

INITIUM TURBANDI OMNIA A FEMINA ORTUM EST: FABIA MINOR AND THE ELECTION OF 367 B.C.

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ONE OF THE TECHNIQUES THAT Livy uses to give his voluminous history coherence is repetition. This is observable on many levels, two of the most distinctive being the use of key words to link related but separate episodes¹ and the repetition of whole narrative elements.² These repeated narrative elements may or may not deliberately echo one another. Some are *loci communes* (e.g., the sack of cities);³ others, while conventional, are meant to be read together and often allude directly to one another, such as the narratives of *populares* who support plebeian causes, especially those of the canonical three revolutionaries, Spurius Cassius (2.41), Spurius Maelius (4.12–16), and Marcus Manlius (6.11–20).⁴

One such conventional narrative is the tale that may be called for convenience the “Lucretia story,” in which (in broad outline) an outrage committed against a woman is avenged, usually by her relatives, by punishing

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¹E.g., the repetition in three important episodes in the story of Tarquinius Superbus of the words *ambages* (1.54.8, 55.6, 56.9, only here in Book 1 and only ten times in Livy, who uses it first in prose [TLL 1.1834.62–73]) and *baculum* (1.54.6, 56.9 *bis*, only once elsewhere in Livy and only once before in prose at Cic. Verr. 6.142; it occurs overwhelmingly in poetic/pastoral or ritual contexts [TLL 2.1670.74 ff.]); on the structure in general see Ogilvie *ad* 1.49–60. There have been several studies of this Livian technique; see most recently R. J. Penella, “Vires/Robur/Opes and Ferocia in Livy’s Account of Romulus and Tullus Hostilius,” *CQ* NS 40 (1990) 207–213 and (on repetition of themes and motifs) D. Konstan, “Narrative and Ideology in Livy: Book I,” *CA* 5 (1986) 198–215.

²P. G. Walsh, *Livy: His Historical Aims and Methods* (Cambridge 1961) 191–218 and references there cited.

³Sometimes Livy plays with the conventional nature of these representations, as in the destruction of Alba Longa: *non quidem fuit tumultus ille nec pavor qualis captarum esse urbium solet* he says (1.29.2), conjuring up by the *praeteritio* the very scene he rejects—while the account that follows has many elements common to such narratives. On the motif see G. M. Paul, “*Urbs capta*: Sketch of an Ancient Literary Motif,” *Phoenix* 36 (1982) 144–155, especially 152–153 on Alba.

⁴Manlius’ anonymous supporters evoke the example of his two predecessors in an angry attack on the plebs (6.17.2); for the three agitators as archetypal threats to the *status quo* cf. Cic. Rep. 2.49 *itaque et Spurius Cassius et M. Manlius et Spurius Maelius regnum occupare voluisse dicti sunt* and see now P. Panitschek, “Sp. Cassius, Sp. Maelius, M. Manlius als *exempla maiorum*,” *Philologus* 133 (1989) 231–245.

her attacker; since he is by convention a tyrant,⁵ political upheaval follows naturally on his death or exile.⁶ There are a number of such stories in Livy, the best known being those of Lucretia and Verginia (which begins with an explicit allusion to the former, 3.44.1). Not all of them are fully developed—e.g., the story of the wife of Orgiagio (38.24.1–10) does not involve the fall of a government—but they share enough elements to be recognizably variants of the same tale.⁷ While Lucretia has received much attention in recent years,⁸ one particularly interesting version of this story has been missed altogether—perhaps because, unusually both for Livy and for this story-type, it is not tragic but comic.⁹ Rather than being a virtuous Roman woman whose dignity and grace both contribute to and ennoble her pitiable end, Fabia Minor is a somewhat shadowy creation whose sole preoccupation seems to be with status, and what happens to her may raise smiles. The element of violence that dominates Lucretia's and Verginia's stories is entirely missing in Fabia's. Yet the happy ending of her story has far-reaching implications for Rome as a whole, as well as for the reading of Livy's history.

⁵Tyrants are notoriously prone to commit acts of *hubris*, and Aristotle likens those of a sexual nature to outrages against citizens in general; cf. esp. *Pol.* 1311a33–1311b37, 1314b23–26, 1315a14–24. The earliest example of the “Lucretia story” appears to be that of Io (Hdt. 1.1); in internal politics—the specific type under consideration here—the first is the murder of the tyrant Hipparchus in Athens which follows a double outrage: Hipparchus' desire for Harmodius and his threat, after the boy refuses him, to take revenge by humiliating Harmodius' sister (Thuc. 6.54–58, *Arist. Pol.* 1311a37–39). It is notable that while this *τόλμημα* of Harmodius does not result in the overthrow of the Peisistratid tyranny as a whole, only of Hipparchus, Thucydides relates Hippias' subsequent expulsion three years later in a perfunctory manner (6.59.4). The weight of the story rests on Hipparchus' death.

