

The Case of Lucretia – Symbolizing the Political Reality

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Abstract:

The myth of Lucretia, the wife of Collatinus, raped by Sextus Tarquinius – the son of the last Roman king – is very influential in the Classical and Medieval literature, likewise in the Modern times in the different fields of science and art. Its pristine form is now lost in the distant past and it is possible to compare the sources to see several layers of its political, legal, and ethical interpretation. Following these elaborations, we find a history of different legal institutions and rhetoric argumentation. However, with the help of archaeological findings some elements of its historical image starts to appear being the model family values and religious beliefs built in the foundation of common cultural forms in Italy.

Keywords: *Lucretia; pudor; castitas; metus; vis; adulterium; stuprum*

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The Histories about Lucretia

This legendary topic that relates to the story, which should had happened in the year of 510 BC, is a highly recognisable narrative about the noblewoman Lucretia, wife of Lucius Taquinus Collatinus (the son of Aruns Tarquinius), who committed a suicide after her rape by Sextus Tarquinius, the son of the then Roman king, Lucius Tarquinius. The story started with a competition among the young nobles, during the siege of Ardea, on the point whose wife is more prudent, and Lucretia proved to be the most honourable and beautiful one for abstaining of drinking wine but entirely dedicating herself to the work with wool. However, this provoked the bad character of the king's oldest son. He returned during the night threatening Lucretia to kill her together with a young slave of his staging the act of deliberate adultery. She chose to stay with him saving her chastity, but in the morning, Lucretia told the terrible news to her relatives (her husband, her father, and the young relative Brutus), and committed a suicide stabbing in her chest, to clean herself by using her own blood.

Different scholars, writers, or artists either ancient or modern, pagan, or Christian readily work with this subject in various periods of time – from the Roman Republic and Empire, throughout the Late Antiquity and the Medieval times, up to the Modernity, and in different fields (history, ethics, rhetoric, philosophy, psychology, music, fine arts etc.). The fable still raises interesting questions about its historical background, legal and anthropological context, wherefore many artistical variations use its exemplary juxtaposition of order and innocence on the one hand, and the reckless power and violence, on the other.

There is no sufficient evidence for it as a historical event, though the legend has well set up in the long literature tradition already in the Roman Republic. In its beginning stood some narratives coming from Roman dramatical oeuvres nowadays completely or partially lost. The modern historiographers mention the poet Quintus Ennius (239 – c. 169 BC),¹ the historian Fabius Pictor (270 BC – 215/200 BC), the poet Lucius Accius (170 – c. 86 BC), then after some time comes Marcus Tullius Cicero (106–46 BC), and the Late-Republican historians like Titus Livy (64/59 BC – 17 AD), Dionysius of Halicarnassus (60 BC – after 7 BC), or Diodorus of Sicily (died c. 30 BC).² In fact, the most important versions of the story written by Livy (27 and 25 BC), Dionysius (7 BC), Ovidius (few years later), Diodorus (I c. /between 60–30/ BC), Plutarchos (after a century), come almost together. The later authors like Valerius Maximus, Florus, and Dio Cassius, respectively the first, the second and the third centuries AD, write forms of the same story.³

The Late Antiquity authors adapt the same case to their Christian audience and here the versions of Tertullian, Jerome and Augustine are remarkable. Tertullian of Carthage (*Ad*

¹ According already to B. G. Niebuhr and J. Dunlop Livy borrowed the subject about the death of Lucretia namely from Ennius' Annals, since in the Livian version the words of *Sextus* entering her chamber are nearly in Saturnian measure (typical for Ennius' style): *Tace, Lucretia, inquit, Sextus Tarquinius sum, Ferrum in manu est, moriere si emiseris vocem*, cfr. NIEBUHR, B. G. *Römische Geschichte*. T. I. Berlin: Realbuchhandlung, 1811, p. 318, and DUNLOP, J. *History of Roman Literature from Its Earliest Period to the Augustan Age, V. I*. London: Longman, Hurst, Rees, Orme, Brown, and Green, Paternoster-Row, 1824, p. 104). The supposed source of Ennius historical verses according to the above authors is a romantic epopée or chronicle (end of the IV c.), starting from Tarquinius Priscus and ending with the battle of Regillus. Saturnian poem origins from old Italian forms related to the translation and influence of Homer's *Odyssey* version by Livius Andronicus (3rd c. BC) and Gnaeus Naevius (3rd c. BC) poetry on the First Punic War (3rd c. BC). The style mostly refers to dedicative statements (v. FISCHER, J. *The Annals of Quintus Ennius and the Italic Tradition*. Baltimore: Johns Hopkins University Press, 1969, pp. 32–35).

² Dionysius of Halicarnassus (D. H. 4, 64) mentioned it – *ὡς Φάβιός τε καὶ οἱ λοιποὶ συγγραφεῖς παραδεδόκασιν: ὁ γὰρ χρόνος ταύτην μοι τὴν πόλιν βεβαιοῖ*. According to R. M. Ogilvie, this might be a subject of a lost tragedy of the so-called *fabula praetexta* drama kind (Roman tragedy stile substituting the characters of Greek myths with historical Roman figures) of Lucius Accius (170–86 BC) – perhaps the same *Brutus* (Cic. 123 – *Vtrum igitur haec Aesopum potius pro me aut Accium dicere oportuit, si populus Romanus liber esset, an principes civitatis? Nominatim sum appellatus in Bruto: tu/llius, qui li/beratam ci/vibus stabili/verat*). Cicero's text gives some arguments to suggest that Accius discussing the liberation of Rome from the kings could have also addressed the topic of Lucretia. The same commentary refers to the more probable use of the fable made by Cassius, again in *Brutus* (according to Varro *L. L.* 6, 7), where the ancient antiquarian states: *7. Inter vesperuginem et iubar dicta nox intempesta, ut in Bruto Cassius quod dicit Lucretia: Nocte intempesta nostram devenit domuni*. In another reference to Gaius Cassius Parmensis (74 BC – 31 or 30 BC) – Cassius 7, 72 – we read the same verse about the “dead night”, wherefore R. M. Ogilvie is ready to attribute the drama to Cassius, rather than to Accius.

