

# The Death of Tragedy: Genre, Politics, and the Myth of Lucretia

by

Michael S. Kochin

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## I. Genre and Politics, Ancient and Modern

I am, perhaps, a little young for reminiscences, but it is the nature of a return to one's alma mater that it inevitably compels them. I was trained here at Chicago as a scholar of Greek political thought, but in the last four years it is the relation between our concept of politics and the ancient concept, between modern representative democracy and the Greek politeia or the Roman res publica, that has been the principal focus of my attention.

Today my talk will attempt to clarify this relation through a look at the history of the myth of Lucretia, the founding myth of the Roman republic. Lucretia, as all of you perhaps know, was a Roman matron who killed herself after being raped by her husband's royal cousin, the son of King Tarquinius Superbus. Swearing revenge over her bleeding form, Brutus, another cousin of the royal family, Collatinus, Lucretia's husband, and her father Lucretius organized a conspiracy against the Tarquins, expelled them, and established elected consuls in place of kings to rule in Rome. My talk today is in the nature of a preliminary report on research I am conducting with Katherine Philippakis of Arizona State University.

As everyone knows, the modern republic is distinguished from its ancient models by the representative principle. Ancient republican government was direct government: the basic decisions of

policy and all legislation were made by citizens and councilors who held the right to participate not by right of election but by right of birth, either by right of free birth as citizens, or by right of noble birth as senators or councilors. Modern republican governments are representative governments, in which the basic decisions of policy and (nearly) all legislation are made by men and women who owe their right to participate to election by and from the citizens as a whole. But this afternoon I want to focus on a second aspect of representative government, the aspect that makes representative government a form of democracy rather than oligarchy: that through periodic elections the representatives themselves are governed by the people who elect them.

That aspect of representative government, the government of representatives rather than by representatives, is mediated government. We are aware of the conduct of our representatives because we are informed of their conduct by others, who report to us through the media of television, radio, and, primarily, newspapers and other print periodicals. For reasons I cannot go into here I think this mediation is pretty generally transparent, that is to say, what we learn from these others, the "reporters," about the conduct of our representatives is largely uninfluenced by intentional bias. As a result, representative government remains the government of representatives by citizens and not the manipulation of citizens and thus their representatives by "media barons" or, even more ominously, "media moguls."

So representative government is government by newspapers. But the "political culture" of our representative governments is not mediated by newspapers alone. Consider the practical political impact of novels like The Jungle, which helped to create the regulatory state, or Ayn Rand's Atlas Shrugged, which kept that regulatory state from descending into the planned chaos she depicts-- and which we can read about in newspaper coverage of present-day Russia or North Korea. The modern novel, like the modern republic, has founders, and the most frequently cited founder is Daniel Defoe. But Defoe also established

the basic form of the modern newspaper: he was the first to produce a periodical that had features and correspondents' reports, and agony columns like our "Dear Abby" and "Miss Manners."

Plato, in one of his harsher passages about the Athenian democracy, describes it as a theatrocracy, where performances by actors and public men must cater to the whims of the mob in order to win their votes for the policies they wish to see implemented or for the drama they wish to see rewarded. The recent scholarship of Josiah Ober among others has shown that this picture of a theatrical politics matches what we can recover from the surviving elements of Athenian oratory and legislation, and even from the plays themselves. So too novels are the art form of representative government, the art form produced by the technology of the 18th century printing press in the way that Greek drama and Greek oratory were produced by the technologies of public speaking and, no less important, public listening. One proposed method of republican refounding was through the creation of a theatrical space, in imitation of the Athenians, in which political actions are presented to be judged by the spectators. Yet as Rousseau argues in the Letter to D'Alembert, the theater itself, in the republican tradition, is somehow corrupting. Not Athens, but Sparta, which had no theater, is the exemplary republic. It is to meet his own doubts about the salutary character of the theater, for which he himself wrote, that Rousseau turned in imitation of Samuel Richardson to the novel, to the writing of Julie.

I would like to put forward the proposition that the modern republic depends on the replacement of the theater by the novel, the replacement of dissemination to a collective, public audience with dissemination to a multiplicity of several or private audiences. In particular, modern representative government arose after the replacement of classical and modern tragedy with the dramatic novel exemplified in Samuel Richardson's Clarissa-- a tragedy that was performed at each fireside every time the work was read. This is not because I have a political interpretation of Clarissa, but because this work itself

had a political effect. Together with its predecessor, Pamela, Clarissa transformed European society in such a fashion as to make republican politics seem possible in "The Age of Absolutism," a century after the only republican government in English history had collapsed and thirty years after the glories of the Dutch Republic were ground into the Flanders mud in the War of the Spanish Succession.

Paul Johnson claims in The Birth of the Modern that the first event in English history that was the subject of public opinion, the first event on which literally everyone had an opinion, was the Queen Caroline affair of 1818-20. Every charwoman as much as every peer had an opinion about whether King George IV should be granted a divorce from his estranged wife Caroline. But almost seventy years before the Queen Caroline Affair, the serial publication of Clarissa in 1747-8 by Samuel Richardson provoked a similar storm of "opinionation." Despite running to seven or eight large volumes in its 18th century editions, Clarissa has an extremely simple plot: Clarissa Harlowe, a young and talented girl from an arriviste gentry family, aims to escape a threatened forced marriage by running away with the utterly corrupt yet brilliant aristocrat Lovelace. Clarissa loves Lovelace, after her own fashion, but repeatedly refuses to marry him, much less submit to his advances. Lovelace, for his part, is consumed by the passion for knowledge of Clarissa's sexual purity in both the Biblical and the Baconian senses: he puts Clarissa's virtue or virginity to the torture by promises and threats, but finally gains her submission by drugging her.

As the volumes of Clarissa came out in seriatim, readers wondered and speculated as to her eventual fate. Richardson had foreshadowed that fate, even before the rape, clearly enough: Clarissa is to die, to die of her family's plots and persecutions, of the after-effects of Lovelace's drug, and perhaps of the shame of the rape and even an impregnation at which last Richardson only hints. The readers revolted, demanding that Clarissa live, that Lovelace repent, that all live happily ever after. They argued in salons and coffee-shops, and wrote many letters to Richardson himself. But Richardson was unrelenting, and so Clarissa

Harlowe died.

