; cf. 34,2) when he has to answer in Latin, Pudens is quite unlike his brother, who had embarked on a career as an orator. More importantly, he is the very opposite of Apuleius himself, who was called *tam Graece quam Latine... disertissimum* (4,1). The double contrast is made explicit in 98,9. Inevitably, the picture of Pudens is exaggerated for the sake of the effect.

[1]. The etymology of the words is uncertain. It is most natural to relate both terms to *uestis*, in this case the assumption of the *toga uirilis* (70,7). But other explanations occur too; cf. B/O a.l.; TLL 7, 169-70; further MCCREIGHT 1991, 355-61 (with further references). Already Servius refers to another word *uestis* with the sense 'beard', while OLD compares a Sanskrit root for 'male' or 'testicles'.

[2]. A similar accumulation of invective motifs occurs in the description of the baker's wife at *Met.* 9,14 (213,9-23) and in that of Thrasyllus at *Met.* 8,1 (177,5-10).

pro nefas: for the phrase see 4,1. To some extent, this shame of Pudens' lack of skill in handling Latin may be said to reflect on Apuleius himself: as a master of eloquence he has apparently not been able to exert a good influence on his stepson.

98,9 **syllabas**: a word belonging to the sphere of linguistics and metric; cf. examples in OLD s.v. This more or less 'learned' word has undoubtedly been inserted on purpose (as *uocales* in 83,2). The combination with the expressive *fringultientem* produces a fine oxymoron, while the added sound effects in *singulas syllabas* (notably *s* and *l*) illustrate the stammering almost literally.

cum - quaereres: Pudens had been questioned by Maximus. This proves that he was able to speak at least a few words of Latin.

99,1 **te - estis**: for this almost formulaic form of address cf. 1,1; 65,8 and 67,5. It starts a long, formal sentence, in which Apuleius completely dissociates himself from Pudens.

adsistitis: this is the first reference in the plural to the defendant's assistance. Cf. earlier on 58,4.

candidato illo socero: an ironical allusion to Rufinus' intention of having Pudens marry his daughter (97,7 - 98,1).

99,2 **matri... supplicaturum**: the speaker's 'benevolence as a stepfather' was first shown in 93,6. In the following lines we get another example of his unselfish attitude: his defence of Pudens' interests in Pudentilla's will.

testamentum: in Apuleius' days, a woman could draw up a will by herself, but the law required formal consent by her guardian; cf. NORDEN 1912, 141-2. For her guardian see 101,6.

99,3 **mala ualetudine**: whether this illness was serious or not, is not clarified.

99,4 **elogium**: a technical term for a clause in a will, in particular to disinherit a person; cf. TLL 5,2, 405, 54ff. But the word can also mean 'sepulchral inscription' or 'written statement giving particulars of a prisoner brought before a magistrate' (OLD s.v. 1b and 3). Such associations are menacing and may therefore be intentional.

diuersurum me: Apuleius openly declared, so he claims, that he would have divorced her if she had disinherited her son.[1] At first sight this extreme altruism seems hardly plausible. There is a clue in the text that Apuleius also had personal interests: cf. *me inuidia omni liberaret*.

99,5 **nec prius destiti...**: Apuleius shows that his influence on Pudentilla was quite considerable. In a way he betrays himself here: the charges of 'illegal manipulation' appear less absurd than he wants the audience to believe; cf. GUTSFELD 1992, 256-7.

inopinatam rem: the exact contents of Pudentilla's will appear to be unknown to the prosecution.[2] In the next lines Apuleius fully exploits this for strong effects.

99,6 **infectam**: the metaphor is not entirely clear. Aemilianus knew that she was 'discolored', 'stained' as with blood (OLD s.v. *inficio* 2), or 'tainted' as by poison (id. 4).

1. As a matter of fact, Pudentilla could never have prevented her son from obtaining his *bona paterna* on which the grandfather was to decide. She could only disinherit him as far as her own property was concerned, notably what she had brought into the marriage as a dowry; cf. NORDEN 1912, 146.