³ About this more detailed chronology v. DONALDSON, I. *The Rapes of Lucretia a Myth and its Translations*. Oxford: Oxford University Press, 1982, pp. 5, 6.

Martyres 4, 4, *De exhortatione castitatis* 8, 3, *De monogamia* 17, 3)⁴ presents the pagan heroin suffering the violence to defend her chastity committing a suicide and gaining glory as a model for Christian prisoners.⁵ Jerome in *Adversus Jovianum* (1, 46)⁶ used the story in his polemic defeating the believe that those who remained sexually abstinent are not superior to the married one who have normal sexual relationship. In his interpretation Lucretia could survive her shame and cleaned the stain of the body by her blood (*maculam corporis cruore deleuit*).⁷ The argument is the same as the one of Tertullian in *De monogamia – maculam carnis suo sanguine abluit*. Augustine (*De civitate dei* 1, 19) raises a question about the exact meaning of the rape confronting two cases: the first, where there was no consent by woman, and the second, like the one with Lucretia, where she had agreed. In the end he concludes that two persons committed the sexual intercourse, but only one of them was adulterous (*Mirabile dictu, duo fuerunt et adulterium unus admisit*). The distinction depended on the state of mind of the participants. The adulterer commits the deed with “the most defiled wish” (*inquinatissimam cupiditatem*), while the other with “the most guiltless wish” (*castissimam uoluntatem*). Then comes the second suspicion of Augustine about the suicide judgement: if there was not this shamelessness to blame Lucretia because the oppression was against her will, there is no justice to punish one guiltless (*Si non est illa in pudicitia qua inuita opprimitur, non est haec iustitia qua casta punitur*). The author concludes that in this case there was a constraint from both sides – if it is to excuse the homicide, then it should confirm the adultery, if clean the adultery, then fulfil the homicide (*Sed ita haec causa ex utroque latere coartatur, ut, si extenuatur homicidium, adulterium confirmetur; si purgatur adulterium, homicidium cumuletur*). He gives the valid rule for Christians: from two persons only one commits the adultery having “the most defiled wish”

⁴ *Ad martyres* 4: [4] *Longum est, si enumerem singulos, qui se gladio confecerint, animo suo ducti. De feminis ad manum est Lucretia, quae vim stupri passa cultrum sibi adegit in conspectu propinquorum, ut gloriam castitatis suae pareret. Mucius dexteram suam in ara cremavit, ut hoc factum eius fama haberet.; De exhortatione castitatis* 8: [3] *Erunt nobis in testimonium et feminae quaedam saeculares ob uniuiratus obstinationem famam consecutae; aliqua Dido, quae profuga in alieno solo, ubi nuptias regis ultro optasse debuerat, ne tamen secundas experiretur, maluit e contrario uri quam nubere; uel illa Lucretia, quae etsi semel per uim et inuita alium uirum passa est, sanguine suo maculatam carnem abluit, ne uiueret iam non sibi uniuira. Plura exempla curiosius de nostris inuenias, et quidem alteris potiora, quanto maius est uiuere in castitate quam pro ea mori. Facilius animam ponas quia bonum amiseris, quam uiuendo serues ob quod emori malis.; De monogamia* 17: [3] *Assidebit et illi matrona Romana, quae etsi per vim nocturnam nihilo minus alium uirum experta maculam carnis suo sanguine abluit, ut monogamiam in semetipsam vindicaret. Fuerunt et quae pro uiris mori mallent quam post viros nubere.*

⁵ Cfr. GLENDINNING, E. Reinventing Lucretia: Rape, Suicide and Redemption from Classical Antiquity to the Medieval Era. *International Journal of the Classical Tradition*, 2013, 20, pp. 61–82, here pp. 68, 69. The scholar sees in Tertullian interpretation the highest value of the chastity as a model for Christian lady, then an emphasis on her attempt to achieve glory for her chastity and finally for herself, which could be an example for the beginning of some disparagement of her suicide.

⁶ S. Eusebii Hieronymi, *Adversus Jovianum*, 1, 46: *Ad Romanas foeminas transeam, et primam ponam Lucretiam; quae uiolatae pudicitiae pudens superuiuere, maculam corporis cruore deleuit.*

⁷ E. Glendenning regards these words as a pro-ascetic argument in a broader perspective of Jerome (cfr. GLENDENNING, *op. cit.*, p. 70).

