

Livy's Cato and Commodities at Centre and Periphery

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Abstract This paper is part of a larger project on how Livy represents the Elder Cato, from his entrance into the text in Book 29 to his last witticism preserved in the summary of Book 50, the longest biographical arc in this first third of Livy's text. It views Cato through the lens of his relationship with objects, and with Livy's narrative as an object as well. This paper focuses on one episode in the life of Livy's Cato, the debate over the repeal of the *Lex Oppia*, and builds on previous scholars' work to unite three arguments: 1) Livy weaves together textual space and Roman topography so as to emphasise the simultaneous marginality and centrality of this debate; 2) Livy's Cato and Valerius fill Rome's urban topography with images of *things* so as to draw attention via women's bodies to the relationship between luxury and Rome's *imperium*; 3) Livy uses this episode to make an argument about his own historical writing and its active relationship to the expansion of empire. This project focusing on Livy's Cato is itself part of an even larger reexamination of how we read, and might read, Livy.

Keywords Lex Oppia. Topography. Thing Theory. Luxury. Empire.

Summary 1 Livy's Cato. – 2 Cato and Valerius Argue, Using Places and Things. – 3 Valerius Re-purposes Cato.



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1 Livy's Cato

Livy writes that Cato, in his thrift and his endurance of work and danger, was of “a mind and body almost iron, *ferrei prope corporis animique*”.¹ The metaphor, unusual in Livy, may come from Cato's own *Carmen De Moribus* (*mor. frg.* 3), “for human life is almost a thing of iron. If you work it, it is worn away, if you do not work it, then rust destroys it all the same”. (The combination of these two passages comes from Brendan Reay's dissertation on the ideology of Roman agricultural writing).² We might recall also, again with Reay, the infamous recommendation, from *De Agri Cultura* 2, that categorises enslaved human beings among tools: “sell old iron tools (*ferramenta uetera*), an old slave, a sickly slave”;³ and Cato's definition (from Servius, on *Georgics* 1.46) of a good man as one experienced at cultivating, “whose iron tools shine”, *cuius ferramenta splendent*. In short, whereas, as Brendan Reay has argued, Cato has represented his slaves as “prosthetic tools”, Livy reverses the metaphor, using Cato's own imagery to turn *his* Cato, mind and body, into a metaphorical iron man.⁴

Cato's own writing associates him, as both author and actor, with many other objects: the things he conspicuously has: most obviously, as Reay points out, agricultural equipment, e.g., the plowshares, oil presses, and wine vats required for a working farmstead in the *De Agricultura*; but there are also the things he conspicuously does not have: e.g., no finely wrought vessels or clothing, and – again equating people and objects – no expensive slave or slave-girl, according

1 39.40.11 *In parsimonia, in patientia laboris periculique ferrei prope corporis animique, quem ne senectus quidem, quae soluit omnia, fregerit*. This is Livy's only application of the adjective *ferreus* to something that is not *literally* iron. Livy writes, for example, of a literally iron metaphorical *manus*, ‘hand’ 24.34.10 (Archimedes' weapon at Syracuse); another at Tarentum, at 26.39.12; others at 36.44.9 and 37.30.9, and again (28.3.7), of literally iron grappling devices known as metaphorical *lupi*, ‘wolves’. On Cato's life and career generally, see Kienast 1954, Della Corte 1969, Astin 1978, Robert 2002; on his self-fashioning as a creature of his harsh Sabine environment, see Dench 1995.

2 Reay 1998, 79 fn. 73. The full quote: *nam uita humana prope uti ferrum est. Si exerceas, conteritur; si non exerceas, tamen rubigo interfecit. Item homines exercendo uidemus conteri; si nihil exerceas, inertia atque torpedo plus detrimenti facit quam exercitio*; the verb is taken up by Livy, 39.40.9 *simulatas nimio plures et exercuerunt eum et ipse exercuit eas*.

3 Cato, *agr.* 2.7 *Auctionem uti faciat: uendat oleum, si pretium habeat; uinum, frumentum quod supersit, uendat; boues uetulos, armenta delicula, oues deliculas, lanam, pelles, plostrum uetus, ferramenta uetera, seruum senem, seruum morbosum, et si quid aliud supersit, uendat. Patrem familias uendacem, non emacem esse oportet*. The infamous recommendation scandalised Plutarch (*Cat. Ma.* 5.2).

4 On Cato's interest in farm equipment, see generally, Reay 1998; 2005. Reay argues that it is Cato's language, especially his imperatives and use of the second person, that made enslaved farm workers into what he calls the elite landowner's “prosthetic tools”.

to a fragment assigned to the speech *De Sumptu Suo*.⁵ There are the things Cato says to buy (building tiles, millstones), and the things he says to sell (worn out oxen, weak sheep, an old wagon). There are the products of Cato's farming: olive oil, wine, wool; cabbages; and the other products of his *otium*: *De Agricultura*, the *Origines*.⁶ Likewise, other authors write of Cato and things: in Polybius, there are those things – again equating people and objects – whose relative prices Cato knows: pretty boys, plowmen, fish sauce, and plow-land.⁷ In Plutarch (4.2), there is the lone servant carrying Cato's utensils; there is his cheap clothing (never costing more than a hundred drachmas, says Plutarch), and the embroidered Babylonian robe, which Cato inherited, then sold; here are the plaster walls his cottages do not have.⁸ In Livy, there is the clothing Cato sends the army from Sardinia (32.27.3), although we cannot make too much of it, because other praetors did the same.⁹ What is striking in Livy are the things this iron man fears, that make his hair stand on end: Greek statues and decorative work; purple; gold; and public places filled with women. Livy's character sketch of Cato at 39.40.4-12 presents him as the superlative soldier and commander, orator and legal expert, farmer and writer. An affinity to objects holds these Catos together.¹⁰

5 Gellius N.A. 13.24.1.

6 Reay 1998, 75, puts it well: “[w]riting about farming becomes indistinguishable from farming itself; this conflation sets the agenda for the subsequent history of Latin literature”.

