

4 *stola/vestis longa* – a dress of Roman matrons (pls. 7–17, 28–29)

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This chapter concerns the *stola*. It is the point where all began ten years ago. The text has undergone several revisions throughout the years, and the last touch was only added for final publication. The *stola* is a special female garment indeed, equaling the male *toga* in importance. In fact, the stories of both *stola* and *toga* are quite similar: Both Roman garments were politicized under Augustus in Imperial times, and both ended up as symbols embodying Roman culture and mores. In consequence, the following chapter is the most complex and important chapter of the entire book. It combines the various methods used to approach the subject of dress: textual criticism, literary hermeneutics, linguistics, legal, political, and social analysis.

The long robe of the Roman wife (*matrona*) is usually called either *vestis (longa)* or *stola* in our sources. Both words are used synonymously. Augustan cultural policy

resulted in the *stola* becoming the most common female garment in Latin literature. It has therefore received a great deal of attention in research.¹ The ancient stereotype of the decent, *stola*-wearing woman (i.e. the ideal Roman wife) has been perpetuated for centuries, at least in its broad strokes. This has resulted in an exceptional garment becoming emblematic of Roman female clothing in general. In reality, the *stola* was worn in everyday life only by a vanishingly small minority of Roman women in the late Republic and the early Imperial period. The *femina stolata*, celebrated in Augustan literature and art, was actually the exception rather than the rule in public life during this span of time. The *stola*—like the *toga*—was more of a festive garment and a symbol than everyday clothing. The overgeneralization is all the more aggravating because we have reasonably reliable sources from that era, which would allow for a more nuanced picture of real Roman clothing.

The following only considers the *stola* of the *Roman* matron, although similarly cut garments with other functions also occur in other social and historical contexts of the ancient world.² In older research, the *stola* has been thought to be a special form of tunic,³ mainly because a short-sleeved *chiton* was misinterpreted as a *stola* in the archaeological evidence. However, the Latin word usage, which clearly distinguishes the *stola* from the *tunica*, suggests that we should not conflate the two garments. Scholz (1992), following Bieber (1931),⁴ has convincingly identified the *stola* in the archaeological evidence as a foot-long sleeveless garment with two distinctive shoulder straps. The differentiation between *stola* and *tunica* is not only suggested by the ancient use of the terms, but also by the outer appearance of the garments (as seen through archaeology).⁵ It is to Scholz's credit that she has established a conclusive and stable archaeological foundation for further research on the *stola*. Unfortunately, she makes a number of mistakes in interpreting written (as opposed to archaeological) sources, which reduces the philological and historical value of her study.⁶ This chapter attempts to provide textually and historically sound interpretations of all literary sources in order to establish a more complete and more correct picture of the historical garment.

¹ Cf. Becker/Göll (1882) 253–256; Marquardt/Mau (1886) 573–579; Blümner (1911) 232–233; RE 4.1 A (1931) s.v. *stola*, col. 56–62 (M. Bieber); Wilson (1939) 155–162; E. F. Leon, *The instita of the Roman Matron's Costume*, CJ 44 (1949), 378–381; J. P. V. D. Balsdon, *Roman Women*, London 1962, 252–254; H. Blanck, *Einführung in das Privatleben der Griechen und Römer*, Darmstadt 1976, 64–65; Potthoff (1992) 178–181; Scholz (1992) 13–93; Sebesta (1994a) 48–49; K. Thraede, *Review Scholz*, *Bonner Jahrbücher* (1996), 767–774; DNP 11 (2001) s.v. *Stola*, 1018–1019; Pausch (2003) 155; Alexandridis (2004) 51–55; GRD (2007) 182; Olson (2008) 27–33; P. Chrystal, *Women in Ancient Rome*, Gloucestershire 2013, 26; L. Caldwell, *Roman Girlhood and the Fashioning of Femininity*, Cambridge 2015, 56–58.

² Cf. B 3 p. 292.

³ Becker/Göll (1882) 253; Marquardt/Mau (1886) 573; Blümner (1911) 232; Wilson (1939) 155, 159 (also figure XCV); Balsdon (n. 1) 252.

⁴ Bieber (n. 1) 59–61.

⁵ Against Pausch (2003) 155; GRD (2007) 182.

⁶ Thraede (n. 1) 767–774.

Beyond defining terms more precisely and offering new interpretations of single sources, the chapter argues for three main historical hypotheses: (1) that the *stola* became a legal privilege of the Roman *matrona* under Augustus, (2) that ‘common’ people did not use the garment any more at this time, and (3) that the *stola* was depicted by *liberti* on their tombs to indicate that they had concluded a Roman *matrimonium* (marriage).

4.1 Terminology

The expression *vestis longa* for the long robe of the Roman wife is attested in Afranius, Cicero, Ovid, and Quintilian.⁷ Sometimes, a wife’s *vestis longa* is also referred to by the single word *vestis* without the qualifying adjective. It is used in this way in a kind of formula. The wedding ceremony was metonymically called *vestem dare*.⁸ Propertius uses a more poetical flourish and speaks of *generosos uestis honores emerui*;⁹ Ovid speaks of a *maritalis vestis*.¹⁰ The usage of the expression *vestis (longa)* is thus quite straightforward.

In contrast, the use of the term *stola* in Latin texts is more complex. As with the term *palla*, we have to recall that there are different registers of language and that the same word may be used differently in them. For the present purpose, it seems best to distinguish between literary (poetic) and everyday (neutral) use. The first mention of the word *stola* is in Latin archaic poetry (in Latin prose, it occurs only in texts of the Classical period). It is found in the tragedies of Ennius (239–169 BCE). There, its usage diverges from what we find later on in other genres. In Ennius, it can refer to either a man’s or a woman’s garment.¹¹ Varro also seems to allude to this usage in his Menippean satires (A 9).¹² In Ennius, the Latin term *stola* is a direct translation of the Greek term *στολή*, which Ennius found in the Greek tragedies he adapted for his own work.¹³ In Greek poetry, the word *στολή* is equally used for all clothing (male and

⁷ Afranius Exceptus, F 1 (below p. 330); Ovid. Fasti 4.134 (below p. 334 n. 149); Quint. inst. or. 11.1–3 (below p. 350 n. 220).

⁸ CLE 58.2: *vestem dedit* [he married her]; CIL 1². 1216: *illam mereto missit et vestem dedit* [he rightly released her and married her].

⁹ Prop. 4.11.60 (below p. 338).

¹⁰ Ovid. ars 2.258.

¹¹ Ennius scen. 281: *squalida saeptus stola* [dressed with a dirty garment]; 282: *regnum reliqui saeptus mendici stola* [I left my kingdom dressed as a beggar]; 396: *et quis illaec est quae lugubri succincta est stola?* [Who is the woman girded in a mourning robe?]; 396: *induta fuit saeva stola* [she was dressed in a grim robe].

¹² Varro Men. (Eumenides) 120 (of young males): *partim venusta muliebri ornatu stola* [Some of them are clothed in a charming female *stola*]; 155 (of a man): *stolam calceosque muliebris propter positos capio* [I grasp the *stola* and the women’s shoes that were placed beside it].

¹³ Bieber (n. 1) 57–58; Scholz (1992) 20.

female alike), without defining a particular type of garment.¹⁴ Ennius uses the Latin word in exactly the same general manner. However, this ‘poetic’ use does not prove that the word *stola* was used in this way in *everyday* language. Roman (and Greek) tragedy had its own language and clothing (in Hellenistic times, tragic actors wore the *syrra*, a kind of *stola*).¹⁵ It could well be a linguistic experiment on the part of Ennius.¹⁶ This seems all the more likely when we turn to non-realistic poetry (in contrast to realistic poetic genres like satire) after Ennius. There, the Greek loanword *stola* is no longer in use. The Latin word *vestis* is used instead. But what is the reason for the avoidance of the term *stola* in elevated poetry? The word’s disappearance from poetry indicates that the word *stola* was perceived as being stylistically too low. This in turn suggests that it was used in everyday language for the female garment in the same way as we find it afterwards and that poets therefore had to avoid it. In a conclusion *e silentio* we may say that Latin everyday language at the time of Ennius probably already used the Greek loanword *stola* to denote the *vestis longa* of the Roman matron.¹⁷

However, the earliest literary evidence of *stola* in this narrow meaning is found only in the first century BCE with multiple instances in the prose works of Varro and Cicero.¹⁸ These show that the Greek loanword *stola* was firmly associated with the long matronly garment in everyday language by at least their lifetime. In poetry, the word *stola* is also used in its everyday meaning, but it is restricted to the ‘realistic’ genres. It first occurs in the satires of Varro and Horace.¹⁹ It is then also used in this sense in Augustan love elegies.²⁰ The everyday word *stola* had become fully integrated in poetic language and was stylistically acceptable by that time. After that, the use of the word *stola* outweighs that of the expression *vestis longa* in literature.

In conclusion, our sources seem to show that the term *vestis longa* was the original Latin everyday term for the long robe of a Roman wife. As mentioned above, it even found its way into the basic formula for marrying (*vestem dare*). The term was probably used during the whole period when the garment was actually worn. With Greek culture, the Greek loanword *stola* was introduced into Roman language. It was an everyday term and became more prominent in literature as time went on. Perhaps the usage of the word in literature reflects Augustan propaganda, which probably referred to the garment as *stola*. This resulted in a neat verbal parallel between the *toga* of the Roman citizen and the *stola* of his wife. In addition, there are some literary descriptions where (for stylistic and other reasons) the terms *stola* and *vestis (longa)* are not used at all, but

¹⁴ Bieber (n. 1) 58.

¹⁵ Cf. B 3 p. 296.

¹⁶ Against Marquardt/Mau (1886) 574; Blümner (1911) 232; Wilson (1939) 156.

¹⁷ Against Wilson (1939) 156.

¹⁸ Varro LL 8.13, 9.48 (B 2 p. 280 and below p. 319); Cic. Phil. 2.44 (below p. 331); Verr. 2.4.74 (below p. 303).

¹⁹ Varro Men. 120, 155, 229; cf. A 9 pp. 185, 187, 188; Hor. sat. 1.2.99 (below p. 332).

²⁰ Cf. Tib. 1.6.67–68; Ovid. Pont. 3.3.51–52; cf. below p. 318.

the garment is referred to in circumscriptions. Lucan and Tacitus, for instance, call it an *amictus*.²¹ In some cases, we also find the word *palla* (= '*peplos*') used for it.²² These literary usages, however, do not reflect 'normal' language.

4.2 Appearance

The matron's *stola* usually served as an intermediate garment and was worn over the undertunic (*subucula*) and under the cloak.²³ Apart from its length, ancient literature does not tell us what the *stola* in Republican times looked like.²⁴ There are no literary sources on the upper opening of the garment. To see that the Republican *stola* was very similar to the Augustan one we must take a detour past another foot-long garment, namely the mythical Greek *peplos*. A description of a statue of Artemis found in Cicero's speech *In Verrem* (70 BCE) shows that the Roman *stola* was considered similar to this garment and that it was different from the (long) tunic closed at the top.²⁵

Cic. Verr. 2.4.74

haec erat posita Segestae sane excelsa in basi, in qua grandibus litteris P. Africani nomen erat incisum eumque Carthagine capta restituisse perscriptum. ... Erat admodum amplum et excelsum signum cum stola. verum tamen inerat in illa magnitudine aetas atque habitus virginalis. sagittae pendebant ab umero, sinistra manu retinebat arcum, dextra ardentem facem praefererat.

This statue was placed in Segesta, quite high on a base in which the name of P. Africanus was engraved in large letters and written that he had restituted it after the defeat of Carthage. ... It was a rather extensive and high statue with a *stola*. Nevertheless, the age and the condition of a young girl (*virgo*) were shown in that size. Arrows hung from her shoulder; with her left hand she held a bow; with her right hand she held out a burning torch.

As Cicero tells us, the statue of the goddess was more than life size. Diana (= Artemis) was not represented in the short *chiton* she used while hunting, but was instead wearing a long, sleeveless robe: the mythical *peplos*.²⁶ Cicero calls this a *stola* because of the general similarity between both garments without paying attention to specific

²¹ See below pp. 319, 351.

²² Cf. B 3 pp. 294–297.

²³ For the full attire, see below pp. 318–319. In some cases, archaeological evidence seems to show the *stola* without an undertunic, see pl. 10.2.

²⁴ There is, however, some archaeological evidence, cf. pp. 680–688.

²⁵ Against Becker/Göll (1882) 253; Marquardt/Mau (1886) 573; Blümner (1911) 232.

²⁶ Artemis with weapons and torch usually wears a long robe, i.e. a *peplos*: LIMC II 655–658 No. 407–454 s. v. Artemis (*dadophore*); the statue of the Artemis of the Colonna type gives a general idea of the kind of statue described by Cicero; see LIMC II 638 No. 163 s. v. Artemis.

differences. However, he and his readers obviously associated the term *stola* with the long robe of a mature married woman and not with a garment a young woman (*virgo*) like the virgin-goddess Artemis would be naturally depicted in. Cicero therefore goes on to emphasize that the youth and virginity of the goddess were nevertheless expressed in the statue through Artemis' hunting gear (arrows, bow, and torch).²⁷ Despite her *stola*, Artemis was no matron.

The next author who helps us to identify the form of the *stola* is Vitruvius. Again the talk is about (Greek) statues and their garb. In his work *De architectura* (On Architecture), published shortly after 27 BCE, Vitruvius refers to the long, sleeveless garments of the caryatid statues as a *stola*.²⁸ Like Cicero, he equates the mythical Greek *peplos* with the historical Roman *stola*. In the relevant passage, Vitruvius says that a good architect must have knowledge of history. He must know, for example, the story of the caryatids²⁹:

Vitruv. 1.1.5

quemadmodum si quis statuas marmoreas muliebres stolatas, quae cariatides dicuntur, pro columnis in opere statuerit et insuper mutulos et coronas conlocaverit, percontantibus ita reddet rationem: Caria, civitas Peloponnensis, cum Persis hostibus contra Graeciam consensit. postea Graeci per victoriam gloriose bello liberati communi consilio Cariatibus bellum indixerunt. itaque oppido capto, viris interfectis, civitate deflagrata matronas eorum in servitutum abduxerunt, nec sunt passi stolas neque ornatus matronales deponere, uti non uno triumpho ducerentur, sed aeterno servitutis exemplo gravi contumelia pressae poenas pendere viderentur pro civitate.

If someone, for example, has erected marble statues of women in *stolae*, which are called caryatids, instead of columns on the building and has placed a mutule and cornice on their heads, he will give the following reason when asked: Karyai, a Peloponnesian city, allied with the Persian enemies against Greece. Later, after the Greeks had gloriously liberated themselves from war by victory, they declared war on the inhabitants of Karyai by joint decision. After taking the city, they killed the men and burned the town. Then they led the married women (*matronae*) into servitude, not permitting them to take off their *stolae* and matronly garb (*ornatus matronales*). In this way, the women would not only be led in a single triumph, but would form an eternal example of servitude, appearing to pay the penalty for the city by suffering severe indignity.

In his work, Vitruvius tries to distance himself from his 'uneducated' fellow architects (and competitors) by showing off with his own Greek *paideia*. The present passage is taken from the beginning of the work and is a mixture of antiquarian pseudo-knowledge and Augustan ideology on marriage (in which the *stola* played a central role). The

²⁷ In mythological poetry, the *peplos* of Diana is called *palla*, cf. Ovid. Met. 3.167 (B 3 p. 293 n. 29).

²⁸ Cf. Bieber (n. 1) 21.

²⁹ On this passage, cf. most recently V. Goldbeck, *Fora augusta. Das Augustusforum und seine Rezeption im Westen des Imperium Romanum*, Regensburg 2015, 26–28.

various components of the account can be clearly separated from one another. The narrative has a Greek core: The caryatids are originally female prisoners of war, and the statues are supposed to recall their punishment.³⁰ Vitruvius had the Classical female architectural supports (such as the maidens of the Erechtheion) in mind when describing the scene. He then adds his own comments to Greek history: *nec sunt passi stolas neque ornatus matronales deponere*. In this, the *stola* is equated with the long robe of the caryatids, interpreting their dress against a decidedly Roman background. The Roman addition somewhat dilutes the mythical narrative, but matches well with the Augustan ideology as regards the matronal attire,³¹ and it very likely presupposes the portrait of the empress Livia in *stola*.³²

Cicero and Vitruvius both refer to identifiable types of statues and make it clear that the *stola* (like the *peplos*) was a floor-length, sleeveless dress with shoulder straps (pl. 7).³³ In contrast, the *tunica* and *chiton* covered the shoulders and always had some form of sleeves. The sleeveless nature of the garment brings to mind Etruscan murals and urns that show a comparable garment. This is very likely the *vestis longa* or its predecessor.³⁴ It is also very similar to later depictions of the Roman *stola*.

In conclusion we may say that the *stola* was always similar to a *peplos*. The archaeological evidence shows that the Roman *stola* could have ornamental shoulder straps and a coloured trimming since at least Augustan times. The ornamental border was already a feature of the *stola* in the time of the Roman Republic.³⁵ It is an open question whether it was a defining element of the garment (*conditio sine qua non*), although it is certain that the *stola* of the social elite was decorated in such a manner. As to the distinctive shoulder straps, the same uncertainty prevails. Archaeological evidence suggests that they may be an Augustan development of a traditional (less ornamental) garment's upper opening.³⁶

The origin of this striking feature of the *stola* (used like an emblem) is very likely to be linked to the public portrait of Livia, in which the empress is depicted as a Roman matron. In contrast to its Republican predecessors, the Augustan *stola* was probably defined more clearly as to its appearance. It was modelled after elegant Hellenistic robes. Just like the *toga*, it was embellished to become a dignified part of what might be called a 'Roman matronal uniform.'

³⁰ Copies of the Erechtheion *korai* stood on the Forum of Augustus in Rome (inaugurated 2 BCE). These caryatids wear a foot-long *peplos* held together at the shoulder with a brooch. They may have indeed served as *exempla servitutis* in the context of the forum, see P. Zanker, *Forum Augustum*, Tübingen 1968, 12–13. See, however, E. Schmidt, *Die Geschichte der Karyatide*, Würzburg 1982, 159.

³¹ See below p. 333.

³² See below p. 334.

³³ In modern terminology, the *stola* is a pinafore or jumper dress.

³⁴ On the archaeological evidence, cf. p. 681.

³⁵ See below p. 306.

³⁶ Cf. Archaeological evidence p. 684.

