

Eloquentia ludens –
Apuleius' *Apology* and
the Cheerful Side of Standing Trial*

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I. Introduction

In this paper I make an attempt to work out Apuleius' idea of literary play in the *Apology* by focussing on passages that refer in a self-conscious way to eloquence in its various forms from poetry to philosophy and oratory. In particular, I want to show that Apuleius, near the outset of his speech (chs. 5–13), develops a rhetorical programme that underlies the whole of his *Apology*, and possibly even a larger part of his oeuvre. This programme is characterized by the notions of outspokenness, cheerfulness, and charm. Thus, it is perfectly suited to an accomplished sophistic defendant in court and cannot but help his cause. As I shall argue, however, Apuleius thinks of this programme as more than just a means to an end: it lies at the heart of his understanding of articulate speech and literary discourse. It goes without saying that my findings cannot serve as an explanation of all passages and all aspects of the *Apology*. Still, I hope to contribute to a fuller comprehension of Apuleius' literary playfulness and, with that, to our understanding of the coherence of the *Apology*:¹ for if my reading is plausible, the passages in

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¹ In particular the link between the first part of the speech, dealing with charges *extra causam* (chs. 4–65) and the second part, answering to the main charge of magical seduction of Pudentilla, is sometimes questioned. Cf., for an extreme example, Gaide 1993, who argues that only the second part might actually have been performed in court and that the first one is a later extension. As to the question of performance, I think that the text we possess reflects the structure of the original speech, but was revised for publication (cf. Harrison 2000, 42). However, as we will never know about the precise nature of

question are not only related to the whole speech, they lay the basis for its style and arguments.

Scholarship so far has not made much of *Apol.* 5–13. The passage has usually been treated either along with the opening non-magical allegations (chs. 4–24) or with the whole first part of the speech that is concerned with charges *extra causam* and in which the elements of sophisticated learning abound (chs. 4–65). Some scholars have tried to establish a link with the main charge of magic. Hunink, for instance, holds that under the surface of topics like toothbrushing (chs. 6–8), erotic poetry (chs. 9–13), and mirrors (13–16) lurk habits and actions of Apuleius that may have been regarded as magical practices. This would have put him in a more or less vulnerable position and at least part of his discussion would precisely consist in setting up a smoke screen to conceal his embarrassment.² The argument seems to me not wholly convincing. The links to magic that Hunink finds in chs. 4–24 are so tenuous³ that they rather confirm Apuleius' assertion that this part of his defence is a separate discussion (cf. 25,5: *Aggredior enim iam ad ipsum crimen magiae*, 'I come now to the actual charge of magic').⁴ Harrison has argued that the non-magical charges were, in the account of the prosecution, tightly connected with the magical ones. Apuleius would have separated them in order to decrease their force and deal with them in a casual manner in advance.⁵ However, preliminary attacks on the integrity of the defendant were described and recommended in rhetorical theory, and their relation to

the revision, it would be futile to speculate how it could have affected the programme discussed here. There seems to be no methodological alternative to taking our written text for the actual speech.

² Cf. Hunink 1997b, 21 and *passim* in his commentary on the passages in question. Particularly on the erotic poems, cf. also Hunink 1998b, 460–461.

³ Cf. in Hunink's commentary e.g., the association of *urina* (ch. 6,5) with magic, although the word is firmly embedded in the literary context of Catullus' poetry (*carm.* 37 and 39). Note also that Abt, who is regularly referred to by Hunink, is not very successful in finding magical elements in *Apol.* 4–24 (cf. Abt 1908, 15–31). A summary of his results—which Abt does not provide—would have to point out that there are no deliberate hints at magic in those passages.

⁴ Passages of the Latin text of the Apology are from Hunink 1997a; the English translations are from Hunink in Harrison – Hilton – Hunink 2001, 25–121. Translations of other Latin texts follow the most recent Loeb editions. Here and there I made some alterations to bring out specific nuances.

⁵ Harrison 2000, 48–49 (49): '... beauty (with the mirror that aids it) and eloquence were no doubt raised by the opposition as unfair advantages which Apuleius used along with magic to enchant Pudentilla, while composition of erotic verses could have been presented as evidence for Apuleius' interest in the art of seduction'.

the main charge was not necessarily close.⁶ Still, it is not unlikely that Apuleius separated non-magical charges and magical ones to a higher degree than the prosecution did. At the same time I disagree with an assessment of chs. 5–13 as nothing else but part of an entertaining trifle.⁷ Entertainment is certainly a significant function of this section, but I think it is worthwhile to elaborate on Apuleius' idea of this entertainment and I hope to demonstrate that, from this angle, Apuleius' preliminary statements are at least as important to the overall economy of the speech as the discussion of the main charges.

The character of our passage as a sophistic showpiece has often been stressed, and all scholars agree that the display of learning and culture here is a major concern.⁸ As regards the purpose of this showcasing in Apuleius' trial, it is widely held that he wanted to present his character in the light of excellent education and knowledge in order to establish a link with the judge and the audience before he started his factual defence.⁹ Hunink raised the idea that to Apuleius the section *extra causam* may actually have been more critical than the main charge itself, because the latter was a clear case whereas the charges of the first would have contained material difficult to deal with.¹⁰ Similarly, Rives in this volume argues for the central function of the first part of the *Apology* on the basis of a probably diffuse charge. On such obscure terrain, it would have been crucial for Apuleius to present his overall personality as not deserving punishment rather than refute a particular charge. Rives goes on to specify the social function of Apuleius' sophistry and points out that this secured him the air of a respected but harmless

⁶ Cf. *Rhet. Her.* 2,5; *Cic. Inv.* 2,32–34 (*ibid.* 2,33: *quantum enim de honestate et auctoritate eius, qui arguitur, detractum est, tantundem de facultate [eius] totius est defensionis deminutum*, 'For everything that detracts from the defendant's honour and repute, lessens in so far his chance for a complete defence'); *Quint. Inst.* 7,2,27–34 on *coniectura a praeteritis*.

⁷ Harrison 2000, 49: 'The audience, and Maximus in particular, are "warmed up" by the entertaining and relatively superficial refutation of miscellaneous non-magical charges and allegations...'

⁸ Cf. e.g., Helm 1955 *passim*; Sandy 1997, 131–48 on *Apol.*; *ibid.* 140 on the first 27 chapters as a set piece: 'The epithet that springs to mind for this part of the *Apology* is "virtuoso"'; Harrison 2000, 86–88. See also Harrison's contribution to this volume.

⁹ Cf. e.g., Helm 1955, 107; Hijmans 1994, 1762; Schenk 2002, 29.

¹⁰ Hunink 1997b, 20–21: 'the legal matters in 66ff. will appear to be so clear as to be hardly a matter of real worry for him, since he can easily prove his innocence by means of various written documents. By contrast, the possible blemishes on his reputation are more difficult to combat, and are likely to have bothered him much. In that sense, the very long section cc. 4–65 is obviously to be considered quite the opposite of a series of digressions: it constitutes the core of the speech'.

playfulness. My own exploration of Apuleius' playfulness has a different twist. It starts not from contemporary social practices but from Apuleius' own discussion of playful eloquence. I first analyse the two aspects of this concept, i.e., eloquence (II.1) and playfulness (II.2). Following the leads that emerge in this examination, I add a consideration of the role of 'neoteric' poetry (II.3). After that, I investigate the traces of the concept in the *Apology* with the help of three examples, comprised by one general motif (III.1: the 'inside-outside motif') and the descriptions of two individual figures (III.2: the god Mercury; III.3: the orator Lollianus Avitus). Finally, I conclude with a general consideration of the nature of Apuleius' playfulness (IV).

II. The Programme of Playful Eloquence (chs. 5–13)

With chs. 5–13, I put together passages on eloquence (5) and on poems (6–13). The prosecution linked ch. 4 on beauty with ch. 5,¹¹ but in Apuleius' strategy of defence the latter also works as the general introduction to his discussion of poetry. The extensive illustration of eloquence through poetry suggests that Apuleius' programme of playful eloquence, as I understand it, is heavily indebted to verse, and I think it is indeed from here that he ultimately takes his idea of literary play. However, if we want to find out more about Apuleius' idea of playful eloquence, it may be appropriate to start with the words *eloquentia* and *ludere* themselves. They will take us right into the middle of Apuleius' programme.

