

FIDES, CONTRACTUAL LANGUAGE
AND THE CONSTRUCTION OF GENDER
IN PROPERTIUS 3.20

A Thesis Submitted to the College of
Graduate Studies and Research
In Partial Fulfillment of the Requirements
For the Degree of Master of Arts
In the Classical, Medieval, and Renaissance Studies Program
University of Saskatchewan
Saskatoon

By

MELANIE RACETTE-CAMPBELL

Keywords: Propertius, gender, masculinity, marriage contracts, fidelity

© Copyright Melanie Racette-Campbell, August, 2007.

All rights reserved.

Permission to Use

In presenting this thesis in partial fulfilment of the requirements for a Postgraduate degree from the University of Saskatchewan, I agree that the Libraries of this University may make it freely available for inspection. I further agree that permission for copying of this thesis in any manner, in whole or in part, for scholarly purposes may be granted by the professor or professors who supervised my thesis work or, in their absence, by the Head of the Department or the Dean of the College in which my thesis work was done. It is understood that any copying or publication or use of this thesis or parts thereof for financial gain shall not be allowed without my written permission. It is also understood that due recognition shall be given to me and to the University of Saskatchewan in any scholarly use which may be made of any material in my thesis.

Requests for permission to copy or to make other use of material in this thesis in whole or part should be addressed to:

Director of Classical, Medieval, and Renaissance Studies
University of Saskatchewan
Saskatoon, Saskatchewan, S7N 5A5

ABSTRACT

Propertius 3.20 is a poem that has received relatively little critical attention for its merits as a poem or its relationship to the poet's larger poetic project and to the turbulent era in which it was written. Here, the poem is placed into its literary and cultural context and subjected to a gendered reading influenced by modern feminist theory. Propertius 3.20 uses the language of fidelity and contracts that was traditionally associated with solemn legal ceremonies and agreements in his depiction of a socially illegitimate relationship between a lover and his mistress. The destabilization of relationships caused by the application of this language to the *demimonde* leads to a problematization of the gender roles of the actors in the relationships. Propertius 3.20 raises issues relevant to the construction of gender in the Propertian corpus and the crisis of masculinity triggered by the rise of Augustus.

ACKNOWLEDGMENTS

First, I would like to thank my supervisor, John Porter, for his invaluable assistance and support at every step of the research and writing of this thesis.

Thanks are also due to the members of my committee, Angela Kalinowski and Michael Swan and to the external reader for the thesis, David Parkinson, for their comments and suggestions, which improved the final version immensely. I would also like to thank the History Department for providing me with innumerable services during the course of my degree, and the College of Graduate Studies and Research, particularly for financial support. Finally, I would like to acknowledge that parts of an earlier version of this paper were presented as “Propertius 3.20 and 4.8: the *amator* as husband, wife, lover, and *meretrix*,” at the 103rd Annual Meeting of the Classical Association of the Middle West and South and at the 2007 University of Saskatchewan Buffalo Province History Conference.

TABLE OF CONTENTS

	<u>page</u>
Abstract	ii
Acknowledgments	iii
Table of Contents	iii
Introduction: The interpretive challenge	1
The Poem: A contextualized reading	4
The Unity of 3.20	26
Doubts and Ambiguity: A gendered reading	28
The Gender Identity of the <i>Amator</i>	33
Propertius 3.20 in the Context of the Corpus and the Rise of Augustus	38
Forging a New Identity	41
Bibliography	51

Introduction: The interpretive challenge

Propertius 3.20 is a poem about fidelity.¹ The poet uses the language of fidelity - traditionally associated with public, sacred, and socially sanctioned relationships between states or individuals - to cast doubt on the faithfulness of both the elegiac lover and beloved. He also uses language linked with the legal and ritualistic features of legitimate marriage to describe an ambiguous and most likely non-marital relationship. As a result, both legitimate marriage relationships and illegitimate relationships between lovers and mistresses are destabilized. The undermining of the relationships also serves to undermine the roles played within them, and particularly the male roles, whether the traditional Roman husband and father (and by association, upstanding public citizen) or the effeminized elegiac lover. By calling these roles into question, the poet exposes their arbitrary and constructed nature, making this poem part of his programmatic attempt to create a new male gender role.

The poem weakens the gender roles of its actors, the *puella*, her *uir*, and the *amator*, by presenting all of them in a more or less ambiguous manner. The *uir* who has left the *puella* could, initially at least, be taken to be her husband, her lover, or even a suitor, and could be a merchant, a soldier, or a member of a provincial governor's retinue. The *puella* herself, according to the reader's first impressions, could be a wife, an unmarried girl, a concubine, or a *meretrix*. And the speaker could be coming to her as a potential husband, an adulterer, or a lover.

¹ Parts of an earlier version of this paper were presented as "Propertius 3.20 and 4.8: the *amator* as husband, wife, lover, and *meretrix*," at the 103rd Annual Meeting of the Classical Association of the Middle West and South and at the 2007 University of Saskatchewan Buffalo Province History Conference. I would like to thank my thesis supervisor, John Porter, for his invaluable advice and comments at every step of the writing and research of this paper

The fidelity of all three is also brought into question. The speaker, when he attempts to persuade the *puella* to favour him instead (lines 1-10), insinuates that the *uir* has not only abandoned her in search of wealth, but has also likely taken another lover. In the next ten lines the *puella*, having been won over by the *amator*'s entreaties, stops waiting for the *uir* to come back and takes up with the speaker, and so becomes unfaithful to her earlier lover in the course of participating in an elaborate ritual intended to ensure her fidelity to the *amator*. The speaker declares that he will be faithful (*fidus ero* at line 10), yet calls that promise into question in the final lines of the poem, when it becomes clear that the marriage-like contract of lines 15-18 is also necessary to ensure the fidelity of the male lover. Finally, the curse at the end of the poem compels the unfaithful lover to suffer the fate of the elegiac lover, to be an *exclusus amator* and a source of gossip. This, combined with frequent reminiscences of Propertius 1.3, brings the protestations of fidelity on the part of the speaker, an elegiac *amator*, into question. While there are at first signs that the contract is needed to bind the *puella*, the reappearance of the faithless male lover at the conclusion of the poem subtly draws attention to the perilous state of elegiac relationships, in which the lover, despite his protestations otherwise, ultimately holds the power to leave the world of love poetry and return to his proper masculine place.²

The poem's persistent ambiguity fits into the general uncertainty of the entire Propertian corpus. His main characters, the *amator* and Cynthia, are notoriously difficult to categorize, since they take on diverse attributes in different poems, and sometimes even change status in a single poem. The *puella* in this

² James 2001, 239.

poem may or may not be Cynthia, but like Cynthia she is presented in the indistinct persona of the *hetaira*-like mistress/*meretrix*, a woman, familiar from historical as well as literary sources,³ who exhibits the behaviors associated with the typical *meretrix* of New Comedy, whatever her actual status. As we shall find, the elegiac tradition routinely portrays such women in an ambiguous light by exploiting the instabilities inherent in the figure of the *meretrix*, who can assume, as the occasion demands, the character traits and status markers of *matrona*, mistress, or prostitute. *Meretrices*, women who remained nominally out of the control of men, had at least a temporarily destabilizing effect on gender roles, as they did not fit into any of the pre-existing categories. By having the character of the *amator* be just as difficult to define as that of the mistress, and by at times presenting the mistress as a critic of the *amator*'s behaviour and as a more effective "man" than he is (particularly in the final scene of 4.8). Propertius presents her as someone with whom the *amator* identifies and whom he, by implication, aspires to be. By identifying with this type of woman, the *amator* establishes a distinctly new type of gender role that allows him to escape both the traditional Roman norms of masculinity and the modified version of these norms that was beginning to emerge under the newly established Augustan regime. As a result, the *amator* is able to inhabit a position on the gender continuum distinct from that of the traditional Roman aristocratic male, but likewise removed from the figure of the feminized and debauched lover familiar from the elegiac tradition.

³ Notable instances from the historical sources include Cicero's Clodia and Sallust's Fulvia and Sempronia.

The Poem: A Contextualized Reading

Propertius 3.20 is a complex poem that has received relatively little critical attention regarding its merits and meaning as a poem. Instead, the focus has been on such issues as its place in the corpus, its unity, textual difficulties, and the identity of the *puella*. While these issues are undoubtedly important and will enter into the discussion at relevant points, the concern here is with the poem as an exercise in persuasion, its literary context, and its relationship to Greco-Roman marriage contracts, rituals, and songs: as we shall see, each of these leads into a consideration of the poem's engagement with the language of fidelity. Finally, the poem will be situated in the poet's production of a gendered voice and his construction of an alternative male gender role.

The poem consists of thirty lines, which can be broken into three separate, but unified, sections of ten lines each.⁴ In the first ten lines, the speaker (*amator*) is in the act of persuading a *puella* to leave her *uir* for him. The second set, coming after an implied pause in which the *puella* has said, "Yes," describes the *amator*'s joyous anticipation of and preparation for their first night together. The third sets out the consequences for the lover who breaks the promises of fidelity that were established in the later lines of the second set.

The poem begins abruptly with a second-person address to the *puella*:

Credis eum iam posse tuae meminisse figurae,
uidisti a lecto quem dare uela tuo?
durus, qui lucro potuit mutare puellam!

⁴ In the reading of the poem that I present, I follow Newman's recent opinion (2006, 348) that the poem be read with minimal editorial intervention. I have used the most accepted manuscript reading unless indicated otherwise, and only discuss points of contention where they potentially modify the meaning of the poem.

tantine, ut lacrimas, Africa tota fuit?⁵
at tu, stulta, deos, tu fingis inania uerba:
forsitan ille alio pectus amore terat. (Prop. 3.20.1-6)

Do you now believe that he can remember your beauty,
Whom you have seen take sail from your very couch?
He is unfeeling, who could trade a sweetheart for money!
Was all Africa worth so much that you should cry?
But you, foolish girl, you invent gods and empty words:
Perhaps he is wearing away his chest with another love.⁶

From the first lines, the major themes that run through the poem are introduced.

The *amator* begins by questioning the fidelity of the *puella*'s absent *uir*. He then criticizes the *uir* for choosing money over the *puella*, a thing the elegiac lover would never do, as Propertius himself has pointed out in more than one previous poem. In fact, the poet uses similar words at 1.6.13-14, explaining why the *amator* will not leave Cynthia:

an mihi sit tanti doctas cognoscere Athenas
atque Asiae ueteres cernere diuitias...

Is it of such worth to me to discover learned Athens
And to see the ancient riches of Asia...

And in 3.12.3-4, the poet had chided Postumus for leaving behind his faithful wife Galla to go to Parthia, asking:

tantine ulla fuit spoliati gloria Parthi,
ne faceres Galla multa rogante tua?

Or were any glories of Parthian booty worth so much
While your Galla was asking you many times not to do it?

The *amator*, as an elegiac lover, states his own fidelity repeatedly, as well as his willingness to give up wealth, power, fame, and societal approval for love.⁷ The

⁵ *tantine, ut lacrimas* following Heinsius.

⁶ All translations are my own.

speaker continues to question the loyalty of the *puella*'s *uir*, while accusing her of hanging onto empty promises or vows, or perhaps of inventing ones that the *uir* never gave.⁸ Having spent the first five lines attempting to undermine her confidence in this man, the speaker goes on to insinuate that the *uir* is not only fickle and avaricious, but perhaps also sexually unfaithful. *Terat* appears in a sexual sense in Propertius and elsewhere, and in a sinister, yet sexual, sense in a poem that also contains accusations of male infidelity (Propertius 4.7.94).⁹ The *uir*, greedy, inconsistent, and untrustworthy, has been set up as an antithesis to the portrait of the faithful lover created by Propertius.

Lines 1 and 2, besides serving as the introduction to the *amator*'s diatribe against the *uir*, also recall Ariadne's abandonment by Theseus. Ariadne was frequently portrayed in literature and art abandoned on the beach of Naxos, watching Theseus' sails disappear over the horizon.¹⁰ The only other time that Propertius uses this specific image from Ariadne's story is at 1.3.1-2, where, upon returning from a night of drinking, the *amator* compares the sleeping Cynthia with Ariadne unconscious on the beach as Theseus sails away.¹¹ The allusion

⁷ E.g., 1.6.13-18, 1.14, 2.15.41-48, 3.5.