7 Plb. 31.24.5 and 5a.

8 Plu. *Cat. Ma.* 4.2, 4.4.

9 E.g., 29.36.2-3, 30.3.2, refer to a supply of togas and tunics sent by the proprietor Gn. Octavius from Sardinia.

10 The agrarian Cato appears at least three times in Livy: 1) in Livy's explicit pronouncement in Book 39.40.4, that Cato “was equally clever at city and country affairs”, *urbanas rusticasque res pariter callebat* (which has a parallel in Nepos's brief *agricola sollers* among Cato's other qualities); 2) in Livy's Cincinnatus, when found by the Senate in 3.26, *seu fossam fodiens palae innixus, seu cum araret, operi certe, id quod constat, agresti intentus*, “whether digging a ditch and leaning in his spade, or while he was plowing, intent on (a) work, certainly, that much is agreed, of an agrarian nature”. I differ here with Reay 1998, 17 in that I do not think Livy uses the expression of consensus *id quod constat* in order to squelch factual inconsistency – or at least I do not think that that is his only purpose; I think he uses it in order 1) to associate the farmers with more tools, the long-handled spade, or *pala* (of which a farm should have forty, according to *De Agricultura* 11.5), and the *aratrum* (and thus the more general idea of *aliquid ferramentum*); and 2) to introduce the general phrase *operi [...] agresti*, ‘agrarian work’, and in so doing to invoke the broad range of activities associated with that term, which includes writing an *opus* on farming. This is not to say that Livy means Cincinnatus ever wrote anything, but rather to suggest that Livy exploits both the factual inconsistency and the expression of consensus in order to point out, from early in Rome's history and early in his text, that ditch-digging, plowing, writing a treatise *de agri cultura* – all are uses of *otium*, all laudable. This would, indeed, support Reay's own observations (1998, 74) on Cato's “textualization of Roman agriculture”.

What follows looks at Livy's Cato with an eye out for his relations with other objects besides farm equipment, and for the use, reuse, repurposing, or misuse of them that takes place around him, the emotions those objects arouse, and the actions they provoke. It draws to some degree on Bill Brown's ideas about what he calls 'Thing Theory', particularly his observation that, it is when an item is misused, repurposed, or broken that we become aware of it as a *thing* (for example, we do not see a window, we see through it; but when it is cracked it becomes visible; and when it is broken we become aware of the glassiness and sharpness of the sherds).¹¹ My argument also draws upon work on the commoditization of things, their use in exchange, and the biographies of things (consider, for example, the provenance of Agamemnon's staff in *Iliad* 1, or Archimedes' spheres in Cicero's *De Republica*).¹² Moreover, just as Grace Canevaro has argued cogently for Homeric epic, we can argue that in Livy too, objects, bought and sold, misused, repurposed, and worn out, gain agency, in that they can contain and transmit memory, rouse emotion, and prompt action.

An approach via *things* is also useful for understanding Livy's Cato because, as Chris Kraus has argued, Livy's history itself parades its own substantive qualities. In addition to being the 142 papyrus rolls (over three quarters of which now exist as imaginary constructs built on a foundation of fragments and summaries), or the editions of the surviving fragment(s), Livy's narrative of the *res gestae populi Romani* is also the *res* Livy writes his way through (and even wades into at the opening of Book 31), the *res* that readers hurry through to get to recent events;¹³ the *res* that grows, as Kraus also pointed out, by taking in rhetorical commonplace after commonplace, as Rome grew by taking in place after place (1994, 270). It has its own architecture of episodes, books, pentads and decades, and its own internal logic. It is active: it commemorates and accrues to the *res gestae* of the Roman people; it challenges other forms of commemoration:

11 See especially Brown 2015, 49-77; Brown 2004, 1-2 takes his example of the cracked window from A. S. Byatt's *The Biographer's Tale*; on glass, see also Brown 2015, 17.

12 Kopytoff 1985. On the staff, see now Canevaro 2018, 46-7. On the spheres see Jaeger 2008, 48-68. On luxury items, see Wallace, Hadriell 2008, 318-19: "The goods brought home by marauding Roman armies proved extraordinarily good for talking about. They would have lost their effect as luxuries had /they attracted no attention, no comment, no criticism. Whatever the meaning of these objects in their countries of origin, they acquired new meaning as they crossed the waters and entered new contexts, as is the way of cultural goods, in transit. It was the debate that determined that new meaning. What was at issue was not the objects themselves, but their use in Roman society. They were consequently an important way of talking about Roman society".

13 Kraus 1994, 268-70. On p. 270: "Like the city it describes and constitutes, then, the *Ab urbe condita* is a growing physical object through which the writer and the reader move together". On hurrying through the *res*, see Moles 2009, 60-1 = Moles 1993. On space, see also Jaeger 1997.

the statues and buildings, and inscriptions, and speeches, and all the other attempts at writing the *res gestae populi Romani* of all the other *scriptores rerum*.¹⁴ And at the basic level of material, Livy's work contributes to the very papyrus rolls stored in book-cases throughout the Latin-reading world, jostling for space, perhaps, with the *Origines* themselves.

Moreover, Livy the narrator is aware of and calls attention to the reuse, repurposing, and misuse of the evidence for the past, which is subject to breakage and wear. Events before Rome's sack by the Gauls are obscure partly because of the burning of priestly records and other *monumenta* public and private (6.1.2); the labels on *imagines* can be falsified; speeches lose their labels.¹⁵ Yet, as with Bill Brown's window, it is when this evidence is broken, misused, repurposed or reused that we become aware of Livy as the historian, assessing, judging, finally writing. Observing the relationship of Cato – politician, orator, and historian – to *things* in Livy gives us another angle on Livy's representation of the past, which is at the same time a representation of Rome's historiographic tradition as a thing problematic, but in its very faults and failures, stimulating.¹⁶

Cato's biographical arc spans twenty-two Books of Livy (29-50). He appears as quaestor in Book 29; aedile and praetor in 32, consul in 33 and 34. In Book 36, Cato was *consularis legatus* at Thermopylae; in 38 he is spoken of as 'hounding' Africanus. In Book 39, eleven books after introducing Cato, Livy assesses him as censor. Cato does not depart the text for another eleven. The post-censorial career includes: Cato's patronage of Spanish provincials in 43; Cato speaking on behalf of the Rhodians, in 45, the last book of Livy that survives. In the summary for Book 48, Cato urges war against Carthage, and buries his son; he is still urging war against Carthage in the summary for 49; finally, in the summary for 50, with one last witticism, Cato disappears like the Cheshire cat, leaving only a smile.

It is an unusually long character arc, spanning two decades, longer, even, than the one of Scipio Africanus (twenty-two books vs. nineteen). Other characters lived long and even longer lives, but the earlier books moved through years at such a rapid pace that the bi-

14 See, e.g., Flower 1996 and Pausch 2011.

15 On rebuilding the city, the closing lines of Book 5 and opening of 6, see Kraus 1994; on misleadingly labeled *imagines*, the closing lines of Book 8.40: *utiata memoriam funebribus laudibus reor falsisque imaginum titulis, dum familiae ad se quaeque famam rerum gestarum honorumque fallente mendacio trahunt; inde certe et singulorum gesta et publica monumenta rerum confusa. Nec quisquam aequalis temporibus illis scriptor exstat quo satis certo auctore stetur*. On speeches with lost labels, see 38.56.5-6, with Jaeger 1997, 132-57; Haimson Lushkov 2010.