4.2.1 The longitudinal folds – *rugae*

In comparison to the Roman tunic, the *stola* consists of a lot of fabric (making it similar to the *chiton* in this regard). Almost all sources emphasize its length. Its voluminous character is also suggested by the fact that its longitudinal folds (*rugae*) are often mentioned as a defining feature. Vitruvius compares the *stolarum rugae* to the fluting of Doric columns.³⁷ Martial mocks an old woman by saying that her forehead has more wrinkles than even a *stola*.³⁸ The Greek synonym for these folds is στολίδες³⁹ or πτύχες.⁴⁰ The typical folds would have generally been created by a special processing of the fabric, which optically resembles modern pleating. We have no ancient literary evidence on this since we do not have writings of sartorial experts. However, the word ἰσοπτυχῆς (with regular folds) in the catalogue of the treasury of Artemis Brauronia may point to such processing,⁴¹ since it can only refer to textiles fabricated in this way. The drape of the folds created by the processed fabric was then probably reinforced by the trimming, by ironing, and by the way the garment was girded. The term *plicatrix* could refer to a female ironer who specialized in such pleated garments.⁴²

4.2.2 The trimming – *instita* (pls. 1.2, 9.1, 10.1)

Our main literary source on the lower end of the *stola* is satire 1.2 of Horace. This poem is also of great importance for the history of the *stola* as a whole.⁴³ It is often considered to be one of his earliest works (maybe because of its ‘puerile’ subject matter).⁴⁴ Dating to the political transition period between the Republic and the Principate, it is of particular socio-historical interest not only for dress. It describes several social conditions that were later the subject of Augustus’ cultural policy and seems to anticipate Augustus’ marriage legislation. Among other things, it is the earliest example of the predilection for the *stola* that later became characteristic of Augustan literature and pictorial art.

In the poem, Horace takes on the character of a popular philosopher and addresses, among other topics, the question of what kind of woman is particularly suitable for

³⁷ Vitruvius 4.1.7: *uti stolarum rugas matronali more* [like the folds of a *stola* in the manner of a matron]; on the entire passage, which proves that the *matronae* usually wore *calcei*, cf. B 26 pp. 527–528.

³⁸ Martial 3.92.4: *rugosiorum cum geris stola frontem* [although your forehead has more folds than a *stola*].

³⁹ Euripides Bacch. 935–936; Aristotle De Audibilibus 802a32; Pollux’s remarks on a purported χιτῶν στολιδωτός (7.54) read like an erroneous explanation of Euripides.

⁴⁰ LSJ s.v. πτύξ I 2.

⁴¹ IG II² 1514.228–229, 236; 1522.4, 10, 12, 16.

⁴² Plaut. Miles 695; CIL 12.4505.

⁴³ See below pp. 313–316, 332.

⁴⁴ Cf., for example, E. Fraenkel, Horace, Oxford 1957, 76.

free sexual intercourse. Keeping strictly to Epicurean philosophical doctrine,⁴⁵ Horace goes on to show that this is the freedwoman (*liberta*) because she offers all advantages (attractiveness, sexual liberty). However, Horace says that men usually do not keep to this golden mean but prefer either other men's wives (*matronae*) or unfree prostitutes:

Hor. Sat. 1.2.28–30
nil medium est. sunt qui nolint tetigisse nisi illas
quarum subsuta talos tegat instita veste,
contra alius nullam nisi olenti in fornice stantem.

There is no (happy) medium. Some men only want to touch those women whose ankles are covered by the *instita* sewn to the bottom of the garment. In contrast, others only like women who are standing in a stinking brothel.

Horace characterizes the matron by her garb. He is speaking of her *stola* by focusing on the striking trimming at the bottom fringe. As all ancient commentators (rightly) explain,⁴⁶ the word *instita* designates this trimming⁴⁷ and not (as Scholz claims) the shoulder straps of the *stola*.⁴⁸ Grammar is a bit tricky in this passage and has misled some scholars.⁴⁹ Commentators on Horace usually do not elaborate on the problems offered here.⁵⁰ Some remarks on it may help to remove recent uncertainties. The general construction is straightforward. The word *instita* is the subject in the nominative; *tegit* is the predicate; and *subsuta veste* is an ablativus absolutus. It is with *subsuta veste* that interpretation gets difficult. The verb *subsuer* is not attested elsewhere in Latin literature. The expression is also condensed by the ablativus absolutus. The first step to success lies in fully understanding the construction and meaning of *subsuer vestem*.

⁴⁵ The philosophical message of this satire is often associated with Aristotelean thought because of its pursuit of the *aurea mediocritas*, but the ideas presented in it perfectly coincide with the Epicurean theory of a 'marginal utility.'

⁴⁶ Porphyrio on Hor. sat. 1.2.28: *matronas significat. hae enim stola utuntur ad imos pedes demissa, cuius imam partem ambit instita adsuta* [Horace is referring to matrons. For these use a *stola*, which reaches down to the feet, whose lowest part is surrounded by a sewn on *instita*]; Ps.-Acro on Hor. sat. 1.2.28–29 pp. 19.22–20.4 Keller; Servius on Verg. Aen. 2.616 (and on Aen. 4.137): *limbus: et est pars vestis extrema, quae instita dicitur, ut Horatius quarum subsuta talos tegit instita veste*; [*limbus*: This is the lowest part of the garment, which is called *instita*, as Horace says ...]; the Scholia Cruquiana should be excluded since they are a modern compilation.

⁴⁷ See Becker/Göll (1882) 254; Marquardt/Mau (1886) 544; Blümner (1911) 232; Bieber (n. 1) 58; Leon (n. 1) 378–381; Alexandridis (2004) 51.

⁴⁸ Scholz (1992) 26, 84–85; Sebesta (1994a) 49. Despite the objections of Thraede (n. 1) 769 and H. Blanck, *Die Instita der Matronenstola*, in: Komos. FS Thuri Lorenz, Wien 1997, 23–24, the mistaken interpretation of the *instita* is adopted by Pausch (2003) 128; GRD (2007) 96; Chrystal (n. 1) 26.

⁴⁹ Scholz (1992) 22; and Blanck (n. 48) 23–24.

⁵⁰ As far as I see, only Müller (1891) in his commentary ad loc. correctly explains the expression.

There are two possibilities:⁵¹ Should we explain it as *subsuerē vestem alicui rei* (acc. + dat., to sew a garment beneath something else)? Or should it be read as *subsuerē vestem aliqua re* (acc. + abl. instr., to decorate a garment by sewing something onto its bottom (*sub*) edge)?⁵² It is clear from context that the second interpretation is correct. In Horace, the expression is condensed by the ablativus absolutus (*subsuta veste*). The affecting entity in the ablativus instrumentalis (which is sewn onto the bottom of the garment) is missing in a common ellipsis. The noun *instita* is already the subject of the entire sentence (*instita tegit*), and it is thus also the implied agent of the passive construction (*subsuta veste institā*). Hence, the *vestis* is decorated by an *instita* sewn onto it along the bottom edge. The reason why the explanation has caused so much difficulty is that all other composites of *suerē* (*assuerē*, *insuerē*, *consuerē*) are used with the alternative construction of an affecting accusative and an affected dative object, for example: *insuerē aurum vesti* (= to sew a golden ornament onto a garment).

We thus have to ask why Horace chose the unusual ablative construction. His style of writing is indeed very curious in this passage. On the one hand, the sentence structure emphasizes the *instita* as the most important part by making it the agent that covers the ankles. On the other hand, the odd construction imitates the term for the male costume. The *subsuta vestis* (*vestis* with something sewn on) is very similar to the common expression *toga praetexta* (*toga* with a purple border).⁵³ This statement also holds true as to grammar, *toga* being the affected object in the expression *toga praetexta*. Using this construction, Horace places the Roman matron of his satire (whom he characterizes as a woman of the high nobility) at the side of her husband, who is a senator and high political official. His status is clear because only men of that social standing wore a *toga* decorated with purple (= either violet or crimson) trimmings.⁵⁴

Similarly, the *instita* seems to designate a visible stripe on the *stola* of upper-class women in Ovid, who mentions it at the most prominent point of his entire work: the famous ‘disclaimer’ at the beginning of the *Ars amatoria* (2 CE).⁵⁵ There, Ovid tells Roman matrons to keep away from his licentious books. His remarks are, as it seems, provoked by the *leges Iuliae* (see below) punishing *stuprum* (sexual misdemeanour) of married couples.⁵⁶ The disclaimer is all the more pointed if we assume the *stola* and

⁵¹ These two types of construction have many parallels with other similar verbs, for example: *aspergere*, *circumdare*, *induere*, *redimire*, *subnectere*; for example: *vestem aspergere aquā* (= to besprinkle a garment with water) as opposed to *vesti aspergere aquam* (= to sprinkle water on a garment).

⁵² In this case, the *sub* is not used in the sense of ‘beneath,’ where the entity that is sewn on would extend the garment. The prefix *sub* is instead used in the sense of ‘on top of’ or ‘onto the bottom (*sub*) edge,’ where the addition covers part of the garment.

⁵³ This was first noticed by Kießling (1886) in his commentary on Horace.

⁵⁴ On the colour, cf. B 11 pp. 445–447.

⁵⁵ Cf. also Ovid. trist. 2.248 (where the verses of the *Ars* are quoted) and 2.600: *in nostris instita nulla iocis* [no *instita* is found in our jokes].

⁵⁶ Cf. pp. 334–340.

the *vitta* to be a legal privilege at the time of writing. In this passage, Ovid is speaking directly to the articles of clothing and commands them:

Ovid. ars 1.31–32

*este procul, vittae tenues, insigne pudoris,
quaeque tegis medios instita longa pedes*

Keep away, small *vittae*, sign of chastity, and you, long *instita*, who covers the middle of the feet.

Ovid's address characterizes the Roman *matrona* by her clothing, concentrating on her 'badges': the *vitta* (hairband) and the *instita*. As to their form, both are 'bands' which encircle parts of the body. However, as the adjective *longa* (long) shows, Ovid uses the word *instita* in metonymy for the *stola* (= *vestis longa*).⁵⁷ In this passage, Ovid clearly imitates Horace to whose satire 1.2 he alludes. He also follows his warning to keep to the happy medium. The irony will not have been lost on Ovid's contemporary readers that Ovid explicitly excludes those (upper-class) women who were certainly among his reading public. Since Ovid found the word *instita* so striking that he wanted to take it up in literary imitation, we may assume it to be a technical term from everyday craftsmanship that had been introduced into literary language first by Horace.⁵⁸ This hypothesis also fits the style of Horace's satires. Apart from the poetical licence, Horace takes with the common word order, and he uses everyday speech without creating new words and without shunning 'low' ones.⁵⁹

We may now turn to the term *instita* more closely. Horace and Ovid are the only authors to use it with reference to dress. Its etymology is controversial.⁶⁰ The Greek equivalent is *πεζις* or *πεζά*.⁶¹ In Latin poetry, the only other term for such trimming is the word *limbus*. However, *limbus* is more general and probably belonged to a higher language register.⁶² The *instita* was sewn onto the cloth along the bottom edge of the garment, as is clear from Horace's description. Horace does not provide any information about the width of the *instita*. As regards scholarly opinions, it is tempting to exclaim with Horace: *nihil medium est*. Its appearance in scholarly work diverges wildly: broad

⁵⁷ The stylistic device has not always been understood, cf. Becker/Göll (1882) 255; Blümner (1911) 232 n. 7.

⁵⁸ Against Thraede (n. 1) 770.

⁵⁹ Cf. the Horace's literary programme in Sat. 1.4.40–62. Apart from the syntax, he says to use everyday language (*sermo merus*).

⁶⁰ Walde/Hofmann s. v. *instita* derive it from *instare*. The word formation would thus be similar to that of *vitta*, cf. B 16 p. 476. See, however, the objection of ThLL VII s. v. *instita* col. 1985.22–23: "*vix ab instare ... quod notionibus non conveniunt*."

⁶¹ On the term *πεζις*, see IG II² (Brauron) 1522, 1524, 1525; Aristophan. F 485 K.-A; Apoll. Rh. 4.44–45; Anth. Pal. 6.287 (Antipater of Sidon); and Blümner I (1912) 211.

⁶² OLD s.v. *limbus*. Most parallels come from epic poems.

or narrow, with ruffles⁶³ or piping,⁶⁴ and if medium-width, then at least in purple.⁶⁵ In order to decide the question of width, it is advisable to look at the passages where the term *instita* is attested in another context.⁶⁶ The physician Scribonius Largus, for example, uses it to describe an abdominal bandage. In Petronius, it designates thongs that serve as a part of the bed frame.⁶⁷ This suggests that the *instita* was about 5–8 cm broad. The various technical descriptions show that the translation ‘ruffle’ must be rejected, since today it mostly refers to a long, wrinkled, and soft trimming on bedspreads or dresses.⁶⁸

Horace’s explanations also show that the *instita* was attached to the outside of the *stola* and was clearly visible. This also fits with our archaeological evidence (pls. 1.2, 9.1, 10.1).⁶⁹ Horace does not speak directly about its colour, but there may be some indirect literary evidence that the *instita* on the *stola* of an upper-class woman could have been or even usually was ‘purple.’⁷⁰ The assumption is supported by Horace’s description, which parallels the female *stola* (= *vestis*) *subsuta* with the male *toga praetexta*. The *toga praetexta* had a purple hem; tunics of the knights or senators had purple *clavi*. It is therefore likely that their wives’ robes should have had a purple trimming as well.⁷¹

Further literary evidence for this is rare, but there may be some. (1) The attire Fortunata wears in Petronius’ *Satyrica* could also point to a purple hem.⁷² Fortunata is a rich freedwoman (*libertina*). She lives with her husband, Trimalchio, in a partnership (*contubernium*), but not in a Roman marriage (*matrimonium*), which pertains only to citizens.⁷³ Since the Imperial period, the *stola* was a privilege of married women living

⁶³ Becker/Göll (1882) 254–255; Kießling (1886) on Hor. sat. 1.2; most recently, Gower (2012) ad loc. “with a flounce sewn onto their dress.”

⁶⁴ Leon (n. 1) 378–381; Thraede (n. 1) 769–770.

⁶⁵ Blanck (n. 48) 24 following Scholz (1992) 23–24.

⁶⁶ See ThLL VII 1 s. v. *instita* col. 1985.22–57.

⁶⁷ Scribon. 47 (about a feather): *fasciola tenui linthea quasi instita* [wrapped with a thin linen strip as with an *instita*]; 133: *ventrem ... constringere extra instita longa* [constrict the belly outside with a long *instita*]; Petron. 20.4: *duas institas ancilla protulit de sinu, alteraque pedes nostros alligavit, altera manus* [a servant took two *institae* from her garment and bound our feet with one and our hands with the other]; 97.4: *imperavi Gitoni, ut raptim grabatum subiret annexereturque pedes et manus institis, quibus sponda culcitam ferebat* [I told Giton to go under the couch in a rush and to attach his feet and hands to the *institae*, by means of which the frame sustained the mattress].

⁶⁸ Leon (n. 1) 378–381.

⁶⁹ Cf. Archaeological evidence p. 683.

⁷⁰ The term purple in Latin denotes either violet or (in Imperial times) crimson, cf. B 11 pp. 445–447. For the sake of brevity, the word purple is used without discrimination here.

⁷¹ Blanck (n. 48) 24.

⁷² Petron. 67.4: *venit ergo* (sc. Fortunata) *galbino succincta cingillo, ita ut infra cerasina appareret tunica* [So there came Fortunata, who had gathered up her garment with a light green belt, so that underneath appeared a crimson tunic]; cf. altogether B 1 pp. 268–272.

⁷³ See below pp. 322–326.

in Roman *matrimonium*. Fortunata therefore does not wear the *stola* (and perhaps is even prohibited from doing so). However, she tries hard to imitate the costume of a woman belonging to the upper classes. She therefore puts on two tunics, the one worn underneath (*subucula*) being purple. By leaving a stripe of the second tunic visible below the bottom edge of the upper tunic, she creates the impression that she is wearing a *stola* with purple trimming. In a similar manner, her husband, Trimalchio, imitates the tunic of a knight by inserting a napkin with a purple *clavus* into his neckline. (2) A difficult passage on Germanic dress in Tacitus suggests that Germanic upper-class women wore some type of *stola* ornamented with purple.⁷⁴ This they may have done in imitating their Roman female counterpart.

This is all of the literary evidence we have for the hypothesis that the *instita* on the *stola* of upper-class women often had a purple colour (as seen by extant traces on some statues). Although it is likely that it *could* be purple, we should refrain from generalizing that it *must* have been purple. The historical variety of the trimmings and borders on robes can be seen from other texts and monuments. In the catalogue of Artemis of Brauron, for example, various types of borders are listed and specified.⁷⁵ We also have a detailed description of an intricately decorated fringe of a long robe. An eight-line consecration epigram by the poet Antipater of Sidon (2nd century BCE) describes an elaborate border on a *peplos* of Artemis. It shows dancing girls and a meander pattern.⁷⁶ Latin literature also mentions trimming on the coats of queens and heroines. Aeneas presents Dido with a headscarf with an acanthus border.⁷⁷ When Dido goes hunting together with Aeneas, she also wears a short riding cloak (*chlamys*), which is decorated with a colourful border.⁷⁸ The heroine Atalanta has colourful knee bands.⁷⁹ Statius has Thetis give her son Achilles a long female robe with colourful trimming.⁸⁰ The historical Roman *instita* would have been similarly varied, although purple was the obvious choice for upper-class women.

4.2.3 The shoulder straps – *anale(m)ptris* (pls. 13–14)

We learn nothing in our texts about the upper end of the Imperial *stola*. In this respect, they fall short of the archaeological monuments showing elegant shoulder straps.⁸¹

⁷⁴ See below pp. 351–352.

⁷⁵ Cleland (2005) 122–124 (Appendix I) s.v. παρακυμάτιος, παραλουργός, παρυφής, περιήγητος, περιχυμάτιον, περιποικίλος.

⁷⁶ Cf. Anth. Pal. 6.287; see also Anth. Pal. 6.286.

⁷⁷ Cf. B 3 p. 294.

⁷⁸ Verg. Aen. 4.137: *circumdata picto limbo* [surrounded by a colourful border].

⁷⁹ Ovid. Met. 10.593: *picto genualia limbo* [knee bands with a colourful border].

⁸⁰ Stat. Ach. 1.330: *et picturato cohibens vestigia limbo* [restraining his steps through a colourful border].

⁸¹ Cf. Archaeological evidence p. 684.

The ornamental straps distinguish the Augustan *stola* from previous versions (as, for example, the *peplos*, which was perceived as a kind of *stola*). Perhaps, they were transferred from similar ‘Hellenistic’ dresses to the Roman *stola*, thus refining the garment. The Latin technical term for the shoulder straps has not yet been found because research has focused too much on the *stola*. However, straps are not exclusive to the *stola*, but were also used with other garments. They are once mentioned in Ovid’s *Ars amatoria*, in a passage which has not been fully understood. There, the love teacher tells women how they can hide physical defects by various means, especially by appropriate clothing. A woman with high shoulder-blades, he says, should have narrow *analeptrides*.⁸² Commentators offer different explanations of the term. Brandt (1902) thinks the *analeptrides* to be clasps; Gibson (2003) regards them as a piece of female underwear. OLD defines them as ‘(app.) a pad worn under the shoulder-blades’ (whatever that may be). Let us therefore turn to the evidence in order to more closely define the plural *analeptrides*. The Greek loanword *analeptis* is found only here in Latin, but there is a good Greek parallel. Galen uses the Greek term ἀναληπτρίς to designate a sling for a broken or sprained arm.⁸³ The verb ἀναλαμβάνειν also suggests such a meaning for ἀναληπτρίς. Although it is rarely used in physical contexts, it means, for example, ‘to pull up short’ with a horse, referring to the reins. A sling is similar in form to a strap or reins. This similarity is also evident in archaeological depictions. We can thus safely assume that the *analeptis* designates the typical sling-like shoulder strap we see on the *stola*. In consequence, Ovid recommends that any woman with high shoulder blades should try to hide the length of this part of her body. She should therefore use narrow straps on her dress. Ovid’s advice is correct, insofar as broad straps would add to the impression of length. If we like to give a Latin name to the straps of the *stola*, we should hence call them *analeptrides*.