⁶The classical versions are collected by H. Geldner in *Lucretia und Verginia. Studien zur Virtus der Frau in der römischen und griechischen Literatur* (diss. Mainz 1977).

⁷There are other narratives in Livy of a different but related story-type; see A. Scafuro, “Livy's Comic Narrative of the Bacchanalia,” *Helios* 16 (1989) 119–142, at 137, who points out that the story of Hispala (39.9–19) similarly parallels and unites the realms of the private household and the state.

⁸The bibliography on Lucretia is enormous and only selected works will be mentioned here, the most important being the book-length study by I. Donaldson (*The Rapes of Lucretia: A Myth and Its Transformations* [Oxford 1982]). Representations of Lucretia in other media are discussed by N. Bryson, “Two Narratives of Rape in the Visual Arts: Lucretia and the Sabine Women,” in *Rape*, ed. S. Tomaselli and R. Porter (Oxford 1986) 152–174, 264–265. See also works cited below, n. 20.

⁹Lucretia's tale as Livy tells it has distinct New Comedy elements (Ogilvie ad 1.57.7, 57.8) but is itself anything but comic. In her discussion of Livy's narrative of the Bacchanalian controversy, itself heavily indebted to New Comedy, Scafuro also notes in passing that the story of Fabia has “a comic or romantic structure *in nuce*” (above, n. 7, 137–138, n. 2).

The story of the daughter of M. Fabius Ambustus is told both by Cassius Dio (fr. 29; cf. Zonaras 7.24) and by Livy (6.34.5–35.1), but the Latin historian's narrative is more elaborate. The background is an increasing load of debt on the Roman plebs and their realization of their political oppression stemming from the patrician monopoly on the high magistracies:

ne id nimis laetum parti alteri [i.e., patribus] esset, parva, ut plerumque solet, rem ingentem moliundi causa intervenit. M. Fabi Ambusti, potentis viri cum inter sui corporis homines tum etiam ad plebem, quod haudquaquam inter id genus contemptor eius habebatur, filiae duae nuptae, Ser. Sulpicio maior, minor C. Licinio Stoloni erat, illustri quidem viro tamen plebeio; eaque ipsa adfinitas haud sprete gratiam Fabio ad vulgum quaesierat. forte ita incidit ut in Ser. Sulpici tribuni militum domo sorores Fabiae cum inter se, ut fit, sermonibus tempus tererent, lictor Sulpici, cum is de foro se domum reciperet, forem, ut mos est, virga percuteret. cum ad id moris eius insueta expavisset minor Fabia, risui sorori fuit miranti ignorare id sororem; ceterum is risus stimulos parvis mobili rebus animo muliebri subdidit. frequentia quoque prosequentium rogantiumque num quid vellet credo fortunatum matrimonium ei sororis visum suique ipsam malo arbitrio, quo a proximis quisque minime antei volt, paenituisse. confusam eam ex recenti morsu animi cum pater forte vidisset, percontatus "satin salve?" avertentem causam doloris, quippe nec satis piam adversus sororem nec admodum in virum honorificam, elicuit comiter sciscitando, ut fateretur eam esse causam doloris, quod iuncta impari esset, nupta in domo quam nec honos nec gratia intrare posset. consolans inde filiam Ambustus bonum animum habere iussit: eosdem propediem domi visuram honores quos apud sororem videat. inde consilia inire cum genere coepit, adhibito L. Sextio, strenuo adolescente et cuius spei nihil praeter genus patricium deesset.¹⁰

¹⁰"Lest this be too pleasing to the other side [i.e., the senators], a trivial reason (as often happens) cropped up for setting in motion a momentous situation. M. Fabius Ambustus, a powerful man not only among men from his own class but also in the plebs' eyes, since they in no way thought that he despised them, had two married daughters, the elder to Ser. Sulpicius, the younger to C. Licinius Stolo, a well-known man, though a plebeian; and the fact that he had not spurned this marriage tie had won Fabius influence among the mob. By chance it happened that when the Fabia sisters were in the house of Sulpicius, who was then consular tribune, and were passing the time talking among themselves, as is natural, when Sulpicius came home from the forum his lictor struck the door, as is the custom, with his rod. The younger Fabia, unaccustomed to this, grew pale and her sister, amazed at her ignorance, laughed. But this laughter rankled in Fabia's mind, which being female was stirred up by trivial things. I imagine, too, that because of the crowd of people following Sulpicius and taking leave of him her sister's marriage seemed fortunate to Fabia and she regretted her own because of that hostile inclination that makes everyone least want to be outdone by those closest to us. While she was stunned by the fresh pain biting her spirit her father chanced to see her and asked "Are you all right?" Though she tried to hide the reason for her distress, thinking it neither sufficiently dutiful toward her sister nor very honorable toward her husband, by kindly inquiry he induced her to admit that the reason for her distress was that she was tied to an inferior, having married into a house into which neither political