16 On Livy's reasons for citing variants, and the effects of those citations, see Haimson Lushkov 2013, 21-2.

ographical arc of even Cincinnatus, an octogenarian in his last dictatorship, is restricted to the first pentad.

Cato enters Livy's text obliquely, in indirect speech, as part of Scipio's explaining the arrangement of the fleet before it sails to Africa to confront Hannibal in 204 BCE (29.25.10):

cum uiginti rostratis se ac L. Scipionem ab dextro cornu, ab laeuo totidem rostratas et C. Laelium praefectum classis cum M. Porcio Catone – quaestor is tum erat – onerariis futurum praesidio.

[Scipio said that] with twenty warships he and L. Scipio on the right wing, on the left the same number of warships and C. Laelius, prefect of the fleet together with M. Porcius Cato – he was then quaestor – would provide protection to the supply ships.]

Livy adds Cato's office parenthetically, *quaestor is tum erat*. Helping to protect one flank of the convoy, Cato is subordinate to Scipio and to C. Laelius, prefect of the fleet--in both command and syntax; but Livy also, so to speak, cracks the window of an otherwise apparently transparent narrative: "he was then quaestor" implies that later 'he' was something else. Livy singles out Cato in such a manner that readers encountering him here, for the first and only time in the Third Decade, are made aware of the name Marcus Porcius Cato as indicating an independently existing entity, in a way they are not made aware of any such indication in the case of C. Laelius.¹⁷ If all we knew of Cato came from Livy and if all we had of Livy were Books 21-30, we would still come away with the impression of Cato as somehow important. Cato's aedileship and Sardinian praetorship receive brief mention in Book 32.¹⁸ After reporting Cato's election as consul for 195 BCE in 33.42-3, Livy says almost immediately that the province of Nearer Spain fell to his lot. Africa, Sardinia, Spain – the narrative marks Cato's political rise by his role in events away from the city. Not until Book 34 does Cato appear, act, and speak, in Rome.

This is in the account of the debate over the repeal of the *Lex Opimia*, which takes up the first sixth of Book 34. The law was passed,

¹⁷ See Levene 2010, 66 fn. 165. Compare Cato's entrance in Livy to, for example, the opening of Nepos' brief *Cato*, and the opening of Plutarch's *Cat. Ma.*, both of which enter into Cato's background, upbringing, and early military career. On Nepos' biography, see Stem 2012, 13-15, 123-5. In addition, compare Cato's entrance to that of the young Scipio (future Africanus) at the battle of the Ticinus in 21.46.7-9; on which, see Jaeger 1997, 137-40.

¹⁸ 32.7.13: *Inde praetorum comitia habita. Creati L. Cornelius Merula, M. Claudius Marcellus, M. Porcius Cato, C. Heluius, qui aediles plebis fuerant*. The chronological inversion of offices produced by *qui aediles plebis fuerant* again draws attention to the notice's textuality.

says Livy, in 215 BCE, in the fervour after Cannae (34.1.3; for the fervour, see 22.57.2-4), and it had three points: the law forbade any woman to 1) wear more than a half-ounce of gold; 2) to make use of *uersicolor* clothing; 3) to ride in a horse-drawn carriage inside city or fortified town, or within a mile's distance of city or fortified town, except when conveyed on occasions of public sacrifice.¹⁹ Cato as consul spoke against repeal (therefore for the law); the tribune L. Valerius for repeal (therefore against the law). Livy probably made these speeches up.²⁰ Indeed, his account of the affair implies that there was no need for them, because the vigorous campaigning of Rome's *matronae* prevailed and the law was repealed.²¹ Perhaps the question why the debate is here is best approached by considering *the manner in which* it is here.

First, Livy presents the episode explicitly and emphatically as an insertion into the narrative (34.1.1): "among concerns for great wars, wars just over, or wars that were looming, there intervened a matter, small to speak of, but which because of the zeal it raised, came out as a great conflict" (*inter bellorum magnorum aut uixdum finitorum aut imminentium curas intercessit res parua dictu sed quae studiis in magnum certamen excesserit*). No other surviving book of Livy be-

19 34.1.3 *ne qua mulier plus semunciam auri haberet neu uestimento uersicolori uteretur neu iuncto uehiculo in urbe oppidoue aut propius inde mille passus nisi sacrorum publicorum causa ueheretur*. Culham 1982 argues that the law was sumptuary, not confiscatory.

20 No reference to the *Lex Oppia* appears earlier in Livy or in the surviving fragments of Polybius. No reference appears among the fragments of Cato's speeches, the eighty surviving titles of Cato's speeches, or the fragments of the *Origines* (although some remarks about luxury sound similar). Because Livy explicitly refuses elsewhere (45.25.3) to insert a speech when Cato's actual speech on the topic is available, scholars infer that there was no existing speech on the *Lex Oppia*, that, consequently, the occasion offered an opportunity for Livy to showcase his rhetorical talents on a set topic. See, e.g., Ullman 1927, 139-43. The version preserved by Zonarus and attributed to Dio stands in striking contrast. In Dio's version Valerius suggests that Cato treat the women as Amazons and take them to Spain, or bring them right into the assembly. Hearing his suggestion the women rush into the Forum and, the law repealed, put on their ornaments right there and dance their way out. Kienast 1954, 21-2, does not think that, given the enormity of his project, Livy created a speech that so closely imitated Cato's style out of whole cloth, and raises the possibility that, having discovered an uncirculated speech of Cato on the *Lex Oppia*, Livy modelled his speech on it. But the noticeable Catonian style is partly what marks this speech as an intrusion. Schubert 2002 (rightly, I think) sees the question of authenticity as largely irrelevant and places the debate in the context of Augustan legislation and moralizing about women. On the debate of the *Lex Oppia* in general, see Scullard 1979; Briscoe 1981, 39-63; Culham 1982; Desideri 1984; Bauman 1992, 31-4.

