To the best of my knowledge, no overall interpretation of this epigram has ever been proposed.

It takes the form of a laudatory epitaph celebrating Rufus' poetic achievement (verse 1), which will enable his surviving lady-love, Sempronia, to outrival even the most famous example of abducted women (verse 12). Whatever happened, clearly no harm was done, and the mutual esteem of the pair remains as warm as ever (verses 3–4). And, as the references to Helen (verse 6), Menelaus (verse 9), Paris (verse 10), and Proserpina (verse 13) allow us to infer, whatever happened did so in the realm of literary fiction, Rufus' poetry: we are not dealing with a real-life scenario. Rufus did not abduct Sempronia (another reason, to be added to those given in SB 3.320, for excising verses 7–8, which give that impression); what he is most likely to have done is to have written a gallant poem (*De Raptu Semproniae*?) recounting her abduction, and in such a manner that Helen herself is amazed (verse 6), Menelaus is moved to laughter (at the comparative insignificance of his own misfortune?) (verse 9), and Paris is made to seem innocent of crime (verse 10). Sempronia herself (verse 5), as talked about, is only a *dulcis fabula*, 'a charming story'.

Forest Hill, Oxford P. T. EDEN

WAS APULEIUS' SPEECH STENOGRAPHED? (*Florida* 9.13)

In the collection of fragments of speeches by Apuleius of Madauros that has come down to us as the *Florida*[1] some pieces have attracted the special attention of scholars. Among them is *Fl.* 9, in which Apuleius delivers a *tour de force* of oratorical display. The climax of the speech is a piece of flattering praise of a proconsul of Africa on his departure from office (9.30–40). This praise is reached by two preliminary sections that deal with different themes.

The first of these (9.1–13) is devoted to the speaker himself. In a clear instance of polemics, as in the earlier pieces *Fl.* 3, 4, and 7, he tries to gain the sympathy of the audience, by pointing to the difficult situation he finds himself in: expectations are high in the case of a man of great talents,[2] and so he cannot make the slightest error of language or style. Like a proconsul's texts (such as edicts), his words are unalterable.

The second part (9.14–29) develops a detailed, positive portrait of the sophist Hippias, focusing, rather surprisingly, on his various manual skills in making clothes and instruments. This forms an easy starting point for a second piece of self-praise of the speaker and his literary talents, now no longer veiled but as outright and open as possible (9.27–9).

There is an intriguing passage at the end of the first section (9.13). Having pictured the contrast between a proconsul's messenger (*praeco*), who runs around and makes

[1] For recent work on the *Florida*, see B. L. Hijmans Jr, 'Apuleius orator: "Pro se de Magia" and "Florida" ', *ANRW* 2.34.2 (1994), 1708–84; Gerald Sandy, *The Greek World of Apuleius*, Apuleius & the Second Sophistic (Leiden, 1997), *passim*; Stephen Harrison, *Apuleius: a Latin Sophist* (Oxford, 2000) 89–135. Both a new translation and a complete commentary on the *Florida* are in preparation. For the former, see Stephen Harrison, John Hilton, and Vincent Hunink, *Apuleius of Madauros, Rhetorical works (Apol., Fl., Soc.)* (Oxford, forthcoming); for the latter, see Vincent Hunink, *Apuleius of Madauros, Florida, Edited with a Commentary* (Amsterdam, 2001).

[2] The negative formulation as a self-defence, implying the rhetorical *topos* of the speaker's 'problems' and 'lack of skills', in fact constitutes a piece of self-praise. Apuleius takes pride in his linguistic skills elsewhere too; cf. notably *Fl.* 20.3–6 and *Apol.* 38.5–6.

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loud proclamations, and the proconsul himself, who is sitting quietly and issuing written decrees that will be unalterable, the text continues:

Patior et ipse in meis studiis aliquam pro meo captu similitudinem; nam quodcumque ad uos protuli, exceptum ilico et lectum est, nec reuocare illud nec autem mutare nec emendare mihi inde quidquam licet.

I personally suffer something similar for my own part in my studies; for whatever I have brought before you, is immediately taken down and read, and I cannot withdraw it, nor change or correct anything from it.

The passage is commonly considered as important testimony for the presence of stenographers in second-century courts. Sitting among the large audience, they apparently took down the speaker's words during his performance and put the material into circulation in written form, without prior consent of the author.[3] On the basis of this interpretation, some scholars have argued that Apuleius' self-defence known as the *Apology* was such a product, literally taken down by stenographers from the speaker's words.[4]