4.2.4 Colours

Dress colours are dealt with in detail in chapter B 11. This section only discusses the three texts concerning the *stola* though the result will be somehow disappointing. All texts do not provide the information on colour they are thought to contain. They rather prove *ex negativo* that—like all other garments except the bridal headscarf—the *stola* had no fixed colour. There is no evidence that the colours of the *stola* and its trimmings were regulated in any way, though there might have been some colours that were typical for it. At least, mural paintings and preserved pigments on the marble statues show

⁸² Ovid. ars. 3.273: *conveniunt tenues scapulis analeptrides altis* [narrow *analeptrides* go well with high shoulder blades].

⁸³ LSJ s.v.

rather dark and discreet colours.⁸⁴ Our texts mention the colours purple and light red, but they refer to exceptional versions of the garment.

4.2.4.1 Purple – Varro Men. 229

The earliest colour indication concerning a *stola* is in Varro's Menippean satire called *Kosmotoryne*.⁸⁵ In a short fragment we learn of a *stola* that is entirely purple:

mulieres. aliam cerneret cum stola holoporphyro

women. You could have seen one with a purple robe, <another>

The garment described is extremely expensive. It seems that the setting described is not Roman, but Greek. Varro not only uses a Greek loanword (ὁλοπόρφυρος), but even keeps its Greek ending (-ο = -ωι). The adjective *holoporphyros*, meaning 'entirely purple' in contrast to '*purpureus*,' may be used to distinguish it from the matrons' *stola*, on which purple seems to have been usually limited to the border. A garment with a purple border could also be called *purpureus*. It is very likely that Varro is not using the term *stola* in a narrow Roman sense (i.e. the garment of the Roman matron) in this fragment, but in a broader sense (i.e. long female garment). For this reason, we should exclude this passage from the discussion of the Roman *stola* in particular.

4.2.4.2 White (*albus*)? – Hor. sat. 1.2.31–40

The next passage, which has been thought to indicate the colour of the Roman *stola*, is in Horace's satire 1.2. In it, another signal colour is at issue: the colour white.⁸⁶ Was the *stola*, at least of an upper-class wife, usually white like the *toga* of the male citizen? The grammarian Porphyrio (ca. 2nd to 3rd century CE), who commented on this difficult passage in Horace's satire 1.2, thought so, and modern research has followed suit. However, Porphyrio's hypothesis is mistaken. As we will see, Horace is not talking about a *matrona*, but about the exact opposite: a virgin (*virgo*).

The satire 1.2 of Horace is repeatedly adduced in this chapter. It is, to be honest, an unpleasant poem. In the present passage, it gets as bad as can be. In the relevant verses, Horace is dealing with an alternative to adultery, namely visiting a brothel. The satirical speaker stresses that going to such an establishment is better for the young Roman aristocrats than getting involved with other men's wives (*uxores*), but some young men reject this advice, as does a person called Cupiennius:

⁸⁴ Bieber (n. 1) 59; Wilson (1939) 161.

⁸⁵ For a more detailed discussion, cf. A 9 p. 188.

⁸⁶ On the colour white in general, cf. B 11 pp. 434–436.

Hor. Sat. 1.2.31–36⁸⁷

*quidam notus homo cum exiret fornice, 'macte
virtute esto' inquit sententia dia Catonis;
nam simul ac venas inflavit taetra libido,
huc iuvenes aequom est descendere, non alienas
permolere uxores. 'nolim laudariet', inquit,
'sic me', mirator cunni Cupiennius albi.*

when a certain well-known man left the brothel, Cato ingeniously said: 'Well done!' For when vile lust has made the veins swell, young men should resort to that place and not screw the wives of other men. 'I do not want to be praised like this,' says Cupiennius, a fan of white cunts.

The short attack on Cupiennius stands at the end of a section. We do not know Cupiennius from other sources, and we have to rely on what little Horace tells us about him.⁸⁸ The name Cupiennius may well be an invention. At least, it looks a bit like an extension of *cupiens* (desirous) and thus befits the person's inclinations ('Mr. Lecher'). But what kind of women did Cupiennius like? Did he 'vitate' respectable married women despite Horace's warnings? Is the *stola*, their defining dress, referred to in metonymy by *cunus albus*? Does this expression, as some modern scholars think, mean 'a woman in a white *stola*'? If we want to assume this, it needs two steps. First, the slang word *cunus* does thus not stand for the female private parts, but metonymically for the entire woman. This is perfectly possible, as two parallels in Horace's satires show.⁸⁹ Then the adjective *albus* (white) must relate to the woman in some way. This is more difficult. Ancient commentators apparently were already in doubt about what it meant exactly. Porphyrio hesitatingly comments:

Porph. ad Hor. sat. 2.35

... albi autem non pro candido videtur mihi dixisse, cum utique possint et vulgares mulieres et meretrices candidae esse, sed ad vestem albam, qua matronae maxime utuntur, puto relatum esse.

⁸⁷ The English translation tries to bring across the vulgarity of Latin original.

⁸⁸ Porphyrio remarks on him: *C. Cupiennius Libo Cumanus Augusti familiaritate clarus, corporis sui diligentissimus, fuit sectator matronarum concubitus* [C. Cupiennius Libo from Cumae, famous because his friendship with Augustus, taking great care of his body, liked to sleep with other men's wives]. Porphyrio's comment is mere scholarly guesswork. It is a failed attempt to link the unknown Cupiennius with a historical person. Horace, as a *cliens* of Maecenas, would not have been mocking a friend of Augustus, nor would Augustus have surrounded himself with a man who was known to be a notorious adulterer.

⁸⁹ The word *cunus* is used similarly in satire 1.3.107–108: *nam fuit ante Helenam cunus taeterrima belli causa* [For a *cunus* was the abominable cause of a war before Helena]. In satire 1.2.69–70, the word *cunus* is also used in metonymy. The *animus* (mind), acting for the penis, asks: *numquid ego a te magno prognatum deposco consule cunum?* [I do not ask you for a *cunus* that descends from a great consul. Do I?].

I think that Horace did not use word *albus* in the sense of ‘having a white complexion,’ as both women of the lower classes and prostitutes can have a white complexion, but I believe that the word refers to the white garment (*vestis alba*) which mainly matrons are using.

Porphyrio is writing more than two hundred years after Horace composed his satire. By then, Horace had already become a classical author from a remote past. There were more commentaries on Horace’s satires than we still have access to. As Porphyrio’s remarks show, he takes a contrary position in what was a controversial issue. Instead of connecting *albus* with the colour of the skin, as might at first seem obvious, he suggests that it should be interpreted as designating the colour of a garment. His difficulties are clearly reflected in the wording. He twice stresses that it is a personal opinion (*videtur mihi, puto*).⁹⁰

It is hard to solve this dispute, but it must be said that Porphyrio’s opponents might well have been right. In contrast to *albatus* (clad in white),⁹¹ the word *albus* (white), usually denotes the complexion when applied to people. It does so, for example, at another place in the same satire.⁹² If we take *albus* in this sense, it refers either to the colour of the female private parts (being without pubic hairs) or to the general complexion of the type of women who were the target of Cupiennius’ desires.⁹³ However, though we have no exact parallel, we should not exclude that *albus* could also refer to dress, as do the adjectives *candidus*⁹⁴ and *pullus*.⁹⁵

We should therefore approach the question from a more general point of view and see what type of woman is associated with the colour white in Latin literature. As with later European usage, the colour white is a symbol of purity and hence of virginity. It is, for example, the colour of the Vestal Virgins. As regards dress, it is almost

90 The Early Modern author of the so-called Scholia Cruquiana on Horace (once assumed to be an ancient grammarian) derived his explanations from Porphyrio: *respexit ad stolam candidam, qua vestiebantur matronae. nam meretrices habebant nigram vestem* [Horace referred to the white *stola* the matrons commonly wore. For prostitutes had a black garment]. His remarks do not have any basis in reality as is shown by his nonsensical explanation that prostitutes, who usually wore striking colours, were dressed in black robes. Nevertheless, Porphyrio and the Scholia Cruquiana have found their way into modern commentaries on Horace, cf. ad loc. Heindorf (1815); Fritzsche (1875); Kießling (1886); L. Mueller (1891); Kießling/Heinze (1921).

91 ThLL I s.v. *albatus* col. 1488.24–62.

92 Hor. 1.2.123–124: *candida rectaque sit, munda hactenus, ut neque longa || nec magis alba velit, quam dat natura, videri* [she should be white and erect in bearing, elegant to such an extent that she does not want to appear taller or whiter than nature gives it].

93 We encounter a similar difficulty in an epigram of Martial, 9.37.7 (imitating Horace): *et te nulla movet cani reverentia cunni* [and you have no respect for your own hoary cunt]. In this passage, which describes the bodily physique of an old woman in detail, *cunus* clearly designates the private parts, the adjective *canus* (hoary) either referring to the colour of the pubic hairs or the hairs of the woman (although she has none, but is wearing a wig).

94 ThLL III s.v. *candidus* col. 243.57–62.

95 Calp. Sic. 7.81; Quint. inst. or. 5.10.71.

always associated with young women.⁹⁶ This indicates that Horace very likely thinks of *virgines* when speaking of a *cunus albus*. According to him, Cupiennius is fond of having sexual intercourse with virgins (girls without pubic hair). This assumption also fits the context very well. Cupiennius does not commit adultery with married women, but turns to the opposite direction instead of heeding Horace's advice. It is also a wrong path since married women as well as virgins were protected by Roman cultural values (and law). As elsewhere in satire 1.2, Horace is describing opposite (and mistaken) extremes. In the end, the text does not give us any direct indication as to the colour of the *stola*. It may, however, indirectly point to the opposite, showing that white was naturally associated with young women and not with *matronae*.

4.2.4.3 Red (*russeus*) – Carmen Priapeum 12

The next poem relating to the colour of the *stola* is no less misogynistic than Horace's satire. It belongs to the anonymous eighty-poem collection of obscene *Carmina Priapea* (abbreviated below as CP).⁹⁷ The comic god *Priapus*, characterized by an oversized phallus, is at the core of all these poems, which sometimes border on the pornographic. The exact date of the collection is uncertain. It dates either to the time of Tiberius (14–37 CE) or to that Domitianus (81–96 CE).⁹⁸ Although there is no strictly conclusive evidence, the latter date seems preferable to me since the language and the literary stereotypes we get are similar to what we find in Martial. It is part of the poet's agenda to transfer a Greek poetic genre into the Roman world. For this reason, it is difficult to assess the degree of reality underlying the individual poems. A wooden statue of a god acting like a human person is fantastical in any case.

CP 12 is a caricature. It describes an old woman (*anus*) dressed in the 'full' attire of a Roman *matrona*,⁹⁹ which is meant to produce an 'effect of reality.' The garb of the woman consists in a *tunica* (= *subucula*) and in a *stola* of a bright red colour (*rufus*, *russeus*). Scholz (1992) thinks that this red was the 'normal' colour of the Roman *stola*.¹⁰⁰ In contrast, the following will show that it is rather an extraordinary colour and a satirical exaggeration. CP 12 reads like a sequel of CP 8.¹⁰¹ It belongs to the genre of 'Vetula-Skoptik.' The old woman, although characterized by her dress as 'Roman,' clearly belongs to a lower class of the population, as seen by her personal hygiene and clothing. Her clothing is run-down; she is poor and ugly; her hands have wrinkles (*manus rugosae*); she walks unsteadily (*gradus infirmus*), probably because she also

⁹⁶ Cf. B 11 p. 434.

⁹⁷ Cf. in general the commentary of Goldberg (1992).

⁹⁸ Goldberg (1992) 35–36.

⁹⁹ We find this elsewhere only on archaeological monuments and in Lucan, cf. below p. 319.

¹⁰⁰ Scholz (1992) 22–23, 26.

¹⁰¹ In CP 8, Priapus (as Ovid in his *Ars amatoria*) is warning matrons to not read his books. However, they do not heed his words: (4–5): *nimirum sapiunt videntque magnam || matronae quoque mentulam libenter* [matrons are very clever and like seeing a big phallus]. In CP 12, this becomes a physical reality.

drinks too much alcohol;¹⁰² and she is just losing her last tooth. Despite the infirmities of her age, she wants to have sexual intercourse with Priapus. This, so the poem goes, is too much even for the phallic god. He orders the woman to get away and hide her ugly private parts under her garments. As is usual in this genre, the author does not spare obscenity:

c. 12

quaedam <haud> iunior Hectoris parente,

...

infirmo solet huc gradu venire

rugosasque manus ad astra tollens,

ne desit sibi, mentulam rogare.

hesterna quoque luce dum precatur,

dentem de tribus excreavit unum.

“tolle” inquam “procul ac iube latere

*scissa sub tunica stolaque russa.”*¹⁰³

A woman no younger than Hector's mother (i.e. Hecuba) ... is accustomed to coming here with unsteady walk. Raising her wrinkled hands to the stars, she begs my phallus not to fail its duty to her. Yesterday, while praying, she spat out one of her last three teeth. I said to her: “Take it (sc. your cunt) far away and make it hide under your tattered *tunica* and red *stola*.”

We will see more closely in chapter B 11 that red garments are usually worn by young and beautiful women.¹⁰⁴ The colour red is, as in modern times, an erotic signal colour. The woman in the poem is neither young nor beautiful. She is the exact opposite: old (*vetula*) and ugly. The colour red does not suit her. This holds especially true for the shade of striking red (*russus*). By making her wear a *stola* of this colour, the author tells his readers that the *vetula* is dressing in a wrong way since the red garment directs the eyes to her appearance and signals her sexual readiness. She behaves like a *puella* without being one, and the untoward nature of her sexual advances is the fundamental theme of the poem. For this reason, CP 12 shows a colour that the *stola* of a decent *matrona* should *not* have, at least according to the author. The implied norm is, of course, that of the reading upper-classes.

¹⁰² On the common place of the *anus vinolenta*, cf. Grassmann (1966) 21.

¹⁰³ The manuscripts have either *russa* or *ruffa*. Buecheler/Heraeus (1922) put the form *rufa*, Vollmer (1923) and Goldberg (1992) the form *russa* into the text. The transmission points to *russa* as the correct form because F is very similar to S in shape in some types of handwriting. The adjective *rufus* also refers to natural colours only, cf. B 11 p. 441. The orthographical variants *rufus* and *russus* are found elsewhere, cf. Gell. NA 2.26.6 and Cat. 39.19. In the editions of Catullus, the transmitted *rusam* is usually corrected to *russam*, but it should be interpreted as *rufam*.

¹⁰⁴ Cf. B 11 pp. 436–437.

When taking all available sources together, we can conclude that the *stola* of the married woman did not have a fixed colour. However, we might infer from the passages adduced that it very likely did not have a signal colour in any direction (as was to be expected).

4.3 Combination with other garments

The complete costume of the *matrona* is shown by archaeological evidence. Her ‘full attire’ consisted in a *vitta* (hairband), a *pallium/palla* (cloak), a *stola* with a *cingillum* (belt), a *subucula* (undertunic), and a *calceus* (Roman shoe). However, there is no literary description containing all of these elements. The ‘full attire’ is thus an ideal picture. Most important (at least for the Augustan *matronae*) was the *vitta*, the braided woollen headband, which served as a kind of honorary badge and—like the *stola*—seems to have been a dress privilege. The *vitta* will be dealt with in detail in the chapter B 16. Two passages from Augustan poetry may therefore be enough for a short demonstration. The first author to mention the combination of *vitta* and *stola* is Tibullus (27 BCE), who asks the ‘mother’ of his mistress Delia to take care of her. As often, the mistress and *hetaera*, being a freedwoman, is defined in contrast to the married Roman woman. Tibullus here wishes Delia to behave like a Roman wife, although she is none and will never be:

Tib. 1.6.67–68

*sit modo casta, doce, quamvis non vitta ligatos
impediat crines nec stola longa pedes*

Teach her to be chaste, although no *vitta* binds her hair together and no long *stola* impedes her steps.

The second Augustan poet to mention the *vitta* and the *stola* is Ovid. As we have seen above,¹⁰⁵ he excluded married women dressed in this manner in the ‘disclaimer’ of his *Ars amatoria*. He repeats his words in a slightly varying form when writing in exile:

Ovid. Pont. 3.3.51–52

*scripsimus haec illis quarum nec uitta pudicos
contingit crines nec stola longa pedes*

I have written this work (i.e. the *Ars amatoria*) for those women who are neither wearing a *vitta* in chaste hairs nor a foot long *stola*.

¹⁰⁵ Cf. p. 308.

The *stola* and the *vitta* symbolize the social group of the Roman (upper-class) *matronae*. In this passage, Ovid therefore claims to have written the *Ars* for emancipated young women belonging to the demi-monde.

The other combinations with the *stola* are mentioned far less frequently. Varro and Horace refer to the *pallium/palla* and the *stola*;¹⁰⁶ Vitruvius combines the *vitta*, the *stola*, and the *calceus*;¹⁰⁷ and CP 12 uses the *subucula* (= *tunica*) and the *stola* (as does Lucan). Lucan's description is very important as concerns the *subucula*. It is dealt with in chapter B 1,¹⁰⁸ but it is useful to repeat it here because Lucan is the only author to mention the girdle and the only one to actually describe the full attire. However, the epic style does not allow Lucan to use any 'regular' dress term. For this reason, he describes all garments with 'improper' words. It is the wedding dress of a rich upper-class matron:

Lucan. 2.360–364

non timidum nuptae leuiter tectura pudorem
lutea demissos uelantur flammea uoltus,
balteus aut fluxos gemmis astrinxit amictus,
colla monile decens umerisque haerentia primis
suppara nudatos cingunt angusta lacertos.

No yellow bridal shawl covered the lowered face in order to lightly cover the timid reserve of the bride; no belt with gemstones fastened the flowing robe; no elegant necklace hung around the neck; no **supparum* hanging on the base of the shoulders closely surrounded the naked arms.

In the elevated style of epic poetry, the *stola* is called an *amictus*, the *cingillum* a *balteus*, the *subucula* a **supparus*. All words stand in the poetic plural, with the exception of the *balteus* (where it would be ridiculous). The word **supparus* is a misunderstood gloss (D 5), which is added for archaic flavour. To understand the poet's words, readers have to know what he is speaking about. Ancient readers of Lucan knew this, if not from daily life, at least from the many statues of the imperial household they could see in public. These statues depicted all of these articles of clothing except for the bridal scarf (*flammeum*). Modern readers must rely on this archaeological evidence as well.¹⁰⁹ With that in mind, Lucan's idealized image should not be thought of as a realistic depiction of common dress customs. We will see in the following that by Lucan's times the *stola* already had become a festive dress of the upper-classes.

¹⁰⁶ Varro LL 8.13, 9.48 (B 2 p. 280); Hor. sat. 1.2.99 (below p. 332).

¹⁰⁷ Vitruvius 4.1.7; on the entire passage, cf. B 26 pp. 527–528.