21 Cato's speech, of course, contributes to his characterization as an old-fashioned 'new man'. Cato the speaker complements Cato the doer of deeds, who wins a triumph for his success in Spain, and prefigures Livy's portrait of Cato the censor, who taxed women's luxury items at ten times the previous rate. The list of items taxed parallels the list of restrictions in the *Lex Oppia* (Livy 39.44.2): *ornamenta et uestem muliebrem et uehacula, quae pluris quam quindecim milium aeris essent*.

gins in any way like this, with the long prepositional phrase and the preposition repeated in the verb. Livy presents the entire account as *res parva dictu* that literally *entered* into the narrative and figuratively interposed a veto on the history's continuing: *intercessit* reappears first at the break between the speeches, of the tribunes' re-affirming their promise to veto, *qui se intercessuros professi erant* (34.5.1); and at the end, they drop their *intercessio* (34.8.3).²²

The account this of *res parva* is strikingly peripheral (an insertion at the 'edge' of a book); yet its position in Livy's greater narrative makes it strikingly central. For remove the speeches and there remains a coherent account, one in which the agency of Rome's *matronae* comes to the fore: they act together, besieging *all* the approaches to the Forum, before the speeches; and afterwards, in *one column*, they *all* besiege the doors of the houses of the Bruttii, the tribunes supporting the law.²³ Remove the narrative of the women's actions, and there remains a perfectly coherent annalistic notice of an event: *M. Fundanius et L. Valerius tribuni plebi ad plebem tulerunt de Oppia lege abroganda [...] uiginti annis post abrogata est quam lata*. Finally, take out everything about the *Lex Oppia* and Livy's greater text still shows spatial symmetry: Book 33 ends with a major figure's--indeed Hannibal's--flight from Carthage and his heading east to join Antiochus at Ephesus (33.39.4-7); Book 34, without the *Lex Oppia* debate, would begin with the consul Cato travelling from Rome westward, along the coast of Italy, Gaul, and Spain 34.8.4-9.13).

The debate, introduced as peripheral is, then, the heart of, first a tight small-scale, and then an extensive, ring-composition, one that bridges the break between Books 33 and 34; moreover, this ring-composition is simultaneously structural and topographical: as objects in Livy's texts, the paired speeches in the Forum are surrounded on both sides by the account of the women's *actions* right outside

²² Hudson 2016, 235, interprets *intercessit* and *excesserit* in terms of 'egregious motion'. "It is an affair that goes where it should not, in two senses: it both 'interrupts' more pressing concerns and 'transgresses' appropriate limits". I see it more in terms of something that blocks, vetoes, the narrative from continuing. In any case, the debate brings the narrative of outside events to a halt, and as Pausch 2014, 106-7, points out, slows the pace of representation so that the reader experiences it in 'real time'. Smethurst 1950, 84 points out the dislocation of the episode which chronologically belongs in Book 33, and says that "it marks a new phase in the evolution of Rome".

²³ As Chaplin 2000, 100, observes, Livy leaves it to the reader to decide which of the two speeches is more persuasive. For an overview of women in Roman historiography, see Milnor 2009; for an overview of female groups with emphasis on the early books of Livy, see Mustakallio 1999, 53-64. For *matronae*, especially in connection with the cult of Juno Regina, but with remarks on the *Lex Oppia*, see Hänninen 1999, who refers to the *matronae* acting collectively in regard to religion, and the propitiation of prodigies. She agrees with Culham 1982 in regarding the *Lex Oppia* not as a confiscatory act but as a sumptuary law that curtailed not ownership, but the wearing and display of gold. Robert 2003 argues against assuming Cato's misogyny from this episode.

the Forum and on the roads in and approaching the city; the entire uproar at Rome's centre is surrounded on both sides by the accounts of pressing military concerns abroad, given topographical expression by the two itineraries that take us east to Ephesus and west to Nearer Spain.²⁴

2 Cato and Valerius Argue, Using Places and Things

Speaking first (34.2.1-4.20), Cato argues generally that repealing one law because it does not please everyone will weaken others and lead to repealing all laws; and repealing *this* law will cause a morally corrupting competition among women for luxury items. Fear of losing control connects his expression of distress at women appearing in public, *in publico* – an expression that (with *in publicum*) appears in this episode repeatedly – to his warning about repealing the law. Men, he says, have given up their *libertas* at home; the result: here too in the Forum *hic quoque in Foro*, our liberty, *libertas nostra*, is being metaphorically kicked and trampled; repeal this law, grant any further indulgence, and in their *impotentia* women will aim at joining actual meetings and assemblies in the Forum as well. Any giving way guarantees an inversion of the social order.

This potential social chaos has already manifested itself in the urban landscape outside the Forum, with women being noisy and doing so in what Cato considers the wrong places, that is, outside their thresholds (*limina*), in the streets approaching and the approaches to the Forum. These 'wrong places' together invoke the spare and abstract city centre that Livy plotted out in his first books and to which he returns repeatedly: the Capitoline, here filled with a crowd of men, *turba hominum*, supporting or opposing the law, the Forum and the approaches to the Forum, and the doors and thresholds of private houses mobbed with women.²⁵ It is substantially the same topography Livy flooded with grief-stricken women in the aftermath of Cannae in 22, which had to be set back in order by the magistrates work-

²⁴ Further ring-composition appears in a) the discussion at the meeting of the tribal assembly on the Capitoline, before b) the reference to the women's intervention and before c) the speeches, then to b) the women's increased campaigning and a) the vote of the tribal assembly, which probably also took place on the Capitoline (Briscoe 1981, 45).

²⁵ On Livy's contrast of public/private space in this passage, and his use of the roads as an mediating parallel to 'civil society', see of Riggsby 2009, 162-4. Hudson 2016, 236-45 discusses the use of the roads in this passage, and sees, likewise a tripartite use of metaphorical space (political, social, and domestic); he points out the contrast between the women's moving and the senators' talking, and says that in moving through the space of the city, the women enact what the *Lex Oppia* aims to block (237): "moving through the city openly, even spectacularly". On the abstraction of Livian topography, see Levene 2019.

ing under the dictator; and it is the same topography Livy flooded with women during a flare up of religious irregularities in Book 25.2, which also had to be set in order by the higher magistrates. Readers who made it through the Third Decade could recall the previous instances of disorder *because of* this woman-filled topography and its ability to preserve and transmit memory. For Livy's Cato, too, the very topography, flooded with women and the memory of women, demands that the higher magistrates repeat the past, reestablish order, and quiet the women's outcry.

Cato's most dramatic sub-argument exploits further the location in the Forum and his reported struggle to get there. This is the highly comic prosopopoeia of a Roman matron whose words bring together the three discrete items forbidden by the separate clauses of the law into a single, striking image. Note first that the law's restrictions are general: the word *uersicolor* does not indicate specifically any one hue; likewise the prohibited 'over half-ounce of gold' can take many forms: necklaces, rings, earrings, embroidery, possibly even vessels borne prominently. The prohibition against horse-drawn vehicles, too, does not specify what kind, and it refers generally to space within city or town, or within a mile of either. When Cato speaks, however, he puts into the mouth of a rich *matrona* - and right before his audience's eyes - a much more specific interpretation of the law's general prohibitions: first the women want to gleam, generally resplendent in gold and purple (*ut auro et purpuro fulgamus*); but then they purpose to ride in a particular kind of carriage, *in carpentis*, and 'as if triumphing', *uelut triumphantes*.²⁶ Once the metaphor of the triumph appears, the mind adjusts the references to gold and purple so as to envision specifically the *toga picta*, the *triumphator's* purple toga embroidered with gold, and to see the women specifically in *the city, Rome*; and *triumphantes* on the triumphal route right through the Roman landscape sketched here, along an approach to the Forum, through the Forum, and up to the Capitoline.