At first sight, this interpretation of *Fl.* 9.13 seems plausible, since the earlier passages in that context have actually dealt with the 'oral' production of speech, including the speaker's risk of being criticized for errors in pronunciation (9.6–7). The Latin words used by the speaker certainly allow us to see a reference to stenographers here, since the verb *excipere* can be used as a technical term for 'taking down spoken words'.[5] Particularly in the later period of the Roman empire, the activity of *exceptores* (or *notarii*) is well documented,[6] but there is evidence too in earlier authors, such as Cicero.[7] Notably, in Quint. *Inst.* 7.2.24 the Roman professor disclaims speeches made by *notarii* in his name: *nam ceterae, quae sub nomine meo feruntur, neglegentia excipientium in quaestum notariorum corruptae minimam partem mei habent*.[8] Meanwhile, such independent activity of stenographers acting against the will of the speaker seems to have been uncommon.[9]

There is one major problem. This interpretation of *Fl.* 9.13 is based on the reading

[3] Cf. notably the argument developed by T. N. Winter, 'The publication of Apuleius' Apology', *TAPA* 100 (1969), 607–12, at 612; also F. Gaide, 'Apulée de Madaure a-t-il prononcé le De Magia devant le proconsul d'Afrique?', *LEC* 61 (1993), 227–31, at 227, n. 2; Konrad Vössing, *Schule und Bildung im Nordafrika der Römischen Kaiserzeit* (Bruxelles 1997), 446–47 with n. 1511, also refers to alleged confirmation of the stenography notion in '*Apol.* 55.5–7' (obviously a mistake, since that text deals with other themes); further Sandy (n. 1) at 131.

[4] For this theory, see notably Winter (n. 3).

[5] See examples in *OLD* s.v. 6; cf. also the more general sense of 'picking up, seizing upon' (ibid. s.v. 14).

[6] See H. C. Teitler, *Notarii and exceptores* (Amsterdam, 1985), an enquiry into the role and significance of shorthand writers in the imperial and ecclesiastical bureaucracy of the Roman empire (from the early principate to *c.* A.D. 450).

[7] Cicero's secretary Tiro is often considered to have been the first Roman tachygrapher; see Teitler (n. 6), at 172–3 with references. On shorthand in antiquity see also references in T. J. Leary, *Martial, the Apophoreta, introduction and commentary* (London, 1996), 276 on Mart. 14.208.

[8] To this may be added Suet. *Jul.* 55.6 on a speech falsely attributed to Caesar: *'Pro Quinto Metello' non immerito Augustus existimat magis ab actuariis exceptam male subsequentibus uerba dicentis, quam ab ipso editam*.

[9] In his excellent study on the publication and circulation of texts in Roman culture, Raymond J. Starr, 'The circulation of literary texts in the Roman world', *CQ* 27 (1987), 213–23, also discusses the publication of texts by others. He does not specifically refer to stenography during live performances nor to excerpting written texts. Either practice, therefore, seems to have been exceptional.

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exceptum, which is found in some of the lesser MSS.[10] However, it is not the reading of our main MSS F*Φ*, which have *excerptum*. Following the general approach of most scholars, notably of the Groningen Apuleius Group,[11] we can defend this reading of F, since it makes good sense.

With *excerptum* the sense would be rather different, in that the reference would be to written speeches by Apuleius that were somehow brought into circulation in abbreviated or fragmentary form. In fact, the words *quodcumque ad uos protuli* can perfectly well refer to the publication of written speeches.[12] The immediately preceding example in *Fl.* 9 of the proconsul and his *tabella*, contrasted with his *praeco* and his voice, seems to point to a written text, since Apuleius clearly models himself on this proconsul. Moreover, he will shortly be referring to his various *opera* (9.14), a term by which he surely points to the different books he has composed.

So the reference seems to be to persons in the audience threatening to make other use of Apuleius' literary output against his will: illegal excerptors. The words *atque lectum* seem perfectly natural after *excerptum*: 'whatever I bring into circulation is immediately excerpted and read'.[13]

There is ample evidence for the practice of making excerpts from books or speeches.[14] In Apuleius' time, we read about making extracts in the correspondence of Fronto and Marcus Aurelius; cf. e.g. Fronto (Loeb-ed. Haines) 1, 14 and 138; in some instances, master and pupil seem to have exchanged excerpts; cf. 1, 80 and 302. As Gellius' *Noctes Atticae* shows, a collection of abstracts could even become the basis of a publication; cf. Gel. pr. 2 *Usi autem sumus ordine rerum fortuito, quem antea in excerpendo feceramus. Nam proinde ut librum quemque in manus ceperam seu Graecum seu Latinum uel quid memoratu dignum audiebam . . . indistincte atque promiscue annotabam*; further e.g. 17.21.1.[15]

In defending *excerptum*, we no longer have an early reference to stenographers publishing literary works. But *excerptum* raises some interesting questions too, which are of hardly less relevance for our knowledge concerning literary publication. In the larger context of the *Florida* as a whole, the word is particularly striking, since the work is most likely a collection of excerpts,[16] brought together by an unknown person. It is interesting to speculate about the significance of Apuleius' complaint about illegal excerpts itself being included in a collection of excerpts.

If *Fl.* 9.13 indicates that excerpts of Apuleius' speeches circulated even during his lifetime, it becomes tempting to assume that the *Florida* itself were composed at an

[10] A survey of the MSS tradition of Apuleius may be found at L. D. Reynolds, *Texts and Transmission* (Oxford, 1983), 15–19.