¹⁰⁸ Cf. B 1 pp. 272–273.

¹⁰⁹ Cf. Archaeological evidence p. 698.

4.4 The *stola* and Roman marriage – social function and dress ritual

This section concerns the social function of the *stola*. It was common in Roman society to indicate the position a person held in family and society through his or her clothing. We see this not only with the *stola* but also with other garments. The freeborn boy, for example, could wear an amulet (*bulla*) and a *toga praetexta*, which he exchanged for the *toga virilis* and consecrated to the *lares* when he became an adult. Similarly, a young freeborn girl (*virgo*) changed her costume when becoming adult (married) woman. At least in theory, girls (like boys) wore a *praetexta*, which they later exchanged for the costume of the *matrona* (B 5).¹¹⁰ This took place on the occasion of marriage (*matrimonium*). As we have seen above, the link between *stola* and marriage is so strong in Roman thought that the phrase *vestem* or *stolam dare* (to give the *stola*) is used metonymically for Roman marriage (*matrimonium*).¹¹¹ We will see more closely which social groups entered into this kind of relationships in the next section. For the purpose of this section, it suffices to group these women under the header of ‘all female citizens who had the *conubium* (right to marry).’

The *stola* was first put on by the young woman in a wedding ritual. We have no eyewitness accounts for this, but have to rely on the Scholia of Pseudo-Acro on Horace. These scholia date to Late Antiquity and must therefore be used with caution. Varro’s *De vita populi Romani* and Imperial grammarians all cover Roman marriage customs.¹¹² We may therefore assume that the scholia are talking about early Roman wedding customs and presumably contain some older and hopefully reliable material. The scholia briefly explain the word *repotia*, which designated the second day of the wedding:¹¹³ *repotia: secundus dies a nuptiis, quo virgo ad muliebre habitum componitur* (*repotia*: the second day of the wedding, when the young girl is dressed in the wife’s garb).¹¹⁴ Thus, a woman wore the *habitus matronalis* for the first time on the second day of the wedding ceremony when she—a festively decorated bride—had been led into the husband’s house and the wedding night had been consummated.¹¹⁵ The change of dress took place on the occasion of the so-called *repotia*, when the bride performed a sacrifice to the gods of her husband’s household (*lares*). The act symbolized that she was now a member of

¹¹⁰ On the definition of the word *matrona*, see below pp. 321–322.

¹¹¹ CLE 58.2: *vestem dedit*; CIL 1².1216: *illam mereto missit et vestem dedit*.

¹¹² Varro F 304–306 Salvatore (= 25–26, 44 Riposati), cf. C 2 p. 580.

¹¹³ Ps.-Acro Schol. Hor. Sat. 2.2.60 p. 131.18–19 Keller.

¹¹⁴ On the word *repotia*, cf. also Varro LL 6.84; Festus/Paulus p. 350.13–15 L.; Gellius 2.24.17.

¹¹⁵ We do not have any contemporary evidence on this part of the ritual. In Petronius’ description of a perverted wedding, there is mention of an *incesta vestis*, cf. 26.1: *iam ebriae mulieres longum agmen plaudentes fecerant thalamumque incesta exornaverant veste* [the drunken women had applaudingly formed a long procession and furnished the sleeping chamber with a lewd *vestis*]. This is most likely bed linen (*vestis stragula*) with pornographic scenes, see C. Panayotakis, *Theatrum Arbitri*. Theatrical Elements in the Satyricon of Petronius, Leiden 1995, 36, 49; Schmeling (2011) in his commentary ad loc. It fits the assumption that the *stola* was only used after the marriage was consummated.

the new family.¹¹⁶ It is no longer possible to ascertain with certainty to what extent this ritual was performed in historical times. The formula *vestem dare* shows that the factual core is beyond question, but one should beware of an idealistic generalization.

4.5 Roman marriage and Roman citizenship – the *stola* on freedmen's tombs (pl. 16)

The term Roman *matrona* has so far only been introduced in a general way, defining it simply as 'a woman married in a Roman *matrimonium*.'¹¹⁷ 'Regular' citizenship has been taken for granted in this stereotyped reconstruction. We now have to advance a step further and take a closer look at Roman citizenship and at the changes it underwent. This has to do with the fact that Roman society also comprised slaves and freedmen. We will see in the following how the civil rights of these groups developed.

The legal question is very important as regards our archaeological evidence (pl. 16). It concerns a large group of monuments: the tombs of freedmen, which came up in the first half of the first century BCE and whose numbers spiked in early Imperial times. These sepulchral monuments often depict married couples with the symbols characterizing a *matrimonium*: the *iunctio dextrarum* and the *stola*. The question is: Were these symbols legally used or only usurped by freedmen? The answer to this obviously depends on the legal status of freedmen. If they had the right to marry (*conubium*), everything we see is perfectly legal. If they did not, the depictions were—strictly speaking—illegal. Kockel (1993) in his standard monograph suggests that these outward signs including the *stola* were mainly usurped.¹¹⁸ However, there is strong evidence to the contrary. The following argues that (1) all symbols we see on the tombs are the expression of a legal status; (2) freed persons, if they married after and not before being released, were granted a *conubium* and could enter into a Roman *matrimonium*; (3) that the *stola* symbolizes their social status and is shown on the monuments precisely for this reason; and (4) the marriage between two freed persons was 'legalized' and became a Roman *matrimonium* at some time in the first half of the first century BCE. It is exactly this legal change that is mirrored by the new class of sepulchral monuments. The following complex 'detour' into Roman civil rights thus has a very specific aim.

¹¹⁶ S. Treggiari, *Roman Marriage. Iusti Coniuges from the Time of Cicero to the Time of Ulpian*, Oxford 1991, 169.

¹¹⁷ Treggiari (n. 116) 35: "when *materfamilias* denotes a respectable married woman in relation to husband or household, *matrona* denotes the married woman in a less private context. She was recognizable by her dress, the long robe worn out of doors, called the *stola*."

¹¹⁸ Kockel (1993) 52; Alexandridis (2004) 52. For the archaeological evidence, cf. p. 687. The only woman shown wearing a *stola* with an ornamental shoulder strap (Kockel K 10 tab. 87a) is qualified as *ingenua* by her grave inscription.

In principle, everyone who possessed the *conubium* (right to marry) could legally marry. Getting married legally is easy today, but in ancient society it was not. A *civis Romanus* could marry another Roman citizen; in contrast, a slave, being devoid of civil rights, could not. He or she could only live together with another partner in what was called a *contubernium* (cohabitation). For example, Fortunata and Trimalchio (Petronius' famous couple of freedmen frequently mentioned in this book) live in a *contubernium* since they 'married' while still slaves.¹¹⁹ All is very simple in cases where both partners have the same legal status. But what about relationships involving partners with differing civil rights? How did Romans define a relationship in which one partner was freeborn (*ingenuus/a*) and the other a freed person (*libertus/a*), i.e. a former slave? What did happen if even both partners were *liberti* and only married after being released? Many books on marriage ban these questions to footnotes or do not deal with them at all.¹²⁰ However, in Imperial times, there were many such hybrid relationships.

4.5.1 Macrobius *Saturnalia* 1.6.13 – a short history of freedmen's civil rights

The sources talking about the status of the marriage of *liberti* are few. The social bias is felt in our literary tradition, many authors being members of the upper-class. Most important is a passage in the *Saturnalia* of Macrobius (ca. 385/90–after 430 CE), which has not yet been sufficiently explained in research. However, it contains the history of freedmen's civil rights in a nutshell.

The outer structure tying together the *Saturnalia* is a conversation between scholars discussing various literary questions at a dinner party. The work is composed with much literary effort, but it is similar to the *Deipnosophistai* ('dinner-table philosophers') of Athenaios and other works of that genre. The *Saturnalia* are little more than a collection of excerpts and quotations (often verbatim) from the works of older grammarians, either with or without indication of the source. In short, they are a literary compilation embellished with a framework story. The lack of sophistication, however, is good for modern research because the *Saturnalia*, though dating to Late Antiquity, contain valuable source material that is much older. And yet this advantage also comes

¹¹⁹ See above p. 311.

¹²⁰ With the exception of G. Fabre, *Libertus. Recherches sur les rapports patron-affranchi à la fin de la république Romaine*, Paris 1981, the legal status of the marriage of freed persons is not discussed. Most researchers focus their attention on marriages between freeborn or between freed partners, for example M. Kaser, *Das römische Privatrecht* (= HAW X.3.3.1), München 1971, 71–82; Treggiari (n. 116) 64; H. Mouritsen, *The Freedman in the Roman World*, Oxford 2011, 43, 191–192. The perspective of research is still influenced by T. Mommsen, *Römisches Staatsrecht*, vol. III, Berlin 1887. He (mistakenly) doubted that marriages between a freeborn and a freed partner had the same legal status as marriages between freeborn partners in the time of the Roman Republic. Later research focused on refuting Mommsen, while the question of the legal status of the marriage of *liberti* did not come into view.

with a snag. In each section, we have to first ask which source Macrobius might have used. Sometimes there are even several layers of sources leading to inconsistencies within Macrobius' account. In our section, for example, we can individuate two sources: Cicero's *De re publica* and Verrius' *De significatu verborum*. Unfortunately, some difficulties arise from combining them. For this reason, readers will have to endure some source criticism before clear historical results are possible.

In the relevant section, the guests discuss the name of the aristocrat Vettius Agorius Praetextatus (ca. 315–384 CE), in whose house the dinner takes place. His name gives Macrobius the opportunity to show off with what he knew (or had read) about the ancient *toga praetexta*. The passage in question mentions the garb of *matronae libertinae* (married freedwomen) since the *matrimonium* and citizenship of children is at issue. The *toga praetexta* was worn by male and female Roman children (B 5). Our text mentions a crisis in the time of the Second Punic War, during which the sons of *liberti* or *libertae* received more civil rights and were put on equal legal footing with freeborn sons (*ingenui*). The exact explanations vary (see below). The precondition for this 'upgrading' was that the sons had not been born in a *contubernium* but in a regular *matrimonium*: In other words, their parents had to have married after the other partner (a former slave) had been released. The term *vestis longa* (= *stola*) and the expression *iusta materfamilias* (regular wife) are used to designate this type of marriage. The account of Macrobius runs as follows (the different layers of sources are indicated by italics, and the names of the sources are underlined):

Macrob. 1.6.13

*sed postea **libertinorum quoque filiis** praetexta concessa est ex causa tali, quam M. Laelius Augur refert, qui bello Punico secundo duumviros dicit ex senatus consulto propter multa prodigia libros Sibyllinos adisse et inspectis his nuntiasse in Capitolio supplicandum lectisterniumque ex collata stipe faciendum, ita ut **libertinae** quoque quae **longa veste uterentur**, in eam rem pecuniam subministrarent. acta igitur obsecratio est pueris ingenuis itemque libertinis, sed et virginibus patrimis matrimisque pronuntiantibus carmen. ex quo concessum ut **libertinorum quoque filii**, qui ex iusta dumtaxat matrefamilias nati fuissent, togam praetextam et lorum in collo pro bullae decore gestarent. Verrius Flaccus ait ...*

But later the *toga praetexta* was also granted to the **sons of freedmen** for the following reason. M. Laelius Augur tells us: *In the Second Punic War, he says, a board of two men consulted the Sibylline Books on the basis of a senate decision because there were many prodigies. After consulting them, they announced that sacrifices should be made on the Capitol hill and that a 'supplication banquet' should be held from financial contributions under the condition that the **freedwomen who wore the stola** should also contribute money.* Hence, the invocation of the gods was performed, freeborn boys and boys of the freedman class, as well as half-orphaned young girls (whose father or mother was still alive) singing the religious hymn. As a result, it was allowed that **sons of**

freedmen, provided they were born by a regular wife, also wore the *toga praetexta* and a leather necklet serving as an amulet (*bullā*). Verrius Flaccus says ...

The importance of the passage has long been recognized, but the difficulty resulting from the ambiguity in wording has not yet been explained.¹²¹ The following proposes a new solution. The problems arise from the simple fact that the quotation from Laelius Augur inserted into the main text of Macrobius does not support the assertion for which it is adduced as proof. While the framing text refers to the status of descendants from marriages between *liberti*, the quotation only concerns marriages of *libertae* with freeborn men (*ingenui*).

The lack of consistency is very likely caused by the combination of different sources. We therefore have to see what they are in this section. This time we are fortunate because Macrobius gives us some names. The first is M(arcus) Laelius Augur. A person of this name is not known, but the riddle is not too difficult. Münzer (1924), the great prosopographer, pointed out (based on prosopography and textual critique) that the personal name Marcus is a mistake due to textual corruption or carelessness on the part of Macrobius.¹²² The quote must refer to the famous politician and jurist C. Laelius Augur. Münzer's assumption is indeed very likely when we look at the content of the quotation. The fragment is, however, not taken from a book written by C. Laelius Augur himself, but from Cicero's major philosophical dialogue *De re publica* (53 BCE). Cicero's work (now partly lost) was exactly about the legal matters that are being discussed here. C. Laelius is a main character alongside Scipio.

The quotation from Cicero probably runs until the word *subministrarent*. Then, the source changes. Macrobius knew Cicero's work on the state well, at least in part (he translated the so-called *Somnium Scipionis*). However, in this passage, he probably did not read Cicero himself, but took up the fragment (together with the rest of the text) from some other scholar quoting Cicero. We have a clear indication as to who it could be. It was probably the Augustean scholar Verrius Flaccus (ca. 55 BCE–20 CE), whose name is mentioned at the end of the passage. Verrius' work is extremely valuable for this chapter in particular. He was the first chief librarian of the first public Roman library founded by Augustus and wrote a twenty volume comprehensive dictionary called *De verborum significatu*, parts of which we still have in an abridged version by Festus.¹²³ The entire passage from Macrobius—in its compilatory manner, content and tendency—fits excellently with Verrius' work. It is very likely that Macrobius took up large parts of Verrius' entry on the *toga praetexta*. As to his civil status, Verrius was himself a freedman, and so it is not surprising that he is particularly concerned with freedmen and their sons. The result of all this copying sources can be summarized as follows:

¹²¹ A. Watson, *The Law of Persons in the Later Roman Republic*, Oxford 1967, 35–37; R. Astolfi, *La Lex Julia et Papia*, Padua 1970, 28; Fabre (n. 120) 181; Mouritsen (n. 120) 265 (with further references).

¹²² Münzer (1924) 413.

¹²³ On this work and its transmission, cf. also Introduction D p. 588; D 5 pp. 589–647.

Macrobius copied Verrius Flaccus, who in turn copied Cicero's *De re publica* adding some legal reasoning of his own. The inconsistencies do not go back to Macrobius, but already to the *libertus* Verrius Flaccus. On the whole, it is an Augustean text into which information from late Republican times has been inserted.

Now that the dating and the sources are clear, the various sections can be plumbed for information about the *matrimonium* and the *stola*. First, the Republican source layer (Cicero/Laelius): Unlike in the framing parts, the embedded quotation does not mention freedmen (*liberti*) and their marriages. Instead, it focuses on the marriage of freedwomen (*liberta*), leading readers to think of marriages that had been contracted by freedwomen with a freeborn citizen (*ingenuus*),¹²⁴ in contrast to marriages in which both partners (the man and the woman) were freeborn. Cicero/Laelius said that the Roman state put the marriages between a freeborn man (*ingenuus*) and a freedwoman (*liberta*) on an equal footing with marriages between two freeborn partners (an *ingenuus* and an *ingenua*) in a crisis during the Second Punic War. The hybrid union was then newly accepted as a lawful *matrimonium*.¹²⁵ Presumably, this was done in order to increase the reservoir of soldiers and the financial power of the state. In principle, marriage before Augustan times was a completely private legal act (see below), which is shown by the fact that some Roman citizens already had taken freedwomen as wives. The Roman *civitas* therefore exerted its influence on this type of civil union by the only means at its disposal: It granted full civil rights to the sons born in unions between a (male) citizen and a *liberta* (we may conclude that they had previously been barred from citizenship). However, the Romans had two stipulations: the wife had been freed before contracting the marriage, and the child was born after the start of the marriage. Hence, a child a citizen had with a slave did not retroactively gain full citizenship.

However, the quotation from Cicero/Laelius as it stands leaves room for interpretation. It does not mention marriages of freedmen, but it might have implied them. This hypothesis is neither plausible in itself, nor is it suggested by the focus of the text that full equality of marriages of freedmen (*liberti*) had already been achieved by that time. And yet, there is a 'blank space' in Cicero/Laelius to be filled at will. And this was done by Verrius, whose opinion is mirrored in the frame sections. Verrius describes what was current law in the Augustan period. At this time, freedmen (*liberti*) as well as freeborn men (*ingenui*) could conclude a *matrimonium*. Sons from marriages of freedmen (*fili libertinorum*) were legally equal to sons from marriages of full citizens and were also considered *ingenui*. The legal status of the mother played no role, as long as she was not a slave.¹²⁶ The change Verrius made to historical facts is then quite significant. It

¹²⁴ Hence it is not surprising that most researchers have thought that the entire section in Macrobius refers to marriages between freeborn citizens and *libertae*.

¹²⁵ Mommsen III (n. 120) 430; Watson (n. 121) 35–36; Fabre (n. 120) 176–186; Treggiari (n. 116) 64; Mouritsen (n. 120) 43.

¹²⁶ If we believe Laelius/Cicero, the *ingenua* and the *liberta* were regarded as legally equal since the 'liberalization' of marriage during the Second Punic War.

projects (as it often does) legal conditions from Augustan times back into the time of the Roman Republic, thereby greatly enhancing the status of the *libertus* and his sons. It betrays the self-interest of Verrius, who was himself a freedman.

But there is something else to be learned from this passage. The legal status of the sons of freedmen is connected with a dress privilege. They are allowed to wear the *toga praetexta* and the *bullā*, which is often depicted on sepulchral monuments of freedmen. The *stola* (which is referred to in the passage taken from Cicero/Laelius) seems to be viewed in the same way. It is also a legal privilege. The legal interpretation of dress we find here fits in well with the *ius stolae* that is mentioned in the dictionary of Festus (Verrius). All these dress privileges could be the result of a legislation taking place in the time of Augustus.¹²⁷

As concerns the history of Roman *matrimonium* and civil rights, we may sum up the results as follows: (1) In the period of the Second Punic War, a marriage between a Roman citizen (*civis*) and a freedwoman (*liberta*) was legally equated with the marriage between a citizen and a woman who had been free born (*ingenua*). All descendants of such marriages were recognized as freeborn children (*ingenui*). (2) This rule probably did not apply to the marriages of freedmen (*liberti*) and their descendants; that is to say, the partnership of a *libertus* was not entirely equivalent to the marriage of an *ingenuus*. (3) At the time of Augustus, the legal difference had disappeared. The marriage of a *libertus* was now entirely equal to that of a freeborn citizen (*ingenuus*).