The expression *auro et purpura*, appears first by itself, however, and recurs repeatedly on its own in this debate. The initial isolation of the phrase focuses attention on the combined sensory effect of *aurum* and *purpura* objects without substrate or form, flashing gold, and the substance derived from the *murex*, which looked like dried

²⁶ See Hudson 2016, 218-19 fn. 7, 233, on the significance of the *carpentum*. Repurposed by Livy in the mouth of his Cato, it carries the memory of Tullia's terrible deed and invokes the inversion of power symbolised by her aggressive behaviour in entering the Forum and saluting her husband as king (see 236). In mentioning the *carpentum*, Livy's Cato may invoke an actual (now lost) passage of the *Origines*; but he certainly calls to mind Livy, Book 1.

blood and even smelled like fish.²⁷ The expression is Cato's own and, as such, it already has a literary biography with a moral cast: in *De Praeda Militibus Diuidenda* (fr. 224.3), Cato says that, in contrast to thieves of private goods, who live out their lives in chains, thieves of public goods live out their lives *in auro atque in purpura*. A fragment assigned to *Origines* 7 (113) refers to 'women covered in gold and purple' (*mulieres opertae auro purpuraque*);²⁸ the list of specific women's ornaments follows. Livy refers elsewhere in his own history to purple items, purple-embroidered togas or purple cloaks, together with gold items, pins and vessels; and these references generally occur in contexts of gift-exchange in the diplomatic sphere: items of gold and items of purple listed together appear as diplomatic gifts, *dona* or *munera*, sent to kings, to Syphax, for example (27.4.8) and to Ptolemy and Cleopatra (27.4.10). In 30.17.13, among the gifts the Senate approves for Syphax are two purple cloaks, each with a gold pin; a list of more gifts for Syphax (31.11.11), includes among other precious and prestige-conferring goods: gold and silver vessels and a purple toga, as well as a *toga praetexta*. In the broader reaches of Livy, then, *objects* dyed or embroidered purple – cloaks and togas, and items of worked gold – pins and vessels – belong to the system of diplomatic exchange between Rome, represented by the Senate, and its allies. Romans give these objects and receive services in exchange. In contrast, Cato, who uses this phrase *aurum et purpura* repeatedly (always in that order – and this is important to its creation as a *thing*), frees purple of its substrate togas and cloaks, frees gold from the substrate pins and vessels so as to forge *aurum et purpura*, a single substance, of striking visual impact. This striking nature, moreover, gives this compound a permanence and integrity that can move across texts to result in a literary biography, one starting – as far as our fragmentary tradition can tell us – from Cato and moving to Livy. And it is a biography connected to corruption.²⁹ Coming from

²⁷ I differ here from Culham 1986, 226-7, who, after pointing out the difficulty of the term *versicolor*, concludes, "Livy himself clearly thought that it included, or perhaps mainly referred to, purple". Rather, Livy's Cato *reinterprets* Livy's phrasing, whatever its relationship to any actual law's actual wording. *Purpura*, the dye produced from the shelled sea creature called the *murex*, has received much attention. See Bradley 2009, 189-211 (with further bibliography). He shows (192) how Lucretius (6.1074-7) uses the dye's "physical, social, and economic properties" as a means of conferring "value and meaning". Later, Vitruvius, Pliny and Martial drew pointed distinctions between the color 'purple' and the noun *purpura*, which referred to the specific product of the *murex*. That is, *purpura* was first an object that looked (at its best) like congealed blood (194) and smelled like fish. It was very expensive, and as both Pliny and Vitruvius represented it, a sign of empire (Bradley 2009, 192-3). Livy's Cato seems to be exploiting these distinctions.

²⁸ As Briscoe 1981, 49 points out.

²⁹ On the intertextuality of objects, see Canevaro 2018, 245-74.

the mouth of Livy's Cato, then, the phrase is no longer a pair of discrete words with separate largely descriptive meanings but Cato's own ideologically charged *thing*.

Cato tells of the virtuous past which needed no sumptuary laws. When Pyrrhus's agent Cineas tried to 'tempt the minds' of Roman women as well as men, *aurum et purpura* was what he used. It didn't work then says Cato; but, because of the Romans' love of luxury, would work now. Framed as *aurum et purpura*, the kind of objects that elsewhere in Livy serve as diplomatic gifts – such as purple cloaks, gold vessels and jewelry, become a single *thing* that buys disloyalty to the Republic. Moreover, Cato continues, if the *Lex Oppia* is repealed, women will buy *aurum et purpura*, or ask their husbands to buy it; failing that, they will ask another man. The final result of allowing women access to this commoditised *aurum et purpura*, Cato suggests, will be to commoditise the sexual activity of Roman *matronae*. In brief: this compound substance of Cato's invention buys infidelity, public and private.

Cato's speech links *aurum et purpura* to other *things* that when repurposed display agency: the art from Syracuse, the decorative *ornamenta* from Athens and Corinth, potential treasure, *gaza*, from the east. Cato fears that these objects, removed from their original contexts, will act, indeed *already have acted*, on Romans (34.4.3), "I fear all the more that those things have captured us more than we them", (*eo plus horreo ne illae magis res nos ceperint quam nos illas*). Livy's famous discussion in Book 25 of the Syracusan art at Rome says that it *did* act upon Romans, causing them to wonder at art and to mix things sacred and profane, and that *by his own time* the artwork was missing from the temples.³⁰ That is, it had been taken out of its first Roman context and put back into circulation, whether commoditised and sold, or reused in another way.³¹ We have Polybius's thoughts on this pillaged art as well (9.3), and the differences are instructive: explaining why he thinks that taking the art from Syracuse was a bad idea, Polybius distinguishes art from what he sees as commodities: it is all right to take gold and silver, on the one hand, he says, because they have purchasing power (*dynamis*), which a warring people should take from its enemy and for itself. Plundered art, on the other hand, does not have this power; it just provokes jealousy, and pity for the plundered. In Polybius, although the art lacks purchasing power, once removed from its original place, it takes on a different kind of force, in that it calls forth strong emotion.³²

³⁰ 25.40.1-3. See, e.g., Gruen 1992, 84-130, with bibliography; McDonnell 2006, 228-35, with bibliography.