(*inquinatissimam cupiditatem*).⁸ In fact for Augustine the problem is her suicide (“a rash and mischievous”), which is not recommendable on his view for the Christians.⁹

The Medieval times also preserve the story in the frames of different chronicles or anthologies treating various historical events with certain ethical value under the influence of the examples from the Antiquity. One of the first samples comes from a tenth-century collection of excerpts from ancient authors – *Excerpta de virtutibus et vitiis*¹⁰ – ordered by the East Emperor, Konstantin the VII Porphyrogenites (945–959). The book preserved fragments of Cassius Dio among the other authors. The fragment with his tale about Lucretia starts traditionally with the discourse among the young nobles whose wife was more “honourable”, a quality described by the ancient Greek word for “prudence, self-control” (*σωφροσύνη*). The later chronicle of Konstantin Manassas (died 1187?)¹¹ accentuated on the episode in close relation with the end of the Roman Kings telling the story about the King Tarquinius son’s violation of the most honourable Lucretia, the wife of Collatinus, the most noble man. This incident was directly related to the decree settling the rule of consuls. Johannes Zonaras (1074–1130)¹² in his earlier Histories like the above Manassas’ verses on the same story is borrowing from common source, which was Dio’s narrative. Zonaras tells the story more fully, including Brutus’ speech.¹³

The inheritance line of Cassius Dio points out some interesting details unknown to Livy’s narrative like the episodes with the found of Sibylline books (corresponding to the information of Dionysius, *AR* 4, 62, 2, Aulus Gellius, *NA* 1, 19, 2, Lactantius, *DI* 1, 10),¹⁴ the invention of new modes for public punishments and the suicide of Tarquinius’ wife Tullia. These variations of the same screenplay prove the existence of different documents in the Late Antiquity used as a matrix for the later authors. However, some common elements derive from this often-reproduced narrative from the versions of its various raconteurs – the prudence as an important quality of the lady in the noble families like in the

⁸ E. Glendinning makes two important remarks for the Augustine’s interpretation of Lucretia case – it is the first negative spin of the history and second, his analysis targets at pagans rather than Christians. M. Webb (cfr. WEBB, M. On ‘Lucretia who slew herself’: Rape and Consolation in Augustine’s *De civitate dei. Augustine studies*, 2013, 44, 1, pp. 35–58 and the quoted literature) brings some rhetoric context of this interpretation – the discussion with the Donatists comprising the majority among the Christians in North Africa at the time when the Visigoths sacked Rome in 410 implementing rape as a weapon of conquests. They were inclined to favour the martyrdoms, having some spectacular accounts “designed to fan the purifying flames of faith”.

⁹ Cfr. DONALDSON, *op. cit.*, p. 31.

¹⁰ ROOS, A. G. (rec. et praef. est). *Excerpta de virtutibus et vitiis*. II. BOISSEVAIN, U. PH. – DE BOOR, C. – BÜTTNER-WOBST, TH. – ROOS, A. G. *Excerpta historica iussu Imp. Constantini Porphyrogeniti confecta*. Berlin: Apud Weidmannos, 1910, p. 238, Cass. Dio. Fr. 7. Cfr. MALLAN, C. T. The Rape of Lucretia in Cassius Dio’s “Roman History”. *The Classical Quarterly, New Series*, 2014, 64, 2, pp. 758–771, p. 760 ff., n. 10.

¹¹ Const. Manas. Comp. Chr. 1685. This verse has its Middle-Bulgarian translation made for the Bulgarian King John Alexander, cfr. ДУЙЧЕВ, И. С. – САЛАМИНА, М. А. – ТВОРОГОВА, О. В. *Средне-българският превод хроники Константина Манасии в славянски литературни документи*. ДУЙЧЕВ, И. С. – ЛИХАЧЕВ, Д. С. (ред.). София: Издателство БАН, 1988, с. 136, for the Greek verse 1684.

¹² Joh. Zon. 7, 11, pp. 41–42.

¹³ MALLAN, *op. cit.*, p. 760 ff.

¹⁴ The books found under the Tarquinius Superbus are nine, while another tradition testifies for three. Lactantius on the other hand mentions that this story happened at the times of first of the Tarquinius – Tarquin the Old. Cfr. MALLAN, *op. cit.*, p. 759, n. 7.

Christian family as well, and on the other hand the necessity to fight the excessive power of a king who unlawfully usurped the rights of the senate. Here Dio shows Tarquinius as tyrant who was “not accessible to the people” (*δυσπρόσδοτος*) and willing to abolish the senate (F. 11, 4).¹⁵ Different authors implement these rhetoric points in a specific historic or ethic context: during political crises like the sack of Rome by the Visigoths or as a decisive argument in theological discourse.

The footsteps of this ancient legend influence different new stories in the Medieval literature. Chaucer in his turn used it in his own work Legend for Good Women (written c. 1386). This work influenced a friend of his, John Gowers (c. 1130 – October 1408) and his *Confessio amantis*, which shows the attractiveness of the subject felt by many writers and artist during the ages.¹⁶

There are many replicas of the case of Lucretia and many authors and artists like Machiavelli. Shakespeare, Botticelli, Lucas Cranach, Rousseau or even Freud keep reusing the story. The figure of Lucretia from such an artistic point of view shows both sides of the same coin – *iustitia* and *pudicitia* – thus laying the foundation of the state in its legal form – the *res publica*.¹⁷

The Quest for the Original Roots

The mystery in the background of this legend is even more influential because of the echo of ancient cults and knowledge amalgamated long ago with the other elements of our common history. Georges Dumézil¹⁸ in his essay on sovereignty, *Mitra Varuna*, describes this fable as a typical Indo-European one and even distinguishes two kinds of its tradition, according to its variations in Europe and Asia: first group of myths (the Iranian, the Greek, and the Roman), and the second – the German (exemplified by the Irish and the Celtic legends). In the Greek and the Roman legends, the accent (most of all according to Livy) is on the moral values. There the centre is the most severe sin (the sexual abuse) – the one young Tarquin has committed – while the Germanic group at once uncovers a hidden economic value: to combat “the bad” ruler who is a substitute for “the good” one. Thus, the twelfth century History of Danes about the temporary usurpations of Mithodin and Ullr (*Ollerus*), narrated by Saxo Grammaticus in his *Gesta Danorum* (*Dan.* 1, 7, 1; 2; 3), shows that differently from Indo-Iranians and Romans, the Germans had unified in one scheme two mythologic themes: the one about the couple of antithetical “good” sovereign gods, and the other about the “bad” temporary sovereign.

