

Fallite Fallentes: Rape and Intertextuality in Terence's *Eunuchus* and Ovid's *Ars amatoria*

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It has been persuasively argued that Terence's *Eunuchus* contains, in the love-agonies of the *adulescens* Phaedria, the roots of Latin subjective erotic love elegy (Konstan 1986). I will argue here for further, and very specific, connections of this play to Roman love elegy. To begin with, *Eunuchus* provides the source of the most disturbing passages of Ovid's *Ars amatoria* Book 1, namely the injunction to deceive (645) and rape women (669-706). *Fallite fallentes* (645) pointedly echoes *Eunuchus* 385: *nunc referam gratiam atque eas itidem fallam ut ab eis fallimur*, spoken by the *adulescens* Chaerea, who seeks a way into the house of the *meretrix* Thais, in pursuit of sexual access to the young girl Pamphila¹. The collocation marks a nexus of linguistic and thematic significance to both texts and raises an unexpected question: when does "deceive" (*ludere, fallere*) mean merely "to fool" and when does it mean "To commit rape?". Ovid draws, at several points in *Ars* 1, on just this question, which is crucial to both

¹ — The quotation is noted, to my knowledge, only by Romano (816n1). She also cites *Hec.* 72-73, but the situation invoked there is not identical.

the plot of the *Eunuch* and the characterization of the *praeceptor Amoris*. The word *ludere* echoes back and forth between the two works, pointing, in both, to a fruitful lexical complex that permits significant mystification about games, deceit, play, and rape. Resentment toward women of the *meretrix* class is found throughout both texts, marked several times by the use of neuter pronouns to denote such women. Finally, the *praeceptor*'s exemplum of Achilles on Skyros, used to justify his program of deception and rape, parallels Chaerea's trick in *Eunuchus*: in both works, a male disguised as less than a man, entrusted among women, commits rape. This intertextual relationship, previously unnoted, provides a key to reading *Ars* 1 and offers Ovid's own, remarkably modern, reading of Terence's play².

I. Terence's Chaerea: Sex and Tomfoolery

To begin at the beginning: *Eunuchus* swings into action, and characterization, with Phaedria lamenting to his family's cynical slave, Parmeno, who is deeply hostile to the subjects of love and *meretrices*³. Love is a tempestuous business, says Parmeno, not subject to reason (59-63). Parmeno's useless and confusing advice (see Barsby 1999 ad loc), namely that Phaedria should ransom himself out of captivity (74-76), makes little practical sense and shows how poorly the cynical slave understands the young man's torment. What is to the point here is that Parmeno sets

2 — This paper offers a focused case study for the thematic relationship of Roman love elegy to New Comedy, particularly Roman Comedy, a relationship I have argued for elsewhere (see James 1998a, James 2006, James 2012). This connection is, in my view, not merely aesthetic, but is constitutional to love elegy. Ovid's careful reading of Terence's play provides further evidence of the shared contents and themes of the two genres. Intertextuality between these works ranges from phrasing that passes the "memorability test" (Boyd, passim; she credits the phrase to Peter Knox) to a thinly disguised imitation of plot. Latin intertextuality studies have proliferated in the last few decades, even before Conte, but mostly without attention to the intertextual practices of Roman Comedy, on which see Sharrock 2009 (passim) and 2013; the bibliography on the way Plautus and Terence engage with Greek "originals" is enormous but beside the point here. In my view, the intertextual relationship of the *Ars* to the *Eunuch* – aside from qualifying as Conte's *modello-esemplare* (a specific, rather than generic or *modello-codice*, model) – is best explained by Edmunds's reader-based approach, as I will discuss below. Hinds gives exemplary study of Ovid's playful and sometimes revisionist intertextual practice. Here, I will suggest, Ovid is uncharacteristically *not* playful with a previous author. For a review of the reception and careful study of Terence in antiquity, and of his influence on writers from the late Republic on, see Müller.

3 — The term *meretrix* covers a wide range within the sexual profession, going from enslaved women held in brothels to non-slaves operating on their own, whether in dire poverty or at a higher level. In *Eunuchus*, the *meretrix* Thais lives, at least for the time being, at the highest level; for the sake of convenience (contra Halporn 201-02 and Witzke 19), I here translate *meretrix* with the outdated word "courtesan" (a practice I argued for at James 2006: 245-46n25), without importing notions of glamor – a connotation that this play repeatedly refutes, in any case. On Latin terminology for prostitution, see Adams 1983. *Eunuchus* contains the more negative term *scortum*, but it is spoken by the unpleasant soldier Thraso (424). Even the hostile males of Phaedria's household (Phaedria himself, his brother Chaerea, their unnamed father, and Parmeno) use the term *meretrix*.

himself up as an advisor – a *praeceptor* – to an enamored *adulescens*, as he will do shortly after, with Phaedria’s younger brother Chaerea, in the scene on which Ovid draws.

Parmeno’s cynicism about *meretrices* is even more apparent in the next scene, when Phaedria’s beloved, Thais (called by Parmeno *nostri fundi calamitas*, 79), talks to the two men. He interrupts her frequently, accusing her of lying. When Phaedria’s younger brother later turns up raving about love, Parmeno foresees trouble, anticipating that Chaerea, in love, will manifest uncontrollable madness, *rabies* (301). Chaerea reminds Parmeno that he used to offer help in matters of love (308-09):

CH. scis te mihi saepe pollicitum esse, ‘Chaerea, aliquid inveni modo quod ames: in ea re utilitatem ego faciam ut cognoscas meam’.

CH. You know you often promised me: ‘Chaerea, just find something that you could love, and I’ll show my usefulness in that matter’⁴.

Parmeno’s demurral is useless, as Chaerea demands that he live up to his word: *fac sis nunc promissa appareant* (311: “now make your promises happen”). He describes his predicament: he saw a beautiful girl of sixteen being led down the street but was waylaid by an inconvenient kinsman before he could see where she went. Parmeno explains that the girl is Thais’ long-lost sister, brought to her by Phaedria’s rival, the soldier Thraso; Chaerea’s brother Phaedria is competing by giving Thais an Ethiopian *ancilla* and an aged eunuch. Chaerea envies the eunuch (364-68):

CH. o fortunatum istum eunuchum quiquidem in hanc detur domum!

PA. quid ita? CH. rogitas? summa forma semper conservam domi videbit conloquetur aderit una in unis aedibus, cibum non numquam capiet cum ea, interdum propter dormiet.

CH. O that lucky eunuch who’s being taken into this house!

PA. How so? CH. You have to ask? He’ll always see at home a fellow slave, of greatest beauty, and talk with her and be together with her under one roof, sometimes eat a meal with her, and then sleep by her.

4 — Translations are my own. I have underlined words and phrases that are echoed or quoted in the *Ars*. My text for *Eunuchus* is Barsby; for Ovid, I use Kenney. The neuter pronoun *quod*, as object of the verb *amare*, will turn out to be important. The construction is found already in Plautus: Epidicus tells his junior master Stratippocles that the young man’s girlfriend has been acquired and stored in their house: *tibi quidem quod ames domi praestost, fidicina* (*Epid.* 635; my thanks to Ted Gellar-Goad for pointing me to this line). See also *quod ames* (*Poen.* 867, *Curc.* 29, *Bacch.* 219). Lucretius too uses the construction: *si abest quod ames* (4.1061). See further discussion below, of this phrase in Ovidian elegiac poetry.

At this point, Parmeno has his brainstorm (368-75):

PA. quid si nunc tute fortunatu' fias? CH. qua re, Parmeno?
 responde. PA. capias tu illius vestem. CH. vestem? quid tum postea?
 PA. pro illo te ducam. CH. audio. PA. te esse illum dicam. CH.
 intellego.

PA. tu illis fruare commodis quibu' tu illum dicebas modo:
 cibum una capias, adsis tangas ludas propter dormias;
 quandoquidem illarum neque te quisquam novit neque scit qui sies.
 praeterea forma et aetas ipsast facile ut pro eunucho probes.