2. In 100, it appears that not even Pudens himself knew about this will, but the reason for that is not mentioned. Given his clearly bad relations with his mother and stepfather, there may simply have been no contact on this matter. Perhaps the couple kept deliberately silent about the will in order to have some control over the boy.

uindicari - non recusasset: the self-portrait gains yet another dimension: Apuleius 'does not care for vengeance'. Even by modern standards this would seem remarkable. In the context of the ancient pagan norms, which recommended benefitting one's friends and harming one's enemies, it is almost inconceivable.

99,7 **ex sua auaritia**: another example of the subtle manner in which Apuleius casts back elements of the charge upon his accusers.

99,8 **pugnaui...**: the melodramatic image of 93,6 is resumed and surpassed. The stepfather appears not just begging his unwilling wife on behalf of her son, but 'struggling with an angry stepmother, as a father for his own son.' The word *nouerca*, presently required for the effect, has very negative associations. It is quickly countered by the following phrase *bonae uxoris*.

prolixam libertatem: another instance where Apuleius seems to betray himself. Pudentilla had at least the intention of greatly enriching him.

100,1 **cedo tu**: an attendant is addressed. It may be observed that as the speech drawes toward a close, there are more frequent shifts of persons addressed. The (incomplete) scheme of HIJMANS 1994, 1741 shows this graphically even at first glance. Within this chapter, the speaker addresses not only an attendant and judge Maximus, but also Pudens and even Pudentilla (100,6-9).

testamentum: Pudentilla's will again. From a legal point of view, Apuleius has already sufficiently made clear what this will contained. The present chapter serves mainly rhetorical purposes. It drives home the point by using various means, such as numerous repetitions (esp. of the words *testamentum* and *heres*), emotional outcries, rhetorical questions, and invitations to unseal the will and read its clauses.[1]

praedonem: cf. on 93,2. Its sound is playfully echoed in the contrasting words *precibus praeeunte*.

100,2 **tenue nescio quid**: this 'trifle' is not further specified, and one wonders what it consisted of. Of course it was not an *offensive* small gift, like the one Pontianus left to his wife in 97,5-6; the words *honoris gratia* prove this. Legally, it would have strengthened the defendant's case if he had been more precise here. On the other hand, his ostentatious lack of interest in financial detail is rhetorically effective.

si quid - attigisset: a euphemistic reference to death (cf. 68,6 *fato concessit*).

100,3 **uere - inofficiosum**: a pun on the legal term *testamentum inofficiosum*, which is 'a will ignoring the testator's duty to his relatives' (OLD s.v. *inofficiosus* 2).[2] Since Apuleius is not a relative, this formal sense does not apply here. Pudentilla's will is, however, 'undutiful' in a more literal, common sense.

obsequentissimum: a fine piece of self-praise. Meanwhile, it is Pudentilla who may properly be called *obsequens*: in drawing up the will she closely followed Apuleius, who literally dictated it; cf. 100,1 *praeeunte*.

1. MARCHESI and others state that the references to unsealing the will are no more than a rhetorical pose, since this could not be done while the testator was still alive. However, the direct and emphatic address to Maximus would be awkward, and indeed embarrassing, if this magistrate did not have the authority to open the document.

2. The validity of such a will could be contested in court, usually on the ground of *insania* of the testator. On such *querelae inofficiosi testamenti*, see NORDEN 1912, 148-9. Apuleius is clearly playing with legal terminology; cf. also the mention of *insania* below at 100,5.

100,4 **non filium, sed...**: the attack moves on to outright invective. Pudens is presented as the mere embodiment of the interests of his friends. *Parasitos tuos*, adding a note of comedy, is addressed at Pudens himself.

et: most editors accept *<s>et*, an emendation by Purser; cf. B/O (Addenda, p.180), VALLETTE, AUGELLO. It produces a splendid effect, but as the text of the MSS makes good sense, no change is necessary here.

100,5 **positis - matris**: a devastating allusion to Pudens' shameless use of Pudentilla's private letter, which he had wrongly called a 'love letter' (85,1; 86,2). The *insania* which Pudens had attributed to her in relation to this letter (80,1-3) is now effectively declared applicable to the will.

'Sicinius - esto': the legal formula (cf. e.g. NORDEN 1912, 142) quoted from Pudentilla's will functions as a climax in Apuleius' defence. The accusers, who had not known about this will, must have felt utterly defeated by now.