II. 1. Eloquentia

In Apuleius' oeuvre, the most extended and committed discussion of *eloquentia* can be found in *Apol.* 5, which programmatically enough begins with the words *De eloquentia*. On the one hand, Apuleius here answers to the prosecution's reproach about his being 'a philosopher, who... in both Greek and Latin... is a very skilful speaker' (4,1). On the other hand, as I shall argue, he prepares the ground for his association of eloquence and playfulness in the following sections and, in a sense, the rest of the speech. Apuleius' main concern in this section is the redefinition of *eloquentia* away

¹¹ Cf. 4,1: '*accusamus apud te philosophum formosum et tam Graece quam Latine*' – *pro nefas!* – '*disertissimum*', "we accuse before you a philosopher, who is handsome and who, in both Greek and Latin – what a shame! – 'is a very skilful speaker'".

from the conventional sense of ‘eloquence’ towards that of ‘outspokenness’, which is, of course, also a pun on the Latin *e-loqui*, ‘to speak out’.

Apuleius first stresses the sacrifices he has been making all his life to achieve his present moderate level of eloquence (5,1–2). Then, on the grounds of an alternative definition of eloquence as innocence, he thinks better of his accomplishments (*Apol.* 5,3):¹²

Sane quidem, si verum est quod Statium Caecilium in suis poematibus scripsisse dicunt, innocentiam eloquentiam esse, ego vero profiteor ista ratione ac praefero me nemini omnium de eloquentia concessurum.

Indeed, if it is true what Caecilius Statius is said to have written in one of his comedies, that ‘innocence is eloquence’, in that case I proudly proclaim that I will yield to none in eloquence.

It is uncertain whether the passage from the comic poet Caecilius (c. 230/20–168 BC) referred to has anything to do with the idea of eloquence *qua* innocence that Apuleius makes of it.¹³ However, Apuleius picks up on Caecilius to declare that in a specific sense he is indeed most eloquent. The following passages provide a punning explanation for this (*Apol.* 5,4–5):

Quis enim me hoc quidem pacto eloquentior vivat, quippe qui nihil unquam cogitavi quod eloqui non auderem? Eundem me aio facundissimum esse, nam omne peccatum semper nefas habui; eundem disertissimum, quod nullum meum factum vel dictum extet, de quo di<s>serere publice non possim...

For who leads, in this sense, a more eloquent life than I, who never had a thought which I did not ‘dare to speak’? I also claim to be a ‘professional’ speaker, because I always ‘professed’ all errors to be wrong, and a ‘master of speech’, because there is no word or deed of mine about which I could not ‘discourse in public’.

¹² The context corroborates that eloquence is the *definiendum* and innocence the *definiens*. It might seem confusing that in the following passage the terms appear in reversed order (*innocentiam eloquentiam esse*), but the fact that eloquence has already been identified as the subject of discussion enables us to read: ‘that eloquence is innocence’.

¹³ Title and content of Caecilius’ play remain unknown; cf. for the fragment Ribbeck 1873, *CRF* I. 248; Guardi 1974, I. 266. Warmington 1935 (vol. 1), fr. 255 takes the reference in Apuleius together with a quotation from Cic. *Tusc.* 3,56 (*CRF* v. 266): *saepe est etiam sub palliolo sordido sapientia*, ‘There’s often wisdom even underneath / A shabby little cloak’. I cannot see a compelling reason to do so. For a brief consideration of Apuleius’ relation to Caecilius, cf. Mattiacci 1986, 191–192.

All three puns (*eloquens* – *eloqui*, *facundus* – *nefas*, *disertus*– *disserere*) amount to the claim that Apuleius has nothing to hide and can therefore confidently speak about everything concerning his person. The outright definition of eloquence as innocence, however, implies a further and bolder consequence: not only does a clear conscience make Apuleius outspoken, but outspokenness also appears to be the hallmark of a clear conscience. In Apuleius' concept of outspokenness the ideas of moral legitimation and readiness of declaration overlap, but it is the second element that is stressed in the following parts of the speech, and the whole redefinition of eloquence as outspokenness has apparently been introduced to put the *eloquent speaker* in a comfortable position.¹⁴ In this light, Apuleius' eloquence cannot but prove his innocence. The more and the better he will talk, the more his innocence will shine through. Paradoxically, Apuleius' defence becomes an eloquent confession of his innocence. But what makes this confession playful? It could be argued that the pun on *e-loquentia* that starts our section is itself playful. However, the following discussion of poetry offers a much more elaborate example of eloquence at play.

II.2. *Ludere*

There are, in Apuleius' works, only two occurrences of *ludere* in a literary context. Both of them can be found in ch. 11 of the *Apology*. They are the sole occurrences of the verb in this speech.¹⁵ Ch. 11 comes after Apuleius' defence of his erotic poems on boys, in which he also quotes similar poems by Plato. The orator goes on (11,1):

Sed sumne ego ineptus, qui haec etiam in iudicio? An vos potius calumniosi, qui etiam haec in accusatione, quasi ullum specimen morum sit versibus ludere?

But am I a fool for speaking about these things in court? Or is it you who are casting false aspersions, including them in an accusation, as if playing with verse were any indication of one's character?

¹⁴ Cf. Hunink 1997b, 27, who notes that the phrase *innocentiam eloquentiam esse* is open to two readings: either 'I am innocent, therefore I am eloquent', or 'I am eloquent, therefore I am innocent'. He adds that 'Given the close combination of *innocentia* and *eloquentia*, the latter thought seems to impose itself on the audience regardless of the exact syntax'.

¹⁵ The figures would not be much different if we included *ludus* and *lusus*. In Apuleius, these words do not occur in literary contexts. The only instance in *Apol.* is at 98,7: *in ludo quoque gladiatorio...*

After that, Apuleius elaborates on the *Musa iocosa – vita casta* motif. He quotes Catullus 16,5–6 (*nam castum esse decet pium poetam / ipsum, versiculos nihil necesse est*, ‘For the sacred poet ought to be chaste himself, though his poems need not be so’) as well as the Emperor Hadrian who wrote lascivious poetry too and put this line on the tombstone of a like-minded friend: *Lascivus versu, mente pudicus eras*, ‘Your verse was wicked but your mind was pure’. Then he returns to the example of Plato (*Apol.* 11,5–6):

Cuius versus quos nunc percensui tanto sanctiores sunt, quanto apertiores, tanto pudicius compositi, quanto simplicius professi. (6) Namque haec et id genus omnia dissimulare et occultare peccantis, profiteri et promulgare ludentis est; quippe natura vox innocentiae, silentium maleficio distributa.

Plato’s verses that I just recited are all the more pure for being frank, all the more chastely written for being plainly expressed. Yes, dissimulating and hiding this kind of thing is typical of the wrongdoer, but bringing it forward and into the open is the mark of the player. For this is how nature works: it gives voice to innocence, while imposing silence on crime.

It would not have needed the reference to Catullus to suggest that *ludere* in these contexts is linked with ‘new’ Roman poetry¹⁶ and its characteristic lighthearted, explicit, and cheerful style. This link between Apuleius’ *ludere* and neoteric poetry has not been duly brought out by scholarship.¹⁷ The phrase *versibus ludere* in the first passage is reminiscent of a number of similar phrases in which *ludere* evokes the neoteric idea of poetry (cf. *OLD* s.v. *ludo* 8a). The closest linguistic parallels are Verg. *Ecl.* 6,1: *prima [sc. Thalia] Syracosio dignata est ludere versu*, ‘My Muse first deigned to play with Sicilian verse’ and Plin. *Ep.* 4,27,3: *Nam lemma sibi sumpsit, quod ego interdum versibus ludo*, ‘he has paid me a tribute in taking my occasional

¹⁶ In the following, I often refer to this kind of poetry as ‘neoteric’. I am aware of the fact that Cic. *Att.* 7,2,1 by νεώτεροι refers to poets who write hexameter verse and that in a strict sense we may talk about the ‘neoterics’ only as hexameter poets (cf. Lyne 1978). Nonetheless, literary history has adopted the term in a wider sense and in this paper I use it in fact to characterize epigrammatic poetry in the Hellenistic style, as best represented in Rome by Catullus.

¹⁷ Hunink 1997b, 52 notes that *versibus ludere* refers to Apuleius’ own collection of poetry, named *Ludicra*, but also serves as a euphemism that plays down the erotic character of the poems cited. These nuances may be present, but they are surely outdone by the general references to a neoteric outlook on poetry and life (see below II.3.).

playing with verse as a theme'.¹⁸ The concept of playing with verse, however, stems from Catullus, cf. particularly *Carm.* 50,1–6:

*Hesterno, Licini, die otiosi
multum lusimus in tuis tabellis,
ut convenerat esse delicatos:
scribens versiculos uterque nostrum
ludebat numero modo hoc modo illoc,
reddens mutua per iocum atque vinum.*

Yesterday, Licinius, we made holiday and played many games with my tablets, as we had agreed to take our pleasure. Each of us pleased his fancy in writing verses, now in one metre, now in another, answering each other, while we laughed and drank our wine.