¹⁵ MALLAN, *op. cit.*, p. 762, n. 19.

¹⁶ Cfr. GLENDINNING, *op. cit.*, p. 73 ff.

¹⁷ Cfr. FÖGEN, M. TH. *Römische Rechtsgeschichten. Über Ursprung und Evolution eines sozialen Systems. Veröffentlichungen des Max-Planck-Instituts für Geschichte, Band 172.* Göttingen: Vandenhoeck & Ruprecht, 2002, pp. 21–59, 53.

¹⁸ Mahabharata, the story of Ahalya in the Udyoga Parvan (Book V, chapter 12, verse 6). Cfr. DUMÉZIL, G. *Mitra-Varuna. Essai sur deux représentations indo-européennes de la souveraineté. Nouvelle édition.* Paris: Gallimard, 1948, p. 159 ff. Similar discussion by Myungnam Kang on the ideal of woman in the Brahmanical tradition. The notion of *pativrata* includes the idea of chastity, submissiveness, and wifely devotion, symbolised by the term of *pativrata* – the highest quality under the Brahmanical tradition of women selfhood, cfr. KANG, M. The Making of Womanhood in Early India: Pativrata in the Mahabharata and Ramayana. *Journal of Social Sciences – Sri Lanka*, 2015, 07 (04), pp. 206–212 (<http://repository.kln.ac.lk/handle/123456789/11055>).

In India, the examples of tyrannies corresponding to the Lucretia's story are also remarkable. The proud king Nahusha demands to "replace" the god-king Indra (after his disappearance) in the relations with the wife of him, Indrani, and thus the usurper is violating her chastity. Here, the Hindus' adjective *pativrata* corresponds to the Latin *castitas*.¹⁹ Another Iranian and Armenian myth about Aždahāk (named in Zoroastrian tradition of Avesta as Aži Dahāka or Dahāg) come in similar context. The image of this personage was like a monster with three mouths, six eyes, and three heads. Second part of his name – Dahāg – has the meaning of "laugher" or of "mocker" suitable for a demonic tyrant.²⁰ This characteristic as we see is close to the Latin *suberbus* associated with the house of the Young Tarquinius. After removing King Yim (noun in post-Avestan texts as Jam ī Xšēd or Jamshid) the demon-king possessed the two sisters of him. Later another hero, Feridūn, dethroned him and delivered their liberty. In the same manner one could see the destiny of the last Roman King – the Superbus – whose exile is due to the greatest sexual sin, the rape of Lucretia. It was committed under his reign and under his "cover". G. Dumézil sees no economic element in this Roman legend unless there will be some speculation with the information recorded by the tradition (Liv. 1, 56).²¹

The Roman Legend

Thus, the political context of the myth is to represent the end of the Tarquinius and the beginning of the Liberty as being caused by some ethical reasons – in a way the arrival of Brutus was seen as a restoration of the order.

At the time Ettore Pais²² has pointed out the coherence of the story of Lucretia with the fable of Virginia (stabbed by her father in front of the statue of Venus Cloacina). He sees the myth reflecting the removal of the patrician oligarchy in the Decemvirate appearing from earlier similar versions about a maiden from Ardea and the legend of Goddess Lavinia. Her father gave her to marry Aeneas, while the mother promise was to Turnus. Pais finds that the oldest version of the story should refer to the legend about Vesta-Amata – so it functions as an example how "history" is "emerging" from the legends. Nonetheless, this theory (transplanting some ancient Ardean mythology to later Roman narratives of Lucretia and Virginia at the end of the fourth century) was severely criticised by Robert M. Ogilvie²³ in the 1960's, who concludes that these understandings "could be discounted". On the other hand, his commentary sustains that it is difficult to find sufficient historical argumentation about the reasons for Lucretia's suicide – either to escape from domestic trial, or to ensure the vendetta against the than king's family. The commentary on Livy

¹⁹ Cf. KANG, *op. cit.*, in general and for King Nahusha v. p. 208.

²⁰ He was known as the Snake-man as from both of his shoulders a snake was arising, wherefore the word was *aži-* showing his serpentine nature. Martin Schwarz underlines that he "is always a foreign tyrant – either of Mede or a Mesopotamian – to Persian and Armenian writers". Cf. SCHWARTZ, M. Transformations of the Indo-Iranian Snake-man: Myth, Language, Ethnoarcheology, and Iranian Identity. *Iranian Studies*, 2012, 45, 2, pp. 275–279. DUMÉZIL, *op. cit.*, pp. 159–160, makes a parallel with Roman legend of Lucretia.

²¹ Cf. DUMÉZIL, *op. cit.*

²² PAIS, E. *Ancient Legends of Roman History*. COSENZA, M. (translation). New York: Dodd, Mead & Company, 1907, pp. 185–203.