4.5.2 Horace *Satire* 1.6

But when did this revaluation take place? When were *fili libertorum* regarded as freeborn (*ingenui*)? As far as I can see, the first reference to this is in Horace's satire 1.6.¹²⁸ Horace is the most famous son of a *libertus* in Roman history; in this poem, which has an autobiographical aspect, he is speaking of himself both as a *libertino patre natus* (son of a freedman) and as *ingenuus* (freeborn). He praises his patron Maecenas for accepting every person as a friend, provided only that the person was born free (*dum ingenuus*). We need not take all that is said in the satire at face value. It is possible that Horace's *pater libertinus* was not from Greece or the Orient (as was the case with most *liberti*), but a Roman who regained his citizenship after having lost it by being captured in the Social War. The fact however remains that Horace, a *filius liberti*, was equal to an *ingenuus*. We may therefore take the year 65 BCE, the year of Horace's birth, as *terminus ante quem* as concerns the change of legal status. The reason why Horace expressly stresses his *ingenuitas* (a surprising subject matter for a poem) could be that the 'upgrading' of the status of *fili libertorum* had not taken place long before his birth and was not undisputed. Horace's praise of Maecenas could be interpreted as an

¹²⁷ See below pp. 333–342.

¹²⁸ On Horace's civil status, cf. most recently Mouritsen (n. 120) 265–267 (with further references).

expression of Horace's satisfaction that the new Augustan ruling class was apparently liberal in this respect.

That is all we have on this topic. There are no additional literary sources on the issue of citizenship for the sons of freedmen. Further understanding requires conjecture. A plausible time for when the 'upgrading' of the status of the *matrimonium* of freedmen took place is the upheavals of the Social War (91–88 BCE) or its aftermath. This context seems most suited for political reasons. Augmenting the numbers of soldiers (during the war) or augmenting the numbers of *clientes* in the public assembly (after it) to contrast the new 'foreign' Romans made political sense. Antagonism between Marius and Sulla may also have furthered the case of the freedmen. If this hypothesis is right, it might also explain why sepulchral monuments of freedmen start to appear in Rome at this time. They appear because freedmen could now establish a 'Roman family' by marriage, just like freeborn citizens. That was something to be proud of and to publicly celebrate.

Finally, we can come back to the *stola*. It is clear from the preceding argument that the various insignia of the Roman *matrimonium* are no usurpation, but visually represent the new civil status the class of freedmen had achieved. This is the reason why these symbols are depicted on their tombs. The *stola* is one of the less frequently used insignia. The *dextrarum iunctio* and the sons' *bullae* were far more common. This may also have to do with fashion and policy. If the hypothesis put forward below is correct, the *stola* was 'upgraded' in design and importance with the first statues of the empress Livia.¹²⁹ It is only from that time on that the *stola* with ornamental shoulder straps entered popular representation, such as on tombs.

4.6 The *stola* of the Vestals (pl. 17)

Apart from the Roman *matrona*, we should not forget a second group of women dressed in the *stola*: the Vestal Virgins. Their *stola* served as a religious 'uniform' and may have had some special features we do not know. Perhaps it was white since this colour is sometimes associated with the Vestals.¹³⁰ The colour also denotes virginity.¹³¹ In any case, the *stola* of the Vestals was considered a symbol of their chastity and sacrosanctity. Matrons were likewise seen as embodying these traits. The rhetorician Valerius Maximus puts both groups—*matronae* in *stola* and Vestals in their ritual garb—together while talking about *pudicitia* (chastity).

¹²⁹ Cf. below p. 334.

¹³⁰ Prop. 4.11.54: *exhibuit vivos carbasus alba focos* [the white linen showed living flames]; Ovid. Am. 3.6.56 (Rhea Silvia): *vitta nec evinctas impedit alba comas* [no white *vitta* tied her hairs]; Festus p. 474.3 L.: *suffibulum est vestimentum album ... quod in capite Vestales virgines sacrificantes habebant* [the *suffibulum* is a white garment ... which the Vestal Virgins had on their head when sacrificing].

¹³¹ Cf. B 11 pp. 434–436.

It is likely that the Vestals' *stola* goes back to an early phase of the cult. Archaeological evidence for it only begins in the Imperial period.¹³² The only explicit mention of the Vestals' *stola* is in Pliny the Younger. In one of his letters, Pliny gives a dramatic account of how the Vestal Virgin Cornelia was executed under Domitian:

Plin. epist. 4.11.9

cum in illud subterraneum demitteretur haesissetque descendenti stola, vertit se ac recollegit, cumque ei manum carnifex daret, aversata est et resiliit foedumque contactum quasi plane a casto puroque corpore novissima sanctitate reiecit.

When she was taken to the underground dungeon and her *stola* stuck while she was descending, she turned back and gathered it up. When the executioner wanted to give her his hand, she turned away and recoiled from him in disgust, and in a last act of chastity repelled his loathsome touch from her body since it was absolutely pure and spotless.

The length of the *stola* is also manifest in this scene. The Vestal Cornelia gets stuck on the steps with her robe and has to gather it up. We also have the concept of *sanctitas* (untouchability) also found with the *matrona* (see below). It is visually expressed here by means of a little dramatic scene in which the Vestal rejects the hand of her executioner.

4.7 History

The preceding sections have dealt with the abstract cultural and social premises of the *stola*: with marriage and citizenship. We have seen how wearing the *stola* was influenced indirectly by politics in Republican times (by granting civil rights to freedman). The *stola* subsequently began to appear on their tombs as one of the symbols of their newly gained citizenship. However, the picture of the *stola* has remained quite static so far. It is now time to set it in motion and to see how the history of the *stola* evolved and how the *stola* itself became politicized. It is difficult to write a coherent history of the *stola* before the first century BCE due to a lack of sources. The *stola* was, as we have seen, a common garment of all Roman female citizens.¹³³ Its (social) prerequisite was that the woman in question was married to a Roman citizen (*civis*) in a Roman marriage (*matrimonium*). Its function in Roman society was to indicate this social status. The *stola* was a festive garment that was first put on during the wedding ceremony. Its use in ritual suggests that it was an ancient female costume and had Etruscan or Italian roots. Since impractical and expensive fashion (like the *stola*) is often driven by rich upper-classes (as seen in later times at Rome), we may attribute the origin of

¹³² Cf. p. 687.

¹³³ Against Bieber (n. 1) 58; and most recently GRD (2007) 182.

the *stola*—like that of the *toga*—to the Etruscan elite. Its use then spread to all Roman citizens who could afford it. However, this remains a hypothesis based on later cultural practice. Our oldest available literary evidence on the *stola* is only a secondary source (Macrobius/Cicero) dating from the time of the Second Punic War (218–201 BCE). The historical origins of the garment are lost to us.

The first eyewitness-mention of the *stola*, and not a very specific one (see below), only dates to the second half of the second century BCE. In contrast, we have many texts from the period of the end of the Roman Republic and the early Imperial times. The limitation of the later sources is that the *stola* was slowly going out of fashion by that time.¹³⁴ The following section will focus on this later period of the cultural decline of the *stola*. It will intertwine various social and legal arguments, and it discusses every relevant text. It advances the following hypotheses: (7.1) In the time from ca. 150–50 BCE, the *stola* was still a common garment. (7.2) At the end of the Republic, dress customs changed.¹³⁵ After the Social War (91–88 BCE), Roman citizenship was granted to all inhabitants of Italy. It was extended to many people beyond the city of Rome, even to those who were not native Romans. In consequence, culture (including fashion) in Rome gradually underwent a change and traditional ‘Roman’ dress customs slowly dissolved. The *stola* became a festive dress of Roman upper-class women only. The hypothesis is based on a remark in Horace’s satire 1.2 and later dress practice. (7.3) After the civil wars, Augustus started a ‘restoration policy’ to gloss over his revolution and to stabilize society. He chose the *stola* to propagate an official ‘traditional’ dress paradigm for Roman women, as he also did for Roman men (*toga*). For this purpose, he redesigned the depictions of the *stola* (like the *toga*) on public monuments based on the model of an elegant Hellenistic garment. The statues of the empress Livia were used to promote the new ‘old fashion.’ At the same time, moral legislation (*leges Iuliae*) transformed what had previously only been a dress custom into a legal privilege (*ius stolae*) connected with Roman *matrimonium*. The hypothesis of a *ius stolae* rests on remarks in Festus (Verrius) and Tertullian and some ‘eyewitness-accounts.’ These sources all use legal language when describing the *stola*. There was not a special ‘honorary *stola*’ for mothers with three children besides the common *stola*.¹³⁶ (7.4) Augustus’ successors (14–68 CE) did not change his cultural policy. In the Julio-Claudian period, the *stola* remained a sign of *pudicitia* and a legal privilege. (7.5) The wearing of the *stola* was not enforced by law, although the *leges Iuliae* enforced proper sexual behaviour.¹³⁷ A passage in Tertullian that has been thought to refer to a legal obligation actually refers to a trial

¹³⁴ The paradoxical situation is easily explained if we keep in mind the fragmentary and derivative character of early Roman literature. Authors also commonly pay attention to unusual garments, while passing over everyday clothing.

¹³⁵ Against Scholz (1992) 15–16; Alexandridis (2004) 52–53, who think that fashion only changed under the Flavian emperors.

¹³⁶ Against Marquardt/Mau (1886) 575; Bieber (n. 1) 60.

¹³⁷ Against Marquardt/Mau (1886) 581; Scholz (1992) 17, 19, 82; Alexandridis (2004) 52.

that involved an upper-class *matrona*. (7.6) The Flavian dynasty (69–96 CE) also kept to the Julio-Claudian dress custom, the *stola* now being synonymous with ‘upper-class woman.’ This is shown by the usage of the words in Pliny the Elder and the Flavian poets. (7.7) At the end of the first century, despite all political efforts to the contrary, the *stola* became a bloodless pictorial symbol. It disappeared when the Emperor Hadrian (117–138 CE) changed official imperial representation¹³⁸ by introducing Greek elements (most famously, the beard) and by replacing the *stola* by another (Greek) form of long gown.

4.7.1 The time of the Roman Republic — *matrona* and *meretrix*

The *stola* was always a social insigne of the married Roman woman. It distinguished the Roman *matrona* not only from the girl and the unmarried woman, but also from the unfree (*ancilla*) and the non-Roman woman (*peregrina*). In Latin literature, the social difference is usually clad into a moral one. The *matrona* is constantly contrasted with the prostitute (*meretrix*), who is presented as wearing either fancy translucent Greek dresses, or, if unfree, the *toga* (B 6). The moral commonplace going back to Greek literature perfectly fits into Roman social categories insofar as prostitutes were barred from Roman citizenship, either being freed women or slaves.

The antithesis between *matrona* and *meretrix* can already be found in the earliest contemporary texts about the *stola*. These come from Roman comedy (Togata), which—unlike the Palliata—reflects the conditions of Roman life. The first and most important evidence is a passage from the *Exceptus* of Afranius (2nd half of the 2nd century BCE). The passage is about a prostitute who wears a *vestis longa* to protect herself from harassment.¹³⁹ A prostitute in *stola* is something unusual and perhaps even improper. Someone asks in surprise:

(A) *meretrix cum veste longa?* (B) *peregrino in loco
solent tutandi causa sese sumere.*

(A) A prostitute in a *vestis longa*? (B) In foreign lands, they commonly wear such clothes to protect themselves.

The short dialogue rests on a common literary trope. We also find it in the second passage from a Togata. In his comedy *Aquae Caldae* (*Hot Springs*), T. Quinctius Atta († 77 BCE) makes a *matrona* complain that prostitutes are dressing like them:¹⁴⁰

¹³⁸ Against Scholz (1992) 81.

¹³⁹ Cf. A 7 pp. 156–157.

¹⁴⁰ Cf. A 7 pp. 166–167.

cum meretric^{ul}ae lupantur nostro ornatu per vias

while little strumpets prostitute themselves on the streets in our dress.

Both these sources are very unspecific in their wording. The first explicit contrast between *stola* and *toga* is found in Cicero. In the second Philippic Speech (43 BCE), Cicero brands Marc Antony a passive homosexual and insinuates that Antony first indiscriminately prostituted himself in his youth and then entered into a marriage-like relationship with Curio:

Cic. Phil. 2.44

sumpsisti virilem, quam statim muliebrem togam reddidisti. primo vulgare scortum, certa flagitii merces, nec ea parva; sed cito Curio intervenit, qui te a meretricio quaestu abduxit et, tamquam stolam dedisset, in matrimonio stabili et certo collocavit.

You put on the ‘men’s *toga*, which you immediately made into a ‘women’s *toga*. At first, you were a public whore (a sure reward for fornication, and not a little), but soon Curio intervened, who took you away from the whore trade and, as if he had given you the *stola*, took you to wife in a firm and lasting marriage (*matrimonium*).

In contrast to the neat picture painted in school-books, Cicero likes obscene jokes and salacious language in his invectives. In the passage at hand, the *toga* and the *stola* serve him to show the different roles of Antony. In a sort of mock-*matrimonium*, Cicero makes Antony wear the *stola*, the garment of a Roman married wife. In the time before his ‘marriage,’ Cicero says that Antony used the (male) *toga* like a ‘low’ prostitute. In this case, it is not the garment defining the person, but the person defining the garment: The passive homosexual Antony transforms the *toga* of the Roman citizen into that of an unfree prostitute. This is a clear indication that women did not wear *togae*, at least not without a heavy stigma.

However, the *matrona* is not always contrasted with a prostitute in Classical texts. Varro shows her at the side of her husband: the Roman citizen. The important texts are dealt with in detail in chapter B 2.¹⁴¹ The present discussion requires only a brief summary. Varro contrasts the garb of the ‘normal’ (= married) woman who wears the *pallium* and the *stola* with the ‘normal’ man who is dressed in the *toga* and the *tunica*. We do not know for certain which social groups Varro has in mind with these remarks. However, it seems that his generalizing relates to a general dress custom. In conclusion, Cicero’s and Varro’s statements on the *stola* thus seem to show that the *stola* was still a ‘normal’ dress of the married Roman woman in their lifetime, i.e. in the first half of the first century BCE.

¹⁴¹ Cf. B 2 pp. 279–281.

4.7.2 The *stola* between Republic and Principate – a period of transition?

In contrast, the *stola* is clearly part of the garb of upper-class matrons by the second half of the first century CE (see below). But when did this change occur? Did the Roman costume still permeate everyday life in Rome at the end of the Republic? As usual, there is no literary evidence as to the clothing of the less well-off classes, but there is some reasons to think that a specifically Roman dress custom declined sharply in Rome after the middle of the first century BCE. Wearing the *stola* and the ornamental cloak (*palla*) would then have become increasingly restricted to the urban Roman elite and its *clientes*.¹⁴² Let us shortly recall what was the social situation in Rome at this time. After the Social War, the influx of new Roman citizens from Italy was enormous. It is likely that in Rome ‘native’ Roman women were far outnumbered by women who had an Italic or Greek cultural background. The far-reaching social changes concerned the Roman elite as well. It was not only exhausted by the civil wars, but was deeply transformed by Augustus. Many *homines novi* from Italy and the provinces replaced the old Roman families. The fact that Augustus propagated the *toga* and the *stola* with so much emphasis as *Roman* garments, perhaps even making them a legal privilege, can be interpreted as an effort to counteract cultural change in everyday life by creating a Roman *Leitkultur* (‘culture of reference’). Since the *stola* was only worn very rarely, it could quite easily be transformed to become an insigne.

Texts documenting the process of cultural transition are few. As is often the case, it is easier to contrast two opposite historical conditions than to track down how one evolved into the other. However, there is one source that may describe the state of the transition. In fact, it seems to anticipate the condition we see later on. It is again Horace’s satire 1.2. The relevant section deals with the rich *matrona* and her entourage. The *matrona* is shown wearing a foot-long *stola* with a border—the *instita*¹⁴³—and an ornamental cloak (*palla*):¹⁴⁴

Hor. sat. 1.2.94–99

*matronae praeter faciem nil cernere possis,
cetera, ni Catia est, demissa veste tegentis.
si interdicta petes, vallo circumdata—nam te
hoc facit insanum—, multae tibi tum officient res,
custodes, lectica, ciniflones, parasitae,
ad talos stola demissa et circumdata palla.*

As to the matron, you cannot see anything of her except her face because she covers the rest of the figure, if she is not Catia, with long clothes. If you go for the forbidden, which is surrounded by

¹⁴² Against Marquardt/Mau (1886) 581; Scholz (1992) 15–16.

¹⁴³ See above pp. 306–308.

¹⁴⁴ See also Hor. sat. 1.2.70–71.

a wall—for that is what drives you crazy—many things will stand in your way, namely guards, a litter, hairdressers, parasites, a *stola* that reaches down to her feet, and a *palla* that surrounds her.

Horace is clearly not speaking of a common Roman woman, but of a wife from the Roman elite (as seen by her large number of servants). Horace later also mentions Fausta, the daughter of the dictator Sulla, as an example of such a woman. He also contrasts the *matrona* with the unfree prostitute, whom he explicitly assigns to the lowest class of the population.¹⁴⁵ We may therefore assume that he wanted to describe the matron through her robe—the *palla* and the *stola*—as the opposite social extreme. Horace's *matrona* from the elite is no literary exception. To the contrary, she is the first in a line of women from the upper-classes. After her comes Cornelia (Propertius), who belongs to the highest nobility.¹⁴⁶ Then follows Fortunata, who mimics upper-class dress (Petronius).¹⁴⁷ The last woman in line is the noble Marcia (Lucan).¹⁴⁸

4.7.3 Augustus (27 BCE–14 CE) – from social emblem to legal privilege (*ius stolarum*)

Augustus' reign is to be regarded as a milestone in Roman history in many respects. This statement not only holds true for politics, but also for Roman society as a whole. The 'Roman' culture that Augustus created formed a new common roof for the cultural diversity in a 'multi-ethnic' state during and after the civil wars. He launched his cultural programme in the thirties while still rivalling with Antony and increasingly imposed it on society as his power grew. In his programme, he resorted to the idea of an ideal Roman past, something already found in Varro. This ideal history was then interpreted teleologically, as exemplified by Virgil's *Aeneid*. Augustus' reign was posited as the destination point of Roman history. It was a return to the 'good old times,' a true *aurea aetas*. In order to anchor the 'Roman' cultural matrix in the public sphere, he undertook various propagandistic and legislative measures.

The restoration of ancient Roman customs was not the only factor in Augustan 'propaganda.' The old Roman costume, in particular the *toga* and the *stola*, was also an important visual element. The (now ornamental) *vestis longa* was part of the mimicry of the old mores that became commonplace among the upper classes, and it is paradoxically thanks to this hollow activity that we still talk so much about the Roman costume (and early Roman history) today. The Augustan period produced numerous depictions and texts concerning the *stola*. Influenced by politics, both the visual arts and literature began to develop new formal languages by drawing on old patterns.

¹⁴⁵ Hor. sat. 1.2.30 (above p. 307).

¹⁴⁶ Cf. below pp. 337–339.

¹⁴⁷ Cf. B 1 pp. 268–272.

¹⁴⁸ Cf. B 1 p. 272.

With the exception of Virgil, the *stola* is explicitly mentioned by all Augustan poets.¹⁴⁹ Another insigne of the ‘Roman’ matron that was established during that period was the woollen headband (*vitta*).¹⁵⁰ *Stola* and *vitta*: the signs of old virtue embodied in the married women of a new age.