In 11,1, Apuleius does not add much to this idea, except that he sets up the opposition between his harmless poetic practice and the scheming maliciousness of the prosecution. In 11,5 he picks up on this opposition by reinforcing the already established link between innocence and outspokenness. Taken seriously, it replaces a strictly moral standard by a linguistic one in that the factual question about moral behaviour gives way to the literary question whether or not one *speaks* about it. This idea is itself cast in high moral terms: the frank poet composes verse that is *sanctus* and *pudicus* even though its content may be erotic. Thus, Apuleius reverses the argument of the prosecution: writing erotic poetry is not a sign of guilt, but of innocence. Perhaps it would have been all too perplexing at this point to take the next step and state that the prosecution is guilty exactly because it does *not* compose erotic verse, but that is actually Apuleius' line of reasoning. This becomes clear in 11,6 where the discussion briefly turns away from poetry and towards a more general expression of the idea (which also suggests that poetry is just an example of Apuleius' general programme of eloquence). The link between morals and language is evident in the paradoxical opposition between the dissimulating 'wrongdoer' (*peccans*) and the outspoken 'player' (*ludens*).¹⁹ The passage culminates in the assertion that nature has assigned

¹⁸ The context in Pliny is Catullan: he refers to a poem by one Sentius Augurinus (cf. *PIR*² G 135) on the poetry of Pliny himself; it starts like this: *Canto carmina versibus minutis, / his olim quibus et meus Catullus / et Calvus veteresque*, 'I sing songs in light verse, as my old Catullus and Calvus did long ago' (Plin. *Ep.* 4,27,4). On the neoteric style of Pliny's poetry, cf. Hershkowitz 1995; Roller 1998.

¹⁹ As Muth 1973, 2 remarks in his study of the concept of *poeta ludens*, Apuleius' use of the present participle *ludens* as referring to a poet is unique in Latin literature.

voice to innocence, and silence to wrongdoing. Whether we refer this claim to Apuleius' pragmatic context in court or to a more general programme of eloquence, the consequences are profound. Hunink has justly remarked that it leaves the 'speaker with an obvious advantage'.²⁰ Apuleius identifies the trump of his defence exactly with the process of defending himself, or more generally, with his confident self-presentation as a speaker and speech-producing literary man. Again it is only implied at this point that the part of the silent wrongdoer is assigned to the prosecution, but Apuleius takes plenty of opportunities throughout the speech to allude to this relation. Some examples can be found in section III of this paper.

II.3. The Neoteric Touch

Apuleius defines eloquence as outspokenness and ascribes outspokenness to the playful performer. The place where this happens is a discussion of poetry that is obviously cast in a neoteric mould. It seems, therefore, that Apuleius' thinking about those terms is influenced by this kind of poetry. In this section, I shall review chs. 6–13 in that respect and work out some key-terms and motifs that are shared by neoterism and Apuleius' programme of eloquence.

Apuleius begins his discussion of poetry with a quotation *e ludicris meis*, 'from my sports' (6,1). It is very likely that he refers with this phrase to a collection of playful poetry that he indeed entitled *Ludicra*, 'Sports',²¹ and we may note that already this title suggests a relation to the idea of playful outspokenness discussed above. By composing light and playful verse, Apuleius joined a tendency of his period, in which scholars—poetry mostly became a scholarly pastime—turned away from the epic predilection of Silver Latin poetry towards neoteric and, in keeping with the archaising movement,

²⁰ Hunink 1997b, 54 on *Apol.* 11,5.

²¹ For the fragments of Apuleius' poems, cf. Courtney 1993, 392–400. Apart from *Apol.* 6,1, we have the following testimonies for his *Ludicra*: Non. 68: *Apuleius in libro ludicrorum*, 'Apuleius in his book of sports'; Hist. Aug. *Alb.* 12,12: *inter Milesias Punicas Apulei sui et ludicra litteraria*, 'among the Punic Milesians of his Apuleius, and the literary sports'; cf. also *Apol.* 9,5: *ludicros et amatorios [sc. versus] fecit*, 'he has written sportive and amatory poems'. Ausonius, in his *Cento nuptialis*, mentions erotic epigrams by Apuleius, which apparently refers to the same collection (p. 139, 4–8 Green: *Meminerint autem, quippe eruditi, ... esse Apuleium in vita philosophum, in epigrammatis amatorem*, 'being educated, they will remember that... Apuleius was a philosopher in life, a lover in his epigrams'). Cf. generally on Apuleius' *Ludicra*, Harrison 2000, 16–20.

pre-neoteric models.²² Mattiacci has justly stressed the importance of the latter to Apuleius. It should be clear, however, that the adaptation of neoteric and pre-neoteric models is not mutually exclusive but rather draws on the same tradition of playful poetry.²³ This should be kept in mind when, in the following, I make my case for the influence of neoteric poetry and particularly of Catullus on Apuleius' defence.

The first poem (6,3), on toothbrushing, is clearly modelled on Catullus 39, on Egnatius' white teeth and his barbarous dental care. Shortly afterwards (6,5), Apuleius even quotes a line from his model (Catul. 39,19): *dentem atque russam pumicare gingivam*, '[sc. the Celtiberians] polish their teeth and ruddy gums'. He replaces, however, the original *defricare* 'rub off', 'brush' with *pumicare* 'smooth off', 'polish'. Various explanations for this have been made, ranging from a lapse of memory to the intention of expressing effeminacy (which the verb *pumicare* can imply) so as to attack the dedicatee of this poem, Calpurnianus, who sided with the prosecution. An almost inevitable association with *pumicare*, however, is to be found in the programmatic first lines of Catullus' book of poetry (1,1–2: *Cui dono lepidum novum libellum / arido modo pumice expoliturum*, 'To whom am I to present my pretty new book, freshly smoothed off with dry pumice-stone?') and the evocation of this literary context may well be the primary function of Apuleius' alteration.²⁴

In this poem and its context, a great deal of attention is given to the motif of laughing. The last word of the poem, *riseris*, is a sign of that. Whereas Catullus' c. 39 concludes with a rather aggressive attack on Egnatius' habit of polishing his teeth with *urina*, the mouth of Calpurnianus remains untainted by such crude practices. The Arabic toothpowder that Apuleius recommends does nothing but contribute to a clean and charming smile: *ne qua*

²² Sometimes proponents of this tendency are referred to as *poetae novelli*. The term stems from a metrical discussion in Terentianus Maurus (2528–2529: *videro, si novelli / versus erit poetae*, 'let us see if this verse belongs to a novel poet'), but the modern use took some liberties. On *poetae novelli* and the problems of this designation, cf. Cameron 1980; Courtney 1993, 372–4. On Apuleius as *poeta novellus* and on his liking for archaic models, cf. Mattiacci 1985 and 1986.

²³ Cf. the formulations of Cameron 1980, 164: '... the poets too looked back... to Catullus and Calvus and, beyond even them, to Laevius, Aedituus, Catulus, and the Republican dramatists'; also Harrison 2000, 19 on Apuleius' *Ludicra*: 'following in the tradition of Catullus and of earlier Roman poets who adapted Hellenistic epigram'.

²⁴ Hunink 1997b, 31 briefly discusses assorted explanations including the reference to Catul. 1,1–2. He seems to favour, however, the potential hint at effeminacy which, in his view, 'would subtly cast back the reproach of "beauty" made against Apuleius himself in 4'.

visatur tetra labes sordium, / restrictis forte si labellis riseris, ‘that no unsightly blemish may be seen, if you should chance with opened lips to laugh’ (*Apol.* 6,3). Strikingly, the only other places where laughter plays a significant role in the *Apology* are immediately before and after this poem. In ch. 5,6 Apuleius introduces the upcoming pieces of his poetry as an example of his general idea of eloquence as outspokenness. The sentence picks up where the quotation given above in II.1. breaks off:

... ita, ut iam de vorsibus di<s>sertabo quos a me factos quasi pudendos protulerunt, cum quidem me animadvertisti cum risu illis suscensentem, quod eos absone et indocte pronuntiarent.

That is precisely what I am going to do now: to discourse about those verses of mine which they brought forth as if they were a cause for shame. You must have heard me laughing in irritation, because they recited them harshly and ignorantly.