²³ OGILVIE, R. M. *A Commentary on Livy Books 1–5*. Oxford: Clarendon, 1965, pp. 57–59: Lucretia and the Fall of the Tarquins, pp. 218–226, esp. 218, 219.

points out some unhistorical personalities like Spurius Lucretius and the adaptation of the story to the violent end of some of the Greek tyrannies. Comparing Livy and Dionysius R. M. Ogilvie concludes that in the *AUC* the author developed a kind of dramatical plot – the action took place only in Collatia where came the young nobles – a technique referring to the so-called New Comedy like the stile of speech used (typical for the drama oeuvres rather than to conventional conversation). In the Roman Histories the author has given more complicated structure – after the violence Lucretia returned to Rome and there the final episode happened. Even more R. M. Ogilvie summarises that the focus of Livy’s narrative is how the characters experience their emotions unlike the attitude of Dionysius who dedicated large passages to the very description of the emotions.

The discussion of its pristine origins brings the issue about Lucretia to different critical views on this topic.²⁴ As the earliest version of Lucretia legend comes from Fabius Pictor and some other writers (D. H. 4, 64, 3)²⁵ some authors sustained 3rd c. BC as a date of origin,²⁶ others point out that it has no Roman origin (v. s. E. Pais). Nonetheless, it is difficult to find convincing evidence about its historical background. R. M. Ogilvie regards the legend of Lucretia and the transformation of Lucius Tarquinius into a tyrant as a conversion that must have been developed of the mid 2nd century.

The Dignity and Its Proof

The events in the story and their rhetorical form show an interesting social context of the Republican oeuvres dealing with this subject. The accent is on the matrimonial bonds made around the figure of the father and his power over the sons and especially over his daughters and his wife – the mother –, and the respective moral values. Most of all the discussion tackled their “chastity” (*castitas*). Similar terms (like the Sanskrit *pativrata* *dharma*, or the Greek word for “prudence, self-control”, *σωφροσύνη*) attested in the Indo-European tradition show the importance of this value among the different people belonging to this group, where its proof could show the higher position of the respective family in the social hierarchy.

The confirmation of chastity has become quite popular subject in the Roman literature describing events by the time of the Punic Wars.²⁷ This period was very delicate for the Roman citizens because of the threat of powerful foreign enemies, wherefore according to the dominant common social understandings the help of mighty deities requiring the highest level of moral of the people and especially of the aristocracy was decisive and thus the ordeals became so popular. These practices discussed by Roberto Fiori in 2017 have consisted of a proof procedure where the matron’s or Vestal’s *castitas* – questioned publicly – needed a confirmation by the judgement of certain deity summoned to testify in

²⁴ Cfr. DONALDSON, *op. cit.*, p. 6.

²⁵ R. M. Ogilvie comments on the information of Dionysius Halicarnassus (*Φάβιος τε καὶ οἱ λοιποὶ συγγραφεῖς παραδεδόκασιν*) adding the works of L. Accius and perhaps Brutus on the basis of Cic. *pro Sest.* and Varro *L. L.* 6, 7; Cassius 7, 72).

²⁶ ALFÖLDI, A. *Early Rome and the Latins*. Ann Arbor: University of Michigan Press, 1965, cfr. DONALDSON, *op. cit.*, p. 6, n. 5.

²⁷ Roberto Fiori gives several instances of cases with proof of chastity of matron and Vestals made in a form of ordeal, designed to find whether the questioned person possessed certain qualities, cfr. FIORI, R. *Ordalie e diritto romano. Iura*, 2017, 65.

defence of the accused lady. Among the other cases studied by the Italian researcher, the story about the matron Quinta Claudia, the daughter of P. Claudius Pulcher (consul 249 BC) and the sister of Appius Claudius (consul 212 BC), is remarkable. According to an old prophecy kept in the Sibylline Books the city could overcome the foreign enemy who brought the war in Italy only after conducting in Rome the deity *Mater Idaea*. Further, to clarify the matter the citizens had raised a question before the Oracle of Delphi, whose “suggestion” was to receive in Rome Cybele (the Mother Goddess with Anatolian origin). In this regard the Roman senate had chosen among the nobles “the best man among the citizens” (*vir optimus in civitate*) – P. Cornelius Scipio Nasica (consul 191 BC) – and as his female companion “the most prudent among the matrons” (*femina matronarum castissima*), the mentioned matron Quinta Claudia. This couple should have escorted and welcomed the deity. Immediately some rumours questioning the prudence of this matron had appeared and she should have confronted them properly. Ovidius (Ovid. *Fasti* 4, 305–328) presented her as a defendant in false crime (*et falsi criminis acta rea est*), wherefore the lady had turned to “the Mother of the Gods” with a special supplication as before judge by pledging that she was accepting to lose her life as a punishment if she had not been indeed “morally pure” (*casta*). Then, she had managed easily to pull the ship carrying the image of the deity out of the Tiber’s shallow waters only holding in her hand the rope tied up to the stern. Obviously, this was an ordeal kind – a procedure where namely the deed of the God should dismiss the charge against the defendant.

This fable has a lot in common with Lucretia case where the critical problem also had reflected the chastity and had put as its contra-balance the life of the matron. She likewise had felt threatened by a false accusation of adultery, which could have destroyed her chastity and the honour of her family. Thus, having no other choice to prove her purity and innocence but her death, she had to commit a suicide. Her death was an inevitable challenge to which she had resorted – killing herself she had confirmed her prudence and sustained the idea of noble Lucretia. In a way it is an ordeal kind again, but this time for the position of her family in the society. Thus, the husband and his wife follow similar requirements for moral value, which were more important than their life.

Legal and Rhetorical Concepts Built in the Retelling of the Legend

Although the Livy’s text about Lucretia was not the only one nor the original version, nonetheless it was fundamental for the legend-structuring assimilating some ancient elements, giving them certain moral and rhetoric construct. Other later authors inherited and reorganised it, but still, the information given in this source was underlying their operas.