Clarissa produced the modern reading public, and the celebrity author. It is a book that because of its length is little known to contemporary historians of philosophy or of political thought, but this is unfortunate. Richardson was the main influence on the whole sentimental side of the Enlightenment through his impact on Diderot and especially Rousseau: if Rousseau is the father of Romanticism, Richardson is its grandfather. His Lovelace is the original of the Sadean modern subject, that antihero whose exploits both haunt and exemplify the whole philosophy of freedom from Rousseau and Kant to Sartre, Adorno, Horkheimer, and Foucault. Clarissa, together with its predecessor Pamela, originated many of the conventions of modern pornographic writing, though only Richardson's most envious critics, such as Henry Fielding, tried to draw attention to these works' obscene elements.

This is what is new in Clarissa, and it was in its own time of the greatest importance for these innovations. But Clarissa is also the last significant work to be inspired by the myth of Lucretia. The differences are not small: Clarissa is a maiden, not a matron, and she does not literally die by her own hand, though many of those who appear in the letters that make up this massive epistolary novel, and many of its readers since, have seen her death as self-willed. But the comparison is obvious enough, and the characters do not hesitate to make it either.

Clarissa is a novel, the first modern novel according to some, among the first and most influential according to all. But in terms of genre, it is, as one scholar has put it, a "dramatic novel," whose most important sources lie in the theater rather than in earlier books. Lovelace himself resembles the villains of Stuart and Restoration drama, and frequently comments both on the plays themselves and arranges his actions and those of others in explicit imitation of a dramaturge. One could say, almost, that the letters in Clarissa represent the literary remains of The Tragedy of Clarissa Harlowe, written and produced by Robert

Lovelace and played by Herself, but one must keep in mind that the audience for that play is fictional and even doubly fictional, an audience imagined within the fiction itself. The real audience to the passion of Clarissa are the work's readers: this audience is also imagined within the novel, though as readers of a veracious rather than fictional correspondence (Richardson was a modern, not a post-modern). The real author of Clarissa, Samuel Richardson, was a great fan of plays in his youth, but his theater-going career was interrupted by the reinstatement of censorship, which virtually stopped English drama cold after its own post-puritan Restoration.

Theatricality was serious business for Richardson, and it was serious business, as no doubt you all know, for whom for purposes of this talk I will call his epigone, Rousseau. For the remainder of my talk I want to consider appropriations of the myth of Lucretia against this issue of theatricality, as we shall see it in Livy and Augustine. The use of Lucretia by the greatest master of the modern theater, Shakespeare, will have to be a subject for another time, as will the Lucretia, and the Lucrezia, of Machiavelli.

The great question of modern politics is to find a place for the individual will in the public sphere. Somehow, the freedom of the will must be reconciled with the ruling and being ruled which characterizes politics. Granting the autonomy of the individual, political theorists since Hobbes have sought to ground the right of the community to make laws that bind the individual. These modern theories start with an account of the will and move toward theories of political obligation, of what ought to oblige the rational will, based on that account. The alternative would be to start by attempting to articulate as clearly as possible our experience of the will as it appears or fails to appear in political life, and construct our explanation of the individual according to the insights we have learned from this articulation. But to clear the way for such an approach requires us to interrogate modern accounts of the will, accounts which often seem like unquestionable common sense. One mode of interrogation is to trace the history of these

accounts of the will, or aspects of that history, in order to understand how we came to believe in the freedom of the will. Today I can relate only part of this story, the story which both centers and encompasses the history of philosophy in the civilizations that experienced the encounter between Greek philosophy and the Hebrew Bible.

Those aspects of the story which I am going to relate belong on the margins of the republican tradition: we will discuss the feminine which the republic tries to marginalize, and the private crimes which it hopes to contain. We will also discuss the founding of the republic at the margins and in accidents, whose accidental character the republic would like to obscure.

This inquiry will help us to understand how the feminist project emerged out of the modern project. It is true that the modern project aspired to a more complete marginalization of the female than the Greek or Roman political tradition thought possible, but it is also true that the modern project, as the revival of politics, of civic life, in a Christian age, opened itself to the demand for recognition by female wills.

## II. The Governance of the Household

Space had to be cleared for political life in the ancient city and again in the late medieval city in a social world already occupied by families and clans. The city must exist as a gathering of households before the public can emerge or reemerge. In the ancient city there is already a space outside the households, the gate of the city where the elders of Bethlehem sit, or the agora to which Telemachus summons the assembly of Ithaca. Initially this space is unorganized, and the only form of rule that is possible is the rule of one household over other households, that is to say, principalities or kingships.

In the city without political life households are disciplined primarily by gossip, rumor, and reputation, at least as long as any conflicts simmer below the point of extra-familial violence. In the city without politics rumor cannot be controlled, so any woman who is known to have had intercourse with a man other than the husband allotted to her in accord with customary practice cannot be declared to have been raped. There is nobody to declare the act of intercourse as having taken place against the woman's will; her will cannot be made manifest, indeed, cannot be properly said to exist, at least socially. The woman's value, her chastity, is lost by the act of rape, which is why she is liable to be killed or expelled from the house.

To constitute or reconstitute the public is to organize the space which is outside of the households, and thus to create a space where one opinion can be sovereign over all other opinions. In the form most readily recognizable, this sovereign opinion is that of the heads of household assembled as a people.

This story might seem to be what we are familiar with from Hannah Arendt's The Human Condition. Yet what Arendt does not seem to realize is that this space is opened up in order to provide the things of the household with an external governance: in this case to allow a girl's or woman's reputation to be cleared, for her to be known as a victim raped against her will, rather than as a loose woman beneath all consideration who engaged in unlawful intercourse. This governance stands above the households without dissolving them. The family remains the unit responsible, though now responsible to an institution rather than merely to the forces of rumor and reputation, for the discipline of its members. This can be seen from Livy's account of the suppression of a Bacchantic conspiracy in Rome in 186 BCE: "Condemned women were turned over to their relatives or to those who had authority over them, that they might be punished in private: if there was no suitable authority to enact it, the penalty was exacted by the authorities."<sup>1</sup>

The public serves not only to govern the households but to unite the heads of household in the



defense of their internal goods. Yet by uniting them apart from their household ties the public takes men away from their task of governing women. When men go off to war, women are left uncontrolled. The city aspires to discipline men for not governing themselves in regard to their own women and in regard to the women of others, and for failing to govern their own women. If the public space is to be kept free of women, it is only men who can be governed directly. If the governance of men over women is to be preserved, women must be kept out of this space. It is not that they must be cleared out of it or excluded, but that they must not be permitted to enter it.