Apuleius’ laughter at the prosecution’s artless recital of his verse does a number of things for its author: on the one hand, it takes the whole discussion to a literary level where matters of pronunciation matter more than any factual evidence; on the other hand, it sets Apuleius as a literary person apart from his ignorant opponents. At the same time, the laughter mitigates the aggressive note of Apuleius’ indignation and leaves him in a superior and mildly patronizing position. However, Apuleius’ laughing gains even more significance if we assume that it establishes a link between his cheerful poetry and his cheerful defence. It prepares for the lighthearted elegance of the poem and demonstrates that the defendant stands for the witty style of such verse. More than that, he claims the same quality of cheerfulness for his audience. This becomes clear in ch. 7,1:

vidi ego dudum vix risum quosdam tenentis, cum munditias oris videlicet orator ille aspere accusaret et dentifricium tanta indignatione pronuntiaret, quanta nemo quisquam venenum.

Just now I saw some who could barely keep a straight face, as this speaker was uttering harsh accusations against cleanliness of the mouth and pronounced the word ‘dentifrice’ with the sort of indignation no one ever shows even with regard to ‘poison’.

With that, the opposing parties are sharply distinguished: Apuleius and his audience understand the ‘neoteric’ art of cheerful speaking, the prosecution

does not. This makes for an excellent start of Apuleius' programme of eloquence, and Apuleius will time and again return to the prosecutions' lack of culture and humour.²⁵ Particularly reminiscent of the present context is the following discussion of erotic poems: for one thing, they are read out as atrociously as the earlier example (9,1 ... *tam dure et rustice legere, ut odium moverent*, '[they read them] aloud with such harshness and rusticity that the poetry raised only hatred'); for another thing, the driving force of the prosecution, Aemilianus, who took issue with the immorality of this kind of poetry, is characterized as an austere old man who prides himself on surpassing the exemplary heroes of old Roman virtue (10,6 and 10,8):

longe austerior, ut putat, Serranis et Curiis et Fabriciis... si tamen tantus natu potes litteras discere

... he thinks himself far more austere than people like Serranus, Curius, or Fabricius... if you are not too old to learn how to read.

The alignment of Aemilianus with the examples of the days of Rome of old indicates that Apuleius, to some extent, dissociates himself from these. He has embraced the 'young', frank, and witty neoteric style and can apparently rely on the same preferences in his audience. Our knowledge of the contemporary literary culture and its particular liking for playful poetry confirms that this trust is sensible.²⁶

Hunink has put forward the argument that Apuleius in his discussion of erotic poems about boys (chs. 9–13) is especially defensive because he wishes merely to deny the attacks of the prosecution—basically saying that the poems are immoral—without giving a sufficient positive account.²⁷ The author's strategy would be to hide away this sensitive subject between two sections where he is more at ease and can argue more offensively, i.e., between the sections on dental care (6–8) and on mirrors (chs. 13–16). This

²⁵ Cf. e.g., *Apol.* 35,7, the only occurrence of *ridere* or *risus* in the speech apart from the passages discussed above: *illorum stultitiam ridebam...*, 'I laughed at their stupidity'; in chs. 78–87, the irony in Pudentilla's letter (87,6: *quae scribserat dissimulamenti causa et deridiculi*, 'which she had written for the sake of irony and mockery') is completely lost on the prosecution, which shows that they cannot handle literature.

²⁶ See above, note 18 and 22. It should be clear that the archaising taste of Apuleius and his contemporaries is not opposed to the sense of a 'young' movement. The archaic models were old in time, but young in spirit, and they helped shape a fresh take on literature.

²⁷ Hunink 1997b, 37–38; cf. Hunink 1998b, 456: '... if Apuleius is so proud of the poems as to recite them again, why doesn't he add a word on the qualities of the poems? Why doesn't he challenge the prosecution by explaining his real motives to compose them at all?'

view, however, neglects the fact that Apuleius has an agenda that goes beyond the question of his potential relations with the boys.²⁸ I think he is more than happy to discuss these poems not least in order to develop his idea of eloquence, which in turn, as outlined above, is a powerful weapon in the hand of the *speaking* defendant. I have already considered the remarkable idea of the ‘e-loquent’ *poeta ludens* that takes shape in ch. 11. To round off my discussion of neoteric elements with a further significant example, I would like to deal with the idea of *lepos* that appears in connection with the erotic poems.

Lepos, perhaps best translated with ‘charm’, is of course a key term of neoteric poetry in the Catullan style. Again, the opening lines of Catullus’ book of poems spring to mind: *cui dono lepidum novum libellum / arido modo pumice expoliturum?* Contrary to Roman comedy, in which the word also frequently occurs, *lepidus* is here firmly embedded in a literary programme.²⁹ Apparently *lepidus* was such a good term to characterize Catullus’ work that some hundred and fifty years later he himself was referred to as *lepidus* by Martial (12,44,5).³⁰ Martial himself continued Catullus’ tradition of writing

²⁸ Note that not even the prosecution seems interested in Apuleius’ relation to the boys. Rather, they reproach Apuleius with composing erotic verse in general (cf. 9,1: *vorsus ut illi vocant amatorios*, ‘the “love poems”, as they call them’; 9,4: *Fecit vorsus Apuleius*, ‘Apuleius has written verses’; 9,5: *At enim ludicros et amatorios fecit*, ‘But he has written light poems and love verses’), which would be a sign of his general immorality. Nor do I think that Apuleius by giving fancy names to the boys wants to conceal their identity (cf. Hunink 1998b, 458–459). As far as his poems are concerned, Apuleius’ reference to a literary tradition of made up names (10,2–5) is completely satisfying. As far as his speech is concerned, the fact that he calls the boys precisely *pueros Scriboni Laeti, amici mei* (9,2) seems to give sufficient evidence for the people attending the case and knowing Apuleius’ circumstances.

²⁹ Cf. further Catul. 6,1–3: *Flavi, delicias tuas Catullo, / ni sint illepidae atque inelegantes, / velles dicere nec tacere posses*, ‘Flavius, if it were not that your mistress is uncharming and unrefined, you would want to speak of her to your Catullus; you would not be able to be silent about her’ (note, incidentally, the link between charm and outspokenness). — Catul. 6,15–17: *quare, quicquid habes boni malique, / dic nobis: volo te ac tuos amores / ad caelum lepido vocare versu*, ‘Well then, whatever you have to tell, good or bad, let me know it. I wish to call you and your love to the skies by the power of my charming verse’. The metapoetic significance of *lepidus* in Roman poetry overlaps with that of *λεπτός* in Alexandrian poetry. Their assonance may have appealed to the neoterics. Chances are good that the words are etymologically related (cf. *TLL* and *OLD* s.v. *lepidus*).

³⁰ Mart. 12,44,5: *Lesbia cum lepido te posset amare Catullo*, ‘Lesbia could have loved you along with charming Catullus’. — For further cases of *lepidi poetae*, cf. Suet. *Vita Hor.* p. 45,22 Reifferscheid: Augustus calls Horace *homuncionem lepidissimum*, his ‘charming little man’; Petr. fr. 25: *qui voltur iecur intimum pererrat / pectusque eruit intimasque fibras, / non est quem lepidi vocant poetae, / sed cordis <mala>, livor atque luxus*, ‘The

playful epigrams and he accounts for his doing so in similar terms. A fine example is poem 8,3, where he puts the idea of abandoning playful for serious poetry to his Muse, obviously Thalia, the Muse of comedy and light verse. Her answer includes the following lines (Mart. 8,3,17–19):

*Scribant ista graves nimium nimiumque severi,
Quos media miseris nocte lucerna videt.
At tu Romano lepidos sale tinge libellos.*

Let the ultra-serious and the ultra-severe write such stuff, sad fellows looked upon by the midnight lamp. But do you dip your witty little books in Roman salt.

Apuleius obviously picks up on this tradition. We have already seen that he, like Martial in the example above, makes fun of the austerity of his opponents. His use of *lepidus* is equally significant. In 10,7, he refers to the love elegies of (Ps.-)Plato:

cuius nulla carmina extant nisi amoris elegia; nam cetera omnia, credo quod tam lepida non erant, igni deussit.

For his only extant poems are love-elegies: all the rest he threw in the fire, presumably because they were not that charming.

There was indeed a story in antiquity about Plato burning his books. This story, however, was usually told to illustrate the philosopher's renunciation of poetry in favour of the search for wisdom.³¹ The only other testimony for an aesthetic motivation is Ael. *VH* 2,30 where Plato burns his epic poetry because it cannot measure up to Homer, and turns afterwards to tragedy. The reason provided by Apuleius is different and more radical. It seems to maintain the supremacy of *carmina lepida* over all other kinds of poetry. Epic and tragic verse, on this account, are expendable and eligible for the fire. Charming things, however, qualify for preservation.