4.7.4 Livia – *Ulixes stolata* (pls. 8, 12, 14.1–2, 15.3–4)

In the visual arts, portraits and statues of the empress Livia played a major role with regard to promoting this type of woman. Livia, of course, wore a *stola*. Her entire public identity was so strongly connected with it that her great grandson, Caligula, would later call her *Ulixes stolata*, a Ulysses in *stola*, referring to her political astuteness.¹⁵¹ Augustus seems to have created a distinctive new type of the *stola* for this occasion: the type with shoulder straps, which we find from then on up to the time of Trajan (98–117 CE) in archaeological evidence.¹⁵² Statues showing Livia in *stola* were likely already erected in Rome in the year 35 BCE.¹⁵³ The ‘imperial *matrona*’ formed a welcome contrast to the ‘Hellenistic queen’ Cleopatra, the ‘*nefas! Aegyptia coniunx*’ of Antony.¹⁵⁴ This hypothesis is supported by the fact that Augustus awarded *sacrosanctitas* to Livia and the statues. This is exactly the idea Ovid and Valerius Maximus associate with the *stola*. As with the *vitta*,¹⁵⁵ both authors very likely mirror concepts developed in early Augustan times. Similarly, Vitruvius seems to have been inspired in his interpretation of the caryatids as matrons in *stola* by portraits of Livia in *stola*.¹⁵⁶

4.7.5 The *leges Iuliae* – *matrimonium* and *ius stolarum*

Augustus was apparently not content with mere ‘propaganda.’ He combined his measures with a legislation that transformed dress custom into legal privilege in some

¹⁴⁹ See below and Tib. 1.6.65–68 (above p. 318); Ovid ars 1.31–32 (above p. 309); 2.599–600: *nihil hic nisi lege remissum || luditur; in nostris instita nulla iocis* [In this book, all jesting keeps within legal limits. There is no *instita* in my jokes]; trist. 2.251–252 (below p. 339); Pont. 3.3.51–52 (above p. 318); Fasti 4.133–134: *rite deam colitis, Latiae matresque nurusque || et vos, quis vittae longaeque vestis abest* [you rightly honour the goddess, Roman mothers and young women, and you, who have neither *vitta* nor *stola*].

¹⁵⁰ Cf. above p. 318 and B 16.

¹⁵¹ Suet. Cal. 23.2: *Liviam Augustam proaviam Ulixem stolatam identidem appellans* [he (sc. Caligula) repeatedly called his great grandmother Livia Augusta a Ulysses in *stola*].

¹⁵² Cf. p. 686.

¹⁵³ Cassius Dio 49.38.1 with W. H. Gross, *Iulia Augusta*, Göttingen 1962, 10; Alexandridis (2004) 13. In the year 9 BCE, statues of Livia were again erected, cf. Cass. Dio 55.2.5.

¹⁵⁴ Verg. Aen. 8.688.

¹⁵⁵ Cf. B 16 pp. 477–479.

¹⁵⁶ See above pp. 304–305.

way. We thus have to start another detour into Roman law. After earlier failed attempts, Augustus finally managed to legislate a package of marriage and moral laws in the year 18 BCE: the *lex Iulia de maritandis ordinibus* and the supplementary *lex Iulia de adulteriis coercendis*.¹⁵⁷ With this legislation, Augustus intervened deeply in the private sphere of Roman citizens, especially that of the elite, against whom the regime created new control mechanisms with its moral laws. Under the pretext of bettering moral standards (too often believed by scholars), snooping around in the elite's bedrooms gave Augustus another instrument (in addition to the *lex maiestatis*) for removing unwelcome critics. The content of the *leges Iuliae*, which touch on the most intimate sphere of the population, was unheard of and truly revolutionary. It is probably for this reason that Augustus strictly adhered to the formal legal procedure of Republican legislation by bringing the law before the people's assembly by means of his *tribunica potestas*. As to the *matrimonium* (marriage), the impact of Augustus' laws was far reaching. In contrast to modern marriage, Roman *matrimonium* had, in principle, been something like a private affair. The state only intervened when it came to the civil status of offspring. Now, this suddenly changed. Everything done in *matrimonium* suddenly became public. Adultery and extramarital sexual intercourse became serious crimes. We will see later on what this did to society.¹⁵⁸ Here, we should only notice that the *matrimonium* was not any more a 'social' status under Augustus, but a legal status. The *stola* worn by the wife indicated exactly this: It became a legal insigne and a legal privilege for a special legal status subject to new legal rules.

As to the evidence, there is no mention of the *stola* in the various extracts from the *leges Iuliae* handed down to us in the Digests. It is therefore difficult to say by which procedure (if any) this dress privilege was introduced. It may have implicitly come together with the *leges Iuliae* (the *matrimonium* and hence the *stola* now underlying legal restrictions) or with an additional legislation relating to them. However, a separate *ius stolae* could well have followed the laws on marriage in order to supplement them. Such a measure would fit well with some other phenomena we notice as regards dress in early Imperial times. (1) The *vitta*, the matronal hairband (B 16) which served as a similar matronal badge, seems to have been granted by a decree of the senate, which had the force of law. (2) There was also a *ius togae*,¹⁵⁹ to which a *ius stolae* would form a fine parallel. (3) Augustus went so far as to define the width of the stripes on the

¹⁵⁷ On these laws and the *lex Papia Poppaea* (9 CE) which supplemented them, cf. Th. Mommsen, *Römisches Strafrecht*, Leipzig 1899, 691–699; Astolfi (n. 121); Treggiari (n. 116) 277–298; A. Mette-Dittmann, *Die Ehegesetze des Augustus. Eine Untersuchung im Rahmen der Gesellschaftspolitik des Prinzipats*, Stuttgart 1991.

¹⁵⁸ Cf. below pp. 344–349.

¹⁵⁹ The *ius togae* is attested for certain in the times of the Flavian emperors. Pliny the Younger tells us about a senator who was condemned to exile and appeared in Sicily as a declaimer in Greek garb because he lost his civil rights and was no longer allowed to wear the *toga*, cf. Plin. epist. 4.11.3: *idem cum Graeco pallio amictus intrasset (carent enim togae iure, quibus aqua et igni interdictum est)* [when

senatorial and equestrian *tunica*. Regulating public dress would thus not seem strange. (4) The later literary commonplace of condemning adulteresses to wearing the *toga* can be interpreted to mean that such women did not possess the *ius stolae*.¹⁶⁰ The dissolution of a woman's marriage and/or the deprivation of her civil rights included the loss of the privilege to wear the *stola*. Many authors exaggerate the implications and suggest that such women had to wear the *toga* of prostitutes instead.

In addition, there are several texts that could support such a hypothesis: (1) Festus (Verrius) mentions a *ius stolae* while defining the term *matrona*. (2) Tertullian talks of *leges* pertaining to the garb of *matronae*. (3) Propertius, Ovid, and Valerius seem to consider the *stola* a legal privilege (*honor*).¹⁶¹

Festus/Paulus (Verrius)

The contents of Festus' dictionary date back to that of Verrius Flaccus and the Augustan period.¹⁶² In the case of the definition of the *matrona*, we only have the abridged version of Paulus Diaconus (8th century).¹⁶³ The *matrona* is defined as follows: *matronas appellabant eas fere, quibus stolas habendi ius erat* (As a rule, one called matrons those women who had the right (*ius*) to wear the *stola*). The *stola* is clearly defined as a legal privilege (*ius*) for *all* matrons.¹⁶⁴ According to Festus (Verrius), the *ius stolas habendi* is a characteristic of the Roman *matrimonium*.¹⁶⁵ We thus find a legal notion about the *stola* similar to the one found in Macrobius' remarks about the *toga praetexta* and *bullae*. The similarity is not a coincidence, since Macrobius' text very likely incorporates Verrius.¹⁶⁶ Although the statement of Festus (Verrius) has no historical value as concerns the time of the Roman Republic, it very likely mirrors the conditions of the Augustan period. Hence, there could have been a legal privilege (*ius*) to wear the *stola* in that period.

the same man entered dressed in a Greek *pallium* (for exiled people do not possess the *ius togae*); Digest. 49.14.32 (Marcianus).

¹⁶⁰ Cf. B 6 pp. 371–374.

¹⁶¹ Val. Max. 2.14; cf. below p. 340.

¹⁶² On Verrius and Festus, cf. above p. 324 and Introduction D p. 588; D 5 pp. 643–647.

¹⁶³ Festus/Paulus p. 112.26 L.; see also p. 143.12–15 L.; and the latter tradition in Gell. NA 18.6.8: *idonei vocum antiquarum enarratores tradiderunt matronam esse dictam proprie, quae in matrimonium cum viro convenisset, quoad in eo matrimonio maneret, etiamsi liberi nondum nati forent* [competent explainers of old glosses have informed us that a matron in the true sense of the word was a woman who was connected to a man in *matrimonium* as long as she remained in this *matrimonium*, even if children had not yet been born].

¹⁶⁴ Against Scholz (1992) 18.

¹⁶⁵ The plural *stolae* in Festus are due to the fact that he speaks of several women (*matronae*).

¹⁶⁶ See above pp. 322–326.

Tertullian *De cultu feminarum*

Apart from Festus (Verrius), there is a second passage that points to an explicit privilege: a tirade of the Christian author Tertullian (ca. 150–220 CE) in his treatise *De cultu feminarum*. Although Tertullian uses an exalted and unusual diction in his works, he usually draws on legal and antiquarian sources that reveal a broad intellectual background.¹⁶⁷ In the present passage, he rails against the depravity of his own society (as usual). He contrasts it with the supposedly well-behaved past generations. Now, he says, all women behave like prostitutes. In the past, certain laws kept *meretrices* away from the honours of marriage and married life (*leges a maritalibus et matronalibus decoramentis coercebant*).¹⁶⁸ The wording mirroring legal language suggests that Tertullian is referring to the *leges Iuliae*. The word *decoramentum*, here used in plural, is not attested elsewhere in Classical Latin literature. Like *ornamentum*, or rather the plural *ornamenta* (equipment, ornament, insigne), it seems to designate the outward insignia of the matron. If Tertullian's furious ranting about the costume has a true core, women who were not Roman citizens and were not married in a full-fledged *matrimonium* would not have had the legal privilege to wear the matronly costume during the Imperial period.¹⁶⁹ They would not have had the *ius stolarum*.

Propertius 4.11

It is now time to turn to eyewitnesses. The increase in importance of the Roman wife and her habitus during the period of marriage legislation can be seen in an elegy of the contemporary Propertius (4.11), which dates to the year 16 BCE. The poet paints the picture of a wife and mother par excellence. His description echoes legal language in many places and evokes the background of the *leges Iuliae*.¹⁷⁰ As in Horace,¹⁷¹ the *stola* is worn by a woman from Rome's highest circles. The garment is mentioned only once in the poem. The statement referring to it has often been thought to mean that there was an extra honorary *stola* besides the ordinary *stola*, or that the award of the *stola* was linked to the *ius trium liberorum* (the right of three children).¹⁷² In contrast, the following argues that no such meaning can be deduced from Propertius' words, nor that it is likely (in light of the remarks above) that the *stola* was associated with an abundance of children. The garment was traditionally a characteristic of marriage

¹⁶⁷ See on him also below pp. 344–347.

¹⁶⁸ Tert. *De cultu feminarum* 2.12; see also the new text of Isetta (2010).

¹⁶⁹ Similarly, McGinn (1998) 160.

¹⁷⁰ Cf. 4.11.47–48: *mi natura dedit leges a sanguine ductas, || nec possis melior iudicis esse metu* [nature gave me laws derived from my descent; you could not be better for fear of a judge]. A woman like Cornelia would not have needed the Augustan marriage laws.

¹⁷¹ See above p. 332.

¹⁷² Marquardt/Mau (1886) 575; Bieber (n. 1) 60; Camps (1965) and Coutelle (2015) in their comments ad loc.

and not of motherhood, and the words of Propertius may instead be interpreted as an allusion to the *ius stolae*.

Elegy 4.11 is a funeral poem on Cornelia that has been adapted to the elegiac genre. It was created on the occasion of Cornelia's death.¹⁷³ Cornelia was a daughter of Scribonia, Augustus' first wife, and thus a member of the imperial family. She was married to L. Aemilius Lepidus Paullus (cos. suff. 34; cens. 22),¹⁷⁴ who probably requested the poem from Propertius. The elegy is designed as a figurative speech by the late Cornelia. On the one hand, it emphasizes the moral virtues that distinguished her during her marriage. On the other hand, it pays tribute to her husband, Aemilius Paullus, whose censorship is alluded to with a plethora of compliments.¹⁷⁵ In the account Cornelia gives of her life, Propertius makes her consistently stress that she proved herself worthy of the whole family through her behaviour. She says that her marriage to Aemilius Paullus (*coniugium Paulli*), a descendant of the famous victor of the battle of Pydna (168 BCE), was a great honour for her (vv. 11–12).

Propertius mentions clothing twice in the elegy. As is often the case in literature and Roman cultural discourse, the attire of the matron metonymically represents the abstract concept of the *matrimonium iustum*. In vv. 30–31, the beginning of the respective section, Cornelia focuses on her role as a wife. She describes how she laid down the young girl's *praetexta* and put on the matron's woollen *vitta* (headband) in the wedding ceremony.¹⁷⁶ In vv. 60–61, at the end of the section, Cornelia passes from the subject marriage to the subject motherhood. She returns again to her matronly garment, this time mentioning the *stola*. The relevant verses form the transition:¹⁷⁷

Prop. 4.11.60–61

*et tamen emerui generosos uestis honores
nec mea de sterili facta rapina domo.*

Nevertheless, I have deserved the award of the noble garment, nor has death snatched me from a childless home.

The statement hiding behind the poetic bombast is very simple. Cornelia says that she proved herself worthy of marriage to Aemilius Paullus by bearing him children.¹⁷⁸ Propertius, as is his wont, clads the prosaic facts in metaphorical language. The term *matrimonium* is metonymically expressed by the words *generosos vestis honores*. The word

¹⁷³ PIR II 1475.

¹⁷⁴ PIR I 373.

¹⁷⁵ Cf. vv. 41, 67.

¹⁷⁶ Prop. 4.11.30–31: *mox, ubi iam facibus cessit praetexta maritis, || uinxit et acceptas altera uitta comas* [then, as soon as the *toga praetexta* had given way to the marriage torches and the second *vitta* had tied the hair]; cf. B 5 p. 358; B 16 p. 478.

¹⁷⁷ Cf. ad loc. the commentaries of Rothstein (1924); Camps (1965); Hutchinson (2006); Coutelle (2015).

¹⁷⁸ Cf. also vv. 70–71.

vestis, familiar to readers from the phrase *vestem dare*, is the basis for the metonymy. The wording is nevertheless striking insofar as the term *honores* adds something to the ordinary *vestem dare*, mirroring the language of privilege (*honor* = *privilegium*). The actual and the figurative sense are thus superimposed on each other. The phrase *vestis honores* can be understood in two ways: literally ‘the privilege of *vestis longa*’ and figuratively ‘the honour of marriage.’ The first meaning is particularly appropriate when we assume that there was a *ius stolae* at this time. The adjective *generosos*, standing in *hypallage*, clearly refers to *vestis*. But what does *generosus* mean here? There are two possible meanings: fertile or noble. Does *generosus* then refer to the *ius trium liberorum*, or does it qualify the *stola* in some other way? Parallels show that the meaning ‘noble’ is probably correct. The word *generosus* is less often used with things than with people. In the case of people, it means ‘of noble birth.’ It is then often associated with marriage and descent.¹⁷⁹ One could therefore understand the *vestis generosa* figuratively in the sense of ‘a marriage with a man from the high nobility.’ The adjective *generosus* is, however, also used to refer to qualities of a thing in the sense of ‘befitting a person who is noble by birth or nature.’ The *vestis generosa* would be a garment that distinguishes a well-born (and hence morally impeccable) woman. Both the figurative sense of marriage and the moral sense of appropriateness are consistent with the definition of the *stola* derived from our other sources. We do not have to think about children and the *ius trium liberorum*. From a factual point of view, this passage could be further evidence that the *stola* became a legal privilege (*honor*) during the reign of Augustus.

Ovid and Valerius Maximus

Apart from Propertius, there are two further eyewitnesses supporting the hypothesis that the *stola* was a legal privilege. Near the end of Augustus’ reign, Ovid writes about the *stola* and the *vitta* in a poem from exile (10 CE). He turns back to his introduction of the *Ars amatoria*, where he had excluded matrons as readers.¹⁸⁰

Ovid. trist. 2.251–252

*ecquid ab hac omnes rigide summouimus arte,
quas stola contingi uittaque sumpta uetat?*

Did we not strictly remove from the *Ars* all women whose touch is forbidden by the *stola* and *vitta*?

The wording of this passage slightly differs from that of his original ‘disclaimer.’ Ovid is speaking of a prohibition against touching matrons (*contingi vetat*). The language has a legal quality. The prohibition could be a literary exaggeration, but there seems to be a second witness. A remark by the rhetorician Valerius Maximus, who wrote shortly

¹⁷⁹ Verg. Aen. 10.141; Ovid. epist. 15.171, met. 13.148, trist. 4.4.1.

¹⁸⁰ See above p. 309.

after Ovid, supports the hypothesis that there is more behind the prohibition. Valerius is talking of a legal privilege concerning the matron:

Val. Max. 2.1.4

sed quo matronale decus uerecundiae munimento tutius esset, in ius uocanti matronam corpus eius adtingere non permiserunt, ut inuiolata manus alienae tactu stola relinqueretur.

But in order to protect the decorous decency befitting a married woman by means of a safeguard, they did not allow whoever wanted to bring a *matrona* to court to touch her body so that her *stola* would remain unscathed by the touch of a foreign hand.

As with the *vitta*, Valerius pretends to talk about ancient laws made by the Romans in favour of the matrons.¹⁸¹ According to him, in contrast to ordinary citizens, matrons could not be summoned to court by the usual ritual procedure, which involved laying hands on their body (*iniectio manus*).¹⁸² Valerius combines this privilege (of sacrosanctity) in a striking way with the wearing of the *stola*.

As regards ancient Roman times, Valerius' statement has no value at all (being historical fiction). However, Valerius could have transferred imperial legislature to an earlier period into an anachronism, as he seems to have also done in case of the *vitta*. His words therefore indicate that a legal privilege connected with the *stola* (the outward sign of a married woman) existed in his times. This all is suspiciously similar to the sacrosanctity granted to Livia.¹⁸³ The passage also echoes Pliny's account of the execution of the Vestal Virgin Cornelia (not to be confused with the wife of Aemilius Paullus), who refused to let her executioner touch her.¹⁸⁴ Ovid and Valerius Maximus are maybe referring to Livia or a similar decree giving sacrosanctity to all Roman matrons.

In conclusion, we may say the statements of all relevant sources (Festus, Tertullian, Propertius, Ovid, Valerius) would be more meaningful if the *stola* was a legal dress privilege connected with the *leges Iuliae*. In any case, the *stola* became the insignie of a legal status under Augustus. In other words, it was the outward symbol of being married in a Roman *matrimonium*.