As I said, public space is opened up in order to provide for an opinion that will be sovereign, will win out over rumor, gossip, and reputation. Yet because the things of women should have been handled by their men, any public opinion about a woman is already threatening and transgressive. Now that the public has been organized, only opinions about men are supposed to circulate. The paradox is that a public arises in part because the things of women cannot be controlled within the household. Since women are present outside, at least in the form of rumors that circulate about them, the outside must be organized in order to restore women's things to the inside.

### III. Livy's Lucretia and Republican Anthropology

It is time to move from the general story I have just told to the rape of Lucretia and the founding of Rome. At the level of myth, Rome, the city, and not merely the Roman Republic, is founded in rape. In the assimilation of Roman foundation myths to the Greek mythological framework, Aeneas the founder of the foundation from which the founders of Rome themselves spring, flees the sack of Troy, the consequence of the abduction of Helen by Paris. Romulus and Remus are twins born from the rape of a vestal,

according to the tale retold in Livy.<sup>2</sup>

But let us move to the myth of Lucretia in Livy's recension, where myth now must be understood not in the modern sense of "lie" but in the ancient sense "legend," since, as Professor Ogilvie writes in his commentary "the tradition is too well established to be doubted seriously."<sup>3</sup> The Roman army has settled down to a weary siege of Ardea. Collatinus, a close relation to the royal family, is drinking with the sons of King Tarquinius Superbus when each boasts about his wife's virtues (1.57.6-7). Like Candaules in Herodotus's tale of Gyges, Collatinus does not know that wives should never be discussed. Worse, Collatinus has picked a time when the governance of the household is strained by the men's absence, whether from Rome or from suburban Collatia where Collatinus's Lucretia is quite literally keeping the home fires burning, but the men are not absent on business but in an idleness enforced by the necessity of besieging Ardea. Off the men rush to Rome, and then to Collatia, to compare the virtue of Lucretia against that of the wives of the king's sons. They discover the daughters-in-law of the king are holding a luxurious banquet as the sun sets (1.57.9). Away from the guiding light of their husbands, the women revert to the disorder of uncontrolled excess.

By the time they reach Collatia it is already late at night, and we would expect to find Lucretia, too, in a state of disorder. But Lucretia, despite her husband's absence, has created her own order: her household is working virtuously by artificial light. This light is the light of Lucretia's virtue, shining forth in the dark, with a brightness that only men, and their reputations, ought to have. Tarquin is stirred by Lucretia's beauty, and by the sight of her chastity (spectata castitas): he is aroused by the very seeing of what ought not to be seen or spoken of, but only presumed, though the scene itself is the epitome of decency. "Nothing further happened that night. The little jaunt was over, and the men rode back to camp" at Ardea (1.57).

A few days later Sextus Tarquinius returns to Collatia, to the house of his kinsman Collatinus and Collatinus's lovely and virtuous wife Lucretia. He is welcomed into the house, dined, and shown to the guest chamber, as befits his august station and his relation to the master. While all of the household sleeping, Sextus Tarquinius makes his way to Lucretia's bedchamber, sword in hand. He wakes her by putting his hand on her breast, and threatens her with death should she not submit. This threat only makes her resistance more obstinate, to the point that Sextus fears he will be unable to carry out the rape. But then he threatens her that he will kill her, and then kill a slave and lay his naked body by her side, thereby taking both her life and her reputation. It is this threat that stills Lucretia. This threat alters her mens, her mind, from active resistance to corpselike passivity. In the dark of night, away from the artificial light of her assumed virtue, her chastity disappears, replaced not by lust but by nothing. The dark is an absence of virtue altogether, and not, as we might expect, the opposite of virtue.

Once raped, Lucretia returns to life to tell her case and take charge of her reputation, in a most masculine fashion, or in the fashion of the aristocratic heroines of Greek tragedy. In effect, she once again shines a light on herself. She calls her father and her husband to her side to hear of her humiliation, of her loss of pudicitia. Each of her men brings another along, her father Lucretius bringing Valerius, her husband bringing another relative of the King's, Brutus. Lucretia insists on spreading an opinion about that which need not have become known, but even her insistence on having a reputation is unfeminine. She does not wish to become an example by which unchaste women will be acquitted, she tells the four men. By this manly concern for her own reputation she becomes "a traitor to her sex," but in this case there is no threat to the patriarchal order, since Lucretia can become a political actor only by dying.<sup>4</sup>

Lucretia offers her death to testify to the innocence of her soul, ceterum corpus est tantum violatum, animus insons, "my body alone is violated, my soul is unsullied" she proclaims (1.58.7).

The men insist in reply that it is the mens that sins, not the body. But it is far from clear that Lucretia's mens is unsullied. After all, she did give up resistance and acquiesce, albeit when Sextus Tarquinius threatened not merely death but death and disgrace.<sup>5</sup> Here one needs to consider carefully the distinction between soul and mens. Scipio Africanus will proclaim thirty-six books later in Livy, "Out of such things as were under the control of the immortal gods, we Romans have those things which the gods have given us; but our souls, which are subject to our minds (animos, qui nostrae mentis sunt), we have kept and still keep unchanged in every kind of fortune, and neither has prosperity puffed them up nor has adversity depressed them."<sup>6</sup> In Scipio's statement, the mens governs the soul, and the soul, one presumes, moves the body. Using this distinction, one can say that Lucretia's mens acceded to the rape in order to avoid shame with which Tarquin threatened.

By submitting to Sextus Tarquinius, Lucretia illicitly preferred the appearance of chastity to the reality, she now realizes. Lucretia did not really control her soul with her mind; instead, her mind was controlled by her soul, by her passion for reputation even at the cost of truth. She has destroyed her life, for as she puts it, a woman's happiness is contingent on her preserving her puclicitia. Livy's Lucretia kills herself not "thinking primarily of her reputation," as some have claimed,<sup>7</sup> but to punish herself for having thought too hard about her reputation. Thus she secured herself the brightest glory of any Roman matron from the founding of the city.