Lepidus occurs a second time, when Apuleius discusses the *Musa iocosa – vita casta* motif (see above in II.2.). He first refers to Catullus (11,2, quoting c. 16,5–6), then to the Emperor Hadrian (quoting his inscription for a dead friend), which is immediately followed by Apuleius' comment (*Apol.* 11,3):

vulture which explores our inmost liver, and drags out our heart and inmost nerves, is not the bird of whom our charming poets talk, but those evils of the soul, envy and wantonness'.

³¹ Cf. Riginos 1976, 46–48.

... *quod nunquam ita dixisset, si forent lepidiora carmina argumentum impudicitiae habenda.*

... which he would never have said if rather charming poems were to be taken as a sign of unchastity.

The Catullan sense of *lepidiora* here is clear from the earlier reference to the poet. Equally, the far-reaching tradition of *lepidiora carmina* is underlined by the example of the near contemporary Hadrian.³² In keeping with this tradition, Apuleius insists on the literacy of charming poetry, which to him, as the following ch. 11,5 with its discussion of the ‘player’ shows, also represents the innocence of outspokenness. Thus, the two instances of *lepidus* in chs. 10–11 help define Apuleius’ general programme of eloquence. Significantly, the further instances of *lepos* and its derivations in the *Apology* occur in passages that are in one way or another reminiscent of this programme. I will discuss them below, in III.2. and III.3. respectively.

III. Reflections in the Larger Context of the Apology

In this chapter I want to show how the discussion of eloquence and poetry in chs. 5–13 bears on the rest of Apuleius’ speech. I do not give a complete list of potential points of contact, but rather pick out some significant and representative examples. They comprise one motif (III.1), one god (III.2), and one person (III.3).

III.1. The ‘Inside-Outside Motif’

The point of Apuleius’ redefinition of eloquence is to understand it as the sincere outer expression of an inner condition.³³ With that he conveys the

³² Hunink 1997b, 53 notes that ‘Hadrian’s authority as an emperor seems to have made him an attractive example’. Perhaps we can go further and suspect that Hadrian’s famous homoerotic relationship to the young Antinoos encouraged Apuleius to write homoerotic verse. Hadrian is known to have composed erotic verse himself (cf. *Apol.* 11,4: *Ipsius etiam divi Adriani multa id genus legere me memini*). That this included homoerotic poetry on Antinoos is very likely (cf. *Hist. Aug. Hadr.* 14,9: *nam et de suis dilectis multa versibus composuit*). Cf. Fein 1994, 107–110, 115–116, and 281 for examples of Greek writers around Hadrian, who honoured the emperor with works on the deceased Antinoos.

³³ At first sight, this seems to be at odds with the *Musa iocosa – vita casta* motif that Apuleius includes in his idea of eloquence with his references to neoteric poetry: outspokenness is based on a similarity between inside and outside; the neoteric claim on a difference between these poles. However, the conflict disappears as soon as the potentially

idea that his defence renders a true, complete, and reliable image of his character: the inner man is the outer man, and there is nothing for him to hide. It seems to me that this figure of thought, which I would like to call the ‘inside-outside motif’, is not limited to Apuleius’ discussion of eloquence proper, but pervades the whole speech. Thus, when he goes on to the magical charges in ch. 28, he states programmatically that he will not resort to any denial, but give a positive reason, as befits a philosopher, for anything put forward by the prosecution (28,2–3):

*atque ego omnia obiecta, seu vera seu falsa sunt, non negabo, sed perinde atque si facta sint fatebor, ut omnis ista multitudo, quae plurima undique ad audiendum convenit, aperte intellegat nihil in philosophos non modo vere dici, sed ne falso quidem posse confingi, quod non ex innocentiae fiducia, quamvis liceat negare, tamen potius habeant defendere.*³⁴

I will not deny any of the charges made against me, be they true or false, but admit them just as if they were facts. Thus this whole crowd that has flocked in from all sides in great numbers to listen may clearly understand that against philosophers nothing true can be said, nothing false can be made up, that they would not rather defend than deny, in full confidence of their innocence.

Later, in his extended discussion of fish as a potential source of magic, Apuleius asserts that everything he does is public and that he adopts the maxim that a free man of free spirit ought to ‘carry his soul written on the front of his forehead’ (40,7):

... praesertim quod nihil ego clanculo, sed omnia in propatulo ago, ut quivis vel extrarius arbiter adsistat, more hoc et instituto magistrorum

obscene outside of neoteric poetry is balanced not with the inside of a biographical person (who could commit an offence) but with that of a writer (who can only be engaged in playfulness). Apuleius insists on his being measured in terms of his professional activity as a poet, orator, and philosopher.

³⁴ As the rest of the speech shows, this boastful claim does not literally mean that Apuleius is willing to admit to unjust charges of the prosecution, but that ‘he will actually acknowledge the bare facts and offer honourable explanations of a scientific or religious nature’ (Hunink 1997b, 96). The same confidence in his innocence, which makes for Apuleius’ dauntless eloquence, is addressed in the second part of the speech that deals with the marriage to Pudentilla (ch. 90,5): *reputate vobiscum, quanta fiducia innocentiae meae quantoque despectu vestri agam*, ‘Look how much I trust in my innocence and what disdain I show for you’.

meorum, qui aiunt hominem liberum et magnificum debere, si queat, in primori fronte animum gestare.

As a matter of fact, I do nothing secretly, but everything openly: anyone, even strangers, may attend. Here I follow the custom and principle of my masters, who say that a free and great man should, if possible, ‘carry his soul written on the front of his forehead’.

Apuleius allows just one well-founded exception to this rule, and this concerns religious scruples. Therefore, the exact nature of the sacred objects that he covered with a linen cloth (chs. 53–6) remains a secret. Apuleius is not willing to talk about them publicly in front of profane people, let alone the ‘atheist’ Aemilianus. However, he offers a private revelation to those who are initiated into the same cults as he is (56,9). A similar case is ch. 64,7–8, where Apuleius refuses to talk about the precise character of his supreme and ineffable god whose wooden statuette is carved in the shape of Mercury and called βασιλεύς:

... paucis cogitabilis, nemini effabilis. En ultro augeo magiae suspicionem: non respondeo tibi, Aemiliane, quem colam βασιλέα; quin si ipse proconsul interroget quid sit deus meus, taceo.

... comprehensible to only a few, and nameable to none: I am not going to answer you, Aemilianus, as to which ‘King’ I worship. No, even if the proconsul himself asked me who is my god, I would remain silent.

The reason for Apuleius’ silence here is less obvious, for Platonic theology is not known to have banned the naming of gods. It has been reasonably argued, however, that Apuleius also, in the syncretistic manner typical of him, ascribes to his supreme god traits of Hermes Trismegistos (after all, the statuette represents Mercury), and that in Hermetic cult such a ban in fact existed.³⁵ These exceptions do not detract from Apuleius’ claim of presenting a true image of his character. He merely respects the limits set to human curiosity by a higher religious principle, which in the eyes of his contemporaries was most likely judged a reputable commitment rather than a reason for suspicion.

The passage from ch. 40,7 quoted above attests, among other things, that the ‘inside-outside motif’ is not restricted to the matching of thoughts and

³⁵ Cf. Münstermann 1995, 194–211, esp. 196–200, with references to earlier literature. Hunink 1997b, 172–173 is, as always, extremely suspicious of Apuleius’ motives. For a brief discussion of the statuette in ‘neoteric’ terms, see below III.2.

words. It also extends to the correspondence between (inner) character and (outer) behaviour. An emblematic example of this idea seems to be Apuleius' discussion of mirrors in chs. 13–16. This section follows immediately upon the exploration of eloquence and poetry and is, for this reason, particularly appropriate to carry on the programmatic aspects of those preceding passages. Apuleius here gives his answer to the *ensoria oratio* (13,5; cf. 10,6 on Aemilianus' austerity) of Pudens who accused him of nothing less than possessing a mirror. After having made fun of Pudens' phrasing, claiming that possession does not imply use, Apuleius goes on to actually praise the use of mirrors. Here is a very short summary of his arguments (14–16):

It is an elementary pleasure for humans to see their likeness; that is why they produce statues and pictures of themselves; mirrors, however, reflect one's image far better than works of art do: while the latter are restricted to static representations, mirrors render a dynamic, live image of the users' every movement; more than that, the wisest philosopher of his day, Socrates, and the supreme orator, Demosthenes, recommended mirrors for self-improvement; but philosophers are not only concerned with their own likeness, they also scientifically investigate the general causes of likeness, that is they study theories of light and vision; mirrors help them explore these subjects; if Aemilianus had read what Archimedes wrote about the subject, he might want to look in a mirror too; this, however, would reveal his ugly appearance that corresponds to his rotten character; the latter is difficult to measure in detail because, while Apuleius acts in the light of the public gaze, Aemilianus prefers to stay in the dark and keeps to himself.