The result is that some ten years later in 367 B.C., after overcoming patrician opposition led by Appius Claudius Crassus, Licinius and Sextius force the passage of far-reaching agrarian legislation and Sextius is elected the first plebeian consul (6.42.9).¹¹

The story has strong structural, linguistic, and thematic affinities with Livy's narrative of Lucretia. Both are framed by analyses of the condition of the oppressed group in conjunction with which the phrase *res nova(e)* recurs.¹² The narratives proper have similar structures: a domestic situation¹³ with elements of New Comedy¹⁴ is interrupted unexpectedly (*forte* 1.57.6, 6.34.6) by an intervention that results in a double insult to a woman (Tarquin threatens Lucretia first with rape then with dishonor after death; Fabia is first frightened and then mocked). After the insult the woman talks with her father¹⁵ who first tries to dissuade her from too

office nor influence could enter. Then Ambustus by way of consolation told his daughter to be of good cheer: any day now she would see in her home those same honors that she saw in her sister's. Next he began to plan with his son-in-law, and brought in L. Sextius, a vigorous young man whose aspirations lacked nothing but patrician birth."

¹¹On the historical issues see most recently T. J. Cornell in *The Cambridge Ancient History*² 7.2 (Cambridge 1989) 323–347 and the fundamental study of K. von Fritz, "The Reorganisation of the Roman Government in 366 B.C. and the So-Called Licinio-Sextian Laws," *Historia* 1 (1950) 3–44. The details of the land reforms may have been retrojected from the Gracchan era (D. Stockton, *The Gracchi* [Oxford 1979] 46–47 and D. Gutberlet, *Die erste Dekade des Livius als Quelle zur gracchischen und sullianischen Zeit* [Hildesheim 1985] 127–237); *contra* Cornell 328. What exact political advantage was gained by plebeians after 367 is unclear. The early *Fasti* record plebeian consuls as well as consular tribunes (Sp. Cassius may have been one, *cos.* 502, 493, 486; see T. R. S. Broughton, *The Magistrates of the Roman Republic* [New York, 1951–1960] 3.52–53), but their precise status is still being debated. For a discussion see T. J. Cornell, "The Failure of the Plebs," in *Tria corda: Scritti in onore di Arnaldo Momigliano*, ed. E. Gabba (Como 1983) 103–114, who plausibly argues, following Momigliano, that the plebeians who held curule office before 366 were *conscripti*—neither fully plebeians nor patricians—but that men who had held strictly plebeian office were ineligible for the consulate/consular tribunate.

¹²Frame: 1.56.1–3, 59.8–9 with 1.60.1 *re nova trepidus rex*; cf. 59.3 *res nova* of the tyrant's action rather than of the people's revolt; frame: 6.34.1–4 with 1.35.1 *occasio videbatur rerum novandarum*.

¹³Doubled in the case of Lucretia to include both the young men at their drinking parties (1.57.4–5) and the women at home (57.8–9). Other story elements are doubled in the Lucretia-narrative, and the outline given above is a simplified one. *forte* at 1.57.6 applies to the interruption of the soldiers' *convivia* by the mention of wives whom they will in turn interrupt at 57.9; there are two scenes of women at home, two appearances of Tarquin in Lucretia's house; the figure of Lucretia's husband, Collatinus, is doubled by Brutus (Donaldson [above, n. 8] 12, 84, 128). A similar effect in the husband's case is produced in Book 6 by the constant coupling of the names Sextius and Licinius.

¹⁴For Lucretia see above, n. 9; Livy's scene of the sisters visiting together at home resembles the opening of Plautus' *Stichus*.

¹⁵And husband, in Lucretia's case. Zonaras' Fabia turns not to her father but to Licinius (7.24); neither he nor Dio mentions Fabius.

extreme a reaction to the insult, then—in Lucretia's case after her suicide, in Fabia's after she has broken her silence—joins with other supporters to avenge her.

The story of Fabia explicitly echoes the earlier narrative verbally as well. The characters are introduced as being in ordinary situations (*ut fit* 1.57.4, *ut fit, ut mos est* 6.34.6) in which they are killing time (*otium terebant* 1.57.6, *tempus terentes* 57.9, *cum tempus tererent* 6.34.6). Into this ordinary life the extraordinary intrudes, though its effect depends on a stereotypical characteristic of women, their changeable mind: *versare in omnes partes muliebrem animum* 1.58.3, *parvis mobili rebus animo muliebri* 6.34.7.¹⁶ In both narratives the male relatives—whose intervention also contains an element of chance (*cum pater forte vidisset* 6.34.8, *Collatinus cum . . . Bruto venit, cum quo forte Romam rediens . . . erat conventus* 1.58.6)—enter the scene with the striking archaic colloquialism *satin salve?* (spoken by the fathers at 1.58.7, 6.34.8), an expression rare outside of Plautus and, as Ogilvie points out ad 1.58.7, deliberately old-fashioned and emotional.¹⁷ Finally, the attempt to comfort the woman is made in similar words: *consolantur aegram animi* (1.58.9), *confusam ex recenti morsu animi . . . consolans inde filiam Ambustus* (6.34.8, 10).