Again accepting Scipio's distinction between mens and soul, we can say that Lucretia's soul is guiltless because she did not desire sex with Tarquin-- something Augustine will quibble about. She is absolved by killing herself for the sake of reputation ego me etsio peccato absolvo (1.58.10) Absolved, not acquitted. By absolution of blood Lucretia repents of her acquiescence to the final doubled threat of Tarquin. Only thus can she have both the appearance and the reality of virtue. Augustine in the City of

God will say that Lucretia kills herself because "She could not exhibit to men her conscience but she judged that her self-inflicted punishment would testify her state of mind (mentis)" (City of God 1.20); but in Livy's account, it is her error of mind that is absolved by her suicide.<sup>8</sup>

On this reading, Livy's tale of Lucretia partakes of all the psychological complexity of tragedy, as discussed by scholars such as Christopher Gill, A. W. Price and Ruth Padel. Indeed, some readers of Livy have frequently felt compelled to posit a tragedy of Lucretia standing behind his prose.<sup>9</sup> If we see the rape of Lucretia as a tragedy, it is striking that as Livy continues we discover that the disorderly household of the Tarquinius, from the king and his sons, to their distant kinsman Collatinus, must itself be banished to form the republic. Lucretia dies, of course, and though elected the first consul with Brutus, her husband Tarquinius Collatinus is banished for his "name" as a Tarquin. Brutus effects the banishment of Tarquinius Collatinus, but the sons of Brutus, as all readers of Machiavelli know, are killed by their own father. Even Lucretius, Lucretia's father, after succeeding Brutus as Consul, dies in the same year.<sup>10</sup> This banishing is a kind of banishing of the tragic; the public, the political order, as we see it here at the founding of the republic in its ordinary force, is threatening or hostile to the demands of the family. Augustine, who as we shall see discredits the public, can see no just basis for the expulsion of Collatinus.<sup>11</sup>

The tale of Lucretia shows the emergence of the fathers of the households of great wealth and ancient name, the patricians, from under the monarchy. It installs a republic, but it is an aristocratic republic. The plebs, whose share in public life is far more modest and less securely guaranteed by their private resources, are only in a secondary sense attached to the city of Rome. The plebs are bound to the city, to the aspirations of the patricians, "by the pledges of wife and children and love of the very place and soil" (Livy 2.1.5). The great question of the early Republic, in Livy's presentation, is whether the inequality between patricians and plebeians so great as to threaten plebeian governance of their own households, even

as the governance of aristocratic households was threatened by the weird, disordered, family life of the Tarquinius. This fundamental inequity, affecting the most basic of a man's rights over his wife and children, can only be rectified by securing the plebs' share in the governance of the public

The tale of Virginia, the plebeian analogue to the patrician tale of Lucretia,<sup>12</sup> is set by Livy at a moment when the governance of the household is interrupted by war. Virginia's father Verginius is away with the army at Algidus, and this gives the wicked patrician Appius Claudius his opportunity to effect his plot against the pudicitia of Virginia, and the honor of the plebeian but orderly house of Verginius's household (3.44).

Appius Claudius was head of the decem viri, the ten men installed by the senate ostensibly as a sop to the plebs to codify Rome's laws in writing, but in fact to deny to the plebs their hard-won right of electing tribunes. He had long lusted after Virginia, and to satisfy his lusts contrived to have her claimed by his client Marcus Claudius as the slave daughter of a slave (3.44.5). Marcus Claudius sues to possess his alleged slave before Appius Claudius acting within his judicial power as one of the decem viri. Marcus Claudius offers as proof for his claim to Virginia a story of exchanged foundlings reminiscent of Menander or Plautus. The client's claim is recognizable as comedy, but it is also recognizably fictive or fabulous (3.44.9). The larger question raised by this fraudulent is whether plebeians can be recognized by patricians as more than slaves but as those who being free, have the right to govern their own households (cf. 3.45.9).

While Appius Claudius has long desired Virginia, Virginia's betrothed, Icilius, has long desired power.<sup>13</sup> The roles that were played by Brutus and Collatinus in the tale of Lucretia are played by Icilius in the story of Virginia; Icilius is both the aggrieved lover and the ambitious man looking for an accident that could enable him to take power. Icilius even exacerbates the incident by threatening to repudiate his bride if she comes under the power of Marcus Claudius.

Verginius responds to the threats to his daughter's honor from Marcus Claudius and from his would-be-son-in-law Icilius. He kills Virginia himself to prevent his daughter from being defiled. Virginia's reputation is thus preserved strictly by the actions of men, by her father Virginia and her betrothed Icilius. Unlike Lucretia, she does not enter the male contest for glory and reputation.

"Are these the rewards of pudicitia?" the matrons wail over the body of Virginia (3.48.8). The male leaders of the plebs demand satisfaction for public wrongs: "The men, and especially Icilius, spoke only of the tribunician power; of the right of appeal to the people which had been taken away from them, and of their resentment at the public's indignities (publicarum indignationum)."<sup>14</sup> The people for their part, partake of both the motives of the men and those of the matrons: "the wildest excitement prevailed amongst the people, occasioned in part by the atrocity of the crime, in part by the hope of improving the opportunity to regain their liberty."<sup>15</sup>

Verginius tries to win over the plebeian mass by harping on the possibility of the future multiplication of private wrongs by Appius Claudius: "They too had daughters, sisters, wives; the lust of Appius Claudius had not been extinguished with the life of Virginia, but its lawlessness would be proportioned to its impunity. In the calamity of another they had been given a warning to be on their guard against similar wrongs" (3.50.7) The multitude responds to the argument of Verginius about private wrongs and to that of Icilius, which latter refers to public wrongs: "As Verginius spoke these words in a loud voice, the multitude signified with responsive shouts that they would not forget his sufferings nor fail to vindicate their liberty" (3.50.10). The liberty the plebs desire is both the freedom to govern their women and children in an honorable fashion, together with the political rights of plebeian men, the liberty of both Verginius and Icilius.

