

NOTES ON LIVY 6 - 10

S.P. Oakley has recently published (Oxford 1997-98) two volumes of a monumental 3-volume commentary on these books in which textual (as well as all other relevant) questions are exhaustively discussed. I have profited from Dr Oakley's observations on the notes which follow, and have been privileged to see a draft of the textual notes which will be published in his third volume.*

6.1.2 *paruae et rarae per eadem tempora litterae fuere.*

The dearth of written records for the early history of Rome.

I have nothing to say on the disputed question of *paruae et*. My concern is only with *eadem*, which in my view should clearly be *ea*. Scribes readily confuse forms of *is* and *idem* (I have noticed 5 instances in Books 36 - 37); at 45.18.5 *idem* for *id* in the Vindobonensis shows that the confusion goes back at least to the 5th century. In our passage it would be easy to see *pereadem* in *pereatem* (similarly at Val. Max. 9.3.6 *eo tempore* has become *eodem tempore* in the tradition); and *ea* derives support from 7.3.6 *rarae per ea tempora litterae erant*.

6.1.11 *tum de diebus religiosis agitari coeptum, diemque a. d. XV Kal. Sextiles, duplici clade insignem, quo die ad Cremeram Fabii caesi, quo deinde ad Alliam cum exitio urbis foede pugnatum, a posteriore clade Alliensem appellarunt insignemque rei nullius publice priuatimque agendaefecerunt.*

A much-discussed passage. "It is clear that *insignemque* is corrupt, and it seems to have come into the text from earlier in the sentence", says Oakley, who sets out the suggested replacements without mentioning what I think is the right one (which lies neglected in the apparatus of the OCT), Walters's *diemque*. It is quite common for a scribe who has to repeat one of two words which he has just written (here *diem* and *insignem*) to repeat the wrong one. For *dies* with a dependent gerund(ive) expression in the genitive see some of the passages listed in *ThLL* 5.1.1059.30ff., e.g. Liv. 22.25.16 *rogationis ferendae dies*. For repetition of words in Livy see my note on 7.2.3 below.

* Other editions referred to are: W.-M. = W. Weissenborn and H.J. Müller (Berlin: Books 6 - 8, ed. 6, 1924; Books 9 - 10, ed. 5, 1890); W.B. Anderson (Book 9, Cambridge 1909); C.F. Walters (OCT 1919); B.O. Foster (Loeb ed. 1924 - 26); J. Bayet (Budé ed., Book 6, 1966). I give page-references to J.N. Madvig, *Emendationes Livianae*, ed. 2, Hauniae 1877).

6.11.3f. *qui* (sc. *M. Manlius Capitolinus*) *nimius animi cum alios principes sperneret, uni inuideret eximio simul honoribus atque uirtutibus, M. Furio* (sc. *Camillo*), *aegre ferebat solum eum in magistratibus, solum apud exercitus esse; tantum iam eminere ut isdem auspiciis creatos non pro collegis sed pro ministris habeat.*

Solum esse is taken by W.-M. as rhetorical exaggeration, explained and limited by what follows, but Madvig (pp.155f.) was justified in objecting that even if one exaggerates one cannot plausibly call a man the "only" magistrate when he has three colleagues [in § 1 above Livy gives him five colleagues]; he therefore proposed to delete *esse* and construe *solum apud exercitus* with what follows. This solution, however, can be ruled out because "Manlius would then rather perversely imply that others should be allowed this pre-eminence" (Oakley). There is a more satisfactory remedy, change *esse* to *posse*; the same corruption has occurred in the paradosis of Sen. *Epp.* 90.4, and at Cic. *Dom.* 129 I have proposed *senatus ne quid posset* for *esset* ("Sileno" 22, 1996, 378).

6.14.11 *ad hoc domi contionantis in modum sermones pleni criminum in patres; inter quos cum omisso discrimine uera an uana iaceret, thesauros Gallici auri occultari a patribus iecit.*

M. Manlius alleges that Gallic gold had been embezzled by the patricians.

It has long been realized that *cum* is just an embarrassment, and it has usually been deleted. There is a better solution: change it to *iam*, marking another stage in the rebel's progress; cf. 6.15.8 *iam omisso bello*, 27.48.2 *iam omisso itinere*.