100,6 **qui te...**: now follows a long list of reproaches against Pudens. First, we hear something new: at the time of Pontianus' funeral, Pudens wanted to refuse his mother access to the house she had given him, and used the help of a gang of youths.[1]

The following lines resume earlier elements, while adding various poignant touches: Pudens was discontented that his mother was his co-heir in his brother's will (97,7); he moved in with his uncle (98,1) and left her with her pain and grief; he openly insulted her; 5) bandied about her name in court and tried to dishonour her by means of her letters (78-86). Finally, he sued her beloved husband on a capital charge.

There is a gradual change from concrete incidents (1, 2 and 3) to more general circumstances of the trial. The last item, which involves the speaker himself, naturally carries most weight.

te... te...: an apostrophe of Pudentilla herself; cf. on 85,5.

100,7 **de sinu tuo**: the words recall the earlier apostrophe in 85,5-6, with its attention for Pudentilla's womb, and the comparison of Pudens to a viper. Cf. also 86,4 *cum adhuc in eius sinu alerere*.

100,8 **contumelias... fecit**: the words probably refer to the next few examples and to the trial in general.

100,9 **efflictim**: cf. 79,6 *'(...) efflictim te amabat'*.

100,10 **quid abnuis**: another lively reference to the atmosphere in court, in this case to the gestures of the accuser.

101,1 **testor**: Apuleius earlier professed that he would distance himself from Pudens and stop defending his interests; cf. 99,1-2.

101,2 **ut sui**: the reading of FΦ *ut sui potens ac uir* makes good sense: 'since he is in control of his affairs and a real man'. Of course, these words must be taken ironically. HELM proposed inserting *<qui>* after *ut*, an unnecessary addition, which has crept into all modern editions; see HUNINK 1996, 166. Nor is any change required for *dictet*.[2]

[1]. Apuleius' words do not indicate whether or not Pudentilla eventually entered the house. If Pudens had been given full ownership of the house, he was of course fully entitled to bar anyone from it. However, the speaker is making not a legal but a moral point.

[2]. WATT 1994, 520 interprets differently, proposing *diluat*: Pudens would have to explain away his letter of 86. But with *dictet* the sense is clear enough: 'let him (...) dictate offensive letters to his mother, and then appease her anger.'

qui potuit - exorare: a fine sententia, exploiting the close verbal resemblance of *perorare* ('plead', 'argue a case to the end') and *exorare* ('win over by entreaty'). Apuleius applies the words to Pudens but they probably bear on himself too, in particular since he is about to deliver a *peroratio* (102-3). He will actually use *peroro* within a few lines (101,4).

101,3 **funditus sustuli**: in this context, the metaphor of *radix* is taken back to its literal meaning: the origin of the trial is 'pulled out by the roots.' Cf. also 93,2 *extirpaui*.

101,4 **praedium...**: as a 'kind of postscript' (HIJMANS 1994, 1730) Apuleius refutes a minor point, the allegation that a certain beautiful estate had been bought in his name with Pudentilla's money. He can easily prove by means of witnesses that only a small and relatively cheap property is involved, and that it is entirely in her name. The point must have been particularly convincing, and probably for that reason it has been saved until the end, where it serves as a 'final number of the show'.[1]

101,5 **dico**: by now, it is not just Apuleius' word against that of his opponents (cf. *dixistis* in the last sentence): he is going to produce witnesses for what he says.

exiguum heridiolum: for the expressive, redundant diminutive form, cf. CALLEBAT 1984, 147-8.

LX milibus: the last price mentioned in the speech. It is not much higher than that of the *sportula* of 87,10. Some scholars try to draw conclusions from it about contemporary land costs in Roman Africa; cf. DI VITA 1968, 190. The evidence is, in fact, too scanty.

suo nomine: this means that it fell under the terms of Pudentilla's will and could not come into Apuleius' possession.