Many of these elements are commonplaces in Livian scenes.¹⁸ Others are natural ways to say things—e.g., *consolari*. But the accumulation coupled with the structural similarities between the episodes is striking and compelling. One might simply note, for example, that most of the linguistic elements are missing from the tales of Verginia and of the wife of Orgiogo, though the structure remains essentially the same.

The most obvious thematic similarity shared by these narratives is that the damage done to a woman—Lucretia, Verginia, or Fabia—is explicitly said to be the catalyst of political change. Verginia is the most overt example: it has been suggested that her name is a hypostasized form of *virgo*, and as one of the state's weakest freeborn members she represents the politically oppressed plebeians, so that when her father kills her he uses the same expression that the plebeian leaders will later use of their political activities (*vindicare in libertatem* 3.48.5, 56.6).¹⁹ Fabia's private misfortune, too, is said to be the cause of revolution (*parva, ut plerumque solet, rem*

¹⁶The *topos* recurs in the Verginia story, not of Verginia herself but of the mourning women who surround her corpse (3.48.8 *muliebris dolor . . . maestior imbecillo animo*); cf. also Dio fr. 29.2.

¹⁷Elsewhere it is found in Livy at 3.26.9 (used by the distinctly old-fashioned Cincinnatus at his plough), 10.18.11, and 40.8.20. It occurs also at Sall. *Hist.* 1.24 (not noticed by Ogilvie).

¹⁸Especially the chance intervention of a character; cf. *forte* at 1.22.3, 3.3.4, 6.8.6, 35.32.2, etc.

¹⁹Ogilvie 476–478 ad 3.44–49. In earlier sources she is nameless (Diod. 12.24.2 *παρθένος*; cf. Cic. *Rep.* 2.63 *cum Decimus quidam Verginius virginem filiam . . .*

ingentem moliundi causa intervenit 6.34.5, cf. 35.1).²⁰ Her plight and the political change it brings about have another direct ancestor in the story of the Ardean *virgo* (4.9.4–12) whose two suitors—one patrician, the other plebeian—fight over her in an episode following and illustrating the granting of the right of *conubium* between plebs and patriciate (cf. Ogilvie *ad* 4.9.6). The demand for that right was initially accompanied by a demand for one plebeian consul. Livy gives the reason for the partial concession (4.6.3–4): “Finally beaten, the senators allowed a motion concerning intermarriage to be passed, chiefly because they thought that in this way the tribunes would either give up the struggle for plebeian consuls altogether or put it off until after the war.” Though the story of the maid of Ardea follows rather than precedes the political change, many of its elements are identical to those of the Lucretia/Verginia model. And when the question of plebeian access to the consulate resurfaces in 367, it is appropriately triggered by another story of a woman caught between men from the two orders.²¹

The second major thematic similarity is the presence of the male relatives and the tyrant. In all three stories there is a father and a husband (in the story of Verginia the male is her fiancé); in the Lucretia and Fabia tales a friend is also involved, respectively Brutus and Sextius.²² These men are all instrumental in setting up the new government after the upheaval, but Brutus and Sextius are particularly close: each is brought in as an apparent afterthought (Collatinus meets Brutus *forte* at 1.58.6, Sextius is mentioned for the first time in an appended ablative absolute at 6.34.11) but becomes a leading figure in the new regime.²³ On the other hand the woman’s

interemisset) and apparently patrician (Diod. *loc. cit.* εὐγενής; Broughton [above, n. 11] 3.218), but plebeian Verginii are attested (as *trib. pleb.* 461–457 B.C., Liv. 3.11.9 with Ogilvie’s note and 395–394, Liv. 5.25.13, 29.6) and Livy’s Verginia is explicitly plebeian (*virgo plebeia* 3.44.2).

²⁰On the intersection between the private and public spheres in Lucretia’s case see P. K. Joplin, “Ritual Work on Human Flesh: Livy’s Lucretia and the Rape of the Body Politic,” *Helios* 17 (1990) 51–70, at 54–55 and Donaldson (above, n. 8) 5–12; also relevant is N. J. Vickers, “This Heraldry in Lucrece’s Face,” in *The Female Body in Western Culture: Contemporary Perspectives*, ed. S. R. Suleiman (Cambridge, Mass. 1986) 209–222.

²¹On the maid of Ardea as a “Lucretia-story” see Ogilvie *ad* 4.8.7 (“the twin, if not the parent, of the legend of Verginia”). The Ardea episode and its place in the early books was analysed by K. Eldred in a paper delivered at the 1990 APA Annual Meeting in San Francisco.