³¹ In this he reflects the collecting impulse of his age and the generation before it, as well as the influence of Cicero's *Verrines*.

³² On this passage, see Walbank 1967, *ad. loc.*

The many objects Cato mentions fall along a continuum from animate to inanimate: from public spaces filled with women, to carriages drawn by horses, to an extraction from dead sea-creatures that dyes cloth, to gold; from statues of deities, to other, purely decorative, works of art. What they have in common and what pulls them together into one charged *thing*, source of the plague of *luxuria* and *avaritia*, is not expense, but rather emotion: Cato's fear that, unless they are kept in their proper place, *not* commoditised, or if so, at least kept in the correct sphere of exchange (diplomatic) and going in the 'right' direction (Rome gives purple cloaks and gold vessels to kings), these things will invert the power relationship between an elite Roman male and what is, in his world-view, rightfully subordinate to him.

Speaking for the repeal of the *Lex Oppia* (34.5.1-7.15), Valerius argues that some laws are meant to be repealed when no longer needed; as he shows that *this* law was motivated by financial, not moral, concerns, Valerius repurposes, among other things, Cato's - and the narrator's - topography, Cato's triumphal imagery, and Cato's *aurum et purpura*.³³ Valerius addresses Cato's distress at women in public by recounting instances, first from Rome's distant past, when Roman *matronae* intervened in public for the public good. These *exempla* (and more on their provenance in a moment) call up and restore to an earlier purpose, the same spare topography the *Lex Oppia* narrative invokes and Cato's speech has used: the Sabines have seized the Capitoline, where the crowd of men have been debating the *Lex Oppia*, and which is the goal of Cato's women's triumph; the Sabine *matronae* rushed into the Forum, where these speeches are taking place, and whose approaches the present *matronae* are thronging. In order to confront Coriolanus and his army, the *matronae* of early Rome fill the roads to the fifth mile point, just as the *matronae* supporting repeal of the *Lex Oppia* fill the roads in and about the city, as they arrive from the market towns.

When he comes to ransoming Rome from the Gauls, Valerius drops specific topography for the more general *in publicum*; but he restores gold to an earlier purpose: "when now the city had been taken by the Gauls, did not the *matronae* with the agreement of all, bring into public (*in publicum*) the gold (*aurum*) by which the city was redeemed?" Valerius has broken up Cato's 'gold-and-purple' unit in favor of pair-

33 Valerius' speech receives far less attention than Cato's, partly because we do not even know precisely which Valerius this was (probably Valerius Tappo; see Briscoe 1981, 43-4), and partly because he stands in the shade of Cato (see, e.g., Smethurst 1950, 83-4). An important exception is Mastroianni 2006, who sees Valerius as voicing the contemporary (Augustan) attitude towards the position of women. As a pair, the speeches illustrate the paradoxical bind Rome has gotten itself into, and which Livy indicates in his Preface (*pr.*9), when he refers to the present as *haec tempora quibus nec uitia nostra nec remedia pati possumus peruentum est*.

ing gold and a place, the public sphere. When he turns to the law itself and addresses the matter of *luxuria*, Valerius categorises gold with money, and distances it still further from purple by establishing it among the metals used for coinage, and linking it again to a place: “gold and silver, all of it, with the initiative coming from the senators, we brought out (*in publicum*); widows and orphans brought their moneys into the treasury. Warning was given that none of us should have at home more gold or wrought silver, or coined silver, or bronze”.³⁴ Valerius’s treatment, has rendered the idea of *matronae in publico* into *aurum in publicum* and then *pecunias* [...] *in aerarium*. Valerius presents gold as either coin or potential coin, and this monetizing recalls Polybius’ distinction between plundered art and precious metals.

Purple, in contrast, Valerius de-commoditises. With one exception, and that is when he casts Cato’s own expression back at him, Valerius always presents *purpura* with reference to a substrate; purple is purple regalia, the *toga praetexta*, the winding sheet, the trappings of a horse, and he asks to whom ‘we men’ will permit it (34.7.1-2):

purpura uiri utemur, praetextati in magistratibus, in sacerdotiis, liberi nostri praetextis purpura togis utentur; magistratibus in coloniis municipiisque, hic Romae infimo generi, magistris uicorum, togae praetextae habendae ius permittemus, nec id ut uiui solum habeant [tantum] insigne sed etiam ut cum eo crementur mortui: feminis dumtaxat purpurae usu interdicemus?³⁵

Shall we men enjoy purple, wearing the *toga praetexta* in magistracies and priesthoods? Shall our children wear togas woven with purple? Shall we grant the right of wearing the *toga praetexta* to colonial and municipal magistrates, [and here in Rome to the lowest category, the magistrates in charge of streets?] And grant that not only shall they have this regalia while they live, but even when they have died and are cremated? To women alone will we deny the use of purple?

Purple is the prerogative of elected officials, therefor earned (or given boys who are noble by birth). It cannot be simply *bought*. Valerius’s list of those entitled to purple extends outward to the *coloniae* and *municipia* and from the higher magistrates down, possibly, to

³⁴ Valerius uses the word *pecunia* eight times and *pretium* once (note *manupretium* as well); Cato uses neither, even when he is talking about the women asking their husbands to buy them ‘gold-and-purple’ (Cato uses, *licere* and *posse*).

³⁵ *Hic Romae infimo generi, magistris uicorum* may be an interpolation. Briscoe 1981, *ad loc.* argues against it being a late-antique gloss and suggests that it is an addition to an earlier draft.

the *magistri uicorum*, and from fathers to sons, from the living to the dead, and even from the human to the animal, where his final appeal asks: “will your horse wear trappings that are showier than your wife’s clothes?”

Then, in a manner that underscores *aurum et purpura* as Cato’s ideological construction and emphasises Valerius’s own deconstruction of it, Valerius contrasts the two (34.7.4):

Sed in purpura, quae teritur absumitur, iniustam quidem sed aliquam tamen causam tenacitatis uideo; in auro uero, in quo praeter manupretium nihil intertrimenti fit, quae malignitas est?

But in the case of purple, which wears out and is destroyed, I see some cause, unjust, but some, for holding out; but in the case of gold, in which there is no loss in use besides the cost of the handiwork, what is the evil?