Finally, the plebeians take up arms to regain their powers as men, responding to any challenge by

the would-be authoritative decem viri "that they were men, and armed."<sup>16</sup> Led by Icilius and Verginius the plebs secede from Rome to the Sacred Mount, and thereby win the removal of the decem viri and the restoration of the tribunate. When the plebs return to Rome, Verginius, Icilius, and Virginia's uncle Publius Numitorius are all elected tribunes of the plebs. Icilius has sacrificed his betrothed Virginia for the political power for which he longs. Plebs and patricians are reconciled in the fashion of New Comedy-- only a boor would call to mind the bleeding corpse of Virginia.

The fate of Virginia, the central figure in the comedy of Appius Claudius and yet its sole victim, leads us to ask whether the male governance of the women in the household, which the republic strives to underwrite, is itself actually republican, or is it despotic, or tyrannical? We all know the discussion in the first book of Aristotle's Politics where he claims that the rule of men over women is political not despotic. Aristotle, at least, teaches that the rule of men over women is not the rule of masters over slaves, as the barbarians think. Nor, on Aristotle's account is the rule of men over women tyrannical, but it is grounded in nature. As we shall see, Livy's Romans would not seem to share Aristotle's more charitable view of the justifiability of male power.

Shortly after the tale of Virginia comes Livy's first editorial, on the plebeian demand for the punishment of Appius Claudius: "So difficult is it to be moderate in defense of liberty, since everyone, while pretending to seek fair-play, so each raises himself as to press another down; while insuring themselves against fear, men actually render themselves fearful to others; and having actually defended ourselves from an injury, we proceed-- as though it were necessary either to do or to suffer wrong-- to inflict injury upon our neighbor".<sup>17</sup> A similar editorial appears in book 24 (25.5-10): "This is the nature of the mass: either it is a humble slave or a haughty master. As for freedom, which is the mean, they know no moderation either in assuming or in keeping it. And angry passions usually do not lack complaisant



helpers, to provoke to bloodshed those who are immoderately eager for punishment." Is the permanent condition of women to be the victims of an immoderate oppression? This is the question Livy forces us to confront in his account of the repeal of the Oppian Law (195 BCE).

The Oppian Law was a sumptuary law that governed only women, passed in the darker days of the struggle with Carthage when Hannibal with his army had invaded Italy and seemed about to march on Rome (34.1, 7). The war with Carthage has long been over, and that with Philip of Macedon has been settled also. At this moment of peace, the women intrude on the forum in order to demand that the Oppian Law be repealed.

"The matrons could not be kept at home by advice (auctoritate) or modesty or their husband's command (imperio virorum), but blocked all the streets and approaches to the forum, begging the men as they came down to the forum that, since the republic was flourishing, they should allow the women too to have their former distinctions restored" (34.1.5). But Marcus Porcius Cato, the celebrated Cato the Censor, was not swayed. Speaking firmly in the Senate, he rose to proclaim that the men of Rome faced a veritable female insurrection: "Household right (ius) and the majesty of each man over the mother of his family has broken down before the female universe" (34.2.1). The men of Rome, plebeian and patrician face their women now united. Such a unity threatens the particular rights of each man over the matron of his family. Accordingly, women must be forbidden to meet or organize, and any law that restricts them is all to the good. Cato bellows: "Review all the laws with which your forefathers restrained their license and made them subject to their husbands; even with all those bonds you can scarcely control them" (34.3.1). Yet as he admits, a sumptuary law is itself an admission that men cannot control their women as individuals (34.4.18). The very entrance of women's luxuries on to the agenda serves to undermine the individual man's governance of his household.

The laws are to be made for the common good, but that means the common good of the men who made them:

No law is entirely convenient for everyone-- this alone is asked, whether it is good for the major part and on the whole. If every law which harms anyone in his private affairs is to be repealed and discarded, what good will it do for all the citizens to pass laws which those at whom they are aimed will at once annul (34.3.5).

Women are never a major part of the city, but regardless of their number, the republic must put women at the margins. Women have should have only private right, not public right, if they are concerned to preserve their pu<sup>d</sup>icitia, Cato declaims: "And yet, not even at home, if pu<sup>d</sup>or would keep women within the bound of their own right, did it become you to concern yourselves with the question of what laws should be adopted in this place or repealed?" (34.2.10)

The women desire absolute license, Cato charges, and their program is the program of corruption. The moment they begin to be your equals, Cato warns the men, they will be your superiors (34.3-4). Cato tries to bring both plebeians and patricians together against the women by invoking their respective nightmares: he compares the lobbying of the women to the secession of the plebs after the death of Verginius,<sup>18</sup> and then compares the Oppian Law that restrains women to the laws that restrain the patricians from oppressing the plebeians by limiting landholdings and the power of creditors over debtors (34.4.9). Whether or not the law was necessary when it was made, it has become necessary now, for women long to transgress, instead of being habituated to obey the law like virtuous men. Women's luxury was inflamed by a law against it, so the law cannot now be repealed (34.4.19-20).

Lucius Valerius stands up to refute what might seem to us, oxymoronically, to be Cato's hysteria at the prospect of female power. He first shows that the women coming out to agitate is no innovation, no

sedition conspiracy, since they have frequently done so to defend the city against foreign enemies or to prevent war. Whereas Cato denied that women were part of the city publicly conceived, Lucius Valerius the women are on our side, they are Romans too. If the women are partners in the regime, the rule over them ought to be political, not the regime of politically policed individual male despotism that Cato praises.

Not that he has established, at least per arguo, the membership of women in the Roman community, Lucius Valerius can go on to compare their rights and powers with those of men. Men, he says, receive the luxuries women clamor for without endangering the city, so substantively the concession is no threat. And whereas Cato presents the men of Rome with the vulnerability of their dominion, Lucius Valerius motivates male generosity by claiming that male power is unquestionable "never while their males survive is female servitude shaken off" (34.7.12). The law was not needed to secure male right over female desire, but only to help the Roman men and women fight against Hannibal (34.6.10).

The Oppian Law is indeed repealed, but in such fashion as to vindicate the fears of Cato rather than the confidence in male supremacy of Lucius Valerius. The law is repealed because the men are weak, not out of their strength, when the tribunes are intimidated "by an even greater crowd of women" (34.8.1-3). One wonders if the real threat of female freedom is to male power and not the republican order per se.