101,6 **quaestor publicus**: the magistrate in charge of collecting taxes, to whom the *tributum* for the estate is paid. He is probably a local civil servant. Of this *Coruinius Celer*, nothing else is known. In 101,7 his name is spelled as Coruinius *Clemens*. We may think of the Clemens addressed by Apuleius at *Fl.* 7,4 as a poet and a friend. But the tax collector cannot simply be identified with the poet, if only because the name Clemens was common.

tutor auctor mulieris: in certain official procedures, such as the conveyance of property, a Roman woman needed formal authorization for her acts by a man who had full legal capacity. If she married *sine manu*, as Pudentilla did, she would have a guardian beside her husband; cf. NORDEN 1912, 137-8; GUTSFELD 1992, 255wn43. In general e.g. GARDNER 1990, 5-29; TREGGIARI 1991, 32. In practice, Pudentilla probably was free to act as she pleased, and the role of the guardian was only a formality.

Cassius Longinus: given Apuleius' manner of addressing him, this man was more important than the tax collector. A *duumuir* of Leptis Magna with the same name is known from an inscription of a later date. Cf. GUEY 1954, 116, who supposes that the *duumuir* is a relative or descendant of Pudentilla's guardian.

101,7 **praestinarit**: a Plautine verb for 'buying', often used in the *Met.*; cf. GCA 1985, 198.

[1]. MCCREIGHT 1991, 172-3 says that the use of *praedium* may also be a pun on *praedo*, the title used for Apuleius at 100,1. This is perhaps too subtle, given the distance between the two words in the text.

(testimonium - qR): the words are commonly declared to be an interpolation. But there is no compelling reason to exclude them.[1] On the contrary, a special signal seems natural here, as this is the only time in the speech that *spoken* evidence is introduced (both men are present). Therefore, the words may be a trace of the first publication; cf. remarks by HIJMANS 1994, 1773wn211.

qR: the abbreviation has been variously explained, as e.g. *quod recitatum est*, *quid responsum*, *quid responderit* or *quod requiritur*. HELM prints *quaestor(is)*, the proposal of Salm, and this seems the most attractive solution indeed; *quaestoris* simply balances the first title *tutoris*. HILDEBRAND's *quaestoris responsum* also deserves mention, but is slightly more complex.

101,8 **uel hoc**: translators commonly refer this to the estate (*heriodolum*). However, the price of 60,000 sesterces as such (*pretium*) may also be meant. This makes for a more general statement, and so for a stronger climax.

102-103 *Peroratio*

So what is still left unrefuted? What gain did I have from enchanting Pudentilla? Nothing at all. Suppose the case were brought before a less honest man than Maximus: at least you would have to make up something plausible. What was my motive? Beauty? Money? What else? Why do you keep silent? Let me summarize the allegations and my reactions, each in two words. Now, Maximus, I can await your judgement with confidence.

As the speech started with a conventional prooemium, it ends on a conventional epilogue. In this concluding section a number of relevant allegations and the responses to them are resumed and summarized. Of course this is not done in a neutral, objective fashion, but by means of highly rhetorical language. The defendant is eager to give once more the best he can, and concentrates above all on the element of *mouere*. So he strikes notes of great emotion, constantly using irony and sarcasm, flattering the judge and pushing the prosecution around, until nothing of their case seems to be left. His defence is supported by some conspicuous puns and other display of verbal skill. This culminates in the amazing passage with 'two words for every point' (103,2-3).

The self-portrait which underlies the final section is more than familiar by now. Here, too, Apuleius presents himself as a disinterested philosopher not eager for material gain but only for the lofty pursuits of wisdom and science. References to magic are only ironic and scornful.

Although rhetorical effects are the principal aim, the legal heart of the matter is not entirely put aside. First, Apuleius repeats that he has not had any material gain from the marriage, as he has proved. Then he cleverly points to the resulting weakness

[1]. That Coruinius is now called Clemens rather than Celer is not a good argument. Since we do not know the man, it is impossible to establish which name of the two is correct; its full form could also have been e.g. Coruinius Clemens Celer. But even if *Clementis* were wrong, it would not be sufficient to exclude the entire phrase *testimonium - qR*.

of the prosecution's case: they cannot point to any possible *motive* of Apuleius (102,7-8), Pudentilla's 'beauty' having already been ruled out. Since they lack both hard facts and plausible motifs, their case must be considered as ruined.