In pointing to wear and destruction, moreover, Valerius calls attention not to purple as the marine substance, nor to purple as part of the ‘gold and purple’ unit, but to the dyed, interwoven, or embroidered fabric that is its substrate.³⁶ His diction, moreover, adds a tactile impression: Livy uses the word for ‘holding out’, *tenacitas*, nowhere else. Cicero, the only writer to use it before him, uses it once, when he describes an animal ripping at its food with the *tenacitas* of its claws. The rare and evocative word, combined with the reference to worn and destroyed fabric, suggests a physical act, as if Cato were not metaphorically clinging to the law so much as grasping the worn purple fabric itself with claw-like hands.³⁷

After pointing out briefly that women’s gold is a resource, a defence, *praesidium*, both public and private, Valerius pulls together the law’s trio of luxuries to repurpose Cato’s image of a triumph, and uses, for the only time, Cato’s *aurum et purpura*. Valerius, however, envisages Rome’s *matronae* watching outsiders (wives of the Latin allies) ‘triumph’ over them, as they follow behind (like captives?): “but, by god, they all (*uniuersis*) feel grief and resentment, when they see the ornaments *taken from them* granted to the wives of the Latin allies, when they see them distinguished by gold and purple (*insignes eas esse auro et purpura*), see them ride through the city (*per urbem*)

36 Purple cloth was reused and the last use of worn and patched purple cloth removed it permanently from the realm of commodity: it was used as grave-clothes that were burned or buried (Bogensperger 2014). Valerius includes this use in his own list.

37 The image calls to mind less Cato the praetor of Book 32, who sent clothing to the army from Sardinia, and more the author of *De Agricultura*, who was stingy with clothing for his enslaved workers, and had them use festal days for odd jobs, which included making patchwork and mending cloaks and hoods.

while they themselves follow on foot, as if *imperium* were in the others' cities, not their own". Valerius reuses the very words Cato earlier put into the mouth of his hypothetical rich *matrona*: *cur non insignis auro et purpura conspicior*? But in projecting an image of what would result if Cato's view prevailed, he re-focalises it through the collective gaze of the Roman women. Seen through their eyes, *aurum et purpura* on the wives of the Latin allies becomes a source of grief and indignation, *dolor et indignatio*. Worn by the 'victor', it has the very effect that Polybius attributes to pillaged art: it provokes emotion. Valerius - and Livy - invite their audiences to empathise with the Roman *matronae*, but also to see Roman *matronae* led in triumph, visible proof not of a *seditio muliebris*, but of the relocation of *imperium* outside of Rome.

3 Valerius Re-purposes Cato

Valerius repurposes and reuses Cato's phrases, Cato's triumphal imagery, Livy's Cato's and Livy's topography. We see further repurposing and reuse in his series of *exempla* of women putting their bodies on the line and their gold into circulation, because Livy told these very stories in Books 1-5. Or, we should say, Livy repurposed stories told by Cato; now Livy's Valerius repurposes *them*. For as Valerius lists the times in which Rome's women brought out their gold and put it into circulation for Rome's good, he shows that something besides gold (something so new, in fact, that it has not yet been written), is now in circulation.³⁸ This is Cato's *Origines*, a roll whose physical nature Valerius invokes when he tells Cato, *tuas aduersus te Origines reuolvam*, "I shall unroll | roll back your *Origines* against you". We can picture him holding the volume in his hands, the member of the ancient *gens Valeria* in striking contrast to the new man Cato's clinging to worn purple, and a vivid reminder that, once circulating, the *Origines* are a *thing* outside of Cato's control. They can, accordingly, be repurposed, reused, and abused.

As he argues that women have acted for Rome, it is only reasonable that Valerius point to the passages in which women acted for Rome. But just as Cato's speech is his first explicit appearance in Livy's Rome, so too, this is the first explicit reference to the *Origines* in Livy's text and, as readers see the *Origines* here un-scrolled, they see what Valerius wants them to see, so that even those readers of Livy who had read the *Origines* would see the text in a new light. In

³⁸ The anachronism is much noted, as is the fact that it supplies one of the arguments for the ahistorical nature of these speeches. See Ullmann 1929, 140; Briscoe 1981, 56, with bibliography.

either case, they could be excused for seeing Cato's history as presented here, not as the *populi Romani gesta*, but as the *matronarum Romanarum gesta*:³⁹ achievements of the *matronae* who intervened during the battle between Romans and Sabines; the *matronae* who stopped Coriolanus from attacking Rome; the *matronae* who gave their gold to help ransom the city from the Gauls. By repurposing these *exempla* from the *Origines*, Valerius has made a Cato's *Origines* of his own construction, a history of Romans, who happen to be women, acting for Rome's good.

We can see what this repurposed text has to do with gold, because Valerius has made the connections explicit; but what has it to do with purple? Here Valerius' argument is implicit but legible. Valerius refers to the women's ornament as metaphorical *insignia*, because they cannot hold public office, and as adornment (*mundus*) endorsed by 'our ancestors'. Purple and gold can show that a woman is not in mourning or that she is celebrating. (Otherwise they distinguish women only by their access to wealth – or as Cato suggests, to wealthy men). For men, as Valerius says, purple has a specific meaning as a sign of magistracy or priesthood. This specific significance hides its status as a commodity under the idea of achievement.⁴⁰ Purple, then, is the visible evidence of achievement that correlates with one's *name* entering the record of priesthoods or some magistracies, or the triumphal or consular *fasti*; and if one is consul, evidence that the year has taken its identity from one's name, that the magistracy will appear with one's name on one's epitaph, or in the *tituli* that accompany one's *imago*.

From Cato's point of view, the equality that comes from no woman having *aurum et purpura* to display is desirable. When every woman's level of ornament is the same (*aequato omnium cultu*), says Cato, no one need worry about how they appear. Cato's imaginary rich matron, *illa locuples*, complains: "this is the very levelling I cannot endure" (*hanc [...] ipsam exaequationem non fero*).⁴¹ A rare word otherwise used by Vitruvius for the preparation of building sites, *exaequatio* draws attention vividly to the idea of absolute levelling, which is at the heart of Livy's reason for including this debate.

By the time Valerius asks "Shall we forbid only women the use of purple?", he has already shown the *exaequatio* that has taken place *among men* by listing the potential wearers of purple extending outward, even, possibly, to the magistrates of *coloniae* and *municipia*: al-

39 See Cato, Fr. 1 P, *Si quae homines sunt, quos delectat populi Romani gesta discere*, with Chassignet's note (*ad loc.*) about the interpretation.

40 Kopytoff 1986, 73-7.

41 Servius on the *Georgics* also uses it to denote a levelled surface or the concept of levelling ground. Cato may have used it himself (Briscoe 1981, 53-4).

most everybody has it (including horses).⁴² This debate about women (with Cato even taking on a woman's voice) is starting to look like a debate about men. Cato argues for the value of denying women purple so as to keep their level of *cultus* equal; in pointing to the leveling that has taken place – among men, Valerius implies that the more men allowed to wear purple, the less meaning it has. If even horses wear it, why not, then, allow it to the women?