It seems to me that women's desire for freedom is a desire for power, which we might describe in sexual terms. Power is the ability to order things in accordance with one's mens: power means never being able to be raped. Thus, men claim to fear female sexual freedom, when what they truly fear is female power, or the replacement of governance according to their own minds with governance according to the minds of their women. Valerius is proven wrong, not because the women suddenly become strong, but because the men are so weak as to be functionally non-existent-- that is, the tribunes are so weak that the women intimidate them.

We see from story of Lucretia that the republican anthropology, or account of human faculties, is not merely to be a matter of body when contrasted with soul. The matter also turns on mens versus anima. The presence of women at the time of the founding is not a sign of their power but of male weakness and disorder. A founding is a time when men have abrogated their power, and a woman like Lucretia, who adopts the mind of a man, can order things as her mens sees fit. But in the well-ordered republic, women are replaced to their rightful state, with no minds of their own at least with regard to public matters and manly concern for public reputation. Their souls, their desires both gross and sublime, are subordinated to the minds of men.

#### IV. Augustine's Lucretia and the Genealogy of the Will

In the City of God, Augustine unfounds (or one might say, deconstructs) the Eternal City founded by Romulus. Augustine can raze the foundation of Rome because the Roman name, and the empire built on that name, has already been deconstructed by the Vandals in the sack of 1163 ab urbe condita. In Livy we learn how the Roman name became first an Italian Hegemony, and then a Mediterranean Empire from the Straits of Hercules to the Bosporus. Yet when Rome faced her darkest hour since ancient days, it was the name of Christ that protected her where her own name had failed. In the heading to the seventh chapter of the first book Augustine writes "that the cruelties which occurred in the sack of the city were in accordance with the custom of war, whereas the acts of clemency resulted from the influence of Christ's name." Rome is unnamed in the original Latin chapter title, but Christ is named. Rome's protection meant the destruction of her enemies, but Christ extended his protection even to philosophers and other idolaters-- the first chapter of the first book tells "Of the adversaries of the name of Christ, whom the

barbarians for Christ's sake spared when they stormed the city (1.1). The Church is revealed as the true foundation of human life: when Rome is destroyed the name of Christ remains.

For Augustine, the city owes its existence not to our striving for perfection, but to our inescapable condition of sin: the rule of men over men is not grounded in nature, but is a punishment of sin.<sup>19</sup> Christians, and the city of God itself, are citizens nowhere, and wanderers everywhere. Because he believes that the purpose of human life is not expressed by the human city, Augustine characterizes Christians as wanderers, seekers of citizenship in the heavenly city who live within, yet apart from, the cities of this world. As cityless wanderers Christians have no claim no temporal protection, but must seek their home in Christ. To quote Professor Markus, "If the world in which they, as Christians, are 'at home' collapses, the response should not be to create or to find another world in which the Church may thus find itself 'at home', but rather a determination to enter into the much more ambiguous relation with the world which Christian eschatological hope demands."<sup>20</sup> With no city, the adherents of the name of Christ neither has nor can have any civic religion.

The goal of the ancient city was to survive or persist: Cicero reminds us of the Roman view (in a fragment of his Republic that has come down to us indirectly through Augustine's City of God) that the city has no natural term.<sup>21</sup> To secure its survival the city worships the gods, and does not hesitate to sacrifice its citizens. Yet the city is also concerned with its honor and its glory: there is a tension between civic honor and civic survival which Augustine will not hesitate to exploit.

Augustine denies the goodness of civic survival: "For of two things which have alike ceased to be, the one is not better, the other worse--the one greater, the other less."<sup>22</sup> On Augustine's account the city's good can be distributed as the good of the citizens: "For the blessedness of a community and of an individual flow from the same source; for a community is nothing else than a harmonious collection of

individuals."<sup>23</sup> Each individual in this collection is himself or herself valuable-- each indeed is the only source of value in the collection: "Each individual man, like one letter in a sermon is as it were the element of city or a kingdom, however far-spreading in its occupation of the earth."<sup>24</sup> In this metaphor of Augustine's one can perhaps see the beginning of the atomistic approach to meaning that has gone hand and hand with individualism. In truth the letter is literally not a significant or meaningful element of the discourse, whereas Augustine wants to deny to the political community any significance that transcends the individual. In that sense, a man is more like a letter in an alphabet than like a letter in a discourse.

Since Augustine see the city as possessing no significance as a whole that cannot be distributed among the citizens who make it up, he insists that paganism, like Christianity, must have as its primary purpose individual salvation.<sup>25</sup> This is, of course, a deliberate misunderstanding of the ideology of the ancient city, though it is fair enough to the salvationist philosophy of the Neoplatonists and the mystery cults they imitated.<sup>26</sup> When he articulates the Christian perspective without rhetorical concessions, Augustine denies that any city of man can really be a republic, a commonwealth founded in justice, because its religion does not do justice to the one true god.<sup>27</sup> But Augustine has a much more powerful, because internal, critique of the city and its religion, and he expounds this through a biting diatribe against the virtue of Lucretia.

Augustine begins with a question produced by the horrors of the sack of Rome: should Christian women who were raped have killed themselves, either to prevent the rape or afterward? This question occurs in the first book of the City of God, yet Augustine states that he is not addressing the pagans and philosophic types who are the principal addressees of the City of God: "In the case of violations of chastity, we are not so much concerned to answer the attack of those outside as to administer consolation to those within our fellowship."<sup>28</sup>

Augustine provides this consolation by appealing from the dualism of soul and body to a will that ought to rule them both:

Let this therefore, in the first place, be laid down as an unassailable position, that the virtue which makes the life good has its throne in the soul, and thence rules the members of the body, which becomes holy in virtue of the holiness of the will; and that while the will remains firm and unshaken, nothing that person does with the body, or upon the body, is any fault of the person who suffers it, so long as he cannot escape it without sin. But as not only pain may be inflicted, but lust gratified on the body of another, whenever anything of this latter kind takes place, shame invades even a thoroughly pure spirit from which modesty has not departed-- shame, lest that act which could not be suffered without some sensual pleasure, should be believed to have been committed also with some assent of the will (1.16).