PA. What if you should become the lucky one? CH. How, Parmeno?
 Tell me! PA. You take his clothes. CH. His clothes? What next?

PA. I take you instead of him. CH. I'm listening! PA. I say you're him.
 CH. I get it!

PA. You'd enjoy those benefits that you were just saying he would get:
 you can eat together with her, be by her side, touch her, play with
her, sleep right by her, since none of those women recognizes you or
 even knows who you are.

Plus, your age and looks are such that you'd easily pass for a eunuch.

Although Parmeno almost immediately claims to have been joking (378), the elated Chaerea insists, over the slave's agitated resistance, on pursuing the plan. When Parmeno warns Chaerea that his proposal is outrageous and shameful (*flagitium facimus*, 382), Chaerea explodes with impatience – and with a hostility toward *meretrices* that matches Parmeno's own (most fully articulated at 923-39; see below). Parmeno gives in (382-89):

CH. an id flagitiumst si in domum meretriciam
 deducar et illis crucibu', quae nos nostramque adulescentiam
 habent despiciatam et quae nos semper omnibus cruciant modis,
 nunc referam gratiam atque eas itidem fallam, ut ab eis fallimur?
 an potius haec patri aequomst fieri ut a me ludatur dolis?
 quod qui rescierint, culpent; illud merito factum omnes putent.
 PA. quid istic? si certumst facere, facias; verum ne post conferas
 culpam in me. CH. non faciam. PA. iubesne? CH. iubeam? cogo
 atque impero.

CH. Is it an outrage if I'm taken into a whore's house,
 and I can pay back those torturers, who have contempt for us
 and our young age, and who always torture us in every way,
 and now I can cheat them the way they cheat us?

Or is it more right for these things to happen to my father, that he
 should be fooled by me with tricks? Whoever knew of such a thing
 would fault me, but everybody would think it's right to do this trick.

PA. What of it? If you're determined, do it. Just don't go blaming me later. CH. I won't. PA. Are you bidding me? CH. Bidding? I order and command.

The successful ruse puts the disguised Chaerea in the protected women's quarters (*interiore parte*, 579) of Thais' house, with instructions from the senior female slaves, as they are leaving, that no man is to come near Pamphila and that the young eunuch is not to leave her (578). Pamphila falls asleep, Chaerea bolts the door and rapes her, then goes out of the house, whereupon he meets his friend Antipho, to whom he exultantly tells his happy tale. The discovery of the rape puts the house in an uproar, as nobody understands how a eunuch can commit rape⁵. Pamphila is in hysterics, her dress and hair torn (646, 659, 820). Ultimately, Chaerea is rewarded, to his great joy, by being permitted to marry Pamphila, although he does suffer the shame, which he had greatly feared, of being seen by his father and brother in the eunuch's costume. Deception, violence, and rape in the women's private quarters give the young man everything he had not even dreamt of wanting, namely permanent unimpeded access to Pamphila, in the form of marriage⁶.

II. Male Attitudes toward the Meretrix

Men in *Eunuchus* regularly articulate hostility toward courtesans. Phaedria complains of suffering their insults (*meretricum contumelias*, 48) and calls Thais wicked (*scelestam*, 71) for having locked him out (an act he describes as an *indignum facinus*, 70). Chaerea's attitude toward *meretrices* is recorded above. Finally, Parmeno gives full articulation to his own negative view of the women, presenting himself – as Ovid's *praeceptor Amoris* does in the *Remedia* – as the authority who can cure a lover⁷. Here again the cynical slave takes the attitude of the teacher (930-40):

id verost quod ego mi puto palmarium,
me repperisse quo modo adulescentulus
meretricum ingenia et mores posset noscere

5 — I do not take the view of Heslin 261 that “much amusement is had from the allegedly improbable fact that this ‘eunuch’ has... committed a rape while a trusted member of the household”. Every member of Thais' house is not merely mystified but outraged, Chaerea's male relatives are distressed upon learning of both his eunuch costume and the rape, and Parmeno is alarmed even as Chaerea has barely finished declaring his intent to disguise himself as the eunuch so that he can have access to Pamphila. Audience members who took amusement did so against the attitude of every character on the stage.

6 — This rape is unique in ancient New Comedy, as many scholars have noted, because it occurs indoors, during the day, and because it is premeditated and committed by a sober rapist. See Smith, James 1998b, Rosivach, and, most recently, Christenson.

7 — Not that either of them records much success in the effort.

mature, ut quom cognorit perpetuo oderit.
 quae dum foris sunt nil videtur mundius,
 nec mage compositum quicquam nec magis elegans
 quae cum amatore quom cenant ligurriunt.
 harum videre inluviem sordes inopiam,
 quam inhonestae solae sint domi atque avidae cibi,
 quo pacto ex iure hesterno panem atrum vorent,
 nosse omnia haec salus est adulescentulis.

This is what I really think is my winning move:
 I found a way for the boy to learn early about
 the natures and the ways of whores,
 so that he'll always hate them once he knows.
 While they're outdoors, nothing seems more charming,
 nor more composed, nor more elegant,
 as they pick lightly when they eat with a lover.
 But to see their mess, filth, poverty –
 how disgusting they are alone in the house, how piggish with food,
 how they swallow up old bread in yesterday's sauce –
 to know all these things is salvation for a youngster.

Here Parmeno describes Thais as greedy, a characterization already disproven⁸. This view, characteristic of the men in the play, effectively justifies physical abuse and financial exploitation of courtesans⁹. Even the prologue speaker includes criticism of courtesans, in the term *meretrices malas* (37) as part of the standard cast in a new comedy¹⁰. Parmeno notes (1000-1001) that the father of Phaedria and Chaerea has long been looking for an excuse to do something serious (*insigne aliquid*) to the courtesans next door; the father's hostility, taken for granted, is expressed at 986-87. Of course, the *senex* takes no action, because Thais arranges for Chaerea to marry Pamphila, thereby protecting the entire family from shame and disgrace (the *flagitium* of which Parmeno had warned, 382, is later invoked by Pythias at 1013, 1021).

Although all the men in the citizen family find themselves in Thais' debt, and the father promises her support and patronage (1038-40), a final betrayal awaits. Even her besotted lover Phaedria cannot stop trea-

8 — Contra Gilula (1980), whose negative view of Thais has not persuaded most scholars and readers.

9 — Hence it is no accident that Terence allows Pythias, Thais' slave, still enraged about the rape of Pamphila, to overhear Parmeno and vow revenge for both his trick and his hostility: “ego pol te pro istis dictis et factis, scelus, | ulciscar, ut ne inpune in nos *inluseris*” (941-42: “I swear I'll punish you, you criminal, for those words and for your actions, so you don't get away with *tricking* us”).

10 — This is a joke typical of Terence: the prologue's list of cast members standard for New Comedy may easily be read as promising a particular set of characters, but the play contains neither a “bad courtesan” nor a “good mother” (also in line 37). It does contain a hungry parasite and a boastful soldier, listed in the next line.

ting her as sexual property: he agrees, with his brother's encouragement, to the plan of his rival's parasite, namely to share her with Thraso, at the soldier's expense. Chaerea's praise of Thais encapsulates this split consciousness on the subject of the courtesan (1051-52):

CH. nil est Thaide hac, frater, tua
digniu' quod ametur: ita nostrae omnist fautrix familiae.

CH. Brother, nothing is more worthy of being loved than
Thais here: that's what a great supporter she is of our family, in
everything.

Even while praising her and acknowledging the family's debt to Thais, Chaerea uses a neuter pronoun to denote her, echoing the neuter pronouns of Parmeno, as quoted by Chaerea himself: "aliquid inveni | modo quod ames" (308-09). This utilitarian view of Thais characterizes the male citizen perspective on *meretrices*, even as Terence has painstakingly shown her in a positive light, and as an individual. As we shall see, all these attitudes – hostility, anger, utilitarianism, entitlement to sex without regard to female consent – recur pervasively throughout Ovid's *Ars*.