Scholarship on the *Apology* has proposed a number of explanations for Apuleius' interest in mirrors and especially for his tribute to their dynamic quality, some of them quite far-fetched and hardly supported by the context nor the overall structure of the speech: Michel held that Apuleius here looks into the role of appearance in creation, and Callebat speaks of '*une conception dynamique et vivante du monde*'.³⁶ The only prolonged treatment of the section, by Too, takes a rather offhand postmodernist approach and regards the dynamic mirror as a symbol of non-identity and non-essentialism, thus standing, among other things, for Apuleius' multiple literary *personae*.³⁷

³⁶ Michel 1980, 18; Callebat 1987, 115; cf. Hunink 1997b, 60 for a brief review of various suggestions.

³⁷ Too 1996, esp. 141–144.

Hunink's brief reference to mirrors as 'revealers of truth' in comedy points in a more promising direction.³⁸ My guess is that Apuleius deals with the topic of mirrors and light in such detail because he regards it as an analogue of the 'inside-outside motif' at the heart of his programme of eloquence. The image reflected in the mirror is as true to life as the eloquence of the outspoken speaker. Apuleius' use of the mirror testifies to his public visibility, his sincere character, and his innocence. On the other hand, Aemilianus avoids mirrors because they could lay bare his dark, brooding and corrupt nature. The image of the mirror becomes a sign of innocence like the voice of the speaker. Consequently, the passages on the use of mirrors illustrate the arguments on eloquence, innocence, and the player in the preceding passages with a vivid example and so adds persuasive force to them.

There is, however, one problem with this particular reading as with the general postulate of a consistent 'inside-outside motif' throughout the speech. It occurs at 16,11 when Apuleius explains why he never could clearly find out about Aemilianus' shadowy existence. Here the text runs as follows:

Ita et tibi umbra ignobilitatis a probatore obstitit, et ego numquam studui male facta cuiusquam cognoscere, sed semper potius duxi mea peccata tegere quam aliena indagare.

So the shadow of obscurity prevented you from being examined, while I never wanted to find out other people's wrongs: I preferred to have my own lapses kept from view rather than track down those of others.

The idea that Apuleius plainly admits to committing *peccata* and, even worse, that he makes a point of covering them up, appears to me implausible given the nearer and wider context of the speech.³⁹ We could account for this passage with two explanations: a) Apuleius is inconsistent; b) the text is corrupt. To a) there is not much further to add, except that even Homer nods. With b) a number of possibilities arise. It should be noted that all modern

³⁸ Hunink 1997b, 60; cf. e.g., Pl. *Epid.* 382–7; Ter. *Ad.* 415.

³⁹ Cf. 5,5: *omne peccatum semper nefas habui*, 'I always thought all errors to be wrong'; in 16,12, immediately following our passage, Apuleius exalts his standing *in loco lumine conlustrato*, 'in the bright light'. The incoherence is briefly discussed by Watson 1982, 128. Hunink 1997b, 66 attempts an interesting reading: 'On the level of pragmatics, the sentence can even be regarded as a counsel to the opponent: it implies that, rather than going deeply into aliena, Aemilianus ought to have hidden his own peccata'. If this were the obvious and only sense, the problem would vanish. But I doubt that, in the phrasing of our text, no blemish adheres to the speaker.

editions and commentaries stick to the transmitted text. The problem seems serious enough, however, to consider alternatives. I would like to suggest two of them. The first one, proposed by Watson, is *tergere*; Apuleius then would be careful to ‘clear away’, ‘remove’ his faults and so aim at continuous improvement. Provided that those faults were minor ones, he could surely talk about them in all innocence. Perhaps we could even think of a reference to the vocabulary of literary criticism in the neoteric tradition. Watson refers to Mart. 6,1,1–5, where *tergere* means ‘emend’:

Sextus mittitur hic tibi libellus,
 ...
quem si terseris aure diligenti,
audebit minus anxius tremensque
magnas Caesaris in manus venire.

This, my sixth little book, is sent to you... If you tidy it with attentive ear, it will dare with less fear and trembling to come into Caesar’s mighty hands.

Many further examples occur in the form of the past participle *tersum*, ‘polished’, ‘refined’.⁴⁰ We could push the idea a little further and speculate that Apuleius does not refer to moral *peccata* at all but to his literary works that he continuously attempts to improve. This would carry on the idea of the preceding sentence 16,10, where he sets up the opposition between Aemilianus’ rustic obscurity (*tu rusticando obscurus*) and his own studies (*ego discendo occupatus*).

The second alternative reading, first suggested by Lipsius is that *degere* is used in the rare sense ‘remove’ (< *de-agere*).⁴¹ Apuleius could have chosen this word because it had a Plautine ring to it and would have gone well with his general archaising vocabulary; more importantly, it would have allowed an etymological pun on *indagare* (< *ind[u]-agere*). This would have

⁴⁰ Quint. *Inst.* 10,1,93: *tersus atque elegans maxime*, ‘most polished and elegant’ of Tibullus; *ibid.* 10,1,94: *tersior ac purus magis*, ‘more polished and purer’, of Horace; cf. for more examples *OLD* s.v. *tersus* 3.

⁴¹ *Electorum liber* 2, cap. 21 (in Lipsius 1611, 512). Fro. *Ep.* 4,3,7: *potest aestus per vestis intervalla ‘depelli’, potest ‘degi’, potest ‘demeare’*, ‘openings of the sleeves allow heat “to be removed”, “to be let out”, “to descend” ...’; Pl. *Epid.* 65: *degitur corium de tergo meo*, ‘my hide is being stripped from off my back’ (ed. Duckworth; *deagetur* Lindsay; *detegetur* Leo), with Non. p. 427,20 Lindsay: *degere est detrahere*, “‘degere’ means “to take off”. Nonius has a preceding example from Pl. *Aul.* 165 (adopted, e.g., in Lindsay’s edition of the play), in which *degere*, however, is not supported by the manuscripts.

underlined the contrast between Apuleius and Aemilianus. The fact that the author is extremely fond of wordplays throughout his speech makes this solution well worth considering.⁴²

I conclude my discussion of reflections of Apuleius' programme in the wider context of the *Apology* with a brief look at two figures that he treats with extraordinary sympathy, i.e., the god Mercury, in the shape of a statuette (chs. 61–5), and the orator Lollianus Avitus (ch. 94). Both of them are connected to the passages on poetry by the notion of *lepos*, and they share a similar spirit of cheerfulness. They can therefore be read as parallels that realize the initial programme of playful eloquence on the levels of philosophy/theology and oratory. However, while the chapters on mirrors pick up on the the aspect of outspokenness, these passages refer to that of light-hearted playfulness.

III.2. *Mercuriolus*

At the end of the first part of his speech, Apuleius accounts for his possession of a wooden statuette of the god Mercury (called *Mercuriolus* in 62,8 and 63,4). The prosecution maintained that this statuette served for black magic and criticized a number of details: the rare wood it was made of, its loathsome appearance in the shape of a skeleton, and the Greek name of βασιλεύς that Apuleius gave it. The defendant answers that except its rarity and expense there is nothing special about the wood; that it was donated by his stepson Pontianus; that using wood for this purpose is in keeping with Plato's rules; that the statuette does not look like a grim skeleton at all but has a decidedly cheerful appearance; finally, that the name βασιλεύς follows Platonic usage and that religious scruples prevent him from giving the god a more specific name (see above III.1.).