6.14.13 *itaque exsequebantur quaerendo ubi tantae rei furtum occultaretur, differentique et tempore suo se indicaturum dicenti ceteris omissis eo uersae erant omnium curae.*

M. Manlius comes under pressure to reveal the whereabouts of the Gallic gold.

"If ablatives, the participles must stand in the absolute construction, in which case the ending in *-i* is a solecism", says Oakley, who therefore adopts the minor variants *differente* and *tacente*. This, however, not only involves a double change of the paradosis but results in *que* being tacked on to a word ending in a short *e*; moreover these ablatives absolute do not go at all well with the pluperfect *uersae erant*. On the other hand, if the participles are datives they have no construction. The simplest solution may be to insert a verb which will give them a construction; I suggest *ceteris* (neuter) *omissis* <*instabant*>: *eo e. q. s.*; then *instabant* (a verb of which Livy is very fond) will pick up *exsequebantur quaerendo*.

6.38.13 *et quod usque ad memoriam nostram tribuniciis consularibusque certatum uiribus est, dictaturae semper altius fastigium fuit.*

This is the last in a series of causal clauses, and the problem is to subordinate the first part of it to the second. Conjectures are *quod* <*dum*>, *quod* <*quicquid*>, <*quoties*> or <*ubi*> *tribuniciis*. The simplest and most probable solution, I think, would be <*cum*> *certatum*. Livy is fond of postponing *cum* in its clause.

6.41.2 *est aliquis qui se inspici aestimari fastidiat, qui certos sibi uni honores inter dimicantes competitores aequum censeat esse, qui se arbitrio uestro eximat, qui uestra necessaria suffragia pro uoluntariis et serua pro liberis faciat?*

From the speech of Appius Claudius Crassus opposing the Licinio-Sextian rogations.

No one has made satisfactory sense of this passage as a statement; hence Oakley, following Bayet, makes it a question: "Appius asks indignantly and incredulously whether there is really anyone who thinks he ought to be elected without a vote". But the answer to this question is surely in the affirmative: if no one else, there are the two tribunes Licinius and Sextius, who are proposing the *rogationes*; this is precisely what they, according to Appius, are doing. I would read *est aliquis* <*ciuilis*> *qui* e. q. s. Appius takes up the point which he made in the previous chapter (40.15), that both the language used by the two tribunes and their *rogationes* are *minime ciuiles*. *Ciuilis* can be used not only of actions, attitudes, etc., but also of persons (*ThLL* 3.1217.79ff.); "a politician might be termed *ciuilis* if he behaved in such a way as to suit the interests of the majority of the citizen body and did not assume power incompatible with democratic government" (Oakley's note on 40.15). The omission of *ciuilis* would be due to homoeoteleuton.

7.2.3f. *ludi quoque scenici, noua res bellicoso populo (nam circi modo spectaculum fuerat), inter alia caelestis irae placamina instituti dicuntur; ceterum parua quoque, ut ferme principia omnia, et ea ipsa peregrina res fuit.*

Quoque (after *parua*) is usually taken to link *parua* with *noua* (in effect, *et noua et parua*), but I think that Madvig (pp.166f.) was right in objecting that "nouitati tamquam singulare aliquid exiguitas superponi nequit"; he tentatively proposed *parua* <*ea*> *quoque* (sc. *principia*), "these beginnings, like most beginnings", where the plural *ea* is awkward, especially when followed by the feminine singular *ea* (which would probably have to be deleted). I suggest that *quoque* might be replaced by *modo*, "only", this being another passage in which a scribe, having to repeat one of two words (*quoque* and

modo) which he has just written, has repeated the wrong one (see my note on 6.1.11 above); alternatively *quoque* and *modo* may have been confused because of the similarity of their abbreviations (see Housman, *Classical Papers* 514, and add Ov. *Met.* 1.361). For the repetition of the same word in the same sense in close proximity see Oakley's Appendix 6 to his Vol. I (pp. 725ff.).

7.2.10 *inde ad manum cantari histrionibus coeptum deuerbiaque tantum ipsorum uoci relictæ.*

Oakley sets out clearly the difficulties of this famous sentence and the various solutions which have been proposed, none of which he finds convincing. The main difficulty lies in the construction and interpretation of *histrionibus*, but for that (I think) an acceptable solution can be found: read *histrionibus* <*tacentibus*>: "thereafter the singing began to be done (*cantari* passive impersonal) to the accompaniment of gestures, the actors being silent, and only the spoken parts were left for their own delivery".