III. Women as Things, Women as Deceivers: Ovid's Praeceptor

To begin with: neuter pronouns and male citizen perspectives toward *meretrices* merit notice because they recur in Ovid's *Ars* at points that distinctly echo Terence's male characters. They characterize the *praeceptor Amoris* as likewise hostile and exploitive toward courtesans. He too begins by denoting women with a neuter pronoun, in a recurring program. The first mention of eligible women comes in this formulation: *principio, quod amare velis, reperire labora* (*Ars* 1.35: "first, work to find that which you would like to love")¹¹. Commentators have made little of the neuter pronoun, other than Hollis' remark that the phrase affects "the dry and unemotional tone of a technical treatise". Brandt merely points out the neuter pronoun¹². That it means "woman" is made clear in line 37, where that *quod* turns out to be the *placita puella*.

11 — In lines 31-34, the *praeceptor* has at least speciously ruled out respectable women, marking the poem's target female as a non-citizen. But he does so without mentioning actual women, invoking instead the dress of *matronae* (31-32) and licit extramarital sex (33) rather than any specific kind of female. Horace, by contrast, gets down to cases very quickly in *Sat.* 1.2. One of *Eugesta's* referees rightly reminds me of the infamous remark of Vergil's Mercury, *varium et semper mutabile | femina* (*Aen.* 4.569-70), a comment that expresses a larger form of misogyny than the neuter pronoun for a love object, which goes back to Sappho, as discussed below.

12 — But see Green 1982: 68: "It is significant how often, particularly in the *Art of Love*, Ovid refers to the object of his desire in the neuter: *quod ames*, he says, 'something for you to love' (see,

Some 55 lines later, the neuter pronoun returns in emphatic fashion. At the theater, the young man on the prowl can find whatever he wants, in a passage that invokes language now familiar:

illic invenies quod ames, quod ludere possis,
quodque semel tangas, quodque tenere velis.

There you'll find what you might love, what you might deceive/play with, what you might touch only once, and what you might wish to keep (*Ars* 1.91-92)¹³.

This couplet strikingly echoes the passages cited above from *Eunuchus*: line 91 virtually quotes Chaerea's quotation of Parmeno's promises – *ali-quid inveniri | modo quod ames* (*Eun.* 308-09), and line 92 likewise quotes Parmeno's list of the advantages (*commodis*, 372) that Chaerea will enjoy, disguised as the eunuch: *cibum una capias, adsis tangas ludas propter dormias* (373: "you can eat together with her, be by her side, touch her, play with her, sleep right by her"). Chaerea has not had to look for or "find" a love object, as the male pupil of *Ars* 1 is instructed to do, but his anticipated behavior with her, once he has identified such a woman, is virtually identical to the goals listed by the *praeceptor*. The close relationship of the two passages sets up further parallels. Here the *praeceptor* unites Parmeno's *quod* (308-09) with his list of benefits, *commoda*, offered by proximity – the very thing provided by the theater¹⁴. At the end of the exemplum of the Sabine women, the *praeceptor* remarks:

Romule, militibus scisti dare commoda solus:
 haec mihi si dederis commoda, miles ero (*Ars* 1.131-32).

Romulus, you alone knew how to give benefits to soldiers:
 if you should give me those benefits, I'll be a soldier!

Unlike Parmeno, the *praeceptor Amoris* generally avoids calling his target female a *meretrix*, preferring instead the standard elegiac euphemism, *puella*. But when he gets to listing the ways in which a woman can wheedle money from her lover, he loses his delicacy:

e.g., *AA* 1.91-2, 175, 263; other instances abound). Green does not pursue the observation further. Unlike Green, I distinguish between Ovid and his eponymous speaker.

13 — Miller ad loc notes the distancing effect of the repeated neuter pronoun, which recurs at *Rem.* 345: *saepe ubi sit, quod ames, inter tam multa requiras*. The phrase is found elsewhere in Ovid: Acontius uses it at *Her.* 20.32, and Medea at *Met.* 7.23.

14 — Shortly thereafter, the Circus provides the very same advantages, and the neuter pronoun recurs: *quis non invenit turba, quod amaret in illa?* (175). Cf. also 741: *ei mihi, non tutum est, quod ames, laudare sodali*.

non mihi, sacrilegas meretricum ut persequare artes,
cum totidem linguis sint satis ora decem (*Ars* 1.435-36).

In order to detail the unholy arts of courtesans, ten mouths with
as many tongues would not be enough for me.

The *praeceptor's* choice of the word betrays his hostility toward the poem's target women, a hostility that will burst out openly in the lesson on deceit and rape.

The *praeceptor's* complaint here is just that of the men in *Eunuchus*: the financial demands of courtesans. In this passage, he accuses women of deceptive behavior in the matter of money:

quid, quasi natali cum poscit munera libo,
et, quotiens opus est, nascitur illa sibi?
quid, cum mendaci damno maestissima plorat,
elapsusque cava fingitur aure lapis? (*Ars* 1.429-32)

Or what about how she asks for a gift for her birthday cake,
and however often she needs to, she has herself a birthday?
Or when she weeps, all sorrowful over a false loss,
and pretends that an earring fell out of her ear?

He goes on to advise his pupil to make false promises in the matter of gifts:

promittas facito: quid enim promittere laedit?
pollicitis dives quilibet esse potest.
Spes tenet in tempus, semel est si credita, longum:
illa quidem fallax, sed tamen apta dea est.
si dederis aliquid, poteris ratione relinqui:
praeteritum tulerit, perdideritque nihil (*Ars* 1.443-48).

Promise away: how does it hurt to promise?
Anybody can be rich in promises.
(Hope holds on for a long time, once it has been trusted:
she's certainly a deceptive, but still an appropriate, goddess).
If you should give something, you could be dropped for good cause:
she'll have taken the past gifts, and lost nothing¹⁵.

The *praeceptor's* resentment is obvious throughout the lesson on gifts, and it flares up again in the instructions about deception. A lover can make promises, as he has already said (443-44). But at line 631, the ins-

15 — This is the very result of which Phaedria complains at *Eun.* 162-71. He enumerates his past generosity and dwells upon his most recent gifts, the Ethiopian *ancilla* and the eunuch. But still, he says, Thais does not give him the attention he believes is his due.

truction on deceiving women becomes more serious. The gods laugh at lies told by lovers:

nec timide promitte: trahunt promissa puellas;
 pollicito testes quoslibet adde deos.
 Iuppiter ex alto periuria ridet amantum,
 et iubet Aeolios inrita ferre notos (*Arts* 1.631-34).

And don't be shy about promising: promises attract girls;
 add any gods you like as witnesses to the promise.
 Jupiter laughs from on high at lovers' lies,
 and orders the Aeolian south winds to bear them off empty.

A man should keep faith in every matter but love:

ludite, si sapitis, solas impune puellas:
 hac minus est una fraude tuenda fides.
fallite fallentes: ex magna parte profanum
 sunt genus: in laqueos quos posuere, cadant! (643-46).

You can safely trick, if you're smart, only girls:
 except for this one fraud, faith must be kept.
Cheat the cheaters: for the most part, they're an
 unholy tribe: let them fall into the nets that they have put out!

The *praeceptor's* resentment gets the better of him, and he draws upon two strangely inapposite exempla, Busiris and Phalaris, who tortured and killed Thrasius and Perillus, the inventors of deadly deceptions. As these two fraudulent counselors (to borrow Dante's terminology) deserved to die, so women deserve to be cheated and deceived by their lovers. Busiris and Phalaris did the right thing:

iustus uterque fuit: neque enim lex aequior ulla est,
 quam necis artifices arte perire sua.
 ergo ut periuras merito periuria fallant,
 exemplo doleat femina laesa suo (*Arts* 1.655-58).