Meanwhile, in the course of the speech, many passages have given rise to doubt and suspicion about Apuleius' real motives. To bring one or two points back to mind here: it seems quite unlikely that he was so utterly disinterested as he wants us to believe. Probably he did not obtain legal ownership of Pudentilla's capital and estates, but he must have profited considerably from using them. The marriage undoubtedly relieved him from the need to make a living, enabling him to devote himself to other occupations. Furthermore, it is likely to have earned him prestige in general and, more specifically, the gratification of having 'socially climbed' to a higher class. Naturally, there is not so much as a hint to such motives in this *grande finale*.

102,1 **quid...**: the transition to the *peroratio* is smooth and almost imperceptible. The list of rhetorical questions, started in 101,8, is continued. It ends not until 102,4.

te iudice: a hilarious twist. In the end, Aemilianus turns out to be the 'judge', who weighs the 'evidence'. The irony will develop into outright sarcasm in the next few lines, where magical influence is linked to *lack* of gain. This total absurdity is bound to have raised a laugh.

dotem... diceret: for the expression cf. on 91,7.

102,2 **restipularetur**: the conditions of the dowry were explained in 91,7-8. *Restipulari* is a legal term for demanding a 'counter-guarantee'. The formal, oral act of *stipulatio dotis*, in which Pudentilla guaranteed she would give the dowry, had apparently been followed by a *restipulatio*, in which she demanded formal counter-guarantees for its return. For more legal detail see NORDEN 1912, 94; 164-5. Apuleius is not seriously concerned with legal procedures here, but obviously uses the learned term for its weight and effect.

102,3 **condonasset**: the donation was discussed in 93,4-6. It is only here that we hear that Pudentilla never made any such gift to her sons before.

mihi quicquam: all modern editors except MARCHESI print *mihi* <*nihil*> *quicquam*, accepting the proposal of Pricaeus. This sounds natural enough, but Apuleius has not argued that he received 'nothing at all', but a mere trifle (*tenue nescio quid*, 100,2).[1] This trifle is what *quicquam* must refer to, a possibility which HELM admits in his apparatus. Admittedly, there are no parallels for this use of *quicquam* as *quiduis* or *quidlibet*.

ueneficium... beneficium: in this safe context of irony and sarcasm, Apuleius drops a rather high number of words of magic. Within only a few lines, we read: *magiae meae*, *ueneficiis*, *carmina*, *magiam*, *ueneficium* and *cantaminibus*.

Here the irony is supported by a pun, for which BRAKMAN 1909, 76 adduces Fro. *Aur.* 1,7,3 (Loeb I,p.166) *Verum est profecto quod ait noster Laberius, ad amorem*

[1]. It is hard to understand how the difference between *something* and *nothing* can be called 'an inconsistency (...) of the most trifling kind' (B/O). If emendation is unavoidable, HILDEBRAND's ingenious suggestion *quisquilium* ('worthless stuff') deserves consideration. Apuleius used the word in 34,7. However, it is not attested in the singular form.

iniciendum delenimenta esse deli[be]ramenta, beneficia autem ueneficia.[1] On the increasing confusion of *b* and *u* in Latin, see the note in B/O. Shortly before, Apuleius referred to his conduct as a *beneficium*, cf. 93,6 and 99,4. There is a secondary, less strong sound effect in *graue... ingratum*.

102,4 **testamentum**: cf. 99-100.

hoc - impetraui: the irony is modified by two more serious notes. As *ingratum beneficium* seemed to express the speaker's real thoughts, *difficile impetraui* reads like a fair summary of the facts as told in 100,8 (*pugnaui cum irata matre...*).

102,5 **accusationem - condemnandi**: these words indirectly say what Maximus, as a good judge, ought to do in Apuleius' eyes: to be averse to accusations and to abhor convicting the defendant.

102,6 **fingite**: for similar challenges to contrive something, cf. 21,1; 54,1 and 84,7. Cf. further 30,3 *tam rudis uos esse... ut ne fingere quidem possitis ista uerisimiliter?*

102,7 **causa precedat**: Apuleius already insisted on the point that not facts, but motives ought to be discussed. See his praise of the judge's wisdom in the section of the epileptic woman (48,6-9).