⁸ Shackleton Bailey 1956, 203-204. For a similar usage conflating gods and empty words, see *Aeneid* 7.593: *multa deos aurasque pater testatus inanis* (Father Latinus repeatedly called to witness the gods and empty air).

⁹ 4.7.94 *mecum eris, et mixtis ossibus ossa teram* (you will be with me, and I will rub your bones, mixed with mine). For the sexual sense, sometimes with an added implication of temptation: Stat. *Theb.* 7.499, Petronius 87.8, Pl. *Capt.* 888. *Tero* appears only seven times in Propertius (although not always in a sexual sense), and four of the seven poems in which it appears deal with fidelity in some way. Besides 3.20 and 4.7, see 2.25.17 (where it is stated that thought flint and iron may be worn away, the *amator*'s love will not) and 2.30.14 (where *tero* is used of wearing a path). See Uden 2005, 640 for the use of *tero* in 3.20 and elsewhere with connotations of "excessive and threatening sexuality," notably at 3.11.30 to describe Cleopatra as worn out from sex with slaves.

¹⁰ E.g. Catullus 64.52-70, *LIMC* 3.1, 1058-1060, *LIMC* 3.2, 731-732, plates 80, 82, 89, 91, and 92.

¹¹ Ariadne is mentioned at least five other times by Propertius, at least once in each book (1.3, 2.3, 2.14, 3.17, 4.4). In addition to 1.3, at 2.3.17-18 she is again used as an exemplum for a woman who is probably Cynthia, although not named. At 2.14.7-8, her joy is compared with the

itself is an appropriate one with which to open a poem focusing on fidelity, as Theseus, who in the context of the *amator*'s arguments stands for the *uir*, crassly abandoned a girl who had sacrificed the love and support of her family for him.

In the next four lines, the speaker changes tactics from attacking the *puella*'s *uir* to praising her and her lineage.

est tibi forma potens, sunt castae Palladis artes,
splendidaque a docto fama refulget auo,
fortunata domus, modo sit tibi fidus amicus.
fidus ero: in nostros curre, puella, toros! (Prop. 3.20.7-10)

You have a powerful beauty, you have the skills of chaste Athena,
And the shining reputation of your learned grandfather blazes out,
Your home is fortunate, if only you had a faithful lover.
I will be true: Run into my bed, darling!

One of the issues these four lines raise is the debate on the identity of the *puella*, Cynthia or not Cynthia. While this question has received a great deal of critical attention, for the present argument its main value lies in its usefulness in highlighting the similarity between the indistinctness of Cynthia's character elsewhere in the corpus and the ambiguities in the characterization of the *puella* of 3.20. The arguments for the identification of the girl as Cynthia largely centre on lines 7 and 8. The words *forma potens* also occur in the *amator*'s condemnatory description of Cynthia at 2.5.28, *Cynthia, forma potens: Cynthia, uerba leuis*. Further echoes of the language at 3.20.7-8 are presented by passages elsewhere in the corpus that focus on Cynthia's virtues, particularly her artistic gifts and her chastity, as at 1.2.29-30, when the *amator* praises Cynthia: *unica nec*

amator's: thus he is identified with her. At 3.17.7-8, she is used in a prayer to Bacchus to demonstrate that the god is not untouched by love. At 4.4.41-42, she appears in a list of girls who betrayed their fathers and homelands for love, employed by Tarpeia to justify her plans to do the same.

desit iucundis gratia uerbis, / omnia quaeque Venus, quaeque Minerua probat (a singular charm is not lacking in your delightful words, everything which Venus and everything which Minerva commends), and at 1.3.41 when Cynthia describes herself working wool while awaiting the *amator*'s arrival: *nam modo purpureo fallebam stamine somnum* (for I was warding off sleep just now with a purple thread). The passage from 1.2 is a particularly apt comparison for that at 3.20.7, as both passages combine the gifts of Venus with those of Minerva.

Those who identify the girl as Cynthia also emphasize the *amator*'s praise of a *doctus auus* among the *puella*'s ancestors. The *doctus auus* is thought to be a reference to the second century epic poet Hostius, who is suggested as an ancestor of the *puella* on the basis of Apuleius' assertion that the name Cynthia is a pseudonym for a historical Hostia.¹² Even if we accept these identifications, it seems a little unusual to flatter Cynthia by calling her ancestor *doctus*, since a noblewoman would have been more likely to take pride in his status than his learnedness, although this is a minor argument in the elegiac context. In order to use the identification of the *doctus auus* as proof that the *puella* is Cynthia, however, one must accept that "Cynthia" is a pseudonym for a real person and the Propertian corpus is a biography of the poet's life, a critical approach that has been largely abandoned in recent decades.¹³ The arguments for the *puella*'s identification as Cynthia otherwise rest largely on similarities of language such as

¹² Apuleius, *Apol.* 10.3. Cairns (2006, 67) points out that Hostia does not work metrically as a substitute for Cynthia, as there are places where the initial "H" would be elided, and that Apuleius is in any case a poor source.

¹³ See, for example, James 2003, 6, 241-42, n.15; Janan 2001, 21, 35; Miller 2004, 4, 63, 67; Wyke 2002, 18, 23, and 29-32.

those noted above.¹⁴ Yet missing in the description of the *puella* of 3.20 is any indication that she herself has literary talent and is a *docta puella*. This omission, in combination with the generally colourless presentation of the *puella*, makes it difficult to identify this girl as Cynthia, who is distinguished by her *doctrina* and her strong character at least as much as by her beauty.¹⁵

The arguments against calling this *puella* Cynthia gain their strength from a consideration of 3.20 as a whole and a comparison with the portrayal of Cynthia elsewhere in the corpus. Perhaps the most troublesome is the poem's repeated emphasis on the fact that this is a new relationship (highlighted again at line 16) and that the couple will be celebrating their first night (lines 13 and 14), which is difficult to accept in reference to Cynthia at this late point in the corpus, especially when offered with no comment or explanation. If the poem depicts a reunion after Cynthia has strayed, then it is surprising that there is no mention of their past and of her character, particularly her infidelity. The debate is further complicated by 3.20's position amid a cluster of Cynthia poems (3.17, 19, 21, 23-25) that appear after she has been largely absent from Book 3, and in which the *amator* explores various ways to free himself from his devotion to Cynthia, finally asserting (in 3.24 and 25) that the affair is over.¹⁶ Moreover (the most striking point of contrast), the echo of 2.5.28: *Cynthia, forma potens*, is

¹⁴ Williams (1968, 417) considers these similarities enough to identify the girl fairly certainly as Cynthia.

¹⁵ As, for example, at 1.4.13-14, 2.3.9-22, and particularly 2.13.9-12: *non ego sum formae tantum mirator honestae, / nec si qua illustris femina iactat avos: / me iuvat in gremio doctae legisse puellae, / auribus et puris scripta probasse mea* (I am not so much an admirer of beauty and chastity, / Nor if a woman brags about her famous ancestors: / may it please me to have read in the lap of a learned girl, / And for her to have approved of my writings with her refined ear).

¹⁶ Williams (1968, 417), believing that the *puella* is Cynthia, considers the placement of 3.20 in juxtaposition to such poems as 3.21, 3.24, and 3.25 "to add to its dramatic range and intensity."

complicated by the fact that the latter appears as part of a diatribe against Cynthia's faithlessness, which further complicates its utility in the identification of the *puella* of 3.20 as Cynthia. If this poem is supposed to be a look back at the beginning of the affair, it is surprising that the *puella* is such a nonentity, since Cynthia, regardless of her faults, generally has a certain presence that this *puella* lacks. It seems more likely that the *puella* is not Cynthia, although it is difficult to prove this definitively. The very difficulty presented by the question of her identity, however, serves to underline the ambiguous and shadowy nature of the elegiac mistress in the Propertian corpus.

The social status to be ascribed to this girl is equally difficult to ascertain. The man who has left her is never identified as her husband or her lover, or even by the ambiguous *uir*, but only as *is* (that man) and *durus* (hard), so we cannot gain any information on her from his status. The fact that he has seemingly abandoned her also tells us nothing, since as recently as 3.12 Propertius had a husband abandon his undoubtedly wedded wife for glory and wealth on the Parthian campaign. The speaker has approached the *puella* and is trying to convince her to abandon her former relationship for one with him, but it is impossible to say whether he comes as a prospective husband, an adulterer, or a lover, while she could be an adulterous wife, an unfaithful concubine, an unmarried girl, or a *meretrix* who has moved on to a more available lover.¹⁷ James would have the *puellae* of the elegists be *meretrices*, modeled on the independent courtesans of comedy, but it is difficult to say whether this applies

¹⁷ Although the use of *amicus* at line 9 partially resolves the ambiguity, the interweaving of both marital and elegiac language in the rest of the poem continually restates it.

here, or indeed to the *puellae* of Propertius in general.¹⁸ The ambiguous status enjoyed by expensive courtesans, however, certainly does fit the character of this *puella*, regardless of whether one is supposed to think of her as an actual *meretrix*.

The terms in which the speaker praises the *puella* add to the ambiguity of her status. He begins by mentioning her beauty, which is an attribute associated with both mistresses and wives, particularly brides.¹⁹ He goes on to state *sunt castae Palladis artes* (you have the skills of chaste Athena), which likely is a reference to wool working.²⁰ Wool working was frequently associated with good wives. The phrase *lanam fecit* (she worked wool) appears on tombstones as a kind of shorthand for “she performed all the duties suited to a proper wife.”²¹ But wool working was also associated with prostitutes. In Athens, prostitutes may have been expected to work wool whenever they were not with clients, a practice which continued in the Roman sphere.²² The association with *doctrina* given by the reference to a *doctus auus* is potentially ambiguous as well, since the Greek *hetaira* was frequently associated in the popular imagination with precisely this type of learning.²³ This attitude transfers easily to the Roman sphere, where fancy courtesans were viewed as extravagant Greek imports.²⁴ Lastly, her identity, whether Cynthia or not-Cynthia, is equally unhelpful. Even if one were able to

¹⁸ James 2001, 224.

¹⁹ Cat. 61.84-86 *ne qua femina pulcrior / clarum ab Oceano diem / uiderit uenientem* (nor will any more beautiful woman see the clear day coming from the Ocean). For the importance of beauty in wives, see Treggiari 1991, 100 ff.

²⁰ It is possible that this refers to wisdom or martial prowess, other skills of Athena, but relatively unlikely when associated with the adjective *castus*.

²¹ Fantham et.al.1994, 318; Lovén 1998, 85.

²² Cohen 2006, 104 ff.; Ferrari 2002, 12 ff.

²³ See Athenaeus 13.596e for a courtesan of good family and education. Also, McClure 2003, 79-105, esp. 81-82.

²⁴ Edwards 1993, 23, 177.

identify her conclusively as Cynthia, this would not solve the question of what kind of woman she was, since Cynthia's own social status is notoriously difficult to determine.²⁵ She appears at different times with attributes that associate her with the world of the *matrona*, the *meretrix*, the educated noblewoman and the cultured *hetaira*. The *puella* of this poem is of undeterminable status, which enhances the general ambiguity of the status of the relationship the speaker is proposing and of the speaker himself, particularly later in the poem.

In lines 9 and 10, the speaker, while still praising the *puella*, returns to his theme of fidelity. Regardless of the status of the girl, she is blessed in every way, he asserts, except for the possession of a faithful lover (*amicus*). He asserts that he will be *fidus*. While *fidus* might generally have been considered an adjective more suited to a socially sanctioned relationship, whether of patronage, *amicitia*, or marriage, in the elegiac context it is regularly applied to the character of the elegiac lover. He constantly stresses his fidelity, particularly in contrast to the fickleness of his mistress.²⁶ The elegists used the idea of *fides* and a *foedus* to give a sense of solemnity and nobility to the relationship between *amator* and mistress, and to attempt to characterize these relationships as more than just a source of physical pleasure.²⁷ By using terms that were associated with a religiously solemn and legally binding relationship between two people or states, they present the elegiac relationships as stable and moral unions, akin to marriage.²⁸ On the surface, the words *in nostros curre, puella, toros!* (Rush into

²⁵ See Cairns 2006, 67; Greene 2005, 65; Janan 2001, 21; Miller 2004, 62-63; Wyke 2002, 29-30.

²⁶ See for example 1.12.19-20, 2.6.41-42, 2.17.17-18, 3.15.9-10, and 45-46.

²⁷ Freyburger 1980, 105; Williams 1968, 416.