The moral and the legal concern of the story in its Livy’s staging was the distinction of the adultery and the “rape” (*stuprum*), which was laying in the state of mind of the matron – the same discussion followed by Augustine. Thus, inevitably the personage of Lucretia developed as the centre of the tale. In the Livy’s visions she was a living modern fullblood heroin requiring the compassion of the readers, steadily facing the most dramatic twists of the action in the story, as the author gradually built the image of her and was culminating in Lucretia’s commitment to sacrifice herself. The other participants have their formal presentation in the text – following the pristine, archaic structure of the legend to give the necessary context of the main moral dilemma. And only Brutus as virtuous companion of her should execute the final act – to punish the perpetrator – expelling the family of Tarquinius.

The first appearance of Lucretia was model for the wife in her Latin family, as under Livy (Liv. 1, 57, 9), quite different than the one of the other noble ladies – daughters in law of the king (*ubi Lucretiam haudquaquam ut regias nurus*). They were spending their time in banquets and lux (*quas in convivio luxuque cum aequalibus viderant tempus terentes*) – the habits typical for the Etruscans, where the wives normally join their husbands –, unlike them the Collatine’s spouse stood in the night dedicated to the work with wool surrounded by her slave women (*sed nocte sera deditam lanae inter lucubrantes ancillas in medio aedium sedentem inveniunt*). Then Sextus Tarquinius driven by his bad inclination had committed by force *stuprum* against Lucretia²⁸ (*mala libido Lucretiae per vim stuprandae capit*). The key issue is that the noble lady did not fear the physical force, but she felt the fear (*metus*) for her “modesty” (*pudicitia*) – the threat by the abuser to lay her stabbed body besides the one of a naked slave telling everybody as he had caught them in a dirty adultery (*addit ad metum dedecus: cum mortua iugulatum servum nudum positurum ait, ut in sordido adulterio necata dicatur*²⁹). Thus, she had decided to keep her dignity accepting the forceful deed, but later, she had called for her father and husband. They had arrived in the town of Collatia promptly together with some faithful friends and then she had told them all. The case was clear from legal and moral point of view, and they had acquitted her since the delict doer had forced the lady, because the wrong should be committed by the mind not by the body (*consolantur aegram animi avertendo noxam ab coacta in auctorem delicti: mentem peccare, non corpus, et unde consilium afuerit, culpam abesse*). Then, Livy described the final deed of Lucretia, the sacrifice of herself by her own words: she had told that even if released from the sin, this inferred no freedom from the sacrifice, because there should not have been a living example of impudent Lucretia (*ego me etsi peccato absolvo, supplicio non libero; nec ulla deinde inpudica Lucretiae exemplo vivet*).

In fact, the problem for the legal value of an “act performed under fear” (*quod metus causa*) – the duress – was a centre of the legal discussions during the 1st c. BC. Already at the beginning of this period the Pretorian law correcting the Civil, Quiritarian law, has begun to give some relief in a case of disadvantageous acts “induced by violence or duress” under the view of Richard Baumann.³⁰ This scholar believes that it was not until the first century that the Civil law including the criminal norms would have excused Lucretia for adultery – until that period the judges should find her liable. This change was for Livy the decisive motivation to give her an image coherent to the ideas of his own time. It was

²⁸ Liv. 1, 57, 10.

²⁹ Liv. 1, 58, 4.

³⁰ Cfr. BAUMAN, R. A. “Quod metus causa” and the Criminal Law. *Latomus*, 1993, 52, 3, pp. 550–566. He underlined that the institutions *restitutio in integrum*, *exceptio/actio quod metus causa* give a good example for this development, likewise a quotation of Sex. Pedius made by Ulpian (D. 4, 2, 7pr. Ulp. 11 *ad ed.*) showing that the edict did not cover the fear of *infamia* until the mid-second century AD. Such cases Paul (D. 4, 2, 8pr. Paul. 11 *ad ed.*) thoroughly discussed in his Commentary on the Edict, where the jurist declared as legal the sum of money given by the adulterer to save his live, because he had given it “under the fear of death” (*quod hic accepit metu mortis illato*). D. 4, 2, 7pr. (Ulp. 11 *ad ed.*): *Nec timorem infamiae hoc edicto contineri pedius dicit libro septimo, neque alicuius vexationis timorem per hoc edictum restitui. proinde si quis meticulous rem nullam frustra timuerit, per hoc edictum non restituitur, quoniam neque vi neque metus causa factum est*. D. 4, 2, 8pr. (Paul. 11 *ad ed.*): *Isti quidem et in legem iuliam incidunt, quod pro comperto stupro acceperunt. praetor tamen etiam ut restituant intervenire debet: nam et gestum est malo more, et praetor non respicit, an adulter sit qui dedit, sed hoc solum, quod hic accepit metu mortis illato*.

namely *Lex Iulia de adulteriis coercendis* from 18 BC³¹ that has given the final legal form to differentiate the adultery and *stuprum* using the concept of *metus* as a legal institute.