102,8 **formam... negant**: see 73,4 *mediocri facie* (Pontianus' words); 91,5 and 92,5.

negant...: three pieces of evidence are briefly referred to, the documents of the dowry (92,2), the donation (93,4-6),[2] and the will (100,1-5). Pudentilla's *liberalitas* to Apuleius was mentioned in 99,8.

102,9 **libelli - priuigni mei**: the formal charge was mentioned in 2,3 *libellum nomine priuigni mei*. Surprisingly, it is only here, at the end of the speech, that a quotation of it is inserted.

103,1 **reum - deprecatorem**: Apuleius interrupts the quotation for a note of irony. We must keep in mind Quintilian's precept that one should not quote the opponent's words, except when they can be ridiculed; see on 4,1.

cedo unum...: here, too, the quoted words are presented as ridiculous. This is true for both *plurimorum* and *manifestissimorum*, though not for *maleficiorum*.

103,2 **binis uerbis**: the defence reaches its climax with a series of triumphant exclamations; cf. HELM 1955, 107 'Es klingt wie Siegesfanfaren...'. Apuleius clearly takes pride in his ability to need only two words for every charge or response. This piece of verbal skill, which reads like an oratorical excercise or an impressive improvisation,[3] illustrates yet again his great proficiency as a speaker and a verbal artist. Furthermore, it is in accordance with the practical rule given by Cic. *Orat.* 226 *nec ullum genus est dicendi aut melius aut fortius quam binis aut ternis ferire uerbis* (the parallel is adduced by BERNARD 1927, 314).

As a short list of allegations and answers it resembles 27,5ff. Within Apuleius' other works we may compare especially *Soc.* 23 (175): *igitur omnia similiter aliena*

[1]. On the basis of Cic. *Cael.* 71 (where *stultitiam* is repeated) WATT 1994, 519 proposes inserting a second <*ueneficium*> in our text. This sort of 'improvements' on the basis of classical models ought to be avoided.

[2]. No explicit mention has yet been made of any official document on this gift, nor did Apuleius have anything quoted from it. But the agreement must have put down in writing; see on 94,2.

[3]. We may compare *Soc.* praef.4, where Apuleius tells in some detail the fable of the crow and the fox, and then adds: *eandem istam fabulam in pauca cogamus, quantum fieri potest cohibiliter*. After these words he gives the essence of the same tale in a few lines.

numeres licet. 'Generosus est': parentes laudas. 'Diues est': non credo fortunae. <Nec> magis ista adnumero: 'ualidus est': aegritudine fatigabitur. 'Pernix est': stabit in senectute. 'Formosus est': expecta paulisper et non erit. No explicit announcement of 'two words' is made there, as it is in the present passage.

The list of charges alluded to is far from complete. It forms a selection of elements from the entire speech. Reference is made to the preliminary charges of tooth care (6-8); mirrors (13-6) and verse (6 and 9-13); to the magical practices of using fish (29-41) and a wooden statuette (61-65); and to the alleged seduction of Pudentilla (66ff), her age (89), and finally the motif of gain (92; 93; 100).

It is noteworthy that the middle part of the speech, which deals with magical practices, is represented only poorly. The central charge of magic is not even mentioned at all. Inevitably, the elements that are mentioned, are often expressed tendentiously. This is especially true of the charges referring to the marriage (see below).

Likewise, the various responses do reflect Apuleius' defence to some extent, but are also chosen for their effect: almost any response will do, so it seems, as long as it can be expressed in two words.

splendidas: this is Lipsius' emendation for FΦ *sp(l)endidos*. As such, *dentes splendidos* could be defended as a plural accusative. But as all other points involve a verb governing a noun, the change is unavoidable. The verb *splendidare*, occurring only here, would be another of Apuleius' neologisms.

Aristoteles... Plato: these two great names are once more dropped, undoubtedly on purpose.

103,3 **uxorem ducis**: this suggest 'marriage in general', which, of course, was not the point. Pudentilla's wealth and her 'passion for Apuleius' are left unmentioned. Similarly, not the fact that she was older than Apuleius was a matter of reproach, but that she was a *much* older widow, whose age was near the legal limits for marriage.

leges iubent: the speech has not provided any evidence for this claim. It is simply untrue: in Apuleius' days no man was obliged to marry.