²⁸ Boucher 1980, 92.

my bed, darling) appear to situate the relationship firmly in the demimonde, yet they are not dissimilar to what one might find in wedding hymns, which often focus on the sexual eagerness of groom and bride.²⁹ Examples of eagerness for the first night together, particularly on the groom's part, are found in Catullus 61.54-55: *te timens cupida nouus / captat aure maritus* (Your new husband, trembling, seeks you with his eager ear) and 62.23 (of the promise of the approaching wedding night): *iuueni ardenti castam donare puellam* (to give a chaste girl to an eager young man). A portrayal of the mutual desire of bride and bridegroom is found at 61.169-171: *illi non minus ac tibi / pectore uritur intimo / flamma, sed penite magis* (Not less does the flame burn within his breast than yours, but more deeply). The juxtaposition of the promise implied by the term *fidus* and the invitation to run into his bed encapsulates the paradox of the use of traditional terms regarding fidelity in elegiac language that is the strongest feature of the remaining twenty lines of the poem, and provides another argument for the unity of the poem in the anticipation of that theme.

The second section, in which the speaker imagines with delighted anticipation the details that must be worked out before his first night with the *puella*, begins with an impassioned plea to the sun and moon to favour him by shortening the intervening day and lengthening their first night together.³⁰

²⁹ West (1974, 347) reads 3.20 as an *epithalamium*, and asserts that the poet uses the form semi-ironically in an attempt to give dignity to his relationship, which West assumes is with Cynthia.

³⁰ There is a change of address, from the *puella* to the sun and then to the moon: we can either assume that the *puella* has agreed to the *amator*'s wishes and that he has turned to anticipation of their first night together, or that he is imagining that it is so. The change of address causes problems for some editors and is used as a justification for the separation at this point into two poems. However, changes of address are found in other poems of Propertius that are not subject to doubts concerning their unity. Note, for example, the multiple addressees and changes of perspective in 1.1, while at 2.15.17, the *amator* begins to address his mistress, having begun the

tu quoque, qui aestiuos spatiosius exigit ignes,
Phoebe, moraturae contrahe lucis iter.
nox mihi prima uenit! primae data tempora noctis!³¹
longius in primo, Luna, morare toro. (Prop. 3.20.11-14)

You too, Phoebus, who draw out the summer fires more lengthily,
Shorten the route of the light that intends to linger.
My first night comes! The time for our first night has been granted!
Linger longer on our first bedding, Moon.

One issue that arises from these lines is the position of lines 13 and 14, which are transposed by many editors.³² Editors who separate the poem into two after line 10 are most likely to transpose these lines, arguing that *tu quoque* at the beginning of line 11 is inappropriate for the opening of a poem, although the transposition also sometimes occurs in editions in which the poem is left as one.³³ If one accepts the unity of the poem, however, the transposition of the lines is unnecessary. The assent of the sun and moon to the *amator*'s requests is presented as part of a series of affirmative answers that he needs before he can begin planning the first night, and it makes sense chronologically first to ask the sun to shorten the day and then the moon to lengthen the night.³⁴ These sorts of requests are standard in love poetry, and also lend a certain grandeur to the occasion, associating it with the lengthened night of Zeus and Alcmene.³⁵ Above

poem with exclamations to his happiness, the night, and the bed. Some editors also have difficulty with the transitions in this poem, but as Benediktson (1989, 6) points out, one should not expect Propertius to follow the rules of literary theory, as his is poetry of associative, not logical.

³¹Possible readings include *date*, *da*, and *data*; all, however, retain the sense of the speaker asking to receive time. *Data* is used here, as it is the most easily made sense of reading. Also, *noctis* has been emended to *nocti* by Goold and Viarre following Palmer, which makes for a somewhat easier reading but likewise does not change the basic sense of the line.

³²Including Butler and Barber 1933, Camps 1961, Giardina 2005, Goold 1999, and Hanslik 1979.

³³E.g. Butler and Barber 1933, 313 and Camps 1961, 148. Williams (1968, 414) gives a summary of the arguments for transposition and argues convincingly against it.

³⁴Shackleton Bailey 1956, 205.

³⁵Also see Ovid, *Amores* 1.13, an entire poem urging Dawn not to rise, likely inspired by such passages as Hom. *Od.* 23.241-246 and Meleager 5.172.

all, they highlight the *amator*'s excited anticipation of his first night, which is seen to build in this section of the poem to his climactic exclamation in lines 19 and 20.

The repetition of *primus* in lines 13-14, which emphasizes that this is the beginning of a new relationship, lends further support to those who do not consider this a Cynthia poem.³⁶ The excitement portrayed in these lines and in lines 19 and 20 recalls the portrayal of a groom anticipating his first night with his bride, which we have seen in the wedding hymns of Catullus.³⁷ Some wedding hymns allude to this eager anticipation by remarking on the passing of time in a manner that recalls lines 11-12 of 3.20, as at Catullus 61.112: *sed abit dies* (but the day is going) and 62.1-2: *Uesper adest, iuuenes, consurgite: Uesper Olympo / exspectata diu uix tandem lumina tollit* (Evening approaches, young men, stand up: Evening at long last raises his long-awaited light into the heavens). The connection between the emotions presented in this poem and those seen in the more traditional setting of the wedding hymns further enhances the ambiguity of the actors and their relationship to one another.

This brings us to the next six lines, in which the speaker describes the preparations necessary before the first night can occur:

foedera sunt ponenda prius signandaque iura
et scribenda mihi lex in amore nouo.
haec Amor ipse suo constringit pignora signo:
testis sidereae torta corona deae.
quam multae ante meis cedent sermonibus horae
dulcia quam nobis concitet arma Venus! (Prop.3.20.15-20)

³⁶ See Barsby (1975, 33 ff.) and Newman (2006, 349) for discussions of the use of *primus* in 3.20, which lead to opposite conclusions with respect to the identity of the *puella* as Cynthia.

³⁷ Above, page 11.

First the compacts must be set out, the rights sealed,
And the contract in the matter of my new love written.
Love himself binds this pledge with his own seal:
The twisted crown of the starry goddess will be a witness.
How many hours will yield before my addresses,
Before Venus will urge sweet battles upon us!

The legalistic language of these lines is striking and pervasive, particularly in the way they link the questionable relationship between the *amator* and the *puella* with terms that most Romans would have associated with solemn and legally binding compacts, and particularly with marriage contracts. *Foedera* (s. *foedus*) are formal agreements between states or private individuals, and can include marriage agreements and bonds of friendship. The word is related to *fidus*, found twice earlier in the poem (lines 9 and 10). *Ius* most commonly means laws, but can also refer to the obligations inherent in personal relationships or to one's rights under the law or within a relationship, or to an oath, all of which are relevant in this context.³⁸ A *lex* is also a law, and can be used to mean dominion, a contract, or, in the plural (*leges*), the terms or conditions of a contract or relationship.³⁹ The *foedera*, *iura*, and *lex* are all sealed and witnessed, as at a wedding, and by gods at that, Love and the *siderea dea*, the deified Ariadne, appearing for the second time in this poem.⁴⁰ Finally the word *nouus* can be

³⁸ Treggiari 1991, 270.

³⁹ As at 4.8.81 *legibus utar* (I will follow your terms) in response to a set of contractual obligations set out by Cynthia.

⁴⁰ Treggiari 1991, 165. According to Shackelton Bailey (1956, 205) Ariadne's crown was a *corona nuptialis*, which further associates it with marriage and makes it an appropriate witness. Ariadne's own experience of abandonment by Theseus also makes her a suitable goddess to call upon to ensure the fulfillment of this pact.

used in a marital sense, as a bride may be referred to as a *noua nupta*.⁴¹ The language of these four lines strongly associates them with Roman marriage.⁴²

Marriage in Augustan Rome was not subject to the sorts of regulations found in most modern Western societies: there was no “Roman Marriage Act.” Marriage was determined largely by the intent of the couple and the approval of their families and friends.⁴³ The reasons for contracting a marriage also differed significantly from those for most couples in our time. The most important stated motive for contracting a marriage was to produce legitimate children who could carry on the family name, inherit the family property, and continue the worship of the family deities.⁴⁴ For elite families, marriages were also important tools for making new alliances or cementing old ones. Additionally, there could be strong economic reasons behind marriage. At the elite level, a significant amount of property might come as the bride’s dowry, and although this often remained the inalienable property of the bride, the groom could use it and draw income from it.⁴⁵ At lower levels of society, the labour provided by a wife and later by children could be very useful to a farm or small business, although this was balanced by the increased expense of feeding, clothing, and housing them. While love and emotional fulfillment were not required, their presence or development over the course of the marriage was considered beneficial, particularly as they tended to promote the smooth running of the household.⁴⁶ Sexual fulfillment was

⁴¹ Treggiari 1991, 163. Augustus’ *Lex Iulia* post-dates Propertius 1-3, and was regardless notably unlike a modern marriage act.

⁴² Williams 1968, 415.

⁴³ Gardner 1986, 47-48.

⁴⁴ Gardner 1986, 31.

⁴⁵ Treggiari 1991, 327

⁴⁶ Treggiari 1991, 251-253.

also not expected in marriage or even necessarily desirable.⁴⁷ The elegists stand out in antiquity in seeking relationships that had the stability and faithfulness of marriage, accompanied by the sexual fulfillment and emotional and sometimes intellectual compatibility of romantic love and friendship.⁴⁸

The prominence in the ancient marriage rite of the signing of the contract, an action that served as a concrete indication of the importance of the interests of the two families over questions of personal affection or even compatibility, serves to distinguish the difference between ancient and modern marital relationships. Greek and Roman marriage contracts began as agreements recording the contents and receipt of the bride's dowry (*tabulae nuptiales*), and were generally witnessed by family or friends of the couple, sometimes as part of the wedding festivities.⁴⁹ While contracts from Rome itself during and shortly after Propertius' lifetime are only known from allusions in literary sources, a number of documents have survived from Roman Egypt.⁵⁰ While these may represent the Greek traditions of that area, they continued in use under Roman control, and like later Roman contracts were primarily concerned with the contents of the dowry and what its fate would be should the marriage dissolve by death or divorce.⁵¹ In fact, there seems to have been very little change in the form of the contract after the

⁴⁷ Lucretius (*De Rerum Natura* 4.1268-1273) suggests that movement by the woman during intercourse could prevent conception from occurring.

⁴⁸ See Laigneau (1999, 72) for intellectual charms in Propertius.

⁴⁹ Roman: Treggiari 1991, 165. Greek: VÉrilhac and Vial 1998, 18.

⁵⁰ According to Treggiari, the earliest mention of *tabulae nuptiales* occurs in later descriptions of the marriage of Messallina and Silius in 48 CE, found at Tacitus *Annals* 11.30.4, Suetonius *Claudius* 26.2, 29.3, and Juvenal 10.336. She (1991, 165) states, however, that "the contract had no doubt long been normal," and later (169) suggests that Tacitus mentions the use of traditional elements of the marriage rite to highlight the shamelessness with which this bigamous and treasonous union was undertaken.

⁵¹ Treggiari 1991, 165.

conquest, perhaps indicating their similarity to pre-existing Roman practices.⁵²

And even if Romans in general were not aware of the Greek contracts, Propertius was so strongly influenced by Hellenistic culture that it is very unlikely that he would not have been at least generally aware of marriage contracts such as these.