²²Verginia’s uncle P. Numitorius, one of the tribunes elected after the secession (3.54.11) and described there as an *auctor secessionis*, helps Icilius display Verginia’s body and rouse the plebs at 48.7, thus performing some of Brutus’ traditional role.

²³Verginia’s fiancé Icilius does not have a friend of his own age, but there is a certain M. Duilius, elected with Icilius to the tribunate at 2.58.2, who is joined with him at 3.35.5 (they represent the tribunes in general, *Duilius Iciliusque*) and who does take a leading role after the secession: re-elected with Icilius and the others at 54.12, he

husband—Collatinus and Licinius—is found guilty of the very offense he helped eliminate. Collatinus is persuaded to leave Rome and subsequently exiled (2.2.11) on the grounds that Tarquins do not know how to live as ordinary citizens (*nescire Tarquinius privatos vivere* 2.2.3), while Licinius in 357 B.C. violates his own agrarian law (7.16.9).²⁴

As history progresses, issues become more complicated, sides harder to assign. The roles of the male defenders and the tyrants show interesting variations. In Book 1 Brutus, the founder of the Republic, wears a mask to protect himself from the Tarquins (1.56.7–8), and there is no question of who is in the wrong.²⁵ In Book 3 Appius Claudius, the tyrannical Tarquinian decemvir (*decem Tarquinius* 3.39.3) who tries to enslave Verginia, puts on the *persona* of a *popularis* in order to have his office prorogued (3.33.7, 36.1 *ille finis Appio alienae personae ferendae fuit*)—but it is the decemvirs who assemble the laws that ultimately benefit the people (3.33–34), while the plebs, after their fight to have their rights restored, behave like tyrants (3.53.5–10, 59.1).

In Book 6 the lines are even less clearly drawn, and as a result the figure of the tyrant in Fabia's story has become diffused. This has two consequences. First, it is her patrician brother-in-law whose noisy arrival home causes her pain, but it is another patrician, Appius Claudius Crassus, who represents the group on whom the vengeance for her unhappiness is taken. He is introduced as the decemvir's grandson (6.40.2; cf. 4.48.5) and in his long speech shows many of his family's tendencies, even alluding to their legendary opposition to the plebs ([*Claudios*] *semper plebis commodis adversatos esse*, 6.40.3) and to their excessive, prideful concern with their own *maiestas* (6.40.3–4; cf. 2.27.1, 29.12). His speech, like his grandfather's, is clipped, vehement, and abusive (cf. 3.54.3–4 with Ogilvie's notes). Yet this is the same Claudius who in the past has appeared friendly to the plebs

proposes laws at 54.15 and 55.14 and speaks convincingly and successfully to stop the outward conflict between the orders at 59.12. The role of the friend in Book 3 would seem, then, to have been split between Numitor (above, n. 22) and Duilius, as that of the tyrant in Book 6 is apportioned among several men.

²⁴On Licinius see also Dion. Hal. 14.12, Plut. *Cam.* 39.5–6, and F. Münzer in *RE* (1926) cols. 464–469, on Licinius (161).

²⁵Livy defers mention of the complication raised by Collatinus' close relationship to the Tarquins until Book 2, where he is expelled from Rome because of his hated name (2.2.2–11); furthermore, after introducing him Livy never adverts to the fact that Brutus is also a Tarquin, son of the king's sister Tarquinia (1.56.7). As time goes on, Brutus' ties to the Tarquin family are so minimized that Cincinnatus, in his denunciation of Sp. Maelius, refers to Brutus' sons as if they were Tarquinia's children while carefully separating Brutus from the category of "sons of the king's sister": *ex qua urbe reges exactos sciret eodemque anno sororis filios regis et liberos consulis, liberatoris patriae* [i.e., Brutus] ... *a patre securi esse percussos* ... *in ea Sp. Maelius spem regni conceperit* (4.15.3–4; the *et* in §3 is expegetical; see Weissenborn-Müller *ad loc.*).

(5.2.13–7.1)—and, though Livy undercuts his positive attributes by introducing him as motivated by *ira odiumque* (6.40.2), it is he who associates the tribunes with tyrants rather than vice versa (*Tarquinius tribunii plebis* 40.10; cf. *perpetuos, si dis placet, tribunos* 40.7).²⁶ Moreover, it is the tribunes, not the patricians, who by exercising their veto to block the elections of magistrates bring the state to a standstill for five years (6.35.9–10), thereby recreating the situation that obtained under the decemvirs when the normal annual magistracies were suspended.²⁷ Secondly, Fabia herself is not physically threatened. All the violence in the story is displaced onto the political sphere, where it remains unexpressed, though threatened (6.38.5, 8–9). She and the male aggressor never come into contact—the only thing that is struck is the door (*forem . . . virga percuteret*). Livy has refocused the story in such a way that the motivating force is not the desire of the powerful man but of the weak woman. Missing also, therefore, is Lucretia's forceful participation in her own story. Even more than the passive Verginia, Fabia serves as a symbol, not a character.²⁸