¹⁸¹ Val. Max. 5.2.1: *senatus matronarum ordinem benignissimis decretis adornauit: sanxit namque ut feminis semita uiri cederent, confessus plus salutis rei publicae in stola quam in armis fuisse, uetustisque aurium insignibus nouum uittae discrimen adiecit* [The senate honoured the matron's rank with very benevolent resolutions. For it stipulated that men should make way for women on the pavement, thereby acknowledging that the welfare of the state had benefited more from the *stola* (= matrons) than from arms (= soldiers), and it added the new distinction of the hairband to the old earrings]; for an interpretation, see B 16 pp. 481–482.

¹⁸² Cf. on it, Kaser (n. 120) 37, 151–152.

¹⁸³ See above p. 334.

¹⁸⁴ See above p. 328.

4.7.6 The *liberta* Horaia (CLE 56) – imitating Roman upper-class dress (1)

Let us now turn back from legal questions to dress costumes and fashion. Although the *stola* was a privilege for all, it was mainly worn by upper-class women. Their culture was in turn imitated by the *liberti*, who gained access to Roman *matrimonium* at some point in the first century BCE. We see this imitation in the sepulchral monuments of freedmen in particular. Following the argument put forward above,¹⁸⁵ this group was allowed to start a ‘real’ Roman family for the first time starting in this period. Hence members of the group presented themselves in the same manner as Roman citizens from the upper-classes would have done either in the *atrium* or on public sepulchral monuments. They showed both their pedigree and their seriousness in a row of stern looking busts.

A fine example of freedmen’s burial culture comes from a verse inscription from a tomb depicting a family of five *liberti*.¹⁸⁶ The *matrimonium* is metaphorically referred to by the word *stola*. The orthography indicates that the inscription should not be dated to before the time of Julius Caesar (100–44 BCE).¹⁸⁷ It would be best to place it in the time of Augustus, when the cult of the *stola* reached its peak. The tomb is lost, but its visual programme can be reconstructed from the *tituli* and the tomb epigram.¹⁸⁸ The inscriptions naming the portraits of the buried persons show that it contained the busts of two women and three men in a row. Going from left to right, their names are:

P. Larcus P. l(ibertus) Saufeia A. l.	L. Larcus P. f(ilius) P. Larcus P. f.	Larcia C. l(iberta)		
Neicia	Thalea	Rufus	Brocchus	Horaia

The first generation is seen on the left-hand side: a Greek freedmen named Nicias and his freed companion Thaleia. As was usually done, their previous Greek names were transferred to the *cognomen*. The second generation is seen on the right-hand side: the son Brocchus and his wife Horaia, a freed former slave of Nicias and Thaleia (C. [= Gaiae]. l(iberta)).¹⁸⁹ The central bust depicted either a second son of Nicias and Thaleia or, more likely, a son of Brocchus and Horaia, who might have donated the tomb.¹⁹⁰ The epigram under the relief of the tomb is inscribed to Horaia. It is composed in the iambic senarii, a somewhat old-fashioned metre by that time (at least among upper-class poets), but it was still popular among the Roman population.

¹⁸⁵ Cf. pp. 322–326.

¹⁸⁶ Cf. also 1².1570; Nr. 977 Degrassi; CLE 58 (= CIL 1.².1216); Scholz (1992) 14–15; A. M. Morelli, *Le Iscrizioni Metriche del Latium Adiectum*, vol. 1, Edizioni Tored, 63–70 with further bibliography.

¹⁸⁷ See Buechelers comment on CLE 56 (misrepresented by Scholz (1992) 14, 118 n. 63).

¹⁸⁸ The inscriptions are also lost today, but we have early copies of them.

¹⁸⁹ Fabre (n. 120) 168 n. 132; against Scholz (1992) 14. The expression *domini senes* shows that Nicias and Thaleia were the owners of Horaia.

¹⁹⁰ For a similar tomb, cf. the five-figure relief in Copenhagen, NCGI. inv. 2799 (Kockel 182 no. L 9 tab. 95b) (pl. 16.3).

*boneis probata, inveisa sum a nulla proba.
fui parens domineis senibus, huic autem opsequens.
ita leibertate illei me, hic me decoraat stola.
a pupula annos veiginti optinui domum
omnem, supremus fecit iudicium dies,
mors animam eripuit, non veitae ornatum apstulit.*

Good people approve of me; no good woman dislikes me. I obeyed my old masters, but this one (sc. you see him next to me) I followed. Thus, these adorned me with freedom, this one with the *stola*. From childhood on I ran the entire house for twenty years. The last day has passed its judgement. Death took away my soul, but not what adorned me in my life.

In this epigram, Horaia appears as an ideal matron. In v. 3, we first learn of her release and then of her *matrimonium*. The release by her former masters is emphasized not only out of gratitude, but above all because it is the necessary condition for Horaia to be able to enter into a fully valid marriage under Roman law. The necessary qualifications were thus fulfilled on both sides. Brocchus, the husband (*huic autem obsequens*) of Horaia,¹⁹¹ was already freeborn (*ingenuus*) (hence *Publii filius*), unlike his father, the freedman Nicias (*libertus*). For the Roman *matrimonium*, the poem uses the metaphorical phrase: *hic me decoraat stola* (= *vestem dedit*).¹⁹² It does not use the term *vestis*, but *stola*, which became the popular expression for this garment in the Augustan period. In v. 6, the *stola* is referred to once again. It is seen as an ornament and a privilege (*ornamentum*) and serves to visually indicate the legal status of Horaia. She is married in Roman marriage and has the *ius stolarum*.

As the epigram shows, Horaia would likely have been portrayed dressed in a *stola* (and perhaps a *vitta*), as we see on some other tombs of freedmen. However, if the visual representation was somewhat crude, the word *stola* found in the epigram would have indicated to the viewer that she should be imagined in this way. The emphasis on the *ornamentum* seems to be in favour of the view that she was deliberately depicted in *stola*. It would not have mattered that she probably had not been dressed this way very often in her everyday life. On her tomb, Horaia would have been shown in the full regalia of a Roman *matrona*—including the *stola*—in order to emphasize that she had entered into a *matrimonium*, even as a former slave.

4.7.7 The Julio-Claudian period (14–68 CE) – the *stola* as a symbol of female *pudicitia*

Tiberius, the next emperor, continued Augustus' policy on the *stola*, as he did in most other matters. In general, Tiberius' reign makes a somewhat petrified impression. This

¹⁹¹ For similar expressions, see Fabre (n. 120) 192.

¹⁹² If the orthography *decoraat* is correct, it is probably a lengthened perfect; cf. also CLE 58.2 (*vestem dedit*) and CIL 1².1216 (*ille illam merito missit et vestem dedit*) with Fabre (n. 120) 194.

may be due to his advanced age, lack of new ideas, and the wish to stabilize the regime. The *stola* was further hypostasized as a symbol of the ‘Roman’ wife, as is shown by a hymn on chastity (*pudicitia*) by Valerius Maximus (who also dedicated his work to Tiberius).¹⁹³ The relevant passage is given in full in order to give an impression of what the official cult about *pudicitia* and *stola* might have been. The garment only appears at the end.¹⁹⁴

Val. Max. 6.1.1

unde te, virorum pariter ac feminarum praecipuum firmamentum, Pudicitia, invocem? Tu enim prisca religione consecratos Vestae focos incolis, tu Capitolinae Iunonis pulvinaribus incubas, tu palatii columen, augustos penates sanctissimumque Iuliae genialem torum adsidua statione celebras, tuo praesidio puerilis aetatis insignia munita sunt, tui numinis respectu sincerus iuventae flos permanet, te custode matronalis stola censetur.

Where should my prayer to you, chastity, excellent support for men and women alike, begin? You dwell in the fires of Vesta, consecrated by ancient fear of god; you rest on the couch of Juno Capitolina; you, a pillar of the palace, inhabit the imperial household and the holiest marriage-bed of the empress Livia, being always at your post. Through your protection, the honour of childhood is preserved; through respect for your deity, the bloom of youth is kept pure; through your guard, the *stola matronalis* is valued.

Valerius’ hymn on chastity is rhetorical bombast of a second-rate writer. In contrast to most authors quoted in this part of the book, he does not belong to the upper-classes, but is a typical *cliens*. He is zealously writing to gratify his *patronus* and the public, but he is less talented and less independent in thought than first-rate Latin authors usually are. However, when it comes to social and political history, Valerius (as is often the case with these authors) is most important since he keeps close to the mainstream and transports imperial ‘propaganda’ much more directly. Following Valerius’ style, we might say that authors like him help us to hear the sound of the trumpets and to see the waving of the flags in official representation. Here, Valerius uses the expression *stola matronalis* in a well-known way as a symbol for the blameless marriage and blameless married women. The term *censetur*, also used by Propertius in a similar context, evokes the sphere of law and could also indicate a *ius stolae*, which was cancelled in case a marriage got dissolved. The competent political authority for registering this would then have been the Roman *ensor*. Valerius’ long prayer to the personified *Pudicitia* (chastity) forms the beginning of his sixth book. It is particularly instructive because it shows

¹⁹³ On *pudicitia*, cf. Treggiari (n. 116) 105–107; Alexandridis (2004) 30–31, 37–38.

¹⁹⁴ See also Val. Max. 8.3 init.: *nec de his quidem feminis tacendum est, quas condicio naturae et verecundia stolae, ut in foro et iudiciis tacerent, cohibere non valuit* [we have to speak about those women in particular whom neither the condition of their nature nor the modesty of the *stola* (*verecundia stolae*) could compel to keep silent on the forum and in court]; cf. on it also KS II 260–261.

the intellectual concept that the *stola* was intended to convey in the Julio-Claudian era. At its centre, we find the abstract concept of chastity, which is then combined with various other images. First, we have the Vestal fire and the Vestals, whose garb was the *stola*,¹⁹⁵ then the goddess Juno (the *matrona stolata* par excellence), and finally the empress Livia, who was also shown in *stola* as an impeccable wife. The various images that Valerius conjures up here are all also found in the archaeological evidence. They belong to the established repertoire of the cultural-political ‘propaganda’ of the Julio-Claudian dynasty.

4.7.8 *matronae sine stola in publico* – on the burden of privilege

But was all really well under this smooth and polished official surface? In the following section we will see that for the Roman elite privilege became a burden. There was indeed a counterreaction to officially commanded virtue. However, we will start at the opposite end and ask how far Roman emperors went in pressuring the upper-classes. Did they force them to wear ‘Roman’ dress in public? Did Tiberius, as some scholars think, pass a law that enforced wearing the *stola* and that made not wearing it a punishable offence?¹⁹⁶ The hypothesis is based primarily on a remark of Tertullian. We will therefore begin with a short detour into a more complete history of citizenship. We will discover what kind of behaviour the *leges Iuliae* provoked among the upper classes. In the end, it will turn out that Tertullian is not talking about a law that enforced wearing the *stola*, but about a sex-scandal rocking the Roman elite in the year 19 CE at about the same time when Valerius wrote his elaborate hymn on *pudicitia*.

The relevant passage is found in Tertullian’s treatise *De pallio* (205–211 CE). The pamphlet is Tertullian’s attempt to justify his choice to replace his Roman *toga* with a Greek *pallium*. The language and style of *De pallio* make it perhaps the most peculiar work of an author who is generally inclined towards linguistic peculiarities. Tertullian sets up his case by stating that clothes have always undergone change. He finally arrives at the depravity of womankind, which is among the favourite subjects of this zealous church man:

Tert. pall. 4.9

conuerte te ad feminas. Habes spectare, quod Caecina Seuerus grauiter senatui impressit, matronas sine stola in publico. Denique Lentuli auguris consultis, quae ita sese [ex]auctorasset, pro stupro erat poena, quoniam quidem indices custodesque dignitatis habitus, ut lenocinii factitandi impedimenta, sedulo quaedam desuefecerant. At nunc in semetipsas lenocinando, quo planius adeantur, et stolam et sup-

¹⁹⁵ See above pp. 327–328.

¹⁹⁶ Marquardt/Mau (1886) 581; Scholz (1992) 17–18, 82; Thraede (n. 1) 773; McGinn (1998) 161–162.

parum et crepitulum et caliendrum, ipsas quoque iam lecticas et sellas, quis in publico quoque domestice ac secrete habebantur, eierauere.

Focus your attention on the women. You will see what Caecina Severus put before the eyes of the senate with great aplomb: Matrons without a *stola* in public! Finally, on the legislative initiative of Lentulus Augur, a woman who had hired herself out in this way, was punished for fornication. This was done because certain ladies had deliberately renounced their costume, which was the mark and protection of their dignity, since it stood in the way of their brothel-keeping. But now, in order to prostitute themselves and to be accessible more easily, they have renounced *stola* and **supparum*, *crepitulum*, and periwigs, and even litters and ‘sedan chairs,’ which kept them private and secluded in public.

Tertullian is recounting an episode from the time of Tiberius. He does not name his source, but it must have been a contemporary history of the Tiberian period, such as that of Aufidius Bassus, or perhaps a philosophical treatise. In any case, the account Tertullian had at hand was quite detailed. In addition, Tertullian relied on some grammarian writing, heaping up words that were glosses to him: *stola*, **supparus* (D 5), and *crepitulum*. The general dating of the event is clear because the protagonists A. Caecina Severus and Cn. Lentulus Augur¹⁹⁷ are influential senatorial ‘bigwigs’ from the time of Augustus and Tiberius. Tertullian quotes single phrases from two speeches they held in the Roman senate on some occasion. Caecina, he tells us, emphatically (*graviter*) addressed the issue of female misdemeanour. He branded some women as prostitutes because they displayed themselves in public without a *stola* (*sine stola in publico*). Taken for itself, the short phrase Tertullian gives us of Caecina’s speech allows for two interpretations. Either Caecina made it clear to the senate that matrons had behaved like prostitutes in the past or that they would behave like prostitutes in the future if the senate did not take a firm stance.

Tertullian then turns to the remarks of Lentulus Augur. He connects these with Caecina’s words through the conjunction *denique* (finally, and then). This connection suggests that the content and the words of both speakers belong to the same debate. The introducing expression *Lentuli auguris consulta* is abbreviated. It designates a resolution of the senate initiated by the Lentulus Augur (in more formal language a *consultum Lentulianum*). The senate apparently made its ruling in a trial involving a woman from the senatorial class since senators dealt exclusively with their peers when acting as a court of law of first instance.¹⁹⁸ As we will see below, the senate probably pronounced a judgement of principle on this matter, which became general law afterwards.

¹⁹⁷ PIR² II 106; PIR² II 1379.

¹⁹⁸ On the court of the senate, cf. in general J. Bleicken, *Senatsgericht und Kaisergericht*, Göttingen 1962; on the offences the senate dealt with, see there p. 53.

Tertullian gives an indirect quotation of what Lentulus said (according to Tertullian's source): *quae ita sese [ex]auctorasset*. The subjunctive indicates that the relative clause is part of reported speech. The entire sentence was perhaps written in Acl. Lentulus referred to the woman's offence with a technical term. The transmission causes some problems here. All manuscripts have *sese exauctorasset*. The word *exauctorare* belongs to military language and means 'to dismiss from service.'¹⁹⁹ Since Salmasius (1622), it has been thought to signify that the *matrona* renounced her status as if she had previously taken an oath of allegiance to an *ordo matronarum*.²⁰⁰ There is, however, no exact parallel for the metaphor of wives taking a *sacramentum* (which would make wives behave like soldiers). It is therefore better to delete the letters EX and emend the text to *auctorasset*. The verb *auctorare* means 'to engage oneself for money.' Both the verb *auctorare* and the noun *auctoramentum* (salary) often refer to employment contracts of gladiators, who renounced their civil rights in giving up the power of disposal over their bodies and their well-being in return for remuneration.²⁰¹ It also fits with prostitutes, who enter into a hiring relationship and equally renounce their power of disposal over their body. The elementary right of physical well-being is even more pointed in the case of *matronae*, who, according to Ovid and Valerius,²⁰² were even granted untouchability (*sanctitas*) by law. In addition, there is a good parallel for using *auctorare* in relation with prostitution. Apuleius says of a woman prostituting herself: *execrando metallo pudicitiam suam protinus auctorata est* (for the accursed metal (= gold) she put her chastity on hire at once).²⁰³ Finally, the words *auctorare* and *auctoramentum* are also used in two places in the SC *Larinum*, which belongs to the same time and describes a similar action of men renouncing their citizenship.²⁰⁴ For these reasons, it is best to change the text to *auctorasset*. Lentulus is not using a metaphor, but is describing the offence of the woman in legal terminology.

But what did the woman do? As Tertullian tells us, her behaviour was judged to be a *stuprum* (illicit sexual intercourse) and was punished accordingly (*pro stupro erat poena*). The wording indicates that the senate ruled within the framework provided by the *lex Julia de adulteriis*, which dealt with the subject matter *stuprum*. In Tertullian, the term *stuprum* is used catachrestically for the term *adulterium* (adultery). This lack of terminological precision does not matter²⁰⁵ because, much to the chagrin

¹⁹⁹ ThLL V 2 s. v. *exauctorare* col. 1188.50–1189.29.

²⁰⁰ Salmasius (1622) 344 and Gerlo (1940) in their commentaries ad loc.; ThLL V 2 s. v. *exauctorare* col. 1189.25–28.

²⁰¹ ThLL II s. v. *auctoramentum* col. 1213.22–57; s. v. *auctorare* col. 1224.22–1235.12; W. D. Lebek, Standeswürde und Berufsverbot unter Tiberius. Das SC der Tabula Larinas, ZPE 81 (1990), 72–73, 76–77.

²⁰² See above pp. 339–340.

²⁰³ Apul. Met. 9.19.

²⁰⁴ Tab. Lar. 9, 11; see below p. 349.

²⁰⁵ Against Thraede (n. 1) 774.

of the ancient jurists, the terms *stuprum* and *adulterium* were already used without discrimination in the *lex Julia de adulteriis* itself (maybe deliberately, in order to gain freedom of interpretation).²⁰⁶ Tertullian then goes on to describe more precisely what the *stuprum* consisted in. It consisted in being a prostitute, Tertullian (and Caecina) use the expression *lenocinium* (sc. *sui*) *facere*.

Is this taking-off of the *stola* to be understood literally? Or is it rather a chauvinistic visualization of a change of legal status? These questions will be addressed later. First, we will place the passage into the general history of these years, as it is known to us from Tacitus' *Annales*. The incident has been connected with the political events of the year 20 CE,²⁰⁷ where both senators appear. In contrast, the following argues that the incident instead belongs to the process against Vistilia, which Tacitus describes under the year 19 CE.²⁰⁸

Fitting Tertullian's remarks into Tacitus' narrative is like jigsaw puzzling. Tacitus sticks to the general outline of the debate without individuating single senators by name. He narrates how Vistilia, who was married to a senator, was tried in the senate. The trial was triggered by a self-denunciation for *stuprum* filed by Vistilia with the aediles. Tacitus summarizes the events as follows:

Tac. Ann. 2.85.1–3

eodem anno gravibus senatus decretis libido feminarum coercita cautumque ne quaestum corpore faceret cui avus aut pater aut maritus eques Romanus fuisset. nam Vistilia praetoria familia genita licentiam stupri apud aedilis vulgaverat, more inter veteres recepto, qui satis poenarum adversum impudicas in ipsa professione flagitii credebant. exactum et a Titidio Labeone Vistiliae marito cur in uxore delicti manifesta ultionem legis omisisset. atque illo praetendente sexaginta dies ad consultandum datos necdum praeterisse, satis visum de Vistilia statuere; eaque in insulam Seriphon abdita est.