Each one was just: for there is no law more just
 than for the designers of death to perish by their own art.
 Therefore, as lies deservedly trick lying girls,
 let a woman be hurt, wounded by her own example.

Here again, Ovid draws on Terence. As *fallite fallentes* (645) recalls Chaerea's remark at *Eun.* 385 ("nunc referam gratiam atque eas itidem fallam, ut ab is fallimur"), so the claim to justice (*iustus, lex aequior, merito*) echoes Chaerea's concept of retributive justice in the matter of sex and commerce with *meretrices*: "an potius haec patri aequomst fieri ut a me

ludatur dolis? | quod qui rescierint, culpenti; illud merito factum omnes putent” (*Eun.* 386-87).

Two points are striking here. First, the lesson on cheating/deceiving women with both safety and justice follows on the instruction that a young man must act more enamored than he actually is. In this passage, the young lover is putting on a show for his chosen *puella*:

est tibi agendus amans, imitandaque vulnera verbis (*Ars* 1.611)¹⁶.

You have to play the lover, and imitate his wounds with your words.

saepe tamen vere coepit simulator amare;
saepe, quod incipiens finxerat esse, fuit.
quo magis, o, faciles imitantibus este, puellae:
fiet amor verus, qui modo falsus erat (*Ars* 1.615-18).

Often a faker really begins to love;
often what he started out pretending to be, he became.
So all the more, o girls, be easy for the fakers:
it will become a true love, that which just now was false.

This pretense is accomplished by flattery of beauty (619-30). If the young man is not necessarily in love, he is at least in a state of desire (610: *fac tantum cupias, sponte disertus eris*). His desire will make him able to flatter and to pretend an emotional attachment that does not yet exist.

The step from false flattery to false promises is short: *nec timide promitte: trabunt promissa puellas* (631). But the actual deception of *fallite fallentes* is unclear. What is the young man to promise? And what cheating will the perjured *puellae* have committed? The *praeceptor*, here becoming a bit unstable, and again losing control of his teaching, does not say. In general, *meretrices* commit two forms of deception: financial and sexual. They promise a sexual reward in exchange for a gift, but then either seek more gifts or withhold the reward (they may do both). They practice sexual infidelity, as well, thus both cheating on and lying to a lover.

But the *praeceptor* has already given instruction on the first form of deception, namely manipulation about gifts, and he has not yet spoken of women’s sexual cheating (a lesson later discussed at *Ars* 2.535-600). So the female deception here (*fallentes, periuras*) is unspecified. It appears to be a general female characteristic of untrustworthiness. The *praeceptor*’s tantrum, at 645-58, like his outburst about the *sacrilegas meretricum artes* at 435-36, comes as a shock, as his unexpected anger shows through. At both points when he returns to giving practical advice, he does so without

16 — The phrase *agendus amans* almost formally invokes the character of the *adulescens amans* on the Roman comic stage.

comment on his prior distraction¹⁷. Instruction resumes abruptly, with an awkward, undermarked transition: send a letter as your first act of courtship (437), and “tears, too, are useful” (659).

Both new lessons revert quickly to the subject of the previous lesson: write a letter full of sweet talk (439-40) and promises (443-44), but never deliver on the promises, as above (443-54). The *praeceptor* brings himself to heel fairly quickly, after the infamous *hoc opus, hic labor est*, with a strong didactic marker at 455: *ergo eat et blandis peraretur littera verbis*. The tears are instantly identified as both false (i.e., fluid slipped up to the eye on a fingertip) and specious, because intended to manipulate. They offer a quick path to the lover’s goal: mix kisses with tears, then press the kissing, then press further, because a kiss is right next to fulfilled desire (671).

At this point the *praeceptor* acknowledges force, but excuses it on the grounds that women like force, and are glad to have had sex by way of rape:

vim licet appelles: grata est vis ista puellis:
 quod iuvat, invitae saepe dedisse volunt.
 quaecumque est Veneris subito violata rapina,
 gaudet¹⁸, et inprobitas muneris instar habet (*Ars* 1.673-76)

You can call it force: that force is pleasing to girls:
 what is pleasurable, they often wish to have given unwillingly.
 And the girl who was violated by a sudden theft of Venus rejoices,
 and naughtiness has the appearance of a gift.

As proof of the way force authorizes a woman to enjoy sex without shame, the *praeceptor* offers the exemplum of Achilles and Deidamia, a scene that accords strikingly with Chaerea’s caper in Pamphila’s bedroom. Achilles, disguised by his mother as a girl, was hiding in Deidamia’s private bedchamber on Skyros. The disgrace of the disguise and inappropriate costume is marked as shameful for both Chaerea and Achilles (*Ars* 1.689-96; *Eun.* 840-49, 1015-16, and the recurring word *flagitium*, as noted above). Like Pamphila, Deidamia discovered the true nature of her disguised comrade by way of rape:

17 — By contrast, in *Ars* 3, he acknowledges having been distracted. At 3.667, he exclaims, *quo feror insanus!* and at 3.747, he recovers from the disaster of Procris’ death with *sed repetamus opus*. Both are marks of a teacher’s recognition of having gone off-track.

18 — The sexual pun in *gaudet* is untranslatable, but would not be missed by Ovid’s readers: Latin love poetry uses forms of *gaudium* to denote, in sometimes coy fashion, sexual climax. See Adams 197-98, citing Brandt *ad Am.* 3.7.63; as I have noted elsewhere, to their cited passages could be added others (James 2008: 152n51).

forte erat in thalamo virgo regalis eodem;
haec illum stupro comperit esse virum (*Ars* 1.697-98).

By chance the royal maiden was in the same bedchamber;
she learned he was a man by way of sex crime¹⁹.

Although Deidamia and Achilles are a mythical princess and hero, and thus formally inapposite models for a Roman lover and his courtesan *puella*, their encounter maps on to that of Chaerea and Pamphila quite well. Ovid repeats the word *stuprum* twice in this passage, both times in the same metrical position in the pentameter (698, 704). Because *stuprum* denotes sexual delicts among citizens, it does not apply to elegiac *meretrices*, as they fall in the category of those with whom, in the Latin legal formula, *stuprum non committitur*. But the term does apply (more or less) to Deidamia and quite strictly to Pamphila, for she is not, as Chaerea believes her to be, a prostitute or a slave to a prostitute, but a citizen daughter. In Roman terms, the *flagitium*, disgrace or outrage, that Chaerea commits is precisely *stuprum*: it is rape of a virgin citizen girl, as spelled out by Pythias at 857-58. A *flagitium* (382) may be a social offense, but *stuprum* is a legal crime, and Ovid so marks it here.

The chaos caused by the rape of Pamphila is pointedly absent from the *praeceptor's* account of the rape of Deidamia, because he is arguing that while women are ashamed to pursue sex, they like being forced to give it up. This absurdly self-interested narrative denotes rape in a very compressed way – *haec illum stupro comperit esse virum* (*Ars* 1.697) – and recasts the experience not only as non-traumatic for Deidamia but as actually desirable: *voluit vinci viribus illa tamen* (700; the alliteration marks the *praeceptor's* emphasis). But the force involved cannot be erased: Deidamia, needing Achilles to stay for reasons of respectability rather than because of sexual desire²⁰, tries to keep him from leaving: “vis ubi nunc illa est? quid blanda voce moraris | auctorem stupri, Deidamia, tui?” (704-05: “where is that force now? Why, Deidamia, do you hold back, with a soft voice, the agent of your criminal violation?”)²¹.

19 — The untranslatable word *stuprum*, not limited to rape, defeats me here. My choice of the anachronistic term “sex crime” is intended to focus on *stuprum* as illegal rather than as an act of force. I use a somewhat different, but equally awkward, translation below, again focusing on crime.