The outcome of Valerius's take on *exaequatio* might have resurfaced later in Livy's text: the summary of Book 48 tells us about the funeral of M. Aemilius Lepidus, chosen by six pairs of censors as *princeps senatus*.⁴³ Before he died Lepidus instructed his sons (*praecepit filiis*), to carry him out *sine purpura*, and to restrict the other funeral expenses. The passage concludes with a memorable *dictum*: "It was the custom that the funerals of great men were ennobled by the appearance of the *imagines*, not expenditure".⁴⁴ The combined argument of Valerius's speech and Aemilius Lepidus's funeral is that if everyone has purple, purple no longer matters; and the centre of competition moves elsewhere, to the *imagines*. And eventually to the roll of history.⁴⁵ Here, I think, is Livy's point: for what Cato argues in the case of women (deny distinguishing marks to all, so that no one stands out) is what his *Origines* has already done in the case of men. As Nepos and Pliny tell us (*Cato* 3.4, *Pliny* 8.11), the *Origines* did not give the names of *duces* and *imperatores* (although, according to Livy, Cato did not deny himself praise).⁴⁶ Cato's *Origines* gave rank, but not name; they made the achievement that would otherwise accrue to the reputation of the private family into a possession of the republic.⁴⁷ Valerius' reconstructed *Origines* show that the women's

⁴² Indeed, at 33.42.1, shortly before reporting the results of the elections in which Cato won his consulship, Livy says that for the first time there was created a board of three for putting on sacred banquets. He lists the three new officials, then says that they, on the grounds that they were priests, were granted by law the right to wear the *toga praetexta* (and he names the three men that could wear it).

⁴³ The summary (*Per.* 48.9) first tells us about another funeral, that of Cato's for his son who died while praetor. This funeral was every cheap in accordance with Cato's means, *tenuissimo ut potuit (nam pauper erat) sumptu*. The summary lists events intervening between the two funerals, so it is not clear if Livy made any explicit comparison between them.

⁴⁴ *Per.* 48.11: *M. Aemilius Lepidus, qui princeps senatus sextis iam censoribus lectus erat, antequam expiraret, praecepit filiis lecto se strato [sine] linteis sine purpura efferrent, in reliquum funus ne plus quam aeris decies consumerent: imaginum specie, non sumptibus nobilitari magnorum uirorum funera solere.*

⁴⁵ Gotter 2009, 220-1.

⁴⁶ Valerius' misuse of the *Origines* would be all the more striking if, as Sciarrino 2004, argues, the omission of names is a feature contributing to the exclusivity of Cato's catalogue of *gesta*. The *nobiles* did not need names to commemorate the authors of deeds: they already knew them.

⁴⁷ On the 'typical' nature of these figures, see Toher 1990, 139-54.

actions receive credit *just as specifically* as a man's. The Roman *matronae* and the *dux* or *imperator* who saves the day receive the same recognition: recognition by category or type, not by name – even Coriolanus' mother and wife go unmentioned in the version of the *Origines* presented here: it is the *matronae* who turn him away.⁴⁸

But not mentioning names undermines the reason for elite competition; and elite competition builds empire. As Livy stages the debate, Rome is at an impasse and the argument is played out using women's bodies: watch them triumph in *aurum et purpura* at Rome; or share their feelings as they watch *imperium* go elsewhere. Moreover, until this issue is resolved, Cato cannot go west (no *supplicatio*, no triumph, no donations to his men from Spanish silver); and Hannibal is still Out There with Antiochus. Valerius and Cato (in Valerius's version of the *Origines*) were right: in Rome's earliest days the women rushed into the public sphere to save the city. Here they do so once again. By clamoring successfully for the repeal of the *Lex Oppia*, the *matronae* allow the expansion of Roman power to continue.⁴⁹ Cato leaves immediately, *extemplo*, as soon as the law is repealed, then makes his way efficiently to Spain, where he concludes operations by levying *uectigalia* on the iron and silver mines (34.21.7 closes the account of Cato's activity in Spain for the year: *pacata prouincia uectigalia magna instituit ex ferrariis argentariisque, quibus tum institutis locupletior in dies prouincia fuit. Ob has res gestas in Hispania supplicationem in triduum patres decreuerunt*). Livy's only use of *ferrarea* in the surviving books suggests *Origines* 5 as a source, and further interconnects Cato, politician and writer by way of *things*: the historian, the 'iron' man, his source of iron, and the imposition of tribute, one of the *res gestae* on account of which the Senate decreed a *supplicatio*.⁵⁰

As Livy presents it, the speeches debating the *Lex Oppia* had no impact on events except to impede their progress and bring to a halt

⁴⁸ Compare Livy, who gives the names (2.40.1): *Tum matronae ad Veturiam matrem Coriolani Volumniamque uxorem frequentes coeunt*. Whether or not Cato's *Origines* named *Veturia* is immaterial: the repurposed version of Livy's Valerius does not.

⁴⁹ As Bauman 1992, 33-4 suggests, women may have been behind the initial move to repeal. He names Scipio's wife Aemilia as a possible instigator of a ploy meant to delay Cato's departure for Spain. That is, of course, not how Livy's narrative presents it: the tribunes act first, with two proposing repeal and two opposing; the men debate both sides; then the women enter.

⁵⁰ On the Spanish mines, see fragment 2 of *Origines* 5 (Chassignet) = VII 5 J = 93 P: *Sed in his regionibus ferrareae, argentifodinae pulcherrimae, mons ex sale mero magnus; quantum demas, tantum ad crescit. Ventus Cercius, cum loquare, buccam implet, armatum hominem, plastrum oneratum percellit*. See also Livy, 34.42.1, which repeats the notice of Cato's *supplicatio*, and forms a false synchronism between Cato's *supplicatio* and that of Flamininus. See Briscoe 1981, 115. The idea of the 'iron man' might be behind Plutarch's pointing out Cato's red (*hypopyrros*) hair (*Cat. Ma.* 1.3).

as well the narrative of Rome's external history. Livy's presentation of the debate as an act of literary *intercessio* implies that only the resolution of this impasse allows written history to continue as well, because the speeches raise *both* the question of what kind of place Rome will be (will luxury or austerity prevail?), *and* the question of what kind of history will Rome's be (will it glorify individuals or aim for literary *exaequatio*?). By Book 34, it has, of course, long been clear that Livy has chosen the former – as did others – and that luxury *did* prevail; but he finally confronts the question here, when he makes the inventor of Latin prose literature, the first Roman historian writing in Latin, and the first Roman to preserve and perhaps circulate his speeches, speak for the first time.

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