As in the case of the mirrors, Too provides an extended discussion of this passage. She reads the ineffable *Mercuriolus* as an emblem of the ever elusive author and draws the spectacular conclusion that pinning down Apuleius to any given identity or *persona* is a 'sacrilegious act against his per-

⁴² A rich selection of wordplay in the *Apology* is provided by Helm 1955, 92–93; cf., for example (in Latin only, for no translation could do justice to the puns): 4,13: *crinium crimen, quod illi quasi capitale intenderunt*; 35,6: *testa ad testamentum*; 51,10: *fateantur se in puero et muliere caducis vanas et prorsus caducas calumnias intendisse*; 52,1: *tu potius caducus qui iam tot calumniis cecidisti*; 55,1: *quantique sudores innocentibus hoc uno sudariolo adferantur*; 58,9: *illae plumae quasi plumbeae*; 66,8: *non huic Afro, sed illi Africano*; 101,3: *qui potuit perorare, poterit exorare*; 102,3: *O grave veneficium dicam an ingratum beneficium*; 103,5: *existimationem tuam revereri quam potestatem vereri*.

son'.⁴³ I find the basic idea of Mercuriolus as an emblem of Apuleius not unattractive. However, I do not see Mercuriolus as an emblem of Apuleius the postmodern philosopher, but of Apuleius the cheerfully playful performer in the sense of his initial programme. Already the affectionate diminutive *Mercuriolus* may be read as a hint at this.⁴⁴ The endearing description of the statuette's appearance points in the same direction (*Apol.* 63,7–8):

em vide, quam facies eius decora et suci palaestrici plena sit, quam hilaris dei vultus, ut decenter utrimque lanugo malis deserpat, ut in capite crispatus capillus sub imo pillei umbraculo appareat, quam lepide super tempora pares pinnulae emineant, quam autem festive circa humeros vestis substricta sit.

Look how handsome its face is, full of the freshness of exercise, and how cheerful the features of the god are. Look how charmingly the down creeps over both cheeks, and how his curls show from under the edge of his felt cap. Look how elegantly those little wings stand out above his temples, how gracefully his cloak is tied up around his shoulders.

Hunink notes that 'the description carefully strikes pleasant, light notes (*decora, hilaris, decenter, lepide, festive*), reinforced by subtle sound effects (e.g., the alliteration *capite crispatus capillus*)'.⁴⁵ I would venture the argument that it also transfers the cheerful attitude that was first laid out in the discussion of neoteric poetry to the field of philosophy. The philosophic

⁴³ Too 1996, 147: 'At this point in the speech Apuleius identifies it as an image of Mercury (*Mercuriolus*). Yet what he describes is nothing other than an appropriate emblem for himself, a representation of what he should be as philosopher and professional sophist. After all, as a deity associated with, among other things, commerce and control of language, Mercury is an ideal god for Apuleius to identify himself with'. *Ibid.* 152: 'Apuleius is the deity of the Apuleian corpus. Accordingly, efforts to produce representations of Apuleius other than the complex *personae* which he has authorised in his texts are sacrilegious acts against his person'. I wonder exactly which person might be offended, if persons only exist in a multiplicity of *personae*.

⁴⁴ No reference is needed to suggest that the use of diminutives is a mark of playful poetry rather than philosophy or theology. For a discussion and a list of Catullan diminutives, cf. Milazzo 1975.

⁴⁵ Note that especially *lepidum* and *festivum* often go together: cf. e.g., *Rhet. Her.* 4,32 on overembellished style: *est in his lepos et festivitas, non dignitas neque pulcritudo*, 'these figures have charm and elegance, but not impressiveness and beauty'; *Ap. Met.* 1,20,5: *gratas gratias memini, quod lepidae fabulae festivitate nos avocavit*, 'I am extremely grateful to him for diverting us with a charming and delightful story'; *Gel.* 1,23,8: *lepidi atque festivi mendacii consilium capit [puer]*, 'the boy resorts to a charming and elegant ruse'.

aspect of this attitude seems to be expressed in 64,3, where Apuleius refers to the ‘family’ of Plato: *Platonica familia nihil novimus nisi festum et laetum et sollemne et superum et caeleste*, ‘All we know of in our Platonic family is bright and joyous, celebratory and lofty and heavenly’. That this can in itself be read as a programmatic statement, is nicely demonstrated by the fact that the eminent English Neo-Platonist Thomas Taylor (1758–1835) chose this sentence as the epigraph to his translation of Apuleius’ works.⁴⁶ This sentence also bears out that in Apuleius’ view there is no conflict between worldly and heavenly cheerfulness, an idea already hinted at in describing Plato’s playful verse as *sanctus* (11,5). Apuleius concludes the first part of the *Apology* on a high note, which is nonetheless consistent with the picture of himself as cheerful and playful that he drew at the outset.

III.3. Lollianus Avitus

In ch. 94, Apuleius reports how his stepson Pontianus, who for a period conspired with the slanderers, showed repentance and apologized to him. Pontianus also asked Apuleius to write, on his behalf, a letter of excuse to the then proconsul of Africa, Lollianus Avitus,⁴⁷ to whom Apuleius had recommended him when he was beginning his study of oratory. Apuleius obliged him and gave him the letter, with which Pontianus set off to Carthage where he met Lollianus Avitus. Lollianus generously forgave him and sent him back with a reply to Apuleius. It is the short characteristic of this reply, in which Lollianus Avitus is praised as a model orator, that interests me here (*Apol.* 94,6):

... *rescripsit mihi per eum quas litteras, di boni, qua doctrina, quo lepore, qua verborum amoenitate simul et iucunditate, prorsus ut ‘vir bonus dicendi peritus’!*⁴⁸

⁴⁶ Taylor 1822. On Taylor, cf. Raine – Harper 1969; Andrew Louth, ‘Taylor, Thomas (1758–1835)’, *Oxford Dictionary of National Biography*, Oxford: Oxford University Press 2004 [<http://www.oxforddnb.com/view/article/27086>, accessed 17 Aug 2007].

⁴⁷ On L. Hediuf Rufus Lollianus Avitus, cf. *PIR*² H 40. He was proconsul of Africa, probably in CE 157/158, and thus predecessor of Claudius Maximus who acted as the judge in Apuleius’ trial.

⁴⁸ On the *vir bonus dicendi peritus* in this passage, cf. Puccini-Delbey 2004a; in her view, Apuleius does not appropriate this attribute for himself, but rather looks to a more philosophical kind of rhetoric. I do not think that Apuleius would have seen any conflict between these concepts.

... handing him a letter in reply to me. And great gods, what a letter it was! Such learning, such charm, such a lovely and pleasant style! It really was the product of ‘a good man skilled in speaking’.

From this description, the style of Lollianus Avitus appears to be eminently pleasant.⁴⁹ Lexically, it has an even more ‘neoteric’ ring to it than was the case with Mercuriolus. Of course, all the key terms, *doctrina*, *lepos*, *amoenitas*, and *iucunditas* occur in rhetorical contexts⁵⁰ and I do not wish to simply exchange these for poetic ones. However, on the one hand they are neither restricted to nor—perhaps with the exception of *iucunditas*—very frequent in the rhetorical vocabulary. On the other hand, *lepos/lepidum* clearly stems more from neoteric poetry than rhetoric, *iucunditas* is frequent in the former too, and we can even make a good case for a reference here to the learnedness of poetry in the Hellenistic style.⁵¹ The cluster of ‘cheerful’ terms that characterizes this passage is in any case remarkable. What I suggest, therefore, is that the praise of Lollianus Avitus’ oratory is a further translation of the ‘neoteric’ attitude established at the beginning of the speech to a related field. That this is not just an accident is indicated by the fact that Apuleius again puts great stress on this section. As in the case of Mercuriolus, he strongly identifies with the subject of his discourse. Indeed, Lollianus Avitus’ letter is the only piece of written evidence that Apuleius himself reads out, ‘in my own voice’, as he explicitly adds. He admires the letter so much and deems it so crucial to his cause that he is eager to read it three or four

⁴⁹ The fact that Apuleius’ praise is based on a letter should not lead to the conclusion that it refers precisely to epistolary style. The following ch. 95 shows that Lollianus’ general eloquence is at stake, cf. 95,1, which introduces an assessment of Lollianus in oratorical terms: *Non sum nescius debuisse me post istas Aviti litteras perorare. Quem enim laudatorem locupletiore, quem testem vitae meae sanctiorem producam, quem denique advocatum facundiore?* ‘I am not unaware that after this letter of Avitus I should conclude my speech. Could I ever produce a better eulogist, a more revered witness of my life, a more eloquent advocate?’ Note the attribute *sanctus* that is reminiscent of Plato’s ‘holy’ erotic verse in 11,5.

⁵⁰ Cf. the index of Lausberg 1998; for *lepos*—which is absent there—see above, note 45.