53

The Greco-Egyptian contracts eventually evolved into more detailed contracts stating not only the contents of the dowry, but also what was to happen to it in case of divorce or the death of one of the spouses, and Roman contracts from at least the early imperial period also address this issue.⁵⁴ In a divorce, if the wife were considered to have violated the terms of the contract, she would lose all or part of her dowry, and if the husband were at fault, he would forfeit her dowry and in some cases have to pay an additional fine.⁵⁵ In some cases, the duties of husband and wife were included in the contracts, in order to clarify what counted as behaviour that would lead to the forfeiture of the dowry.⁵⁶ The typical duties for the husband are set out in a contract of 92 BCE between Philiscus son of Apollonius and Apollonia, daughter of Heraclides:

Τὰ δὲ [δ]έοντα πάντα καὶ τὸν [ι]μ]ατισμὸν καὶ τᾶλλα ὅσα προσήκει
γυναικὶ γαμετῆι παρεχέσθω Φιλίσκος Ἀπολλωνίαι...καὶ μὴ ἐξέστω
Φιλίσκωι γυναικᾶ ἄλλην ἐπ[α]γ[α]γέσθαι ἀλλὰ Ἀπολλωνίαν μηδὲ
παλλακὴν μηδὲ π[αι]δικὸν ἔχειν μηδ[ὲ] τεκνο]ποιεῖσθαι ἐξ ἄλλης
γυναικὸς ζώσ[η]ς Ἀπ[ο]λλωνίας μηδ' ἄλλην [οἰκία]ν οἰκεῖν ἧς οὐ
κυριεύσει Ἀπολλωνία μηδ' ἐγβάλλειν μηδὲ ὑβ[ρί]ζε[ι]ν μηδὲ
κακουχεῖν αὐτὴν μηδὲ τῶν ὑπαρχόντων μηθὲν ἐξαλλοτ[ρ]ιοῦν ἐπ'
ἀδικίαι τῆι Ἀπολλωνίαι. (*P. Tebt* 104, 16-23)

⁵² Vérilhac and Vial 1998, 18; Treggiari 1991, 140.

⁵³ For the influence of Hellenistic culture and poetry on Propertius, see Hollis 2006; Janan 2001, 16; Miller 2004, 4; Skinner 2005, 198; Whitaker 1983, chapter 1.

⁵⁴ Treggiari 1991, 165.

⁵⁵ Vatin 1970, 200.

⁵⁶ Vatin 1970, 201.

Let Philiscus supply all necessities and clothing and other things that are befitting for a wedded wife to Apollonia... and let Philiscus not be allowed to bring in another wife than Apollonia nor to have a concubine nor a boy, nor to beget children from another woman while Apollonia is alive nor to dwell in another house of which Apollonia is not mistress, nor to eject her nor to commit an outrage against her nor to ill-treat her nor to alienate any belongings to the detriment of Apollonia.

The duties of the wife can be seen in this same contract:

Κατὰ τὰ αὐτὰ δὲ μηδὲ Ἀπολλωνία ἐξέστω ἀπόκοιτον μη[δὲ] ἀφήμερον γίνεσθαι ἀπὸ τῆς Φιλίσκου οἰκίας ἄνευ τῆς Φιλίσκου γνῶ[μ]ης μηδ' ἄλλω[ι] ἀνδρ[ι] συνεῖναι μηδὲ φθε[ί]ρειν τὸν κοινὸν οἶκον μηδὲ αἰσχύνεσθ[αι] Φιλίσκον ὅσα φέρει ἀνδρὶ αἰσχύνην. (*P. Tebt* 104, 27-30)

And in like manner let Apollonia not be allowed to sleep away from home nor to be absent for a day from the house of Philiscus without Philiscus' consent nor to consort with another man nor to despoil the common home nor to shame Philiscus by that which brings shame upon a husband.

This contract of 13 BCE between Thermion daughter of Apion and Apollonius son of Ptolemaeus also contains the specific duties expected of the wife:

...καὶ τὴν δὲ Θέρ[μιον...]τιλιν τὰ πρὸς τὸν ἄνδρα καὶ [τὸν κοι]νὸν βίον δίκαια καὶ μήτε ἀ[πόκοι]τον μήτε ἀφήμερον γίνεσθαι [ἀπὸ τῆς οἰκίας ἄνευ τῆς Ἀπολλωνί[ου] το[ῦ Π]τολεμαίου γνῶμης μηδὲ φθεῖρειν [μηδὲ] καταβλάπτειν τὸν κοινὸν οἶκον [μηδ' ἄλ]λῳ ἀνδρὶ συνεῖναι... (*B.G.U.* 1052, 22-29)

And Thermion [shall fulfill] her duties towards her husband and their common life and shall not sleep away from home or be absent for a day from the house without the consent of Apollonius son of Ptolemaeus nor despoil or damage their common home nor associate with another man...

Fidelity, which has already appeared as a consistent theme in Propertius 3.20, is also clearly important in the marriage contracts. The wife's fidelity is stressed, as she is required not only to avoid consorting (implying in a sexual manner) with other men, but also to act in such a way as to keep even the suspicion of such behaviour away from her. The brides in both the contracts quoted are not to leave the home, day or night, without the permission of their husbands, as unsupervised

and unsanctioned time out of the house could have been used to meet with or attract lovers. They are also not to φθείρειν τὸν κοινὸν οἶκον (despoil the common home). This means that the wife is not to waste the household's resources, and while this need not have a sexual connotation, there was a tradition of viewing adulterous wives as likely to waste resources on their lovers.⁵⁷

The groom is also bound to marital, if not sexual, fidelity. He is not allowed to introduce into their household another woman, as wife or concubine, or a boy, or to set up another household of which his wife is not mistress, or to have recognized children with any other woman. This should not, however, be seen as requiring his absolute sexual fidelity. Unlike his wife, he is free to engage in extra-marital sexual relationships so long as they do not undermine the position of his legitimate wife.⁵⁸ In this point, the traditional requirements for a male differ strikingly from those set out in Propertius 3.20, which require sexual fidelity from both partners.

While the legal language and concerns with sexual fidelity relate this poem to marriage, the specific supporting parties bring the relationship out of the legal world and firmly back into the elegiac. The god Love seals the contract and the deified Ariadne serves as witness, fulfilling roles that would be present in an actual wedding. The presence of the personified Amor, benign or otherwise, is common in the elegiac world.⁵⁹ Since Ariadne appeared at 1.3 as an abandoned mistress, her reappearance here is particularly apt: having experienced

⁵⁷ For examples: Lysias 1.11 ff., Apuleius, *Metamorphoses* 9.5-7. Also see Porter 1994, 145-46.

⁵⁸ VÉrilhac and Vial 1998, 278.

⁵⁹ For examples in Propertius, see 1.1.4, 2.3.24, 2.8.40, 2.30.2-8, 3.16.16.

abandonment herself, she will be interested in ensuring that the parties uphold the promises she has witnessed.

After the contract of lines 15 to 18 come lines 19 and 20, which are often transposed to come before line 15. While this transposition is more tenable than that of lines 13 and 14, it is not necessary. Arguments for it tend to state that the couplet is intrusive where it sits and that it is more effective as an introduction to the contractual section.⁶⁰ As Williams has argued, however, this section of the poem draws attention to the *amator*'s eager anticipation of and enthusiastic preparations for the couple's first night: the transposition of lines 19 and 20 undercuts this effect.⁶¹ Moreover, the similarity of the language of 3.20 to that of marriage is strengthened by leaving the line order as transmitted. The contract was written prior to the wedding, and then sealed and witnessed at the wedding by some of the guests.⁶² All of this happened before the ritual procession to the groom's home, and therefore before there was any undertaking of "the battles of Venus."⁶³ Not only do lines 19 and 20 offer an effective summary for the section of marital language that precedes them, they also make it clear that these elegiac *tabulae*, unlike the formal *tabulae nuptiales* of traditional marriage, will take the form of intimate conversation between the lovers.⁶⁴

⁶⁰ The couplet is transposed in Butler and Barber 1933, Fideli 1985, Giardina 2005, Goold 1999, and Hanslik 1979 and Viarre 2005.

⁶¹ Williams 1968, 415.

⁶² Treggiari 1991, 165.

⁶³ Treggiari 1991, 166 ff.

⁶⁴ See 1.10.5-6 for an example of such elegiac *tabulae*.

The final ten lines of the poem make clear the consequences for breaking the *foedera* imposed in the previous section. They begin by clarifying why such preparations are necessary:

namque ubi non certo uincitur foedere lectus,
non habet ultores nox uigilanda deos,
et quibus imposuit, soluit mox uincla libido:
contineant nobis omina prima fidem. (Prop.3.20.21-24)

For when a union is not bound by a fixed agreement,
The sleepless, watchful night has no avenging gods,
And lust soon looses the bonds from those on whom it has imposed them:
May the first (marriage) omens hold our fidelity together.

These lines contain the now familiar mingling of marital and elegiac language.

While no doubt a wife or husband could also face sleepless nights, a marriage would not have been contracted without a *certum foedus* (fixed agreement), and so the *nox uigilanda* should be recognized as that spent by a lover or mistress.

Propertius has treated this theme earlier, as at 1.1.33: *in me nostra Venus noctes exercet amaras* (my Venus stirs bitter nights against me) and 1.12.13-14: *nunc primum longas solus cognoscere noctes / cogor* (now for the first time I am compelled to know long lonely nights). Further, the watchful, sleepless lover is a familiar figure in the elegiac world, particularly in his guise as the *exclusus amator*, whose lament is memorably featured in 1.16.17-44.

Lines 23 and 24 begin in the extra-marital world of *libido*, but *uincla* could occur either as the bonds of lust or the bonds of marriage, while the use of the phrase *prima omina* brings the relationship firmly back into the realm of legitimate marriage.⁶⁵ The phrase is used elsewhere to refer to marriage omens,

⁶⁵ Williams 1968, 415.

as at *Aeneid* 1.346, referring to Dido and Sichaeus' marriage, which was undoubtedly lawful.⁶⁶ Additionally, the taking of omens was a vital part of Roman marriage rites. It could be considered shocking not to have them, and they signified in part the community's approval of the union.⁶⁷ The phrase *prima omina* reinforces the similarity of the language of lines 15 - 18 to that in marriage contracts and continues the shifting ambiguities of the poem.

The final six lines continue the marital language, but soon turn back to the world of elegy:

ergo, qui pactas in foedera ruperit aras,
pollueritque nouo sacra marita toro,
illi sint quicumque solent in amore dolores,
et caput argutae praebeat historiae,
nec flenti dominae patefiant nocte fenestrae:
semper amet, fructu semper amoris egens. (Prop. 3.20.25-30)

Therefore, he who breaks the compact sworn on the altars,
And sullies the marriage rites with a new bed,
May he have whatever sorrows are customary in love,
And may he offer his head to rattling gossip,
Nor may the windows of his mistress be opened at night to him weeping:
May he always love, always lacking the fruits of love.

Line 25 states that the agreement was sworn upon altars of the gods, which adds further solemnity to the oaths.⁶⁸ The potential betrayal is specifically sexual, a *nouus torus*. This agrees with the marriage contracts, where even non-sexual betrayals are commonly linked with sexual ones.⁶⁹ Up until this point, it has

⁶⁶ Shackleton Bailey 1956, 206.

⁶⁷ Treggiari 1991, 164.

⁶⁸ See Brink 1972, 31-32 for a discussion on the metonymy of *ara* for oath. As we have seen, however, the only gods mentioned so far in connection with this contract are Love and Ariadne, who tend to align the relationship with the illicit couplings of love elegy (although see Tibullus 2.2.17-20). Yet at line 26 these rites (*sacra*) that they seal and witness are specifically called marital (*marita*).

⁶⁹ See the contracts cited above (pages 18-19), in which spouses are forbidden sexual betrayals in the same section as financial betrayals.

appeared that the contract was required to bind both parties, but in lines 25-30 it becomes clear that the curse is directed at a man. Moreover, the final four lines situate themselves firmly within the world of elegy and describe the fate of the elegiac lover, rather than the financial sanctions found in marriage contracts.

The marriage contracts generally prescribe monetary penalties for those who fail to live up to the terms of the agreement, as in the contract of 13 BCE between Thermion and Apollonius:

... ἢ ἐκτίν[ειν] παραχρῆμα τὸ φερνάριον σὺν ἡμ[ιολίαι], τῆς πράξεως γινομένης ἕκ τε [αὐτοῦ] Ἄπολλωνίου τοῦ Πτολεμαίου [καὶ] ἕκ τῶν ὑπαρχόντων αὐτῶι πάν[των κα]θάπερ ἕκ δίκης ... ἢ καὶ αὐτὴν τούτ[ω]ν τι διαπραξαμένην κριθεῖσαν στέρεσθαι τοῦ φερναρίου χωρὶς τοῦ τὸν παραβαίνοντα ἐνέχεσθαι καὶ τῶι ὠρισμένωι προστίμωι. (B.G.U. 1052.18-22, 29-33)

...or he [Apollonius] shall straightway pay in full the dowry plus half as much again, with the exaction of money being from both Apollonius himself and from all his belongings just as if from a legal decision...or she [Thermion] also if she has done this thing shall, after being brought to trial, be deprived of the dowry and besides this the transgressor [the man who has seduced her] is to be held also by the appointed penalty.