In the same year, the senate passed severe resolutions against female debauchery and decreed that no woman whose grandfather, father, or husband was a Roman knight should make profit with her body. For Vistilia, a woman descended from a praetorian family, had denounced herself to the aediles for having committed *stuprum*, following a practice of the ancient Romans, who thought it to be enough punishment for an unchaste woman to publicly confess her shameful acts. Titidius Labeo, Vistilia's husband, was also questioned as to why he had not sought legal punishment, the offences of his wife being evident. And when he alleged in excuse that the sixty

206 Digest. 48.6.1: *lex stuprum et adulterium promiscue et κατὰ χρηστικώτερον appellat* [the law uses the words *stuprum* and *adulterium* indiscriminately and without due precision].

207 Tac. ann. 3.18; RE 3.1 (1897) s.v. Caecina (24), col. 1243 (E. Groag); McGinn (1998) 161.

208 On this famous trial, cf. Astolfi (n. 121) 30, 144; Mette-Dittmann (n. 157) 101–102; Treggiari (n. 116) 297; W. D. Lebek, Das SC der Tabula Larinas. Rittermusterung und andere Probleme, ZPE 85 (1991), 60; T. A. J. McGinn, The SC from Larinum and the Repression of Adultery at Rome, ZPE 93 (1992), 280–291 and (1998) 216–219.

days given for deliberation had not yet passed, the senate was content to pass a judgement on Vistilia, and she was sent to the island of Seriphos.

Vistilia had praetorian ancestors.²⁰⁹ She was most probably the daughter of Sextus Vistilius and married to Titidius Labeo,²¹⁰ who had also been praetor. She was probably neither a prostitute nor did she keep a brothel. It is rather likely that she was being blackmailed for a love affair. By registering herself as a prostitute with the aediles (*licentiam stupri vulgaverat*), who were in charge of the brothels (*lupanaria*), Vistilia wanted to avoid being denounced by a third party under the rulings of the *lex Iulia de adulteriis*. As we have seen above, prostitution can be expressed in legal language as *sese auctorare*, a voluntary contract of rent that includes the waiving of civil rights.²¹¹

But why did Vistilia register as a *lena*, thus forsaking her status as Roman citizen? The simple answer is: She tried to exploit a loophole in the *lex Iulia*, which had not precisely regulated a case such as hers. She would have wanted to escape the severer punishment with which the *lex Iulia* threatened a Roman matron. However, Vistilia did not get away with this legal trick. The senate, which dealt with the case, ruled against Vistilia. It condemned Vistilia *pro stupro*, as stated by Tertullian, and relegated her to the stony island Seriphos, one of the Cyclades. Titidius Labeo, Vistilia's husband, was also in danger of being convicted because he had not actively denounced his wife. He escaped by pointing out that there had still been time to do this. We will never know what family drama was behind all of this. However, this single incident sheds an interesting light on what was going on in society at that time.

As a consequence of the proceedings against Vistilia, the senate set about closing the loophole in the *lex Iulia*. Caecina, himself a father of six children and a stern old man, vividly showed the senators the consequences of not taking tougher action: *matronae sine stola in publico*. Roman wives behaving like prostitutes, what monstrosity! His euphemistic description using the dress custom made his words all the more impactful. As a euphemism, it would not have referred to a literal act. Due to Caecina's and Lentulus' efforts, the senate then issued a decree (*decretum/consultum*) prohibiting women from the upper classes from running a brothel or practising prostitution. The equestrian rank of the grandfather, father, or husband was sufficient to fall under that rule.²¹²

209 PIR III 490.

210 PIR III 489; PIR III 185.

211 Cf. on it, Suet. Tib. 35.2: *feminae famosae, ut ad evitandas legum poenas iure ac dignitate matronali exsolverentur, lenocinium profiteri coeperant ... easque omnes, ne quod refugium in tali fraude cuiquam esset, exilio adfecit*. [notorious women, in order to free themselves from the rights and dignity of matrons and avoid legal punishment, started to register as brothel operators ... and he punished all of them with exile, so that no one could resort to such fraud]. Suetonius is talking about Vistilia, as often generalizing a single incident.

212 Cf. also the traces of this ruling in Digest. 48.5.11.2 (Papinianus): *mulier, quae evitandae poenae adulterii gratia lenocinium fecit aut operas suas in scaenam locavit, adulterii accusari damnarique ex*

But there is still something more behind the senate's ruling. It concerns *infamia* (infamy) and citizenship. Married women of the upper class (the rule applied only to them) could not voluntarily renounce their legal status. They could not renounce their citizenship. The murky scandal thus brings to light the effects that the 'Moral Laws' of Augustus had on the private life of the upper classes. Members of the higher *ordines*, both men and women, were subject to legal restrictions on their freedom, and in some cases, citizenship felt like fetters to them. We know this because the trial of Vistilia is not the only case showing how members of the upper classes tried to evade the moral legislation. In the same year, as the SC *Larinum* shows, the senate had already had to deal with attempts by knights who wanted to renounce their rank in order to appear on stage or at gladiatorial games.²¹³ The scandal involving Vistilia probably only came to an end afterwards.²¹⁴ Both processes show what coercive means were at the emperor's disposal against the senatorial elite through the *Leges Iuliae*. However, emperors stopped short in some respects. In the end, a legal obligation for upper-class women to wear the *stola* in public cannot be deduced from Tertullian's statements. Romans were no Talibans.

The poet Lucan is the last Julio-Claudian author to mention the *stola*. His description of a wedding dress was dealt with above.²¹⁵ It recalls the various statues of Imperial women in *stola* and *subucula* and refers to the clothing of a rich bride (she is wearing a girdle with gemstones and a collier). It is thus in tune with what we hear next of the *stola*—that it was a garment of the upper class.

4.7.9 The Flavian period (69–96 CE)

The Augustan *stola* and its image were also part of the political representation in the times of the Flavian Emperors.²¹⁶ These did not make any changes as to 'Roman' dress. In contrast, it seems likely that they encouraged the use of the *stola* and the *toga*, insofar as they sought to legitimize themselves as an Italian-Roman dynasty, particularly in

senatus consulto potest [a woman who, in order to avoid being punished for adultery, has run a brothel or worked on the stage may be charged with adultery and convicted by a decision of the senate].

213 B. Levick, *The Senatus Consultum from Larinum*, JRS 73 (1983), 97–115; W. D. Lebek, *Standeswürde und Berufsverbot unter Tiberius. Das SC der Tabula Larinas*, ZPE 81 (1990), 37–96 and (1991) (n. 208), 41–70; McGinn (n. 208).

214 Lebek (n. 208) 60 n. 33; McGinn (n. 208).

215 Cf. p. 319.

216 On the *stola* in Flavian times, cf. A. Alexandridis, *The Other Side of the Coin: The Women of the Flavian Imperial Family*, in: N. Kramer/Chr. Reitz (eds.), *Tradition und Erneuerung. Mediale Strategien in der Zeit der Flavii*, Berlin 2010, 214–216.

contrast to Nero's *Graecophilia*.²¹⁷ Domitianus reinstated the *Leges Iuliae*, and 'Roman' dress emblems remained a common literary motif in Flavian authors. The poets Statius, Martial, and the author of the *Carmina Priapea* (see above) mention the *stola* and the *toga*, as does Quintilian. Again, we find the general contrast between the garb of *matrona* (*stola*) and the garb of the prostitute (*toga*) used as a literary stereotype. One literary change from this period is that the dress term *stola* is now metonymically applied to matrons of the upper classes. The garment was regarded as a status symbol of only these women, and it was usually not worn by the Roman plebs. The social dichotomy of the costume already found in Horace²¹⁸ is normal in early Flavian times. The Augustan measures had not eliminated, but even deepened the divide. Martial and Statius align the term *stola* with the terms *purpurea* (clothes with purple stripes) and *eques* (knight).²¹⁹

4.7.10 *stolam plebemque* (Plin. NH 33.41)

The most important source on the social significance of the *stola* comes from a testimony of Pliny the Elder (ca. 23–79 CE). In the pertinent section, Pliny is talking about women's exaggerated use of gold and pearls.²²⁰ He uses the term *stola* as a synonym for the upper-class woman and contrasts it with the term *plebs*:

Plin. NH 33.41

*etiamne pedibus induetur (sc. aurum) atque inter stolam plebemque hunc medium
feminarum equestrem ordinem faciet?*

But are even their legs to be dressed with gold, and shall gold create this female order of knighthood, in the middle between the *stola* and the common people?

Pliny focuses on the fashion of wearing golden anklets. He ironically asks whether they will become the new sign of women of equestrian status by distinguishing equestrian from both senatorial women (*stola*) and the common people (*plebs*). The equestrian

²¹⁷ On Greek fashion at that time, cf. also Tac. ann. 14.21: *Graeci amictus, quis per eos dies plerique incesserant, tum exoleverunt* [the Greek clothes, in which very many people had been walking around in those days, fell out of use].

²¹⁸ Cf. above pp. 332–333.

²¹⁹ Stat. silv. 1.2.235: *hinc eques, hinc ... stola* [on this side knights ... on that side *stolae*]; Mart. 10.5.1: *stolaeve purpureave contemptor* [who despises *stola* and purple]; the word is similarly used in Ioseph. Ant. Iud. 8.266; cf. in general Scholz (1992) 16; A. Starbatty, *Aussehen ist Ansichtssache. Kleidung in der Kommunikation der römischen Antike*, München 2010, 140–141.

²²⁰ Cf. also Quint. 11.1.3: *ut monilibus et margaritis ac veste longa, quae sunt ornamenta feminarum, deformentur viri* [so that men are disfigured through chains and pearls and the *vestis longa*, which belong to the outfit of women].

fashion Pliny is mocking is imitated by Fortunata.²²¹ Pliny has in mind the usual dichotomy between upper classes and common Roman citizens. His ‘concept’ of female fashion is modelled after male fashion. He equates the golden anklet with the golden ring (*anulus*) worn by male knights as an indication of their status. As to distinguishing the two upper classes by dress, Pliny probably had male fashion in mind, too: Since Augustan times, senators and knights were distinguished by the breadth of their purple stripes on the *tunica*.

It should be stressed, however, that the dichotomy between *stola* and common people we find in Pliny and the poets is a social dichotomy and not a legal one. The *stola* was by no means a legal privilege for the Roman *matronae* of the upper classes, but could, in theory, be worn by all wives.

4.7.11 The clothing of Germanic women – imitating Roman upper-class dress (2)

That the *stola* was worn by upper-class women to indicate their status is also shown by an interesting passage in Tacitus’ *Germania*. It is about Germanic clothing. Usually, this book talks about the garments Romans adopted from other dress cultures. This time, however, the influence may have been exerted in the opposite direction, the Germanic tribes taking up Roman dress customs. Tacitus turns to the garb of the elite after a short remark on the primitive clothing of the common Germanic people. First, he speaks about male clothing. Then he goes on to describe the garb of rich Germanic women. If Tacitus’ description relies on autopsy (and there is no reason why it should not), he probably saw these women in the frontier zone near the Rhine. The relevant passage runs as follows:

Tac. Germ. 17.2

nec alius feminis quam viris habitus, nisi quod feminae saepius lineis amictibus velantur eosque purpura variant, partemque vestitus superioris in manicas non extendunt, nudaë brachia et lacertos, sed et proxima pars pectoris patet.

The women wear the same garments as the men, except that the women more often dress in linen clothes and decorate them with purple. They do not extend the upper part of their dress to form sleeves. Their forearms and upper arms are naked; in fact, even the adjacent part of the breast is visible.

The translation is difficult. We have already seen how epic style forced Lucan to avoid regular dress terms. The same holds true for historiography, which comes close to epic in the form of prose—at least as written by Tacitus. Tacitus shuns everyday words at all costs (which makes writing a bit difficult when it comes to describing everyday articles, like dress). Nevertheless, when we look at the content, Tacitus could be referring to

²²¹ Cf. above p. 311 and B 1 pp. 268–272.

something like a Germanic kind of *stola*. Difficulties already start with the word *amictus*. Some scholars think that Tacitus first speaks of cloaks (*amictus*) and then moves on to another garment. The word *amictus*, if taken in its precise sense, could indeed point to cloaks (*amicire* means to ‘wrap around’). However, in Tacitus’ artificial and high-flown language, it can refer to any item of dress. In Lucan, the word designates a *stola* (see below), and it might do so here. The following then all relates to the *stola*. Tacitus’ change from plural to singular in *partem vestitus* is caused by the change of focus. Otherwise, Tacitus would have likely introduced the second garment more clearly. The description of the garment also fits with the hypothesis that he is referring to a kind of *stola*. The ‘poetical’ expression *partem vestitus superioris* (= *partem superiorem vestitus*) describes its upper part. The garment does not have sleeves of any kind so that the side of the chest under the armpits is visible.²²² It thus looks very similar to a *peplos*. It has also purple ornaments. Tacitus’ mode of expression (*purpura variant*) is again very general. The word ‘hem, border’ would be stylistically too low for historiography. It is therefore likely that we are dealing with a female garment with a purple border (just like the Roman *stola*). If this hypothesis is correct, the Germanic upper-class women are wearing an attire that mimics the dress of Roman equestrian or senatorial women. Roman elite culture had a significant influence on Germanic elite culture. This phenomenon is also seen in other fields.

4.7.12 Hadrian – the end of a ‘Roman’ dress symbol

The attitude of the Flavian era towards ‘Roman dress’ continued well into the time of Trajan. It pervades the works of Pliny the Younger, Tacitus, and Suetonius, although all of them mention the *stola* only in describing historical incidents. After this, there is no more evidence on the *stola* until Tertullian tells us that it was not worn anymore in his own times.²²³ We now have to ask when fashion and symbol came to an end. When did the *stola* actually disappear? We should look to elite culture and to the imperial court as the driving forces in setting the tone in fashion. The fact that both literary and archaeological evidence on the *stola* lags in the time of Hadrian (117–138 CE) suggests that it fell out of use during that period.²²⁴ The decline of the *stola* under this emperor is hardly surprising. The Augustan *stola* was a decidedly *Roman* dress code and a decidedly *Roman* symbol. But Hadrian came from Spain. He had little connection with ancient Roman dress customs. The monuments show that his ideas of imperial representation and of a common culture unifying the empire were different. He found his inspiration in the Greek culture of the East, which he encountered over the course of his extensive travels. The *stola* finally had no place in public life anymore, not even

²²² See also C 1 p. 246.

²²³ Cf. above p. 337.

²²⁴ Alexandridis (2004) 54 against Scholz (1992) 81; cf. also Archaeological Evidence p. 686.

in visual depictions. Hence it disappeared without much further ado. It was out of fashion, this time for ever. Augustus had only protracted its death for more than a century. In the Severan period, the intellectual (but not sartorial) concept of a *femina stolata* was revived.²²⁵ It was a purely honorary title designating women of equestrian rank. The *stola* was no longer depicted on monuments. By this time, it had long ago begun to be part of history. Much like our modern relationship with the *stola*, it became a garment of the ‘good’ ancient Roman past, a garment people read about in texts and saw on old monuments.

4.8 Conclusion – *stola* and *toga*

This concludes the complex history of the *stola*. It corresponds in large parts to that of the male *toga* (which has been kept in the background as to not overshadow its female counterpart). However, since we have more direct information on the *toga*, it might be useful to take a final look at this garment to stress the parallels. There are two famous literary ‘milestones’ on the usage of the *toga* in Imperial times. In his *Life of Augustus*, Suetonius tells us that already Augustus had to enforce wearing the *toga* in public assemblies:

Suet. Aug. 40.5

etiam habitum vestitumque pristinum reducere studuit, ac visa quondam pro contione pullatorum turba indignabundus et clamitans: ‘en Romanos, rerum dominos, gentemque togatam!’ negotium aedilibus dedit, ne quem posthac paterentur in foro circove nisi positis lacernis togatum consistere.

He also devoted himself to reviving ancient fashion and clothing. Once, when he saw many people wearing dark clothes in the public assembly, he became furious and cried out: ‘Behold them Romans, lords of the world, the nation clad in the *toga*!’ He then ordered the aediles to never again let anyone appear in the forum or the circus except in the *toga* and without cloak.

Augustus’ efforts show that the *toga* was already out of fashion among the common citizens in his times. All Roman citizens were allowed to wear the *toga*, but only few were actually wearing it. Augustus acted against current fashion trends by allowing admission to public assemblies only to those dressed in a *toga*, thus politicizing a ‘Roman’ dress costume.²²⁶ His method was quite effective in Rome, where the *toga* was later worn by rich aristocratic *patroni* and their *clientes* when making visits. However, the *toga* did not gain much sympathy from the common Roman citizens. At the beginning of the second century, Juvenal tells us about a deplorable lack of dress discipline in

²²⁵ B. Holtheide, *Matrona stolata – femina stolata*, ZPE 38 (1980), 127–134.

²²⁶ The expression *in foro* does not designate the place (McGinn (1998) 154; Alexandridis (2004) 52), but in metonymy refers to the assembly of the people.

Roman Italy. Not even magistrates wore the *toga* while sitting in theatre. In summary, Juvenal says:

Iuven. 3.171–172

*pars magna Italiae est, si verum admittimus, in qua
nemo togam sumit nisi mortuus.*

To tell the truth, there is a large part of Italy where only a dead man dresses in the *toga*.

Juvenal is probably exaggerating a bit in order to bring out more clearly that the *toga* was still worn in Rome. However, his words show that there was strong trend to forgo the *toga* even before Tertullian ‘officially’ renounced it (an out-of-fashion garment) in his treatise *De pallio* at the end of the second century CE.

It is likely that the history of the *stola* was even more complex than that of the *toga*. Unfortunately, we have far fewer sources on it. While the *toga* was worn by a relatively large group of men, the women wearing the Augustan *stola* in everyday life were few from the beginning. The *stola* was perhaps worn only on festive occasions and only by wives of the (small) elite wanting to dress in a traditional Roman manner. In contrast to the *toga*, there were no regular public situations when wearing the *stola* might have been enforced. It had no firm place and no political function. In fact, the only means to augment its attractiveness was to make it a privilege. Augustus did all he could by attaching *sacrosanctitas* to it, for which Livia was a visual example. However, the trial of Vistilia showed that despite all political and legislative efforts Roman upper-class women did not necessarily care for the hollow privileges of *stola* and public *pudicitia*. By the end of the first century CE, the *stola* was worn by only a very small number of individuals. It had become more of a pictorial symbol than an actual garb. In contrast to the *toga*, the life of the *stola* came to an end because emperors did not even use the pictorial symbol any more.

The history of the *stola* and the *toga* are also a tale about the mechanisms of cultural evolution and the power (or rather the limited power) of politics. It shows how society and politics are interrelated and yet simultaneously form separate realms. Policy can decree a dress norm, but this will not last if it is against current cultural trends. It can only block cultural evolution for a time. In this sense, Augustus only protracted the life of Roman *stola* and *toga*, but he did not prevent them from falling out of use. He was, however, successful in one respect: The *stola* and the *toga* were forever inscribed in European cultural memory as the quintessential tokens of ‘Romanness.’