The problem of fear and the state of mind of the intruder still influence the example-declamations of the professors in rhetoric just as in the Livy's stories and the legal interpretation especially in the context of the mentioned *Lex Iulia*. Giunio Rizzeli³² accentuated on the role of the psychological element of the *adulterium* – the wilful attitude (*atteggiamento intenzionale*) of the perpetrators. The Italian scholar referring to earlier study of Fabio Botta³³ finds that the penal oppression in the cases of violent *stuprum* was reconducted to adultery as under the mentioned *Lex Iulia*. Then, the accusation should address the adulterer's culpability on the first place and only after if asserted the intention of the married lady. The non-legal literature on the topic was confirming the adultery only when both the male and the female wilfully committed the deed. Here the author relies on the works of Quintilian, Pliny, and Augustine.³⁴ On the other hand, G. Rizzeli³⁵ investigates the psychological approach of the Roman authors in studying the dynamics in the state of mind of the participants in a forceful adultery. There the "anger" (*ira*) of the offended was opposing to the *libido* of the offender like in Cicero's *Tusculanae* (*Tusc.* 4, 36, 77).

Livy conducted the stage on the rape of Lucretia in the same manner. Her and Brutus reaction to outrageous deed of Sextus Tarquinius follow the same pattern. However, the speech of Lucretia is remarkable for other reason. The offended lady has the role of a protagonist already. This was a remarkable change in the hierarchy of moral values. Traditionally the lady should stay "mute" as the legal custom treated the female verbosity as an example of wrongful behaviour in the Archaic period. Then, the matron should speak only in the presence of her husband. In the Livy's narrative the situation is different, and the lust of the king's provokes the speech of the victim – she speaks before the domestic tribunal of her father for herself. This corresponded to the change of acts of the play – at the time of the rape she could say nothing having no choice but to hear the order of Tarquinius to keep the silence: *Tace, Lucretia, inquit, Sextus Tarquinius sum, Ferrum in manu est, moriere si emiseris vocem.*³⁶ However, Livy had structured Lucretia's image in contrast to her earlier behaviour, dedicating the next act to her defence and bequeath. In the end

³¹ Livy should had received some legal information about the discussion on these topics available before its enactment.

³² Cfr. RIZZELI, G. *Adulterium. Immagini, etica, diritto. Rivista di diritto romano*, 2008, 8, pp. 30–41, n. 138.

³³ BOTTA, F. "Per vim inferre". *Studi su stuprum violento e raptus nel diritto romano e bizantino*. Cagliari: AV, 2004.

³⁴ Quint. *Inst.* 7, 2, 51; Plin. 6, 31, 5; August. *De civ. dei* 1, 91, 1.

³⁵ Cfr. RIZZELI, *op. cit.*, p. 48, n. 178.

³⁶ G. Brescia describes the way how the Roman ladies used to defend themselves against accusations of complicity during the sexual assault. Then they need to speak because not doing this would infer their voluntary participation in the act of adultery. The problem came from the traditional idea that the ladies should normally keep silent as attested by Plutarchos about Numa (Plut. *Numa* 8, 11) and Ovidius (Ovid. *Fasti* 2, 571–616). According to Senecan controversy (Sen. *Contr.* 2, 7, 5) the crucial moment for proving the ladies' innocence (*utrum adultera sit an pudica*) was her failure to announce to her husband what she had suffered. G. Brescia also refers Ps. Quint. *Decl. maior* 3, 11. She confirmed this conclusion with a consultation of Papinian (D. 48, 5, 40pr. Pap. 15 *resp.*) made in the context of *Lex Iulia de adulteriis*. Cfr. BRESCHIA, G. *Ambiguous Silence: stuprum and pudicitia in Latin Declamation*. AMATO, E. – CITTI, F. – HUELSENBECK, B. (eds.). *Law and Ethics in Greek and Roman Declamation*. Berlin – Munich – Boston: De Gruyter, 2015, pp. 75–93.

this was according to Livy the reason to change the way of ruling the city and become the symbol of its Liberty.

The other ideological point of this narrative embodied in the character of Brutus was the abolishment of the Roman Regnum. In fact, it was with his oath on the blood covered knife and the purest blood of Lucretia that Livy had chosen to start the final act of Roman monarchy and to finish it with the scene of Tullia (the wife of the king) fleeing her home and the city under the curses and fury of men and women. The oath itself should invoke the citizens memory of the sacred formulas for expelling people from the city as Brutus calls as witnesses the gods to his oath that he will persecute Lucius Tarquinius Superbus, his wicked wife and the line of all their children by iron, fire and any possible kind of violence so that he will bear neither of them nor any other to reign in Rome. Remarkably the delict as described by Livy was against the blood itself, which was the purest before the kings' violence (*castissimum ante regiam iniuriam sanguinem*). This was this sin against the city as the kings were usurping the family rights by violating the blood and thus there should be nobody to impose reign in Rome anymore. Thus, it was again the blood of Lucretia to save the city from its wicked rulers.

It is difficult to find the Lucretia myth original version. Although the Livy's elaboration seems clear on two points. First came the accent on the fear as an element to distinguish the violent adultery or *stuprum*, wherefore the female should speak and testify before her husband for the deed of the offender. Livy was using this innovative element of the Roman civil law related to *Lex Iulia* and resulting from the praetorian interventions against "the fear" (*metus*) to present the dramatical character of Lucretia. Finally, the second was to show the Liberty as ethical counterpoint to the *regnum* – a way to restore the pristine value of the noble families. Livy using these elements shaped the original basis of the legend as we could suggest. Thus, the story in the end had received certain economical value as under the terms of G. Dumézil bringing to the Roman history clear ethical reasons.

Lucretia's Case Possible Reconstruction

The earlier discussion above refers to the political and legal layers added primarily by Livy to the original basis of the myth at the end of the Roman Republic using its foundation for actual political purposes. His idea was to implement the new philosophy about personality of the citizens conceived as a kind of standard for moral behaviour into the glorious Roman traditions. Thus, his narrative is attractive and vivid description of common distant past bearing the actual problems at the end of the polis-structured society in the city. Nonetheless, Livy was using some basic information like stories from Roman annals and dramas coming from earlier times to form a true image of a history which was known to his audience as we could perceive from the variety of sources talking about the case of Lucretia.