The punishment promised in 3.20 is nothing like this. Instead, the man who shall have broken the agreement will suffer the fate of unrequited love in a particularly elegiac fashion. 3.20 begins with a promise that the transgressor (male) shall suffer *quicumque solent in amore dolores* (whatever sorrows are customary in love), and then goes on to enumerate these sorrows. The elegiac lover in the Propertian corpus alternately scorns and is shamed before the forces of *Fama* (Rumour), and here we see a curse that the transgressor *caput argutae praebeat historiae* (offer his head to rattling gossip).⁷⁰ The next curse states *nec flenti*

⁷⁰ See 3.25.1-2 for his bitterness about the bad reputation he received from his lifestyle. McClure (2003, 86-100) discusses the association of *hetairai* with mockery and ill fame. *Fama* is not

dominae patefiant nocte fenestrae (Nor may the windows of his mistress be opened to him weeping in the night), which brings to mind the *exclusus amator*, also a familiar figure in elegy. The final line in many ways sums up the position of the elegiac lover: *semper amet, fructu semper amoris egens* (May he always love, always lacking the fruits of love). While the occasional scene of triumph and success exists, for the most part the elegiac love affair is one of frustration, despair, and conflict. The poem ends, as it began, with a faithless male lover, but one who, having broken the contract witnessed by the gods, suffers torments imposed by them.

The Unity of 3.20

The arguments for the unity of the poem are clear. In a narrative sense, the poem splits evenly into three related sections of ten lines each. The three sections each deal with a different aspect of the beginning of a new relationship: persuasion, preparation, and a warning against violating the agreement.

Thematically, the idea of fidelity pervades the entire poem. It begins with the speaker questioning the faithfulness of the *puella's uir*, while he attempts to undermine her own fidelity (lines 1-6). Next, the speaker assures the *puella* that he will be the faithful lover she lacks (lines 9-10). With legalistic language, he states the preparations that will be made to ensure that they both remain faithful to their new relationship (lines 15-18). He then explains why such safeguards are

always negative in Propertius, however: see Prop.1.7.9 for elegy and his mistress as Propertius' *fama*; for the *fama* of his tomb, that of a slave of love, as equal to that of Achilles' tomb, Prop.2.13.37-38; for his desire to have *Fama* place him among the other great love poets, 2.34.93-94; for Apollo's warning that Propertius will find no fame in epic poetry, 3.3.17.

necessary (lines 20-24), and finally comes full circle back to an unfaithful male lover, who is cursed to suffer the fate of unrequited love, unlike the *puella's uir* who was held by no real *foedera* (lines 26- 30).

The recurring words and allusions in 3.20 also point to its unity. First, the language of fidelity permeates the entire poem: *di* (as witnesses and enforcers of oaths) at line 22 and also at line 5, although there they are qualified by the assertion that the *puella* invents them; *fidus* at lines 9 and 10; *foedus* at lines 15, 21, and 25; *iura* at line 15; *lex* at line 16; *pignora* at line 17; and *fides* at line 24. Secondly, the word *torus*, meaning specifically “the bed as the place of conjugal union” or, by transference, “a conjugal or other sexual union or relationship,” occurs once in each of the three sections of the poem, at lines 10, 14, and 26.⁷¹ Propertius uses this word approximately half as often as *lectus*, which can also mean bed but does not necessarily have the same connotations. The only other poems where it occurs more than once are, once again, 1.3 and also 4.8, a poem that, as we shall see, also features both infidelity and contractual language. Each section of the poem also contains an allusion to Ariadne, a suitable goddess for the poem’s theme of fidelity (lines 1-2, 18, and, obliquely, 22). The presence throughout 3.20 of so many examples of the language and concepts of fidelity in a marriage-like relationship underscore the poem’s unity and help to elucidate its meaning.

⁷¹ Giardina replaces the *toros* of line 10 with *sinus*, from a lesser manuscript, and the *toro* of line 14 with *polo*, but otherwise they have not been questioned.

Doubts and Ambiguity: A Gendered Reading

On the surface, 3.20 is a unified rhetorical exercise, which progresses in stages from persuasion, to preparation and anticipation, to warning and reaffirmation. The speaker persuades the *puella*, makes preparations for their first night to ensure the lasting nature of their relationship, and then curses one who would break their contract, with an implicit contrast between his fidelity and the faithless behaviour of the unnamed *uir* of the poem's opening lines. Yet if we undertake a reading of the poem that considers issues of gender inequality and the gender of the intended reader, it becomes clear that as early as the first lines there are hints, taking the form of allusions to women who have experienced abandonment or betrayal, that the *puella* should be cautious in trusting the *amator*. The allusion to Ariadne abandoned on the beach occurs in Propertius only at 3.20.1-2 and 1.3.1-2, where it is used as an exemplum in the description of the sleeping Cynthia. In contrast to the largely passive Ariadne and the *puella* of 3.20, the Cynthia of 1.3 forcefully attacks the *amator* at lines 1.3.35-38, the first instance in the corpus of her "speaking." She accuses the *amator* of having spent the night with another woman, who has now locked him out and sent him home, spent. Often when Cynthia speaks in the poems she does so to upbraid the *amator*, as she does at 1.3.35-38, when she accuses him of infidelity:⁷²

"tandem te nostro referens iniuria lecto
alterius clausis expulit e foribus?"

⁷² E.g. 2.29.31-38, 3.6.19-34, 3.23.12-14, 4.7.13-94, and 4.8.73-80. She is, however, imagined praising the *amator* for his fidelity after his death at 2.24.35-38. Whenever Propertius presents her speech in the form of a direct report, however, rather than as something the *amator* supposes she might say, she speaks critically of his fidelity. And even when the *amator* is imagining what she might say, it is often negative and suspicious.

namque ubi longa meae consumpsti tempora noctis,
languidus exactis, ei mihi, sideribus?" (Prop.1.3.35-38)

"Has the scorn of another driven you from her locked doors,
Returning you at last to our bed?
For where have you spent the long time of my night,
You who are exhausted, oh me, now that the stars have been driven
through their courses?"

Were the image of Ariadne the only commonality between 1.3 and 3.20, we might be able to dismiss it as coincidence, but there are instances of verbal similarity between the two poems as well. The phrase *luna moraturis sedula luminibus* (the busybody moon with light eager to linger) appears in 1.3, recalling the appeal to the moon to linger (*Luna, morare*) at 3.20.14.⁷³ But in 1.3, the lingering moon is *sedula* (a busybody) and wakes Cynthia, who then launches into her accusations. The phrase *tempora noctis* (3.20.13) is another example of verbal similarity between the two poems. Unlike in 3.20, where it refers to time given to the first night of love, at 1.3.37 *tempora noctis* refers to a wasted night, supposed to be given to Cynthia, but in fact squandered with some other woman while Cynthia waited. Cynthia has been forced to spend a *nox uigilanda*, while in 3.20.21-22 the *amator* explains that a contract is necessary to avoid such nights. At 3.20.22, it is not yet clear who will spend the *nox uigilanda*, but in 1.3 it is Cynthia who has suffered it due to the *amator*'s infidelity. All of the similarities between 1.3 and 3.20 point to Cynthia's accusations of the *amator*'s infidelity, and most of them occur in the passage in 3.20 where the *amator* is eagerly anticipating the beginning of his new relationship. Cynthia's words of accusation in 1.3 serve as

⁷³ Booth (2001, 542) points out that the use of the future participle *moraturus* to mean willing or ready to linger is a fairly rare construction in this time period. This construction, although with a different verb, also occurs at 4.5.61: *uidi ego odorati uictura rosaria Paesti* (I have seen the roses of fragrant Paestum ready to bloom), in a poem that also deals with elegiac fidelity.

a warning to the silent *puella* of 3.20 to question how sincere the *amator's* assurances of his own fidelity might be.

More questions arise when we consider the marriage-like contract of lines 15 to 18. While a wedding contract generally required sexual fidelity only on the part of the wife, it becomes clear at lines 25 to 30 that these precautions are directed against a male. While the ideal of mutual fidelity is not uncommon in elegy, it is interesting that the curse at the end of 3.20 is for the faithless man to suffer the fate of the elegiac lover: to be an *exclusus amator*, to be a subject of gossip, and to experience unrequited love. Yet elsewhere in the corpus the speaking voice, the *amator*, frequently appears suffering the same misfortunes, which he presents as the result of Cynthia's capriciousness and infidelity. The more we look at the poem, the more difficult it is to tell who might spend a *nox uigilanda*, and whom the *foedera* need to bind.

Line 24, with its possible allusion to the *Aeneid*, raises similar ambiguities.⁷⁴ The *prima omina* at *Aeneid* 1.346 are those of the marriage of Dido and Sichaesus. Dido breaks her fidelity to Sichaesus' memory, driven by longing for Aeneas. But if, as Williams suggests, Propertius used the phrase to call to mind the *Aeneid*, the association with Dido and Aeneas' relationship calls both the fidelity of the *amator* and the utility of his preparations into question.⁷⁵ Like the new relationship in 3.20, Dido's and Aeneas' liaison is quasi-marital and

⁷⁴ It is likely that Propertius and others in the upper circles of Rome had access to the *Aeneid* before its official publication. Both Propertius 2.34.61-66 and Ovid, *Amores* 1.15.25 have clear allusions to the *Aeneid*, with an additional example at Prop. 3.4.19-20. Also see Cairns (2003), who argues that Propertius attended recitals held for the circle of Maecenas while the *Aeneid* was still unpublished, and before the publication of Propertius 3 after 23 BCE.

⁷⁵ Williams 1968, 415.

witnessed by gods, and, like the unnamed lover of 3.20.1-6, Aeneas shows little hesitation in leaving his beloved when masculine duty calls. Aeneas is bound by oaths, as perhaps the *puella* believes the *uir* of 3.20 to be.⁷⁶ This compact is ineffective, however, even though it is witnessed by the Earth and Juno, more powerful deities than Love and Ariadne.⁷⁷ If such oaths did not hold Aeneas, the *puella* may have reason to doubt that those of 3.20.15-18 will hold the *amator*. The connection between the *amator*, Aeneas, and the *uir* underscores the fact that, despite his protestations, the *amator* is still an upper-class Roman male: ultimately the power in the relationship lies in his hands.⁷⁸ Even without the link provided by Aeneas, there remains the problem that the *amator* of the first lines of 3.20 is in the midst of acting the part of the rival to the *puella*'s *uir*. Rivals in the elegists are often presented as fickle and untrustworthy figures who are the enemies of the elegiac lover, more akin to the portrait here of the *uir* than to the trustworthy lover the *amator* claims to be.⁷⁹

Propertius explores the idea of fidelity in many of his poems, and especially focuses on fidelity in non-marital relationships between men and women. When the *amator* speaks on the subject, it is usually to affirm his own faithfulness and to condemn the faithlessness of women, particularly Cynthia. Yet we have seen that when Cynthia speaks, it is almost always to call the claims of the *amator* into question. Other women who speak in the corpus present

⁷⁶ Although the reference to gods (*deos*) at line 5 perhaps suggests a compact between the *puella* and the *uir*, the poem states that she invents (*fingit*) this, suggesting an imagined agreement that the *uir* did not share.

⁷⁷ *Aeneid* 4.165-172.

⁷⁸ James 2001, 239.

⁷⁹ For rivals as untrustworthy, see 2.21 and 2.24.41-42. Cairns 2006, 261, who believes the *puella* to be Cynthia, considers the *uir* of 3.20 to be the same man as the praetor of 1.8 and 2.16.

equally difficult points of view on male fidelity. For example, Arethusa is concerned that her husband will betray their marriage bed at 4.3.25-26 and at line 69 reiterates: *incorrupta mei conserua foedera lecti!* (Preserve uncorrupted the compact of my marriage bed!).⁸⁰ There was a long-standing tradition that the oaths of lovers were not binding, as seen at pseudo-Hesiod fr. 124, Callimachus *Epigrams* 25.4-6, Tibullus 1.4.21-6, and later at Ovid *Ars amatoria* 1.633. This view of lover's fidelity fits within the interpretation of 3.20 given here. Fidelity is presented as desirable, but its actual existence in either party of the relationship is at best a stated ideal rather than a reliable fact.