'lucrum...': the last point is the strongest. It has convincingly been defended in the last sections before the *peroratio*. The concluding tricolon refers to the same three documents as in 102,8.

sectatu's: B/O already ventured to print *natu'st* for *natu is est*, which is commonly accepted by others. But they did not change *sectatus es* of the MSS, even though they added that Apuleius probably pronounced this as one word. Here, too, a response of only two words is required, and accordingly we must write *sectatu's*. Such aphaeresis of *es* is not frequent, but examples can be found in comedy, e.g. Pl. *Per.* 146 *facturu's*; *Epid.* 630 *remoratu's*. See further HUNINK 1996, 166-7.

103,4 **quae si omnia...**: the last sentence of the speech. It consists of a long and complex period in the Ciceronean fashion. Although such periods are quite uncharacteristical of Apuleius' style, the technique is more or less obligatory at the end of a speech.

In this sentence, the defendant turns away from his opponents and launches a final appeal to the judge, who is being flattered right to the end. He resumes his initially announced purpose of a 'general defence of philosophy' (cf. 1,3), and suggests that he has succeeded at least in this. Impressive words and imagery (cf. on *septem pinnis*) add to the effect.

a culpa: the MSS have *philosophiae* after this word, but it is omitted even by the strictest editors as HILDEBRAND and HELM. It must be a scribal error.

septem pennis: the phrase echoes Lucil. 115-6 (Warmington) *ille alter abundans / cum septem incolumis pinnis redit ac recipit se*. It refers to a glorious return of a gladiator called 'crest-snatcher' (*pinnirapus*), whose task it was to tear feathers from the head-crest of his opponent.[1] For Lucilius see also 10,4.

The triumphant note is not surprising as such, but the use of gladiatorial imagery certainly is. In Roman oratory this usually has very negative associations of criminals and bloodthirsty murderers; in this speech cf. on 3,7 *auctoramento*, and also the references in 98,7.

103,5 possum...: the thought in the last few lines is not easy to follow. Obviously, the speaker is more concerned with making an excellent impression than with the demands of logic. He establishes a careful balance of pride and humility, self-assuredness and flattery.

We may paraphrase it as follows: 'now that I have refuted all charges, I can await your judgement with confidence. This I do not so much in fear of your authority (being legally convicted by a proconsul would not be such a disaster), but with respect for your integrity (incurring moral disapproval of a man like you would be the worst).'

reueri - uereri: a similar pun occurs in the praise of Severianus Honorinus (procos. 162/3) at *Fl.* 9,36 *neminem proconsulum... prouincia Africa magis reuerita est, minus uerita. Quam* is used without a comparative, as in 28,5.

dixi: as a formula marking the end of a speech, this looks familiar enough. But as a matter of fact, this use of *dixi* is rare in extant Roman oratory. TLL 5,1, 969, 40ff mentions only Cic. *Ver.* 56.

After *dixi* F has the following subscriptio: 'APVLEI PLATONICI MADAURENSIS PROSAE DE MAGIA LIB.III Expl. Ego Salustius emendaui Rome felix.' Then follows the start of the *Met.*: *At ego tibi sermone isto Milesio...*; cf. PECERE 1984, 125.

We do not know for sure whether Apuleius was acquitted or not, but the speech as a whole strongly suggests this. Apuleius' later career as an orator and priest in Carthage, for which the *Fl.* provide ample evidence, would also be hard to reconcile with a conviction in this trial; for further discussion see *Introduction* A.3.

Hardly anyone will believe that Apuleius was entirely innocent. But on reading this speech, most readers will at least be impressed by his rhetorical and literary achievement. If this can partly outweigh our doubts, the power and magic of Apuleius' language is still working.

[1]. There might be an allusion to the *auium pinnas* allegedly used for nocturnal rituals in the house of Crassus; cf. e.g. 57,3 and 58,2. *Pinna* and *penna* are two words, but the former is explained as a dialect variant of the latter; cf. OLD s.v. *pinna*.