20 — Cf. Briseis in the *Iliad*, desperately waiting for Achilles to marry and redeem her. I do not follow Heyworth's reading of Deidamia's response to Achilles.

21 — Greek myth is filled with tales of the penalties inflicted upon human women who have suffered rape. Rape and pregnancy, in myth as in real life, have long-term and serious consequences for women. If the female rape victims of gods are lucky, the male gods may try to protect them, but more often these women suffer appalling abuse and destruction. A royal girl raped and impregnated by the young hero Achilles would be thinking of saving her own future (the concern for rape victims in New Comedy) rather than of having more sex with him.

The *praeceptor's* first mythic exemplum, to bolster the precept about how women like enforced sex, is a non-starter: Phoebe and Hilaira, who, he says, liked their rapists (679-80). But the sisters end up married to those abductor-rapists, who in most accounts abduct them precisely in order to marry them before their local suitors can do so. Marriage is not at all the goal of the *Ars*, so the tale of Achilles and Deidamia takes over, and Ovid matches it up to Terence's tale of another young man disgracefully disguised as not a man, as less than a man (as "a not-really-man", as Sharrock 2009: 224 puts it), hidden in the women's private quarters, forcing himself sexually upon a girl who suffers the consequences when she becomes pregnant and is abandoned by him (an event common in New Comedy)²².

Achilles has been proposed as a model earlier in *Ars* 1, paralleled to Cupid, the *saevus puer* to be tamed by the *praeceptor*, as Achilles was tamed by Chiron (*Ars* 1.18). In this respect, Achilles and Cupid are both paralleled to the text's male pupil, who also comes under the *praeceptor's* instruction. Here Achilles acts as further authorization, to the poem's male students, for rape²³. Of course, the *praeceptor* cannot carry on with his example of Deidamia: Achilles goes to war; she bears his son. The point of the lesson is recreational sex, not procreation, so the *praeceptor* cuts off the exemplum by returning to his principle: it is actually a favor when a man commits rape, because rape permits women to enjoy sex without having to initiate it: "scilicet ut pudor est quaedam coepisse priorem | sic alio gratum est incipiente pati" (*Ars* 1.705-06).

The word *pudor* here provides a hinge from the citizen sexual relations of Deidamia and Achilles to the commercial amatory relations of the *Ars*. Among citizens, *pudor* is sexual modesty, a sign of respectable female chastity. But the word can also denote embarrassment and emotional (rather than social) shame. A high-level *meretrix*, of the sort imagined by the poem, does not initiate a sexual relationship, and it would be embarrassing indeed for such a woman pursue a man. Thus the *praeceptor* can pivot from that word, *pudor*, to a lesson on how men must do the pursuing (*Ars* 1.706-14). But the exemplum of Deidamia, the last extended

22 — Statius marries them off in the *Achilleid*, but the *Iliad* gives no sign that Achilles even thinks about Deidamia, let alone considers her his wife. Though she would have been a fine candidate for inclusion in the *Heroides*, she does not appear there. On Statius' reading of the Achilles and Deidamia exemplum in *Ars* 1, see Heslin.

23 — It is tempting to see Chaerea drawn in here as well. As noted above, Parmeno comments (*Eun.* 299-301) that Phaedria's state of passion for Thais will be play and jokes in comparison with the deranged madness, *rabies*, that Chaerea will bring to love. He too turns out to be a *saevus puer*. Achilles, marked as terrifying to allies and foes alike (*Ars* 1.13), is a paradigm for uncontrolled fury. Textually closer to home are the *ludus* and *iocus* (*Eun.* 300) of Phaedria's relationship with Thais. *Ludus* is a master term in the *Ars*, and *iocus* is one of the vehicles for the whole game of love. On terms relating to *ludus*, see below.

mythic tale in *Ars* 1, and its disturbing authorization of rape, following so shortly upon the outburst of *fallite fallentes* (645), hang over the end of the book, whose instruction thereafter becomes disjointed.

IV. Talk about Deception

All these elements – deception of women (especially of *meretrices*), instruction of rape, and Achilles' false-gender disguise in a room of women – recall the program of deception and rape in the *Eunuch*. From neuter pronouns for women, to touching, playing, and justifiable deception, the linguistic echoes of *Eunuchus* in *Ars* 1 hark back to Terence's play, in which an unsuspecting girl, violently raped in her private room, by somebody she did not think capable of rape, responds with neither delight nor relief, let alone desire. The shared attitudes of Parmeno, Chaerea, and the *praeceptor*, toward *meretrices* and sexual relations with them, also reverberate between the two texts, and lead to a final consideration of the crucial shared theme and lexicon: the issue of deception, which appears in multiple linguistic forms and leads all the way back to the father of gods and men, Jupiter himself. A little investigation of language and attitude is in order.

The theme of deception, virtually a structure in both texts, first requires an attitude of disrespect or hostility taken toward the person who is the object of the deception. The treatment of women as mere objects, to be tricked and sexually violated without ethical or even social delict, is both consistent and puzzling in these two works. That is, repeatedly a man claims to love a woman but feels justified in making a violent assault on her. His civic status, relative to hers, authorizes such justification, in the classed world of antiquity. The linguistic practice of referring to women with neuter pronouns precisely when they are love objects further underwrites sexual violence.

Robert Maltby (1980: 137) comments: "Phrases of the type *quod amas*, *quod amat* are frequent in comedy as equivalents of *puella*... The usage is avoided by Propertius and Tibullus and occurs in Ovid mostly in *Ars Am.* (e.g. 1.35, 91, 175 and 263) in which... he may be affecting a dry and unemotional tone", as here – citing Hollis, as above, on *Ars* 1.35. Calvin Sears Harrington, in his 1874 edition of Plautus' *Captivi*, *Trinummus*, and *Rudens*, notes that "*quod amat* is the general expression for *amica*", or girlfriend. As a general expression, the phrase "thing one loves" goes at least as far back as Sappho. But in all of Roman comedy it is used by men who are actually in love only three times, one of them the lusty old man Lysidamus in *Casina* (564)²⁴. The rest of the time the

24 — See also the young lovers at *Curculio* 136, *Phormio* 165.

formulation is reserved for cynical subalterns (slaves; a hired cook) or by friends who may be either also cynical or merely detached²⁵. Hence the formula perfectly fits Parmeno, Chaerea, and the *praeceptor Amoris*. These male characters, as we have seen, are hostile to women of the *amica* class, i.e., *meretrices*.

With this lexical pattern established, we can begin to understand how readily the male characters propose tricking, fooling, cheating women, and how that program of deception ultimately underwrites sexual violence. The terminology used for cheat/deceive/fool/trick is less varied than we might expect. Forms of *decipio* are surprisingly absent, appearing in neither *Ars* 1 nor *Eunuchus*²⁶. Forms of *fallo* and *ludo* are the primary terms for deception, and their usage in our two texts takes advantage of their multivalence. Forms of *ludo* may denote nothing more than play around or have fun, but more commonly mean to make a fool of someone by teasing or playing some kind of trick (*OLD* 1048, 9)²⁷. Thus Gnatho, the parasite of Phaedria's rival Thraso, wants to make fun of Parmeno: *nebulonem hunc certumst ludere* (*Eun.* 269: "I have to make a fool of this nobody"). But *ludo* can also mean to flirt, as when Thraso himself describes a young man (*adulescentulus*) who had begun to flirt with Thraso's girl at a dinner party: *forte habui scortum. coepit ad id adludere* (*Eun.* 424: "I happened to have a whore; he started to flirt with her")²⁸.