Accompanying this lack of violence against the woman is a marked decrease in the violence of the steps taken to avenge her. The Romans eject the Tarquins from the city by locking the gates, whereupon Sex. Tarquinius, the rapist, flees to Gabii and is murdered (1.60.2). In Book 3 the plebs remove themselves from the city after the attack on Verginia (stress is laid on the peacefulness of the secession, 3.52.3, 54.8–10), while Appius Claudius Decemvir forestalls the verdict of a trial by killing himself. Finally, Licinius and Sextius remain within the city and impose a *solitudo magistratum*, and the tyrant figure, in its incarnation as Appius Claudius Crassus, is punished only by being made ineffectual (6.42.1). All the traditional elements are present in Fabia's story, however: passion, violence, and usurpation of power against the will of the ruled.

Fabia is a new Lucretia. Yet no serious harm befalls her and Livy takes care to present her in a humorous way. Her injury is described in hyperbolic terms as a *morsus animi* (6.34.8)²⁹ and after some effort her father discovers that what has really upset her is not her sister's mockery but

²⁶See A. Vasaly, "Personality and Power: Livy's Depiction of the Appii Claudii in the First Pentad," *TAPA* 117 (1987) 203–226, especially 222–225 and n. 49 on Livy's undercutting of Appius.

²⁷Again, the historical facts are not completely clear: Zonaras gives a *solitudo magistratum* of four years, Diodorus (15.75) of only one. See Cornell (above, n. 11) 334–347 and on the Decemvirate A. Drummond in *CAH*² (above, n. 11) 227–335. Annual elections are, of course, a distinguishing characteristic of *libertas* (2.1.1 *liberi iam populi . . . annuos magistratus*, Tac. *Ann.* 1.1.1 *libertatem et consulatum*, etc.).

²⁸I am indebted to one of Phoenix's anonymous referees for suggestions here.

²⁹The use of *morsus* in a context of emotional distress is vivid and not very common; this is the only instance in Livy. After a few occurrences in Cicero's letters and philosophical works it is taken up with enthusiasm by Seneca Minor and Silius (*TLL*

a very ordinary emotion, regret at having married beneath her (34.9).³⁰ Moreover, in trivializing the insult Livy has also made it seem extremely unlikely to some readers. Fabia, after all, was the daughter of a patrician, a *potens vir* (6.34.5), and must have heard the sound of lictors at the door before this, either in her own home—her father was consular tribune in 381 (6.22.5)—or elsewhere.³¹ The importance of the political change that she sets in motion, however, is not trivialized, so the question becomes, why should Livy choose to introduce this great contest for power in such an apparently lightheaded way?³²

The historian provides part of the answer himself at 6.34.5 in his remark that great things often come from small beginnings. This commonplace, which almost always magnifies the *magna res* that results, need not diminish the *parva res*.³³ In retelling a story about a provincial Arria Pliny remarks that the woman's lack of fame results not from her deed but from her own insignificance—and his own broadly humorous version of the event is evidently not meant to detract from the story's edifying possibilities.³⁴ To

8.1509.27–48). *confusus* in the sense of “stunned,” used generally of moments of great pain or distress, is also vivid; cf. 1.7.6, Vergil *Aen.* 2.735–736, 12.665, Tac. *Hist.* 1.44.1.

³⁰For Walsh, the portrait of Fabia, which he finds “humorously and shrewdly drawn,” shows Livy's interest in female psychology (above, n. 2, 214–215); Geldner (above, n. 6, 83) mentions her sensitivity as a purely negative characterizing trait, though Livy's women are generally, he finds, presented in a positive way. It is instructive to compare Dio's Fabia, who is more like Tullia, a rare Livian monster: καὶ οὐ πρότερον ἀνῆκε δυσκολαίνουσα πρὶν πάσαν τὴν πόλιν θορυβῆσαι (fr. 29.2; cf. Livy 1.46.7).

³¹G. de Sanctis, *Storia dei Romani* 2 (Turin 1907) 214, von Fritz (above, n. 11) 4–5. Cornell, “Failure” (above, n. 11) 114–115, believes that this objection to Fabia's fright “relates to a part of the story that is not essential to the outcome,” with which I would disagree: her fright leads to her sister's mockery which in turn causes her confession to Fabius. And though Cornell says “no one likes to see a policeman on the doorstep,” the lictor was simply escorting Sulpicius home—quite a different situation (presumably if one's brother-in-law were a policeman one would not necessarily be frightened by seeing a blue uniform at the door). The silliness of the situation makes its outcome all the more significant. On the other hand, Cornell's contention that Licinius couldn't have solved the problem by becoming consular tribune because he was currently *tribunus plebis* convincingly meets von Fritz's chief objection to the anecdote.