⁵¹ Cf. selected examples from Catullus: joyfulness: 9,9: *iucundum os oculosque saviabor*, ‘I shall kiss your delightful mouth’; 14,2: *iucundissime Calve*, ‘my most delightful Calvus’; learnedness: 1,6–7: *omne aevum tribus explicare chartis, / doctis, Iuppiter, et laboriosis*, ‘to set forth the whole history of the world in three volumes, learned volumes, by Jupiter, and laboriously wrought’; 65,1–2: *Etsi me assiduo confectum cura dolore / sevocat a doctis, Hortale, virginibus...*, ‘Though I am worn out with constant grief, Hortalus, and sorrow calls me away, apart from the learned maids...’; cf. generally the elegiac motif of the *docta puella*.

times and does not even stop the water clock while presenting it to the court (*Apol.* 94,7–8):

Scio te, Maxime, libenter eius litteras auditurum, et quidem, si praelegam, mea voce pronuntiabo. Cedo tu Aviti epistulas, ut quae semper ornamento mihi fuerunt sint nunc etiam saluti. At tu licebit aquam sinas fluere; namque optimi viri litteras ter et quater aveo quantovis temporis dispendio lectitare.

I know, Maximus, you would very much like to hear his letter, and if I have it read, it will be in my own voice. You there, please give me the letter of Avitus. What has always conferred distinction upon me, must now bring safety too. And you may let the water keep on flowing. A letter of such an excellent man I would like to read even three or four times, no matter what time it takes.

Thus, the praise and reading of Lollianus Avitus' letter—which is regrettably not rendered in our transmitted speech—becomes as programmatic as the discussion of Mercuriolus and can be similarly understood as a reflection of the initial discussion of playful eloquence.

IV. Playing in Earnest?

In my conclusion I review the results of this paper and take a look at three larger contexts: that of Apuleius' œuvre, that of a specific strain of literary history, and that of the discussion of playfulness as a cultural practice. I am aware of this being far from a detailed account of these contexts, but my sketchy remarks may nonetheless be a useful addition and may even lead on to a more thorough examination.

I have made my case for reading chs. 5–13 of the *Apology* as a programme of eloquence, which is characterized by the redefinition of *eloquentia* as 'outspokenness' and by lighthearted playfulness that is particularly reminiscent of witty poetry in the neoteric style. This programme culminates in the equation of innocence, outspokenness, and playfulness. I have suggested that this accounts not only for Apuleius' discussion of poetry, but at least to some extent also for his general idea in the *Apology* of giving a frank and at the same time cheerful portrayal of his character and deeds. Consequently, there are a number of reflections and reminiscences of this pro-

gramme throughout the speech, some of them rising themselves to a programmatic role.

With that, the function of this initial programme within the *Apology* is immediately clear. It sets the tone for the later defence and preempts the innocence of the eloquent and playful speaker. I could conclude with this result and explain it fully with the pragmatic context of the *Apology*. However, it strikes me that this is not the whole story about Apuleius' playful eloquence. For on the one hand, I find remarkable similarities between the *Apology* and Apuleius' *Metamorphoses* as regards their programmatic use of neoteric concepts. Perhaps the most significant of these is the way in which each text has recourse to a literary idea of *lepos* in order to comment on its own character.⁵² On the other hand, a stylistic idea of outspokenness not only pervades the *Metamorphoses*, but can also be found in related strains of entertaining literature. Compare, for example, Petronius and his much debated, probably authorial passage 132,15, here ll. 1–4.⁵³

*quid me constricta spectatis fronte Catones
damnatique novae simplicitatis opus?
sermonis puri non tristis gratia ridet,
quodque facit populus, candida lingua refert...*

⁵² Cf. the prologue of *Met.* 1,1,1: *auresque tuas benivolas lepido susurro permulceam*, 'I would like to caress your ears with a charming whisper'; in the course of the novel, *lepidum* primarily serves to comment on inset tales: 1,2,6: *aspritudinem fabularum lepida iucunditas levigabit*, 'the charming delight of some stories will smooth out the ruggedness of the hill we are climbing'; 1,20,5: *gratas gratias memini, quod lepidae fabulae festivitate nos avocavit*, 'I am extremely grateful to him for diverting us with a charming and delightful story'; 2,20,5: *ut et filius meus iste Lucius lepidi sermonis tui perfruatur comitate*, 'so that my son Lucius here may share the pleasure of your charming talk too'; 4,27,8: *Sed ego te narrationibus lepidis anilibusque fabulis protinus avocabo*, 'But right now I shall divert you with a charming story and an old wife's tale'; 9,4,4: *cognoscimus lepidam de adulterio cuiusdam pauperis fabulam*, 'we heard a charming story about the cuckolding of a certain poor workman'; cf. 3,19,1, which refers not to tales, but still to speech: *Adrisi lepido sermoni Photidis*, 'I caught the spark of Photis' charming speech'. A literary idea of *lepos* is also present in Apul. *Fl.* 16 (p. 24,10 Helm), referring to the plots of the comic poet Philemon: *repperias... apud ipsum multos sales, argumenta lepide inflexa*, 'you may discover in him many witty sayings and charmingly devised plots'.

⁵³ Cf. the recent discussions of this passage by Conte 1996, 187–190; Setaioli 1997; Courtney 2001, 199–201. All of them support the idea that in one way or another the author speaks in these lines. None of them refers to Apuleius.

Why do you, Cato's disciples, look at me with wrinkled foreheads, and condemn a work of fresh simplicity? A cheerful kindness laughs through my pure speech, and my frank tongue reports whatever the people do...

The overlap between this passage and various parts of the *Apology* is extensive. The severe *Catonēs* are reminiscent of Aemilianus' austerity in 10,6 and Pudens' *ensoria oratio* in 13,5;⁵⁴ the *simplicitas* recalls Plato's *versus... tanto pudicius compositi, quanto simplicius professi* (11,5); *sermo purus* might refer to something similar to those *versus sancti* and *pudici* (11,5); *gratia* evokes the whole idea of gracefulness dear to neoteric poetry generally, but is also applied to Sappho—herself adduced in support of Apuleius' poetry—in *Apol.* 9,7: ... *mulier Lesbia, lascive illa quidem tantaque gratia, ut nobis insolentiam linguae suae dulcedine carminum commendet*, 'a woman from Lesbos, who was sensual but so graceful that the sweetness of her songs made us accept her exotic language';⁵⁵ *ridere* played a crucial part in the discussion of Apuleius' first poem about dental care (cf. 5,6; 6,3; 7,1); and finally, *candida lingua* epitomizes the concept of eloquentia as outspokenness (cf. 11,6: *vox innocentiae... distributa*).

What are we to make of these contexts? They apparently lead us beyond the pragmatic situation in court towards a personal preference and a playful tendency of literature that stretches from Hellenistic epigram to the Latin novel. I do not want to suggest that Apuleius in the *Metamorphoses* adopts exactly the same literary programme as in the *Apology* or that Petronius pre-figured it in the *Satyrica*. But the parallels are close enough to warn us against assuming that Apuleius acts and speaks in the *Apology* in the way he does just because of a clever strategy suited to a practical purpose. This also affects the idea of playfulness and its broader cultural interpretation. Rives in this volume has intriguingly proposed that Apuleius' sophistic play served his case exactly because of its socially accepted formality: for on the one hand, the literary games he plays are highly respected in the educated elite; on the other hand, they are emphatically useless and thus demonstrate the harmlessness of the defendant. There is a great deal to be said in favour of this reading and Rives' examples of formal games (list, quotation, 'problem') are well chosen. However, I do not think that we should reduce Apu-

⁵⁴ Cf. for a similar idea e.g., Phaed. 4,7,1–2: *Tu qui, nasute, scripta destringis mea / Et hoc iocorum legere fastidis genus...*, 'You critic, who inveighs against my works and who disdains reading my kind of jokes...'

⁵⁵ Cf. also *Met.* 5,28,13: ... *non voluptas ulla non gratia non lepos...*, 'and so there is no joy any more, no grace, no charm'.

leius' idea of playing with literature to showing off 'conspicuous leisure' or accumulating 'cultural capital', to name but two key concepts, suggested by Veblen and Bourdieu respectively,⁵⁶ of practically useless culture put to the use of social distinction. Beyond these important aspects there seems to be also something more serious at stake for Apuleius, i.e., an artistic concept of cheerful eloquence and literature which he adopts and supports. This concept informs the *Apology* as well as the *Metamorphoses*, and the fact that it occurs in a whole literary tradition suggests that Apuleius is taking his side in a general and long-standing dispute about the nature of letters. And in that sense, we may state that Apuleius is indeed a player, but one who plays his game in earnest.

⁵⁶ Cf. Veblen 1899; Bourdieu 1986.