Invoking terms such as *fides* and *foedus* – with their lofty religious and moral associations – in reference to the erotic relationships of love elegy is paradoxical, since the world of elegy embraces and celebrates relationships and lifestyles that fall outside of socially sanctioned behaviours.⁸¹ The elegists seek to create their own moral order, in which relationships between those who are not respectable citizens can have the same stability and moral weight as the more traditional ones.⁸² This presents a challenge to the social order: if sacred and legal constructions are applied to relationships and lifestyles that are not religiously and legally sanctioned, it undermines the formal use of the terms.⁸³ Propertius uses the language of fidelity and socially approved male-female relationships to undermine traditional conceptions of both. In the end, not only the traditional

⁸⁰ Cf. 4.5.54, where the *Iena* Acanthis calls the *amator's* motivations into question and reminds her charge that she must gather profits while she is young and attractive.

⁸¹ Freyburger 1980, 105.

⁸² Boucher 1980, 92; Freyburger 1980, 111.

⁸³ See Freyburger (1980, 111) on Cicero's use of *foedus* to describe the allegiance between Piso and Gabinius.

understanding of male-female relationships is at risk: the gendered roles of the participants – male lover and female beloved – are destabilized as well, producing an incoherence that parallels that evident in the language employed to describe the relationships.

The Gender Identity of the *Amator*

This poem is filled with ambiguity. The status and identity of the *puella* are impossible to pinpoint, as is the type of relationship she is leaving and the one she is entering with the speaker. The speaker himself is equally ambiguous: at first we are left in doubt as to whether he comes as a lover, adulterer, or suitor to the girl; later even his gender identity comes into question. Although he was quite securely male at the beginning of the poem, as the poem develops he is repeatedly cast in a role that the Roman reader would have regarded as feminine, particularly in the contractual language at lines 15 to 18. For a man of the elite status to submit his own desires and will to that of a woman, and likely a woman of lower social status than he, had the effect of placing him in a subordinate, and therefore feminized, role. The man's submission to the contract and, as a result, to the *puella* is further emphasized in the final section of the poem, when from lines 25 to 30 it becomes gradually clear that the curse is directed at a male. While the final section brings the poem neatly back to where it began, with a condemnation of the unfaithful male lover, this also introduces two possible interpretations. First, it takes the focus off female infidelity and the necessity of the *foedus* to bind the *puella* and instead calls the *amator's* faithfulness into question. Second, if one wishes for the *amator* to maintain his position of

fidelity, it may point to his identification with the *puella*. Propertius resists locating the poetic subject unambiguously in the persona of the elegiac lover.

While it may seem ideal to us to bind both partners to sexual faithfulness, for a Roman male to relinquish his autonomy had a feminizing effect. This is made particularly clear in another poem, 4.8, which is similar to 3.20 in its use of contractual language to bind the parties of an illicit relationship. In 4.8, the *amator*, acting remarkably like an adulterous wife, is shown throwing a luxurious party for two lovers he is entertaining while Cynthia is away. 4.8 is similar to 3.20 in that it also has fidelity as a major theme and uses contractual language to (re)establish it.⁸⁴ In 4.8, which is the final poem in which Cynthia appears, both the *amator* and Cynthia play exceedingly ambiguous roles. The *amator* appears first as a betrayed lover, when Cynthia goes on a day trip with a rival lover (4.8.15-26), then as a betraying lover who acts like an adulterous wife (4.8.27-42). He attempts to play the man at a party with two other girls in Cynthia's absence, but is unable, and is further confirmed in his role as adulterous wife by Cynthia's furious entrance and his passivity in the face of her angry assault on him and his companions (4.8.49-72). After he accepts the blame for his infidelity, he is placed in the role of a *meretrix* by Cynthia's terms of reconciliation:

atque ait "admissae si uis me ignoscere culpae,
accipe, quae nostrae formula legis erit.
tu neque Pompeia spatiabere cultus in umbra,
nec cum lasciuum sternet harena Forum.
colla caue inflectas ad summum obliqua theatrum,
aut lectica tuae se det aperta morae." (Prop. 4.8.73-78)

And she said, "If you want me to overlook the fault you have admitted,
Accept what the my terms will be.

⁸⁴ Prop. 4.8.73-78

You will not walk about, tarted up, in the shade of the Pompeian portico,
Nor when sand strews the frolicsome Forum.
Take care not to crane your neck to the top of the theatre,
Or to permit an open litter to invite you to tarry.

Cynthia's terms forbid the *amator* from frequenting places where men would go to meet women. Public entertainments, such as those held in the Forum before the building of permanent theatres and amphitheatres, were notorious for their associations with prostitution, as were public spaces such as the portico of Pompey's theatre.⁸⁵ In forbidding the *amator* from parading about in such spaces, Cynthia prohibits him from acting like either like a prostitute or a wife looking to have an affair.

The section of 4.8 concerned with Cynthia's terms is particularly significant in the discussion of 3.20 because of its similarities to a contract found in Plautus' *Asinaria* between Philaenium, a *meretrix*, and Diabolus, a potential lover. The exchange puts Cynthia in the place of Diabolus, who has a much longer and more specific list of requirements and prohibitions for Philaenium, which is nevertheless thematically similar to Cynthia's rules in 4.8. Many of the rules in the contract in the *Asinaria* are designed to control Philaenium's gaze and to limit the access of the gaze of other men. The particular prohibitions of interest are:

ad eorum ne quem oculos adiciat suos.
si quem alium aspexit, caeca continuo siet. (Plautus, *Asinaria* 769-770)

She must not cast her own eyes upon any [rivals].
If she has caught sight of some other man, she must be instantly blind.

⁸⁵McGinn 2004, 22ff. For the association of Pompey's portico and prostitution, see Catullus 55.6-10, Ovid, *Ars Amatoria* 1.67, Martial 11.47.3.

Suspiciones omnis ab se segreget (Plautus, *Asinaria* 774)

She must remove all causes of suspicion from herself

neque illa ulli homini nutet, nictet, adnuat (Plautus, *Asinaria* 784)

She must not nod to any man, or wink, or indicate assent.

Like the *amator* of 4.8, Philaenium is prohibited from looking at potential rivals to her main lover and from attempting to attract another lover or arrange assignations. Like the wives of the marriage contracts, she must act in such a way as to not even arouse suspicion.

The long list of prohibitions for Philaenium, which also specify how much she is to drink, whom she may toast, and how she is to get on and off a dining couch, recalls an unusual marriage contract of the first century BCE between Thaïs and a man whose name does not survive.⁸⁶ The contract seems to record a renegotiation of the relationship after the Thaïs' infidelity. The section on the requirements for her behaviour, although it contains many of the standard elements, also states specific and extraordinary terms:

...ἐφ' ὄν ἐὰν ζῆις [χ]ρόνον συνπαραμενεῖν σύν σοι συνοικ[ήσουσά σοι ὡς] γνησ[ία] γαμετή, οὔτε ἀπόκοιτος οὔσα {ἀπ[ο]} οὔτε ἀφήμερος ἀπὸ τῆς οἰκίας σου, καὶ εὐνοεῖν [σο]ι καὶ [φιλεῖν οὐθ]έν παρορῶσα τῶν σῶν.
(PSI I 64, 3-6)

...while you live she is to stay with you dwelling with you as lawful wife, neither sleeping away from your house nor being away during the day from it, and to be well-disposed to you and to love you neglecting nothing of yours.⁸⁷

⁸⁶ For a discussion of the significance of its unusual features, see Yiftach-Firanko 2003, 192 ff.

⁸⁷ The “you” in the text is Thaïs' unnamed husband.

and

...καὶ οὐθενὶ ἄλλωι [ἀ]νθρώπων σ[υ]νέσεσθαι κατὰ γυναικεῖον
τρόπον πλή[ν] σοῦ, μηδὲ ποι[ή]σειν εἷς σε φάρμακα φίλτρα μηδὲ
κακοποιὰ μήτε ἐν ποτοῖς μήτε ἐν βρωτοῖς, μηδὲ συνιστορήσειν
μηδενὶ ποιήσοντι παρευρέσει ἥτινιοῦν.
(PSI I 64, 18-22)

...and to be with no other man besides you in a womanly fashion, and not to make love drugs for you or anything harmful either in your drinks or in your foods and not to conspire with anyone who would do so in any way with a view to your harm.

The prohibitions suggest both what she may have done before this contract was made, and what might be expected of untrustworthy wives. The use of potions and spells by adulterous wives and their agents is a common trope in ancient literature.⁸⁸ There is also an atypical requirement at line 3 that she never divorce her husband so long as he lives. Although neither Philaenium nor the *amator* are subject to this sort of prohibition, the specificity found in these three contracts regarding the behaviour of the female (or feminized) partner is striking and suggests that precise injunctions would be made for women who had either proved untrustworthy in the past or were of a sort, such as courtesans, who were assumed to be so, regardless of their actual behaviour.

In 4.8 Cynthia has put the *amator* in the role of an untrustworthy wife or meretrix, and by implication she has taken on the role of the suspicious husband or lover. She specifies the behaviour that is not permitted to him, although not the penalty he will pay if he fails to live up to her rules. The *amator* accepts the blame and the terms and assents to all her conditions. Once she has purified the room of all traces of the other girls, Cynthia resumes her role as elegiac mistress,

⁸⁸ Antiphon 1; Apuleius, *Metamorphoses* 9.29-30.

engaged in the battles of Venus with her equally ambiguously gendered lover, and the final words on the affair of the *amator* and Cynthia are, at 4.8.88, *respondi, et toto soluimus arma toro* (I answered her, and we took up our accustomed arms all over the bed). The *amator*'s gender ambiguity in 4.8 and the use of *torus* in its final line point back to the contract of 3.20 and to the poet's continual reconstruction of gender.

Propertius 3.20 in the Context of the Corpus and the Rise of Augustus

The gender ambiguity in 3.20 leads us into the difficulty of its place in the third book. It comes between poems (3.17, 3.21) in which the *amator* is exploring various ways to escape his enslavement to his mistress (identified as Cynthia in 3.21), and only three poems come between it and 24-25, which appear to present a final break with Cynthia. The position of this poem has caused the most problems for those who see the corpus as a novelistic biography, but even for those who do not, it is difficult. While it is possible to consider that the break with the fictional Cynthia, a representative of the genre in which she is celebrated, also allows the poet to effect a break with elegy,⁸⁹ the presence of so many elegiac details in the new relationship complicates this interpretation. It is perhaps better to see in 3.20 an indication that Propertius is striving to take his work in new directions while still feeling drawn to the past – an anticipation of the modified poetic program that many have detected in Book 4. Yet the seeming conclusion of the Cynthia cycle in 3.24 and 25 is repeatedly undermined in the fourth book: not only is

⁸⁹ For this view of Cynthia, see Wyke (2002, 23, 31-32, 48).

Cynthia the focus of two of that book's most compelling poems (4.7 and 4.8), but the whole notion of a new poetic project is firmly rejected by the astrologer Horos in the very first poem. Following the speaker's stated intention to turn to writing of *sacra diesque...et cognomina prisca locorum* (rites and days and ancient titles of places) at 4.1.69, the diviner Horos proclaims:

at tu finge elegos, fallax opus: haec tua castra! -
scribat ut exemplo cetera turba tuo.
militiam Veneris blandis patiere sub armis,
et Veneris pueris utilis hostis eris.
nam tibi uictrices quascumque labore parasti,
eludit palmas una puella tuas: (Prop.4.1.135-140)

But you, compose elegies, a deceitful undertaking: this is your camp!
So that the rest of the crowd may write from your example.
You will endure service under the sweet arms of Venus,
And you will be a suitable opponent for Venus' boys.
For whatever victories you furnish with your labour,
One girl escapes your triumphs...