From flirting, *ludo* extends to sex by meaning play around sexually, as at *Eun.* 373, *Ars* 1.91 (see also *Ars* 2.389, 599-600, 3.62); see, e.g., *OLD* 1048, 4. But to play around sexually may require deception in the form of lying to a partner, deceiving him or her²⁹. Sexual play is the obvious meaning in the significant formulation that Chaerea uses when he describes himself looking at the painting of Jupiter and Danae (*Eun.* 585-86):

25 — Plautus: *Bacchides* 219; *Casina* 57, 451, 464; *Curculio* 29, 32, 136; *Epidicus* 653; *Mercator* 746; *Poenulus* 479, 820, 866; *Trinummus* 242. Terence, *Phormio* 165, 504. Ovid: *Am.* 2.5.9, *Ars* 1.35, 91, 175, 253, 741; *Rem.* 13, 89, 297, 345; *Her.* 16.85, 18.179, 19.179, 20.32, 21.57; *Met.* 3.433 and 468 (Narcissus), 5.23 and 66 (Medea), 9.470 (Byblis). Purser (436) describes the phrase as a sign of Ovid's "poverty of thought and imagination", complaining that it does not appear in *Heroides* 1-15, but "is harped on... *ad nauseam*" thereafter.

26 — It appears at *Ars* 3.89, 454, 460, and *Rem.* 1, 212.

27 — The base meaning of game is found in *Ars* 3, where women should know how to play board games (353-80).

28 — See Barsby 1999 ad loc. The neuter pronoun *id* here refers back to the neuter term *scortum*.

29 — The *OLD* entries for *ludo* (as well as *ludus* and *lusus*) do not include sexual deceit, but the *TLL* does, in its definition 1A: "notione commune significatur actio non seria delectantis, lascivientis, otium agentis sim," and under A-1-b-beta: "res amatoriae (hic illic pertinet et ad sermones amatorios; cum acumine quodam usurpatur ita, ut ab amore unius tantum puellae vel a matrimonio alienum esse videatur Ovid *Am.* 2.389". Acting is under 2B.

et quia consimilem luserat
iam olim ille ludum, inpendio magis animu' gaudebat mihi.

And because he had once, long ago,
played a similar game, I became even more excited in my heart³⁰.

Jupiter's deception famously authorizes Chaerea's own (as does that of Achilles with Deidamia for the *praeceptor* and his students). To underscore his interpretation of Jupiter's deceit, his sexual trickery perpetrated upon an unsuspecting woman, Chaerea – who likewise (*consimilem*) is in disguise in a woman's private, protected chamber – praises his divine model precisely for having “tricked a woman”:

deum sese in hominem convortisse atque in alienas tegulas
venisse clanculum per inpluvium fucum factum mulieri.
at quem deum! (*Eun.* 585-86)

The god turned himself into a woman and came secretly over someone else's roof, through the impluvium, played a trick on a woman.
And what a god³¹!

Chaerea follows Jupiter's example, *ac lubens*, as he says (591). Thus Chaerea's triple insistence on cheating and deceiving women, in three different lexical formulations, goes from putting on a disguise and entering Thais' house under false pretenses (*fallam*, 385), to getting into Pamphila's private bedchamber (*ludum*, 587), to “tricking” a woman (*fucum factum mulieri*, 589) by getting sex out of her without her advance agreement, as authorized by Jupiter himself³².

30 — Sadly, English does not permit the *figura etymologica* of *luserat... ludum*. It should be noted here that *ludus* also means a stage play and a role acted, something Chaerea has certainly done. On this metatheatrical language, especially pointed because the play itself was performed at the Ludi Megalenses, see Frangoulidis (1993: 147-48; 1994: 124).

31 — See Barsby 1999 ad loc, on *fucum factum*. On the echo of Ennius in the rest of line 590, see Sharrock 2013: 56.

32 — Jupiter is Ovid's favorite example of a divine rapist; see Davis and Curran on how Ovid deploys the sexual career of the king of gods. Where Terence writes *inpluvium*, he means, as Barsby ad loc notes, the *compluvium*, the opening in the roof that allows rain to be collected in the actual *inpluvium*. Sander Goldberg rightly suggests that the painting is paneled. Chaerea's description suggests that it may be a pinax, with four panels. I propose that it shows a narrative: in the first panel, Jupiter is flying through the air; in the second, he has converted himself into a man, on Danae's roof; in the third, he slides, as the rain of gold, through her window; and in the final panel, he rapes her, either as the golden rain or, as I suspect from Chaerea's description, as a biped male. In *Ars* 2, the *praeceptor* instructs his male pupil sometimes to take the high road, literally, to his mistress, by creeping over her roof and climbing in through her window: “at tu per praeceptis tecto delabere aperto, | det quoque furtivas alta fenestra vias” (*Ars* 2.245-46). Markus Janka, ad loc, notes that *tecto aperto* amounts to the *compluvium*. Although Janka does not refer to the *inpluvium* of *Eunuchus* line 589, it seems more than possible that Ovid had Terence's imaginary painting in mind, as he wrote this couplet.

Thus *ludo* extends to all realms of play and pretense, including theatrical productions. Chaerea himself has already put on a bit of a play-within-a-play by donning a disguise and enacting a false role (*ludus*) in which he tricks (*fallere*) a household of women, and particularly one young girl³³. His fun and games are accomplished by violence, as Pythias notes: “quin etiam insuper scelu’, postquam *ludificatust* virginem | vestem omnem miserae discidit, tum ipsam capillo conscidit” (*Eun.* 645-46: “in fact, on top of that crime, after he’d had his fun with the girl, | he tore the poor thing’s entire dress, then shredded her hair”)³⁴. Her revenge on Chaerea and Parmeno is mirror-perfect: she puts on a play herself, saying she won’t let Parmeno get away with his trick: *ulciscar, ut ne inpune in nos inluseris* (*Eun.* 942: “I’ll get revenge, so that you don’t make fools of us without suffering”). She acts out a role (*ludus*) herself, fooling Parmeno into believing that Chremes is exacting a shocking punishment on Chaerea for having raped his sister Pamphila. Pythias thus tricks Parmeno into alerting his elder master, the father of the two lover-boys. The father goes into the house and learns the whole truth; Chaerea’s punishment is to be seen by his father, in his eunuch’s garb. Pythias taunts Parmeno by saying, “I can’t tell you what fun you provided for us inside!” (*Eun.* 1010: *non possum sati’ narrare quos ludos praebueris intus*). Further punishment awaits Parmeno, as he himself admits.

In all these passages, *ludere* enjoys multiple simultaneous meanings: play, trick, act, have fun, make fun of, make fools of, fool, deceive. But in line 645, Pythias both sarcastically invokes the male perspective that considers sexual violence a game, a trivial matter, and identifies the essential trick that permitted Chaerea his fun: he was dressed as a eunuch and playing a role; he tricked Pamphila; he had fun raping her – something he has said emphatically himself, at 585-91, only fifty-some lines earlier. Pythias’ ironic and bitter phrase, *ludificatust virginem*, casts the fun and games into the criminal register, *scelus*. She speaks here for the off-stage, hysterically non-speaking Pamphila, and gives voice to the female perspective on this form of male sexual play (James 1998b).

In the *Ars*, forms of *ludus* and *ludere* show a similar range of meanings. They can mean a public spectacle, game or theatrical production (*Ars* 1.97, 101); to play the field while one is uncommitted (*Ars* 3.62), play board games (*Ars* 3.356, 368), gamble (*Ars* 1.451), play a musical instrument (*Ars* 3.31), play sports (*Ars* 3.383), deceive at war (*Ars* 2.258), play a trick (as does a clever slave in a comedy, *Ars* 3.332). The word also means

33 — Scholars have remarked upon the metatheatrical dimension of Chaerea’s speech here. See Slater, Frangoulidis (1993, 1994), Germany.

34 — This description demonstrates that Pamphila did not experience the rape as being like a gift (*muneris instar*, *Ars* 1.676).

deceive sexually (*Ars* 1.91, 643; 2.389). Ultimately, *ludus* is a master term for the entire project of the poem, as marked in the conclusion to *Ars* 3: *lusus habet finem* (*Ars* 3.809)³⁵.