³²The story pre-dates the annalistic tradition, since its assumption that Licinius could not hold curule office contradicts the annalistic version (reflected in Livy's narrative) that the consular tribunate was open to the plebs (from 445 B.C., Liv. 4.6.8; the first plebeian *trib. mil. cons. pot.* was not elected until 400, Liv. 5.12.9). See Cornell, “Failure” (above, n. 11) 115. Livy's decision to include and elaborate the anecdote is his own; see E. Burck, *Die Erzählungskunst des T. Livius*² (Berlin and Zurich 1964) 71, 89, etc. for examples of Livy's selective use of the annalistic tradition.

³³E.g., Aesch. *Cho.* 204, Pub. Syr. 435 (390 Meyer), Caesar *BCiv.* 1.21.2, Cic. *Phil.* 5.26, Dio fr. 29.2; for further examples see R. H. Martin and A. J. Woodman (eds), *Annals. Book IV* (Cambridge 1989) ad Tac. *Ann.* 4.32.2.

³⁴Ep. 6.24, esp. §1 (“What a difference it makes who does something!”) and §5 (“But this deed wasn't even known to me until recently, though I come from the same

understand Fabia's role in Livy's narrative one must look first at her position in Book 6, then—briefly—at the book's place in the *Ab urbe condita* as a whole.

The account of the Licinio-Sextian rogations fills chapters 34–42, roughly the last quarter of Book 6. Its counterpart is the Manlian sedition of chapters 11–20, the story of the attempt made by M. Manlius Capitolinus, who had saved the Capitoline from capture by the Gauls (5.47), to save the plebs from its burden of debt and—inevitably—to seize power in the state himself.³⁵ As an account of *popularis* unrest, the Manlian narrative represents in conventional tones all the horrors of domestic violence: angry mobs, secret meetings, murderous patrician revenge.³⁶ Licinius and Sextius, too, are *populares*, but since their actions rely on due process rather than on *vis* they are much less threatening. Like Manlius, a patrician who conspires with plebeian magistrates (6.11.7), they represent a combination of patricians and plebeians (Fabius Ambustus is behind the tribunician initiative), but in Manlius' case the mixture is frightening and ultimately fatal to himself; in the later unrest, compromise prevails. The story of Fabia is a fitting introduction to this less dangerous conflict, her own petty (but real) grief a suitable mirror of the frustrations and annoyances suffered by both sides in the ten-year battle for plebeian consuls.

Manlius and Fabia are part of a larger pattern in Book 6, which describes a noticeable trend away from the heroic. With the year 389 Livy reaches the period for which written records were available and in which, consequently, a historian is on comparatively surer ground.³⁷ It is also a time in which old standards of heroic behavior are demonstrably inadequate or unstable. Manlius, who nearly topples the state, once saved Rome from its worst disaster, and Livy does not attempt to soften the inconsistency (as he does, e.g., in the case of Appius Claudius Decemvir) by suggesting that Manlius was always evil.³⁸ Nor does Camillus, the apparent hero of Book 6 and

town, not because it was less important than Arria's famous act, but because the woman was"). The woman, on realizing that her husband has what appears to be a terminal venereal disease, ties him to her and jumps from their bedroom window into Lake Como, *comesque ipsa mortis, dux immo et exemplum et necessitas fuit* (cf. Pliny on Arria Maior, *Ep.* 3.16.2 [*Arria*] *quae marito et solacium mortis et exemplum fuit*).

³⁵The first and third quarters of the book also balance each other, each being a chapter in the continuing *aristeia* of Camillus; see J. Lipovsky, *A Historiographical Study of Livy, Books VI–X* (Salem, N.H. 1984) 89–94, for a sketch of Camillus' importance in the book.

³⁶For Catilinarian elements, e.g., see T. P. Wiseman, "Topography and Rhetoric," *Historia* 28 (1979) 32–50, at 47, with n. 70. Livy himself is not entirely sure that the charge of *regnum* is fair (6.18.16).

³⁷6.1.1–3; see also F. Millar, "Political Power in Mid-Republican Rome: Curia or Comitium?," *JRS* 79 (1989) 138–150, esp. 139.

³⁸One could even argue that Manlius was acting conventionally in actively helping the Republic before trying to harm it: before his downfall Sp. Cassius was responsible for

"a man of singular excellence whether in good or evil fortune," (7.1.9–10, Foster's translation) live up to expectation, though Livy's obituary notice elevates him once again to legendary status. His military exploits in the years following the Gallic invasion are, as always, beyond reproach. Yet he plays a very small part in Livy's accounts of the two great domestic upheavals.³⁹ This exclusion of Camillus would be less remarkable were it not that in other narratives of the period Camillus has a leading role in both the *sestitutio* of 385–384⁴⁰ and the rogations of 367.⁴¹

But Livy's narrative is not content to let Camillus remain in the background; instead, it seems to insist that Camillus come into the political arena, and once he is there either to minimize or to question his efficiency and importance. Manlius directs all his jealousy, all his wish for power against Camillus (6.11.2–5), but his challenge is never met, for Camillus nowhere opposes Manlius.⁴² And during the Licinio-Sextian episode he has

the *foedus Cassianum*, an important treaty with the Latin tribes (probably in 493 B.C.), while Ti. Gracchus negotiated a treaty (later reneged on by the Senate) in Numantia in 137.