As with much of Propertius' work, it is extremely difficult to draw any firm conclusions from 3.20, either from the poem itself or from the placement of it in Book Three. In the context of the present argument, however, its placement here is part of Propertius' continuing questioning and reconstructing of gender roles. In the final poems of Book Three, the *amator* appears to make a final break with Cynthia, and by association, with elegy. Yet the ambiguities present in 3.20 serve to undermine both the poet's coming break with elegy and his promise to fulfill the masculine role of a state supported poet in 4.1

Propertius wrote in a time of change and confusion, particularly for men of his class, elite but non-senatorial. He began his career around 29 BCE, when Augustus was still consolidating his power, and published his last book around 15

BCE. He therefore wrote during a period when it was still possible that Augustus might fall and Rome return to chaos. During this time, elite Roman men were experiencing a crisis of masculinity. Under the Republic, such men were supposed to be active participants in political and military affairs, upholding the honour of their families in the public sphere. They were to act with self-restraint and to direct their ambition towards bettering their immediate and extended families and the state. In the last third of the first century BCE, the traditional avenues to success, power, and wealth became closed to many or else seemed not worth the effort and danger inherent in them.⁹⁰ Wealthy Romans and well-connected provincials had previously had a variety of options leading to public power, the most important of which were military service, oratory, and civil service.⁹¹ These three are difficult to separate, as generally an ambitious man would be required to gain experience in all three areas. However, someone who was inactive or unsuccessful in one area could compensate by asserting himself in another, as in the case of Cicero, whose unparalleled skill as an orator more than compensated for any other deficiencies in his public record. Under the Principate, civil service such as the provision of games and governorship of provinces became centralized, performed either by Augustus and his family members, or by those approved by him,⁹² while the opportunity to win advancement through one's skill as an orator became ever more limited as power was consolidated by the

⁹⁰ Miller 2004, 4, 75.

⁹¹ Janan 2001, 46.

⁹² Janan 2001, 46. Fear (2005, 26) compares the slavery of the lover to the mistress to that of Rome to Augustus. Also Wyke 2002, 177.

emperor.⁹³ Glory could no longer be won by arguing cases or political causes when all outcomes were essentially under the control of one man. The only path that was still relatively open was the military, particularly for provincials who might not have pre-existing connections with Augustus and his circle.⁹⁴ For those with a distaste or lack of talent for military action, the possibility of political advancement was extremely unlikely. It became increasingly difficult for young elite men, particularly the less well connected members of the provincial nobility, to succeed in attaining the roles traditionally open to them.

Forging a New Identity

Gender in Rome was fluid, and masculinity in particular was not a permanent and inviolable state, but was constantly under negotiation. The Roman man's male identity was not based in anatomical sex, but rather on the projection of masculinity via his body, words, and actions.⁹⁵ Any deviation from the norm, itself an indefinable and constantly shifting set of ideals, could lead to the suspicion of effeminacy.⁹⁶ Such deviation more often took the form of excessively feminine behaviour, but a man perceived as "too masculine" was considered suspect as well.⁹⁷ If a man appeared to be trying too hard to be manly, it was sometimes interpreted as a sign that he was compensating for some intrinsic lack. It was undoubtedly quite difficult for men to uphold all of the rules

⁹³ For a discussion of the provision of other forms of public display, such as games and public shows in the late Republic and early Empire as a replacement for oratory, see Gamel 1998, 87. Also see Wyke (2002, 177) for the devaluing of the public performance of masculinity in the early Empire.

⁹⁴ Janan 2001, 47.

⁹⁵ Gleason 1995, xxvi and Gleason 1999, 75.

⁹⁶ Gleason, 1999, 75-76, 78.

⁹⁷ Gleason, 1999, 78.

of masculinity, many of them unspoken, particularly once Augustus consolidated his power.

In Propertius' case, the *amator* is consistently portrayed as refusing to fulfill his masculine duty. He shows this in part in his repudiation of military service.⁹⁸ He glorifies his own choice of lifestyle, to be a slave to his mistress or a soldier in love's camp rather than attempting to succeed in the traditionally masculine public world. At 2.7.13-14 he goes still farther, rejecting both marriage and the production of sons, and thereby refusing the private masculine role of husband and father as well as the public one of soldier and politician.⁹⁹ Instead he takes up what is often considered to be the effeminate role of elegiac lover-poet. Both the poet and his poetry are *mollis* "soft," as compared to the *durus* "hard" nature of both a properly manly man and of epic poetry, a genre inspired by the glorious deeds of heroes and wars.¹⁰⁰ Going beyond his own refusal of mainstream masculine roles, he attacks those who accept them. In 3.20, the *puella*'s *uir* is criticized for leaving his sweetheart (or perhaps wife) for financial opportunities in Africa, although that was certainly a socially sanctioned action. But in the elegiac world, such behaviour is tantamount to breaking *fides*, not only with the *puella*, but also with the ethos espoused by the poet.

⁹⁸ E.g. 1.6, 2.7 (where he refuses even to father sons to be soldiers) and 3.4. See Skinner 2005, 224.

⁹⁹ The production of sons was particularly important in this time of declining birthrates among the nobility, as demonstrated by the Augustan legislation of 18 BCE, within a decade of the publication of Book 2.

¹⁰⁰ The elegiac mistress is also *dura*, leading some to suspect the poet's claim to be unable to take on difficult/harsh (*durus*) tasks (Green 2005, 216).

Propertius also portrays himself as unable or unwilling to serve society with public poetry, a genre he presents as unappealing to women.¹⁰¹ He wrote a number of *recusationes*, poems explaining why he cannot write public or epic verse.¹⁰² In Book 3 alone he presents three obvious *recusationes*, 3.1, 3.3, and 3.9. The first is a general statement of his continued allegiance to elegy, a polished and gentle form of verse.¹⁰³ The use in the *recusationes* of words such as *tenuis* (fine, slender, delicate) and *mollis* (gentle, soft) to describe his poetry and the gifts given him by the Muses align him with elegy and against hard/harsh (*durus*) epic. Since *mollis* in particular also carries connotations of femininity, such words also declare his refusal to opt into mainstream masculinity. In 3.3, he continues to use elegiac language, and even has Apollo, a god particularly venerated by Augustus, forbid him from writing epic:

“quid tibi cum tali, demens, est flumine? quis te
carminis heroi tangere iussit opus?” (Prop. 3.3.15-16)

“What business have you with that stream (from which epic inspiration comes)? Who bade you take up the burden of heroic song?”

Finally, in 3.9, he urges Maecenas to stop asking him to create public verse. He repeats his protestations of inability in that area, and points out that Maecenas himself has forsaken a public career.¹⁰⁴ He states that Maecenas’ loyalty to Augustus as well as his choice to stay in the background politically will be Augustus’ best memorial.¹⁰⁵ Considering Maecenas’ reputation for effeminacy,

¹⁰¹ 1.9.9-14.

¹⁰² 2.1, 2.34, 3.1, 3.3, 3.9.

¹⁰³ 3.1.8 *exactus tenui pumice uersus eat* (let the verse be proceed, polished with fine pumice); 3.1.19 *mollia, Pegasides, date uestro sarta poetae* (Pegasides (Muses), grant a delicate garland to your poet).

¹⁰⁴ 3.9.21-30.

¹⁰⁵ 3.9.29-34.

the suggestion that his decision to eschew an overly active role in the public arena and to avoid exploiting his connections to Augustus will earn him a place in the annals of Rome equal to that of Camillus, undermines the claims to the supremacy of traditional forms of masculinity in the public sphere.

The lover-poet of elegy may appear to be entirely effeminate. He is associated with the trappings of luxury such as wine, soft couches, exotic fabrics, and of course the mistress herself, who likely has her roots in the *hetairai* of the Greek east.¹⁰⁶ All of these luxuries were themselves considered imports from the East, a place often viewed as effeminate and as a source of influences that corrupted traditional Roman values.¹⁰⁷ The *amator* not only enjoys these luxuries, he is overcome by them. It is possible for a man to remain masculine in the midst of luxury if he is extremely self-controlled and aware of the danger, and if he continues to uphold his proper role in the rest of his life.¹⁰⁸ It is even possible for a man to be overcome by luxury in his youth but return to proper masculine deportment and take on the duties of adulthood, as Cicero asserts in the *Pro Caelio*.¹⁰⁹ For the *amator*, though, the renunciation of manhood for poetry and mistress is permanent. In fact, he asserts that their value is higher than that of the activities generally ascribed to men, and, only partly ironically, that the service he undertakes in love is more challenging (and by implication more manly) than military service.¹¹⁰

¹⁰⁶ Edwards 1993, 5.

¹⁰⁷ Edwards 1993, 177.

¹⁰⁸ Edwards 1993, 23; Gleason 1999, 77.

¹⁰⁹ Fear 2005, 15.

¹¹⁰ See, for example, 2.25.

The *amator* is feminized not just by his refusal of male roles, but also by the role he accepts as lover. The status of the elegiac mistress is ambiguous. She may be a married woman with wealth and education, or she may be a courtesan, educated but financially dependant on her lovers. If she is a married woman, then the lover is an adulterer. Adulterers were considered effeminate in the Greco-Roman world.¹¹¹ Men were supposed to show self-control, but the adulterer, by his willingness to risk serious consequences for sexual encounters, showed a remarkable lack of self-control, particularly when one considered that sex was easily available from slaves or prostitutes. Adulterers were subject to a number of punishments, from fines to death. Additionally, men who were so lacking in self-control in that way became suspect in other respects as well.¹¹² Propertius, however, has created a worldview in which enslavement, or fidelity, to a mistress has the highest moral value. Not only does he criticize those who maintain a concern for public glory and private conventionality, but he also chooses and manipulates mythical exempla to support and glorify the elegiac lifestyle. He compares the *amator* with heroes, the mistress with heroines, and selects myths that can be manipulated in such a way that the characters and situations support the elegiac world.¹¹³ The value attached to the roles of lover and mistress is radically changed by Propertius.

Although the elegiac mistress has often been identified as serving the purpose of an Other for the *amator*, in Propertius' case it is evident that the

¹¹¹ Edwards 1993, 81.

¹¹² For the association of sexual immorality with other types of immorality, see Edwards 1993, 5 and Skinner 2005, 198.

¹¹³ For an example, see 2.8.29-40.

amator identifies with the mistress.¹¹⁴ Like the *amator*, the *puella* (both in 3.20 and in various other passages throughout the corpus) is best characterized by her ambiguity. Whether or not the *puella* is Cynthia, the ambiguity of the luxury courtesan's position best encapsulates the contradictions in her status. Cynthia most closely resembles the character of the independent, capricious, and elusive *hetairai*, whose description in Davidson is applied by James to the elegiac mistress.¹¹⁵ These women shared characteristics with both wives and prostitutes. As in the case of wives, access to them was restricted; they did not solicit customers in the street or lie available to all comers in brothels.¹¹⁶ Like common prostitutes, they received their livelihood from the sexual relationships they had with men, and were not tied exclusively to any one man. But they also had characteristics that put them out of either of these two socially definable categories. They derived their livelihoods not from cash payments for individual transactions, but from "gifts" from their male "friends." These gifts might be of money, generally large sums, but also might consist of material goods or slaves, or in exceptional cases even property.¹¹⁷ In return, they provided more than just sex. They provided companionship, intellectual stimulation, and entertainment.¹¹⁸ And, possibly most importantly, they had the power to say no. The *hetaira* was perhaps the only woman in Greco-Roman society who had this ability, and although she likely did not actually use it often, the ability itself was part of her

¹¹⁴ For mistress as Other, see Gold 2002, 444; Greene 1995, 303; and Wyke 2002, 30.

¹¹⁵ Davidson 1997, 125, 200 and James 2001, 225 n.4.

¹¹⁶ Davidson 1997, 200.

¹¹⁷ Davidson 1997, 125; for an example of such a woman, see Theodote in Xenophon *Memorabilia*, 3.11.

¹¹⁸ Davidson 1997, 204.

appeal.¹¹⁹ The *hetaira* /*meretrix* was in many ways a free agent, not under the permanent, sanctioned control of any one man, despite her economic dependence on her lovers.¹²⁰ The lover was unable to be sure what the thoughts and feelings of the *meretrix* were, since on some level he was always aware that she kept company with him because she was paid to, and that any protestations of love from her had to be considered within that framework.¹²¹ All these characteristics make the relationship between a *hetaira* and her lover(s) similar to that between male friends. The reciprocal gift-giving, the companionship, the choice of association were all things that did not factor in men's relationships with their wives, their slaves, or common prostitutes. And yet, the relationships of men and *hetairai* were still at their heart based on sexual attractiveness.¹²² A woman without beauty could never have been a successful *hetaira*, even if she had all the other skills.¹²³ This conflict between masculine and feminine aspects of the persona and relationships of these women added to their attractiveness but also made them a threat to the social order. This presents the elegiac lover with a dilemma. He wishes to frame his relationship with his mistress in terms of *fides*, and to devote himself to her and to poetry, and for her to have a similar devotion towards him. But due to the mistress' social position, she cannot afford to rely on

¹¹⁹ Davidson 1997, 124 and Rosivach 1998, 108; for discussion of this in a specifically Roman context, see James 2005, 269-270.