The other term for deception, in both texts, is *fallere*. Interestingly, it appears only at *Eunuchus* 385, in Chaerea's crucial, indignant question: *an flagitiumst si... referam gratiam atque eas itidem fallam ut ab eis fallimur?* (*Eun.* 385). But it is common in the *Ars*, where it almost always means to commit sexual deception, to cheat on one's beloved³⁶. So the appearance of *fallere*, in the infamous line *fallite fallentes* (*Ars* 1.645), is all the more mysterious. Given that the *praeceptor* has nowhere told men that their *puellae* will cheat on them – as noted above, this subject arises only late in Book 2 – his meaning here is unclear. The only deception women have been committing has been financial: they ask for gifts in a thousand ways and men get nothing in return, a subject he expands upon in detail, lines 420-36 of *Ars* 1³⁷.

Thus *Eunuchus* and *Ars* 1 show us two men who feel entitled, by virtue of money expended upon a *meretrix*, to take something back from her, namely sex. *Referam gratiam*, as Chaerea says (*Eun.* 385). Sex is the commodity that the *meretrix* has to trade, but her permission is normally required. Line 675 of *Ars* 1 is quite clear on what the *praeceptor* means, in this surprising formulation: *quaecumque est Veneris subita violata rapina*. The “sudden theft of Venus,” marked with the unambiguous term *violata*, violated, would serve well as a description of Pamphila's experience in *Eunuchus*.

The *praeceptor* goes on, as he so often does, to supply justification by way of a mythical example, namely, as we have seen, Achilles and Deidamia. This is an old elegiac tradition – poet-lovers are always drawing on myth to justify their behavior. But those mythic characters are typically used to justify pathetic devotion, rather than violence³⁸. What stands out here is that while elegiac lovers verbally assert their similarity to mythic heroes and even gods, Chaerea goes ahead and acts on his self-declared resemblance to a mythic character – and not a mere hero, but a god; and not just any god, but Jupiter himself. These three stories, of powerful, privileged males using disguises and deception to trick women and force them into sex, in the women's private bedchambers, echo back

35 — See also 2.600, where the fun and games do not violate law.

36 — *Fallere* can also mean “seduce”, as noted by Sharrock (1994: 82-83), and as instanced at *Ars* 1.585, *tuta frequensque via est, per amici fallere nomen*.

37 — This is an old complaint, indeed articulated more than once on the Roman comic stage, as when Lysiteles, in *Trinummus*, describes the behavior of *amicae* (see also Diniarchus of *Truculentus*). As noted above, Phaedria of *Eunuchus* complains about how his gifts to Thais gain him no favor (163-71).

38 — Propertius 2.8 is a notable exception.

and forth between *Eunuchus* and the *Ars*, forming a nexus of themes and structures. In domestic stage comedy, rape leads inevitably to citizen marriage; for Danae it leads to further imprisonment, then motherhood; for Deidamia, it leads to abandonment and motherhood. For Jupiter and Achilles, to steal sex from princesses means to make them mothers of famed mythic heroes. For Chaerea, to steal sex in a prostitute's house, from a girl he believes to be a slave, is to get revenge (*referam gratiam*) on cheating, deceptive *meretrices*. It is, effectively, to gain a better return on his own family's prior investment in Thais' household. By the dictates of the genre, he ultimately gets to marry Pamphila. Hence these three rapes are absorbed into the domestic realm of citizen sexual relations and eventual procreation.

But for the *praeceptor Amoris* and his pupils, to steal sex from a woman, a woman "violated by the sudden theft of sex" (*Ars* 1.675: *Veneris subita violata rapina*), is both revenge of the very sort identified by Chaerea and also a tactic in the poem's game of love, a game that is also a battle of the sexes, over precisely sex and money. There is, however, a crucial difference: the *puellae* of the *Ars* will not turn out to be citizens. They are *meretrices* permanently. All the more, then, the *praeceptor* can justify taking sex from them: for such women, sex risks none of the social consequences that endanger citizen girls like Pamphila, Danae, and Deidamia³⁹.

Further justification for rape may not strictly be needed under the logic of *fallite fallentes*, but the *praeceptor* offers it anyway: women like force, rape is not rape, a man is actually doing a woman a favor when he forces her. This argument tips his hand, revealing his suppressed awareness that there is actually something wrong with forcing an unwilling woman – a woman one claims to love – into sex, by violence, without her permission. As Chaerea ignored Pamphila's refusal and her struggle to resist, not to mention her apparent hysteria, so at *Ars* 1.678 (*ut simulet vultu gaudia, tristis erit*), the *praeceptor Amoris* rewrites, as regret, a woman's relief at not having been forced. Such a principle requires interpreting resistance as permission, and as I have remarked elsewhere (James 2008: 152), it leaves a woman no room to say no. But behind the nexus of rape and deception between the *Ars* and the *Eunuchus* is the female experience – fear, violence, assault – encoded in that word *violata*, line 675, which acknowledges that *meretrices* experience rape as a crime against themselves, even if it was not considered a crime under the law⁴⁰.

39 — Hence the *praeceptor* tells women at *Ars* 3.96 that they lose nothing by having sex other than the expense of water for a post-coital bath. But, like citizen women, *meretrices* can get pregnant, as happens in Ovid's *Amores* 2.13-14, and is acknowledged at *Ars* 3.81-82.

40 — Roman law did not consider rape of a *meretrix* to be a crime, though it is possible that there was some recognition that a *meretrix* might consider rape to be both a crime and a serious violation. McGinn 60-61 discusses the case of the *meretrix* Manilia, cited in Gellius 4.14, acquitted

Whatever opinion the poem's fictional male pupils might bring to the subject of raping the women they are courting, this particular lesson has given them an especially deceptive form of trickery and play, one that fits with what Sharrock (2013: 226-27), with specific reference to the training given by the *praeceptor Amoris* in the *Ars*, describes as the self-centered Plautine (i.e., trickster-ish) characteristic in the elegiac lover. As I have argued elsewhere (James 1997), the *praeceptor* has already given his male pupils permission, along with instructions, to rape the *ancillae* of the women they plan to seduce. In the lesson that goes from *fallite fallentes* to Deidamia's sweet-talking of Achilles, the perpetrator of the *stuprum* that has ruined her, the *praeceptor* adds permission to rape the *placitam... puellam* (*Ars* 1.38) as well. Under such precepts, all a young man needs to do is get himself indoors, at which point all the *artes* of seduction become needless. Force, *vis*, is the only *ars* a young man needs⁴¹.

If the male pupil of the *Ars* does not dress up like a eunuch, he has certainly behaved in ways that the *praeceptor* periodically recognizes as inadequately masculine – e.g., following the *puella* everywhere, pretending to share her interests and opinions (*Ars* 1.485-504). This particular lesson ends in an order to behave in a nearly slavish manner: *arbitrio dominae tempora perde tuae* (1.504: “waste your time at your mistress’ whim”). Such servile behavior causes an immediate backlash, as the next line, which begins a lesson on male grooming as casual and understudied rather than foppish: *sed tibi nec ferro placeat torquere capillos* (1.505: “but you shouldn’t want to curl your hair”) – because a proper man should be clean and tidy, with well-fitted clothing and shoes, but not perfumed and overdone.

The same dynamic recurs at the end of Book 1, moving (as noted above) from the utility of tears to the application of force. Twice in Book 1, then, the male pupil is told to use unmanly behavior, either servile or effeminized, after which he is instructed in masculinity⁴². This dynamic reflects the behavior arc of Terence's Chaerea – dressed and treated as an

of assault upon the aedile Hostilius Mancinus, who had tried to enter her house by force, in the mid-second century BCE, and the fictive case offered in Seneca (*Contr.* 1.2) of a brothel slave acquitted of murdering a soldier who tried to rape her. On decisions to the contrary, see McGinn 325-27; these verdicts focus mostly on slaves abducted for the purposes of rape. As McGinn notes, Cicero and Cato both consider rape of a prostitute to be not a crime. It is worth noting that Manilia wound up in court not because she brought charges against Mancinus for trying to break into her house, but because he prosecuted her for having assaulted him with stones thrown from above when he tried to break into her house. The court's decision in Manilia's favor does not address any concept of protection against rape for *meretrices*. Rather, the tribunes focused on decorum: it was not suitable (*non decuisset*) for an aedile to come at night to a house of prostitution garlanded, as a komast (*comessatorem*).