The will transmits the urgings of the soul into movements of the body, and is a holy will, if it transmits them in subservience to the divine will. The will can be holy even if the soul itself, this bundle of straining passions, is not utterly purified. In any event, the soul's governance over the body cannot be perfect, because of the involuntary stirrings of the organs of lust:

And if that lustful disobedience, which still dwells in our mortal members, follows its own law irrespective of our will, surely its motions in the body of one who rebels against them are as blameless as its motions in the body of one who sleeps (1.25).

For the soul, reveling in its own liberty, and scorning to serve God, was itself deprived of the command it had formerly maintained over the body. And because it had willfully deserted its superior Lord, it no longer held its own inferior servant; neither could it hold

the flesh subject, as it would always have been able to do had it remained itself subject to God (13.13).

Man is ashamed by the disobedience of his genitals, his shameful parts, to his will.<sup>29</sup> Shame is the feeling that one's will has failed.

But Augustine's great innovation, what separates his understanding from that of the Manicheans to whom he originally adhered, it is not the body per se, but the corruptible body of this dispensation, prior to the resurrection of the dead and the eternal life of bliss promised to the faithful, that is a burden to the soul (13.16). In the Resurrection the faithful will be granted incorruptible bodies, and will perhaps be blessed, as were Adam and Eve, to enjoy pleasure without lust. Those who most condemn the body live after the flesh by virtue of their unjust contempt for it: "For he who extols the nature of the soul as the chief good, and condemns the nature of the flesh as if it were evil, assuredly is fleshly both in his love of the soul and hatred of the flesh; for these his feelings arise from human fancy, not from divine truth" (14.5). As a result, in Augustine's account the mens of a human being cannot hope to subordinate the soul, a subordination that Scipio Africanus claimed the Romans had achieved.<sup>30</sup>

Augustine's complex phenomenology of the will may be a sufficient consolation to the Christian women, but he must develop it further to answer those scholarly pagans who compare Christian fortitude in suffering with the noble deed of Lucretia:

We maintain that when a woman is violated while her soul admits no consent to the iniquity, but remains inviolably chaste, the sin is not hers, but his who violates her. But do they-- against whom we have to defend not only the souls, but the sacred bodies too of these outraged Christian captives,--do they, perhaps, dare to dispute our position? But all know how loudly they extol the purity of Lucretia, that noble matron of ancient Rome.



When King Tarquin's son had violated her body, she made known the wickedness of this young profligate to her husband Collatinus, and to Brutus her kinsman, men of high rank and full of courage, and bound them by an oath to avenge it. Then, heart-sick, and unable to bear the shame, she put an end to her life. What shall we call her? An adulteress, or chaste? There is no question which she was. Not more happily than truly did a declaimer say of this sad occurrence: "Here was a marvel: there were two, and only one committed adultery." Most forcibly and truly spoken. For this declaimer, seeing in the union of the two bodies the utterly foul lust of the one, and the utterly chaste will (castissimam voluntatem) of the other, and giving heed not to the contact of the bodily members, but to the wide diversity of their souls, says: "There were two, but the adultery was committed only by one."<sup>31</sup>

Augustine reads the fate of Lucretia as a punishment: "But how is it, that she who was no partner to the crime bears the heavier punishment of the two? For the adulterer was only banished along with his father; she suffered the extreme penalty" (1.19). Yet as we have seen in Livy's version, if Lucretia punishes herself, she does so to absolve herself of her "mental error", the sin of her mind, in preferring the appearance of virtue by giving in to Tarquin to the reality of virtue by allowing him to slay her.

What was in Livy a matter of "mental error" becomes in Augustine the question of Lucretia's purity of soul from the will to adultery. Did Lucretia assent? Did she feel pleasure? And if she did, did she submit to Tarquin for the sake of the pleasure? But Augustine's focus is not on these rather caddish questions, questions that remind us of some particularly loathsome member of the criminal defense bar.<sup>32</sup> For Augustine the great failure of Lucretia came not from any possible impure stirring of lust, since we are all subject to lust, will or nay. It is her response to these hypothesized stirrings, her demand to testify to an

impossible purity of mind out of her greedy desire for reputation. Livy's Lucretia, by contrast, atones for an error committed out of lust for reputation by an act that leads to the perpetual preservation of her reputation. Augustine behaves as if there were no public or external consequences to the rape Lucretia suffers. To him, the rape is a private matter, and Lucretia suffers because of her own internal defects, and not because of the damage to her reputation. Augustine treats Lucretia's case as if she were a virtuous woman who had been forcibly raped and now fears that she somehow enjoyed or participated in what happened to her.

The lesson Augustine draws for both Christians and pagans from the rape of Christian women in the sack of Rome is that chastity is a state of the will, not of the body (1.28).<sup>33</sup> Why were these women raped?, Augustine asks. Some were punished because of their pride in corporeal chastity, others were prevented from developing such pride by being deprived of chastity before they could err. In this matter also, "to the just all the evils imposed on them by unjust rulers are not the punishment of crime, but the test of virtue" (4.3).<sup>34</sup>

We have seen in Livy that tale of Lucretia is theatrical, an account of the great deeds and terrible crimes of princely men. Citizens become republicans by sharing this story with each other as their own story and reminding themselves of their superiority as republicans to the princes and subjects of the remote past. Augustine's theodicy of the sack of Rome by the vandals, of which his diatribe against Lucretia is the most striking part, is followed immediately by an attack on the theater (1.31-3). Lucretia, the theatrical heroine, had to die for the republic to be founded. Augustine may tell theatrical tales, but his public teaching is directed to the invisible purification of our wills rather than the visible correction of our actions. Even his theatricality is inner-directed. Rather than telling us of Lucretia's external actions, he tells us of her internal feelings, of the condition of her mind and her soul. Livy tells us what Lucretia says about these

feelings and what she does: her example is in her speeches and her deeds. For Augustine, by contrast, Lucretia's example is in how she feels and thinks.

For Augustine, chastity is an internal condition first and foremost. The external appearance of chastity is important only insofar as it is the product of a body and soul that obey a properly directed will. But internal chastity can exist without its appearance, and virtue is a private matter between the individual and his God. This is, of course, a radical departure from the ancient concern with the appearance of virtue, and it is representative of Augustine's break with the political. Virtue is no longer a political matter, to be dictated and judged by the city.