¹²⁰ James 2005, 269-270, 276.

¹²¹ James 2005, 269.

¹²² Wyke (2002, 38) points out that in the end the *hetaira*'s dependence on gifts keeps her from true independence.

¹²³ The letters of the 16th-century Venetian courtesan Veronica Franco present an interesting, although much later, viewpoint from an insider to the profession. She advises an acquaintance against grooming her daughter for a career as a courtesan, partly on the basis of her lack of beauty (Letter 22).

him alone even if she wants to, and so he constantly struggles with what he perceives as her infidelity.

The *amator* is equally ambiguous, since although he has many effeminate characteristics, he resists identification as an effeminate male. One can see this in 3.20 and also in 4.8, where although he certainly appears as a feminized character who takes on the role of wife or mistress through his actions, he also inhabits the roles of husband and lover, and in the end there is no resolution of these disparate roles; he simply returns to the *militia amoris* (itself an oxymoron). Cynthia appears as a more successful and more appropriately acting husband /lover than the *amator* ever does, most notably at 4.8.49ff., when she returns home to discover the *amator* with two other women. Propertius sets her up as a model towards which the *amator* should be striving; his ideal feminine (in the world of elegy at least) is also his ideal masculine. He is able to do this because of the ambiguous status of the mistress. To the degree her position recalls that of a *meretrix*, she is neither a respectable wife, mother, or daughter nor an indisputably *infamis* prostitute. She is independent of male social control and able to negotiate with men on her own terms, at least so long as she is young and attractive, and her independence is unique for a woman in Roman society. Yet since she is undeniably still a woman, as well as economically dependent on men and on her own youthful good looks, she can never quite achieve true equality with her male associates. This puts her in a position between genders, which is precisely where Propertius situates his *amator*. Once we understand that the *amator* seeks to identify with the mistress and that, rather than his Other, she is

the receptacle of characteristics that he lacks but desires for himself, we can make sense of the consistent ambiguity inherent in the character of the *amator*. The mistress is ambiguous because she is inspired by the ambiguity of the character of the *hetaira* /*meretrix*, and the *amator* is ambiguous through his emulation of her social uniqueness and ability to escape preset roles. The mistress is neither wife nor prostitute, just as the *amator* is neither manly nor effeminate, and their relationship correspondingly resists definition.

Through his poetry, Propertius tries to negotiate within the possibilities afforded by the construction of gender on a continuum. The very fact that the Romans themselves determined and maintained gender by action rather than anatomy opened up a space for the creation of a new gender determined by a combination of behaviour from different ends of the spectrum and given a new value. Propertius' poetry has caused any number of problems of interpretation because neither the poet-lover nor the mistress maintains a consistent role or behaviour pattern. These difficulties can to a great extent be solved if one realizes that the inconsistency is purposeful, rather than a result of bad writing or a poor textual tradition. Propertius created an *amator* who found moral value both in his own service to poetry and his mistress, and in the committed extra-marital relationship between a man and a woman. By identifying the *amator* with the elegiac mistress, he emphasized their equal position as beings that existed outside of normative gender roles. This is exemplified in 3.20 in the ambiguous nature of both *puella* and lover, and the attempt to forge a *foedus* between them, but also in the way that *fides* is questioned, particularly by the references to 1.3 and the final

curse against the unfaithful lover with which 3.20 concludes. The speech of both mistress and *amator* carries weight, as both struggle with the *fides* of the other. The subtle ambiguity of this poem is part of a general and sustained ambiguity towards male and female gender roles and socially sanctioned relationships, which is thematic in the Propertian corpus.

Bibliography

Editions

- Butler, H. E. & E. A. Barber. *The Elegies of Propertius. Edited with Introduction and Commentary.* Oxford: Clarendon Press, 1933.
- Camps, W. A. *Propertius Elegies: Book III.* Cambridge: University Press, 1961.
- Fedeli, P. *Propertius. Il libro terzo delle Elegie. Introduzione, testo e commento.* Bari: Adriatica, 1985.
- Giardina, G. *Elegie / Properzio ; edizione critica e traduzione.* Rome: Edizioni dell'Ateneo, 2005.
- Goold, G. *Propertius / Elegies ; edited and translated.* Cambridge, Mass.: Harvard University Press, 1990.
- Hanslik, R. *Sex. Propertii Elegiarum libri IV.* Leipzig: Teubner, 1979.
- Viarre, S. *Properce / Élégies ; texte établi, traduit et commenté.* Paris: Belles lettres, 2005.

Modern Sources

- André, J-M. "Les élégiaques et le statut de la femme." *L'Élégie Romaine: enracinement, thèmes, diffusion. Actes du colloque international organisé par la Faculté des Lettres et Sciences Humaines de Mulhouse.* Ed. A. Thill (Paris: Ophrys, 1980), 51-62.
- Barsby, J. A. "Propertius III.20." *Mnemosyne* 28 (1975) 30-39.
- Benediktson, D. T. *Propertius: modernist poet of antiquity.* Carbondale and Edwardsville: Southern Illinois University Press, 1989.
- Booth, J. "Moonshine: intertextual illumination in Propertius 1.3.31-3 and Philodemus, *Anth. Pal.* 123." *The Classical Quarterly, New Series* 51, No. 2 (2001) 537-544.
- Brink, C. O. "Limaturae." *Rheinisches Museum* 115 (1972) 28-42.
- Boucher, J.-P. *Études sur Properce: problèmes d'inspiration et d'art.* Paris: E. de Boccard, 1980.
- Cairns, F. "Propertius 3.4 and the *Aeneid* incipit." *Classical Quarterly, New Series* 53, No. 1 (2003) 309-311.

- *Sextus Propertius: the Augustan elegist*. Cambridge: Cambridge University Press, 2006.
- Cohen, E. "Free and Unfree Sexual Work: an economic analysis of Athenian prostitution." *Prostitutes and Courtesans in the Ancient World*. Eds. C. Faraone and L. McClure (Madison, Wisconsin: University of Wisconsin Press, 2006) 95-124.
- Davidson, J. *Courtesans and Fishcakes: the consuming passions of classical Athens*. New York: St. Martin's Press, 1997.
- Edwards, C. *The Politics of Immorality in Ancient Rome*. Cambridge: Cambridge University Press, 1993.
- Fantham, E., H. P. Foley, N. B. Kampen, S. B. Pomeroy, and H. A. Shapiro. *Women in the Classical World*. Oxford and New York: Oxford University Press, 1994.
- Fear, T. "Propertian Closure: the elegiac inscription of the liminal male and ideological contestation in Augustan Rome." *Gendered Dynamics in Latin Love Poetry*. Eds. R. Ancona and E. Greene (Baltimore: The Johns Hopkins University Press, 2005) 13-40.
- Ferrari, G. *Figures of Speech: men and maidens in ancient Greece*. Chicago: University of Chicago Press, 2002.
- Franco, V. *Poems and Selected Letters*. Eds. and translators A. R. Jones and M. F. Rosenthal. Chicago: University of Chicago Press, 1998.
- Freyburger, G. "Le *Foedus* d'Amour." *L'Élégie Romaine: enracinement, thèmes, diffusion. Actes du colloque international organisé par la Faculté des Lettres et Sciences Humaines de Mulhouse*. Ed. A. Thill (Paris: Ophrys, 1980) 105-116.
- Gamel, M.-K. "Reading as a Man: performance and gender in Roman elegy." *Helios* 25, No. 1 (1998) 79-95.
- Gardner, J. *Women in Roman Law and Society*. Bloomington: Indiana University Press, 1986.
- Gleason, M. W. *Making Men: sophists and self-presentation in ancient Rome*. Princeton, New Jersey: Princeton University Press, 1995.
- "Elite Male Identity in the Roman Empire." *Life, Death, and Entertainment in the Roman Empire*. Eds. D. S. Potter and D. J. Mattingly (Ann Arbor: University of Michigan Press, 1999) 67-84.

- Gold, B. K. “‘But Ariadne was Never There in the First Place’: finding the female in Roman poetry.” *Latin Erotic Elegy*. Ed. P. A. Miller (London and New York: Routledge, 2002) 430-456.
- Greene, E. S. “Elegiac Woman: fantasy, *materia* and male desire in Propertius 1.3 and 1.11.” *American Journal of Philology* 116, No. 2 (Summer 1995), 303-318.
- “Gender Identity and the Elegiac Hero in Propertius 2.1.” *Gendered Dynamics in Latin Love Poetry*. Eds. R. Ancona and E. Greene (Baltimore: The Johns Hopkins University Press, 2005) 61-78.
- Hollis, A. “Propertius and Hellenistic Poetry.” *Brill’s Companion to Propertius*. Ed. H. Günther (Leiden and Boston: Brill, 2006) 97-125.
- James, S. L. “The Economics of Roman Elegy: voluntary poverty, the *recusatio*, and the greedy girl.” *The American Journal of Philology* 122, No.2 (Summer, 2001), 223-253.
- *Learned Girls and Male Persuasion: gender and reading in Roman love elegy*. Berkeley: University of California Press, 2003.
- “A Courtesan’s Choreography: female liberty and male anxiety at the Roman dinner party.” *Defining Genre and Gender in Latin Literature: essays presented to William S. Anderson on his seventy-fifth birthday*. Eds. W. W. Batstone and G. Tissol (New York: Peter Lang Publishing Inc., 2005) 269-299.
- Janan, M. *The Politics of Desire: Propertius IV*. Berkeley and Los Angeles: University of California Press, 2001.
- Laigneau, S. *La Femme et l’Amour chez Catulle et les Élégiques Augustéens*. Collection Latomus, 249. Bruxelles: Latomus, 1999.
- Lovén, L. L. “*Lanam Fecit*: woolworking and female virtue.” *Aspects of Women in Antiquity: proceedings of the First Nordic Symposium on Women’s Lives in Antiquity, Göteborg, 12-15 June 1997*. Eds. L.L. Lovén and A. Strömberg (Jonsered: Paul Åströms Förlag, 1998) 85-95.
- McClure, L. K. *Courtesans at Table: gender and Greek literary culture in Athenaeus*. New York and London: Routledge, 2003.
- McGinn, T. *The Economy of Prostitution in the Roman World: a study of social history and the brothel*. Ann Arbor: University of Michigan Press, 2004.

- Miller, P. A. *Subjecting Verses: Latin love elegy and the emergence of the real*. Princeton and Oxford: Princeton University Press, 2004.
- Newman, K. "The Third Book: defining a poetic self." *Brill's Companion to Propertius*. Ed. H. Günther (Leiden and Boston: Brill, 2006) 319-352.
- Porter, J. R. *Studies in Euripides' Orestes*. Leiden: E. J. Brill, 1994.
- Rosivach, V. J. *When a Young Man Falls in Love: the sexual exploitation of women in New Comedy*. London and New York: Routledge, 1998.
- Shackleton Bailey, D. R. *Propertiana*. Cambridge: University Press, 1956.
- Skinner, M. B. *Sexuality in Greek and Roman Culture*. Oxford: Blackwell Publishing Ltd, 2005.
- Treggiari, S. *Roman Marriage: iusti coniuges from the time of Cicero to the time of Ulpian*. Oxford: Clarendon Press, 1991.
- Uden, J. "Scortum Diligis: a reading of Catullus 6." *Classical Quarterly* 55, Issue 2 (December 2005) 638-642.
- Vatin, C. *Recherches sur le Mariage et la Condition de la Femme Mariée à l'époque Hellénistique*. Paris: E. De Boccard, 1970.
- Vérilhac, A.-M. and C. Vial. *Le Mariage Grec: du VI^e siècle av. J.-C. à l'époque d'Auguste*. Athens: École Française d'Athènes, 1998.
- West, M. "Prothalamia in Propertius and Spenser." *Comparative Literature* 26, No. 4 (Autumn 1974) 346-353.
- Whitaker, R. *Myth and Personal Experience in Roman Love-Elegy: a study in poetic technique*. Göttingen: Vandenhoeck and Ruprecht, 1983.
- Williams, G. *Tradition and Originality in Roman Poetry*. Oxford: Clarendon Press, 1968.
- Wyke, M. *The Roman Mistress*. Oxford: Oxford University Press, 2002.
- Yiftach-Firanko, U. *Marriage and Marital Arrangements: a history of the Greek marriage document in Egypt, 4th century BCE - 4th century CE*. Munich: Verlag C.H. Beck, 2003.