41 — Particularly when one looks ahead to the end of *Ars* 2, where female sexual pleasure is subordinated to male pleasure, at least when time runs short.

42 — The same dynamic is found in Book 2, which lies outside my scope here.

enslaved eunuch⁴³, behaving on stage to match his dress, but reverting to elite male force and privilege once he is safely inside the house of the *meretrix*, with no-one to interfere. As he says to his friend Antipho, if he had not raped Pamphila at that point, he would truly have been a eunuch: *tum pol ego is essem vero qui simulabar* (*Eun.* 604: “then I would really have been what I was pretending to be”). In the *praeceptor*’s model of this behavior arc, rape is the reward for the unmanly behavior required by pursuit and attempted seduction, through *ars*, of a *meretrix*. Rape, however, exposes *ars* as false, so the *praeceptor* returns to strategies and tactics, the practices of *ars*, in instruction that (as remarked above) becomes disjointed. But he has tipped his hand and shown his hostility to *meretrices*, the target females of his instruction, in a precept that undermines both the practice of *ars* and the pedagogical premise of the *Ars* itself, which has claimed that lasting love is its goal⁴⁴.

V. Conclusion

I have proposed here a pervasive relationship between Terence’s *Eunuch* and Ovid’s *Ars amatoria* Book 1, a textual connection whose echoes and parallels bring out disturbing aspects about male attitudes toward women of the *meretrix* class⁴⁵. These elements are mostly unspoken but are readily perceptible in such slippages as *stuprum* (*Ars* 1.704) and *violata* (*Ars* 1.675), as well as in Terence’s repeated descriptions of Pamphila’s distress, descriptions that make clear the violence needed for the forcible increase in return on a man’s financial investment in a *meretrix*. The presence of *Eunuchus* in *Ars* 1 reveals Ovid’s very modern reading of the gender and class dynamics of Terence’s play and underscores the disingenuities inherent in the arguments of privileged males, arguments found throughout both texts, that they are entitled to steal sex, by force, from women who cannot fight back.

The intertextuality at stake here is not generic, as *Eunuchus* and the *Ars* do not belong to the same literary genre. But Terence was much-studied by Roman schoolboys and writers, and Roman Comedy was, as noted

43 — His youthful beauty is highly praised by the women of Thais’ household (*Eun.* 473: *quam liberali facie, quam aetate integra!* = “what a noble face, what undamaged youthfulness!”). He is charming and attractive enough to draw the aggressive sexual attention of his brother’s rival Thraso (479), as Sharrock (2009: 224) notes.

44 — *Ars* 1.38: *ut longo tempore duret amor.* *Ars* 2.11-12: “non satis est venisse tibi me vate puellam: | arte mea capta est, arte tenenda mea est”. It is hard to imagine *meretrices* as willing to continue relationships with men who have raped them.

45 — As Parmeno demonstrates, a man need not be a citizen to take a hostile attitude toward such women. McGinn 1998 discusses legal deprivations forced upon *meretrices*, as well as social and civic biases against them. See particularly Chapter Two, “Civic Disabilities”, 21-69.

above, a close ancestor to Roman elegy⁴⁶. Ovid's original readers would have recognized the verbal echoes of *Eunuchus* in these passages. Some would have recognized the larger dimensions of the relationship of the two works, dimensions found in extratextual systems of law, social relations, commercial sex practices, and concepts of gender, particularly masculinity, in citizen society. Those extratextual systems are overtly pointed to in the texts themselves, in the terminology that invokes justice (*aequom, merito, Eun.* 386-87; *iustus, aequior, merito, Ars* 1.655-58), as well as the presumed, even proverbial, greed and deceptiveness of *meretrices*.

In his model of reader-based intertextuality, Lowell Edmunds draws on Bakhtinian dialogism that extends outside literature, to "system" reference of such realms as law, myth, and social practice. This model of intertextuality is what Ovid's readers would have been practicing at the end of *Ars* 1 – not a model of parody (as with *hoc opus, hic labor est, primo sine munere iungi*, at 1.453), but one in which the *Ars* pulls in not only its source text, *Eunuchus*, and the specific passages invoked, but also the entire context of Terence's play, his most popular and perhaps his most disturbing⁴⁷. That context fills in the blank spot in the *praeceptor's* description of the just-raped *meretrix* (*subita violata rapina*, 675). She rejoices, he says (*gaudet*, 676), but *Eunuchus* shows us, instead, a girl in hysterics, whose hair and clothing are torn, who is weeping – and almost certainly bleeding. Content and context are both perfectly matched and perfectly muddled at these shared points in the two texts: Greek myth authorizes sexual opportunism by a whole class of young men – citizen men – in Rome, practiced against a whole class of women who have neither social nor legal recourse. McGinn's review of the cases of *meretrices* suffering sexual assault (fictional) or intended rape (historical) shows awareness that such women object to being raped, that they will not be happy behind sad expressions. The historical case of Manilia and Manicius tells us as much, but it also tells us that the privileged men of Rome believed they were entitled to rape *meretrices*, that they could ignore the women's refusals.

In terms of the Roman reader's experience of the intertextual relationship of *Eunuchus* and the *Ars*, and the way it practices "system reference", it is important to bear in mind that the larger social and legal context that governs the commercial erotic relationships of both works is still active

46 — See Sharrock 2009: 26-32 and 2013 *passim* on the importance of Terence to Catullus and Augustan poets, as well as to previous writers.

47 — See especially page 133, for Edmunds's sigla (which he credits to Plett) indicating target text (T₁), source text (T₂), quotation (Q₁), source of quotation (Q₂), context of quotation (C₁), and context for source of quotation (C₂). On the disturbing nature of *Eunuchus*, the modern scholarship (some of it my own) is larger than I can acknowledge here; see particularly Smith and, most recently, Christenson. I would disagree with Rosivach that Terence does not mean *Eunuchus* to be unsettling to its audience.

in the Rome of Ovid's readers⁴⁸. On this point, the two texts speak back and forth, perhaps less in dialogue than in mutual reinforcement. Ovid insists on the self-serving rhetoric and motives of the young lover, in seeking sex from a woman he claims to love, as dramatized in *Eunuchus*. Terence stages women articulating the female experience of such male privilege (James 1998b), and – equally important – the way privileged Roman men, seeking payback for financial loss (a significant motive in the central section of *Ars* 1) and personal/sexual frustration, either ignore or simply refuse to perceive that experience even as it was expressed and enacted right under their noses. These two texts reinforce each other, then, on the larger contexts that lie outside them. When Ovid reads Terence, and imports Terence's knowing drama into his poem's erratic erotodidaxis, he asks us to read “under the veil of the strange verses”, as Dante puts it (*Inferno* 9.63: *sotto 'l velame de li versi strani*) and perceive a game that is also a war of sex, class, and exploitation – a war that women can only lose. For all that the men in these works, in these two Roman genres, talk constantly about love, their actions tell a different story⁴⁹.

48 — Perhaps especially under the Julian laws, as the sex lives of elite Romans (including many of Ovid's anticipated readers) came under official and coercive scrutiny particularly under the provisions of the *lex de adulteriis coercendis*, which effectively made the non-elite woman, the *infamis*, the woman with whom *stuprum non committitur*, a legally safe target for non-marital sex. *Eunuchus* is set in Athens, but as I have argued elsewhere, the Greek settings of Roman Comedy stand in for Rome, especially with regard to social life, and even more so for sexual relations; see James 1998a, 1998b, 2006.

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