Rome, Augustine agrees with the pagans, is a community of those who love glory: "Glory they most ardently loved: for it they wished to live, for it they did not hesitate to die. Every other desire was repressed by the strength of their passion for that one thing" (5.12).<sup>35</sup> For that one vice, the vicious love of praise, the Romans struggled endlessly to overcome the love of money and many other vices (5.13): But since those Romans were in an earthly city, and had before them, as the end of all the offices undertaken in its behalf, its safety, and a kingdom, not in heaven, but in earth,--not in the sphere of eternal life, but in the sphere of demise and succession, where the dead are succeeded by the dying,--what else but glory should they love, by which they wished even after death to live in the mouths of their admirers? (5.14)

Lucretia, in that respect, was indeed an exemplary Roman.

In this community of lovers of glory Christians are but sojourners or wanderers (peregrinantur 1.9) on earth. Qua Christians, as we have seen, they are not members of the political community: the city of man is the city of Cain the founder of the first city, "while Abel, being a sojourner, founded none."<sup>36</sup> Both the paradigmatic Biblical city and the supposedly eternal world-dominating city of Rome were founded in

fratricide. Christians suffer the ills of the city of man, as Christian women are raped in the sack of the City par excellence, to cleanse them from the love of the glory of this world (cf. 1.9).

The city of man claimed to sacrifice the good of individual citizens for the sake of something greater, the good of the city, even as Lucretia sacrifices herself lest she become an example by which unchaste women acquit themselves. To gain salvation from human and natural enemies, the city of man sacrifices to the gods. The City of God does something far nobler: the City of God sacrifices itself to God (10.6, 19.23, 22.10). Augustine adopts the claim of individual happiness against the claim of collective glory, but only in order to argue against those pagans and Neoplatonists who think that individual happiness, and not the glorification of God, is the highest end of man.<sup>37</sup>

## Notes

1. Livy 39.18.6, see also summary of book 48.
2. Livy 1.4.
3. Ogilvie 1964, 218-9.
4. Effecting the death of Tarquin would not for her be a sufficient acquittal of her chastity. In this respect Lucretia is quite unlike a woman from among the Spanish barbarians, Chiomara the wife of Orgiago, Chieftain of the Tectosagi. Raped by a centurion, Chiomara plots his death and gives the head to her husband Orgiago. "She confesses to her husband the violence done to her person and the vengeance exacted for her pudicitia, and, as the story goes, by the purity and dignity of her life in other respects maintained to the end the glory won by a deed that marked a true matron" (Livy 38.24; for the woman's name see Polybius 22.21). Can Lucretia not be satisfied by Chiomara's revenge because her life is not "pure and dignified in other respects"? Or is she, as a civilized woman and not a barbarian like Chiomara (or Yael the killer of Sisera), incapable of killing a man?
5. Cf. Donaldson 1982, 24-25.
6. Livy 37.45.11.
7. The quoted words are from Donaldson 1982, 34.
8. All this makes the talk of the woman's body as "mysteriously and irretrievably tainted" (Donaldson 1982, 23) rather beside the point.
9. "Livy's narrative in particular is so strikingly dramatic as to have aroused speculation about an actual theatrical source..." (Donaldson 1982, 6).
10. See Augustine City of God 3.21.
11. City of God 2.17, 3.20.
12. Livy himself makes the parallel explicit (3.44.1).
13. Livy 3.44, 3.51, 3.54.
14. Livy 3.48.8-9.
15. Livy 3.49.1.
16. Et viros et armatos se esse respondetur (3.50.12).
17. Livy 3.64.11.
18. Livy 34.2.7. Likewise, in the Lysistrata the old men compare the women's seizure of the Acropolis to its occupation by the Spartans in the days of Cleisthenes.
19. City of God 19.15; Markus 1988, 197-210.
20. Markus 1988, 166.
21. Cicero, De Re Publica 3.23.34 apud City of God 22.6.
22. City of God 1.10.
23. City of God 1.15.
24. City of God 4.3.
25. City of God 1.15.
26. In this respect, at least, it is late paganism rather than the civic religion and its antiquarian apologists that is the target of the City of God (pace Brown 1967, 305).
27. City of God 19.21, 19.23.
28. City of God 1.16. On the ostensible audience for the City of God see Markus 1988, 47; Brown, Augustine of Hippo, 305.

29.City of God 13.24, 14.17, 14.19, 14.21, 14.23.

30.In a sense the desires of the soul are now understood as simple aspects of willing:

For what are desire and joy but a volition of consent to the things we wish? And what are fear and sadness but a volition of aversion from the things which we do not wish? But when consent takes the form of seeking to possess the things we wish, this is called desire; and when consent takes the form of enjoying the things we wish, this is called joy. In like manner, when we turn with aversion from that which we do not wish to happen, this volition is termed fear; and when we turn away from that which has happened against our will, this act of will is called sorrow. And generally in respect of all that we seek or shun, as a man's will is attracted or repelled, so it is changed and turned into these different affections. (14.6)

31.City of God 1.19.

32.Peter Brown, perhaps the greatest living scholar of Augustine and his world, condemns this passage thus (1967, 309): "Sarcasm had always been Augustine's most formidable weapon; and in turning it upon the Roman past, Augustine showed a complete lack of Roman 'gravity': the flamboyant 'set piece', the controversia, in which he piles on innuendoes against the chastity of Lucretia, would have appeared in singularly bad taste.

33.In this emphasis on the purity of the will at the expense of an emphasis on the purity of the body, Augustine departs from Jerome and from previous Christian writers, as is demonstrated by Brown in The Body and Society.

34.In this praise of the educative value of suffering Augustine is more platonic than Plato, since Plato's Socrates and Athenian Stranger do not deny that it is bad to suffer injustice, but only worse to do it.

35.Relevant here is the famous passage from book 19, that a community is always a sharing love of a common object.

36.City of God 15.1.

37.See 10.32 "Of these ten books, the first five were directed against those who think we should worship the gods for the sake of the blessings of this life, and the second five against those who think we should worship them for the sake of the life which is to be after death"; and Brown, Augustine of Hippo.