³⁹A. Momigliano, "Camillus and Concord," *CQ* 36 (1942) 111–120, investigates Camillus' role as *princeps pace* (7.1.9), finding that the evidence of the *Fasti* indicates that he was active in the state in those years, perhaps more so than Livy allows (cf. 114, "the part of Camillus in the conciliation of 367 was in contradiction with the events of 368 and could be skipped over more easily").

⁴⁰The two-year version of the *sestitutio* adopted by both Livy and Plutarch pushes Camillus into the fore by making Manlius' condemnation fall during his tribunate, and in Plutarch's version it is Camillus who moves the trial to the *lucus Petilinus*, thus assuring Manlius' conviction (*Cam.* 36.5–7). Livy, on the contrary, bases the decision on consensus (6.20.10 *apparuit tribunis*); Broughton (above, n. 11) 1.102 is misleading when he cites Livy for Camillus as the instigator of the trial transfer. For the more plausible and older one-year version see Diod. 15.35.3 and Wiseman (above, n. 36) 45.

⁴¹Livy's Camillus is dictator before the final debates begin (368 B.C., 6.38.4; cf. Plut. *Cam.* 39.2–5) and immediately after they are finished (367 B.C., 6.42.4), but resigns his office for reasons that are a little vague during the assembly that brings the conflict to a head (6.38.9). While it is during his last dictatorship that the rogations are accepted, there is no respite after Sextius' election: the *patres* refuse to ratify the results, the *plebs* nearly secede, and there are *terribiles* ... *aliae minae civilium certaminum* (42.10). In Plutarch's version, on the other hand, Camillus takes an active and decisive role in the whole affair, there being only a small interval between the narrative of his fourth and fifth dictatorships (39.5–6) in which Plutarch describes both the passage of the agrarian reforms and—in a masterful bit of undercutting—Licinius' future violation of those reforms. The debate over the consulate then takes place under Camillus' auspices, culminating in peaceful elections and the dictator's dedication of the temple of Concord (*Cam.* 42.2–7), an event which Livy does not mention. (On the vexed question of the Camillan temple see Momigliano [above, n. 39] 111–117; that it is attested by Ovid [*Fasti* 1.639–644] indicates that the tradition is at least as old as the first century B.C. and would probably have been known to Livy.)

⁴²Cf. Cornell (above, n. 11) 332: "Camillus ... plays a prominent but scarcely comprehensible role in the affair."

so far receded into the background that when he is appointed dictator for the fifth and final time in 367 in response to a Gallic invasion (6.42.4) Livy interrupts even his military victory by a discussion of whether this is or is not the conflict in which T. Manlius fought the Gaul in single combat (§§5–6), distracting attention from the trouble at hand (§§7–8). By contrast, though Dionysius' account is preserved only in pieces, it is clear that his Camillus delivered a lengthy *hortatio* (14.9) in what was presumably a full-dress battle narrative; Plutarch's version is likewise elaborated (*Cam.* 40–41). Furthermore, the tribunes' rogations are accepted while Camillus is still in office (42.9) but the final resolution is described by Livy only briefly and the dictator not mentioned by name (42.11).⁴³ The traditional social values and *virtutes* that Camillus represents are increasingly impotent in the face of the unpredictable actions of former heroes like Manlius and the growing intransigence of the *tribuni plebis*, and his role in Livy's history is correspondingly diminished.

Fabia's episode fits this new, less heroic Rome. Her role as a modern Lucretia is appropriate as well to the political analogy that can be drawn between Books 1 and 6. While Book 6 marks a decline from the heroic days before the sack of Rome, it also marks a new beginning, of the narrative—a new pentad—as well as of the events narrated, signaled by a second preface (6.1–3) recording the new founding of the city by its second *conditor*, Camillus (6.1.3 *ab secunda origine*, 7.1.10 *secundum a Romulo conditorem urbis Romanae*). The expulsion of the kings in 509 marked a beginning of *libertas*; the opening of the consulate to the plebs marks a new stage in *libertas*. But political changes of this sort entail profound social complications as well, marked in Livy's narrative by, among other things, a demonstrable waning in the use of personal and political violence from Lucretia to Verginia to Fabia. If the second founding of Rome is less romantic than the first, it is also less tragic.

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⁴³ Above, n. 41. Livy often refers to magistrates by title alone. In this case, however, one can contrast his treatment of Camillus as dictator in 368 (referred to by name at 6.38.4, 5, 8, 9, 10, 11; *dictator* alone only at 38.5) and in 367 (named at 6.42.4, 6 [military contexts]; *dictator* alone at 42.8, 9, 10, 14).