[11] For this approach, see e.g. B. L. Hijmans, review of E. J. Kenney, *Apuleius, Cupid & Psyche*, *Gnomon* 67 (1995), 217–22.

[12] Cf. *OLD* s.v. *profero* 6 (of literary and artistic works).

[13] In a different context, the two verbs also appear together in *Apol.* 83.3 *cum . . . epistulam istam Rufinus mala fide excerperet, pauca legeret*.

[14] Cf. e.g. Plin. *Ep.* 3.5.10 and 6.20.5; Quint. *Inst.* 7.1.29, 9.1.24, and 10.2.13.

[15] A curious, late testimony for the phenomena of stenography and excerpting used in combination is Sid.Ap. 9.9.8 *quid multa? capti hospitis genua complector, iumenta sisto, frena ligo, sarcinas soluo, quaesitum uolumen inuenio produco, lectito, excerpo maxima ex magnis capita defrustans. Tribuit et quoddam dictare celeranti scribarum sequacitas saltuosa compendium . . .*

[16] Cf. in general Hijmans (n. 1) and Harrison (n. 1), 89. Some of the longer *Florida* may well be complete speeches, such as *Fl.* 9 or 16. But this does not change the character of the collection as such.

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early stage, perhaps already in Apuleius' own time and in his entourage.[17] Could it be that his present complaint did not so much discourage as stimulate his excerptors?[18]

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[17] However, the traditional division of the *Florida* into four books, as made in the MSS, remains a problem here. The awkward demarcation between books 1 and 2 after *Fl.* 9.14, in the middle of a coherent speech, would seem to point to editorial activities by others than Apuleius himself.

[18] I thank Dr H. C. Teitler and Dr S. J. Harrison, who kindly commented upon earlier versions of this notice. Of course they are not responsible for any of my arguments and contentions.

THE *EPITOME DE CAESARIBUS* AND THE *CHRONICLE* OF MARCELLINUS

The anonymous *Epitome de Caesaribus* closes with an obituary notice on the Emperor Theodosius I, who died in Milan on 17 January 395.[1] The final sentence describes the transportation of his body to Constantinople for burial: *corpus eius eodem anno Constantinopolim translatum atque sepultum est*. The facts are correct. Theodosius's body was indeed laid to rest in Constantinople, to be precise in the Church of the Holy Apostles on 8 November 395, as reported by three later chronicles (Marcellinus, the *Chronicon Paschale* and the *Chronicon Edessenum*), the *Ecclesiastical History* of Socrates, and a thirteenth-century list of the tombs and obits of the Byzantine emperors.[2]

What has not been noticed (it seems) is that the entry in Marcellinus's *Chronicle* is, with two minor variants (*adlatum* for *translatum* and the omission of the *est*),[3] identical to the final sentence of the *Epitome*: *corpus eius eodem anno Constantinopolim adlatum atque sepultum*.[4] There are three possible explanations: (1) mere coincidence; (2) Marcellinus drew on the *Epitome*; or (3) the final sentence of the *Epitome* is interpolated from Marcellinus.

(1) Coincidence can hardly be ruled out, but, simple as the sentence is, it was not inevitable that it should be expressed in precisely these words in this order. While *corpus* and *sepultum* may have been unavoidable, the same cannot be said of *eius* and *atque*, not to mention *eodem anno* (below). (2) Marcellinus used very few sources, most of them earlier chronicles.[5] Why would a chronicler bother with a work that gave no exact dates and only overlapped with his own chronicle for 16 years? In any case, the fact that there is a similar entry in both the closely related *Chronicon Paschale* and the much earlier Socrates, who regularly consulted a chronicle for dated information of

[1] The standard edition is by F. Pichlmayr (Teubner, 1911; corr. R. Gruendel, 1961). The fullest modern study is J. Schlumberger, *Die Epitome de Caesaribus: Untersuchungen zur heidnischen Geschichtsschreibung des 4. Jhdts n. Chr.* (Munich, 1974), 245; see too T. D. Barnes, *CP* 71 (1976), 258–68 and P. L. Schmidt, *RE* Suppl. 15 (1978), 1671–6.

[2] P. Grierson, 'The Tombs and Obits of the Byzantine Emperors', *DOP* 16 (1962), 42–3. The Greek original of this list may be a lost chapter from Constantine Porphyrogenitus's *De Caerimoniis*, of which fragments can be recovered from a palimpsest manuscript in Istanbul: C. Mango and I. Sevcenko, 'Additional Note', ibid. 61–3.

[3] On which see below n. 7.

[4] Marcellinus *s.a.* 395.2 (Mommsen, *Chron. Min.* 2 [1894], 64).

[5] Listed in Brian Croke, *The Chronicle of Marcellinus: a Translation and Commentary* (Sydney, 1995), xxii–xxv.

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