Besides the survived excerpts of the Roman literature on the topic there are other contemporary sources about this legend that could help to reconstruct its meaning for the people during the Middle and the Late Roman Republic after stripping off the Livy's dramatization vests. It is about some archaeological findings depicting on pottery fragments scenes that could refer the story of Lucretia. Jocelyn Penny Small in her 1976 studies on the Etruscan urns from Volterra and Florence shows some examples of this tradition in

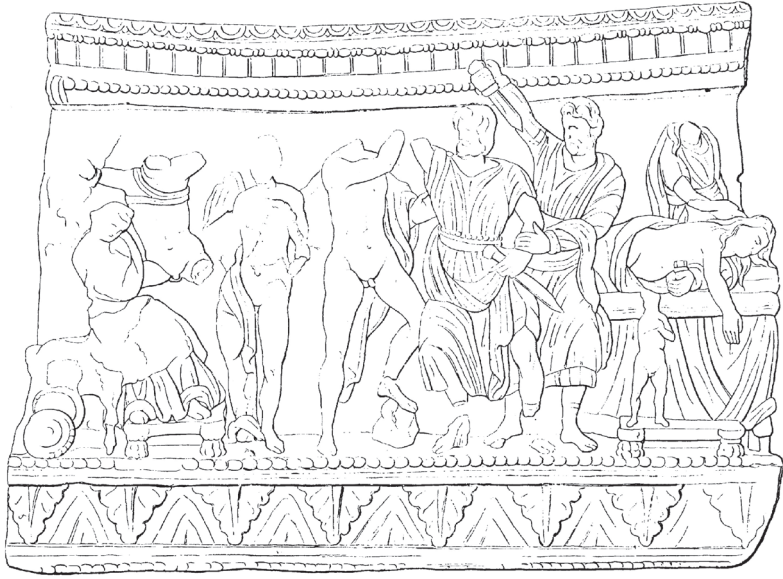


Fig. 1: Volterra 499. After *BrK* II, pl. CIII, no. 1

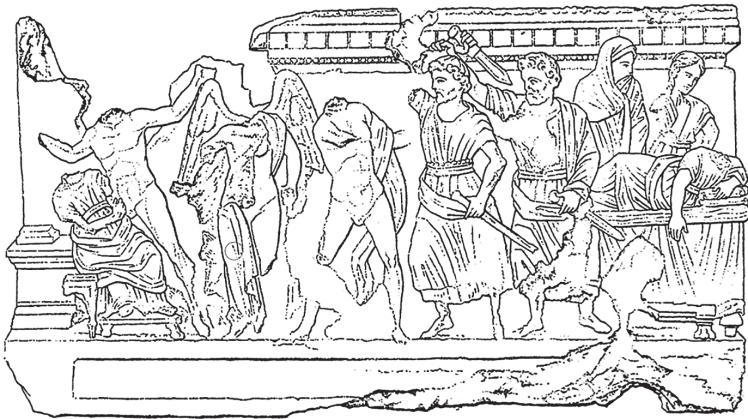


Fig. 2: Volterra 346. After *BrK* II, pl. CIII, no. 3

Rome dating back to the first century BC.³⁷ The pictures – fig. 1 and 2 – hold the main elements of the myth beginning with the death half naked female body. It is laying on the bed and beside there is a male group depicted in a complex composition. All of them are in the same room, but one of them naked is leaving or fleeing the house (he should be Sextus)

³⁷ SMALL, J. P. The Death of Lucretia. *American Journal of Archaeology*, 1976, 80, 4, pp. 349–360. I. Donaldson also refers to this publication as giving a sample of the only surviving image of Lucretia, cf. DONALDSON, *op. cit.*, p. 14.

and the other either holding daggers or unarmed grouped around the lady should stand for the father, Collatinus and of course Brutus.

Bearing on mind the Etruscan origin of pottery and its funeral purposes, it is possible to see the ideology of its images – to show that these families had followed the strictest rules for the Roman aristocracy – linked mostly to Hellenistic model imposed on the Roman society on the verge of the Punic wars. Then the processes of amalgamation of the different tribes in one Latin culture were at hand. The literature background of the story already had depicted the contrast between the female position in families of Etruscan and Latin origin. The Etruscans were almost equal in the everyday routines to men, while the Latin custom was different. It was structuring around the power of *pater familias* and the *manus* of the husband. The matron should stay mute and most of all isolated from the banquets and festivities except from some special religious occasions. Her obligations were primarily to manage the household ruled by the father. All this was aiming at preserving the paternal control over the sons in power for securing the rights of inheritance, which could separate the patrician aristocracy from the other layers of the society. This had a special ideological form securing a complex system of religious rites and deities like the *Pudicitia Patricia* and *Plebea* that should differentiate the layers in the society.

Thus, the myth should explain to the people from different origin and social layers which are the examples to follow, so that they could be a part of the good and noble people, on the one hand. On the other, such images made on funeral pottery should give evidence that this family followed these norms – so the people had regarded already these Etruscans as Romans. In fact, this was one of the instruments to impose the *Latinitas* in the peninsula.

In the end this explanation confirms the conclusions of G. Dumézil that the myth in its Roman version has no “economic” value, since it originally has no meaning of changing the “good” with “bad” and again with “good” government or to show the transformed position of the ladies in the society, rather than to explain the distinction among the good and bad families.