7.14.1 *dictator, quamquam rem bonam exemplo haud probabili actam cernebat, censebat tamen facturum quod milites uellent * se recepit Tulliumque secreto quaenam haec res sit aut quo acta more percontatur.*

The dictator Sulpicius Peticus yields to the wishes of his soldiers, which have been conveyed to him by a chief centurion Tullius.

The text given above, which seems to be the paradosis, needs two changes to restore sense: (a) for *facturum* read *faciendum*; (b) after *uellent* there must be a lacuna in which stood (I suggest) something like *itaque in praetorium*; Sulpicius retires to his private quarters to question Tullius, just as at 27.19.11 Scipio retires to his private quarters to question a prisoner (*cum se in praetorium recepisset, uocatum eum interrogat*).

7.32.10f. ... *intueri cuius ductu auspicioque ineunda pugna sit, utrum qui, audiendus dumtaxat, magnificus adhortator sit, uerbis tantum ferox, operum militarium expers, an qui et ipse tela tractare... sciat.*

With this, the usual, punctuation the relationship between *audiendus dumtaxat* and *magnificus adhortator* is not satisfactory. Foster translates "whether he were one who only merited a hearing as a brilliant orator". This suggests that we should read *audiendus dumtaxat* <*ut*> *magnificus adhortator* (*ut* omitted after *-at*).

8.23.1f. *ab utroque consule exigua spem pacis cum Samnitibus esse certior fit senatus: Publius duo milia Nolanorum militum... recepta Palaepoli miserat [Romae] compertum; Cornelius dilectum indictum a magistratibus e. q. s.*

So I would read. Much ado has been made about *miserat* without an object, and both it and *compertum* have been deleted or changed, but *compertum* (sc. *esse*) is the object of *miserat*: "Publilius had sent word that his intelligence was that...". But *Romae* must go, whether it was intended to elucidate *compertum* ("found out at Rome") or whether it conceals *Romam*, a gloss on *miserat*.

8.25.6 *uelut capti a suismet ipsis praesidiis indigna iam liberis quoque ac coniugibus... patiebantur*.

The inhabitants of Palaepolis, besieged by the Romans, are maltreated by the contingents of Samnites and Nolans who had come to help them.

Since it gives the wrong sense to construe *liberis* and *coniugibus* with *indigna*, a preposition must be provided to govern these ablatives. Some have changed *iam* to *in*, others inserted *in* after *iam*. But *in* is not the preposition which is wanted; *cum* gives better sense, and could easily have been omitted after *iam*.

9.5.6f. *redintegrait luctum in castris consulum aduentus, ut uix ab iis abstererent manus quorum temeritate in eum locum deducti essent... ; illis non ducem locorum, non exploratorem fuisse; beluarum modo caecos in foueam missos*.

The Roman soldiers trapped in the Caudine Forks blame their commanders for their predicament.

The manuscripts are divided between *lapsos* and *missos* (for such doublets see Oakley 1, 316ff.). With *lapsos* the subject is *illos*, supplied from the preceding *illis*, i.e. the consuls, who had fallen like wild beasts into the pit prepared for them. With *missos*, on the other hand, *illos* is not a satisfactory subject: no one had launched the consuls into a pit; it was the speakers, the common soldiers, who had been so launched by their commanders. All is well if we read *fuisse*; <se> *beluarum*, the omission being due to haplography; this gives an appropriate contrast between *illis* and *se*, and I have no doubt that it is the preferable alternative.

9.16.13 (of L. Papirius Cursor) *praecipua pedum pernicitas inerat, quae cognomen etiam dedit, uictoremque cursu omnium aetatis suae fuisse ferunt [et] seu uirium ui seu exercitatione multa*.

Virium ui is not a credible expression. In its support Walters adduces *uirium robur* at 23.26.11 and 33.4.4; he could have added 29.1.2 *iuuenes florentes aetate et uirium robore insignes*, which suggests that in our passage also, where we want a phrase denoting a natural endowment of physical strength, we might read *uirium robore*; the substitution of *ui* for its synonym

robore, especially immediately after *uirium*, would be a common phenomenon.

9.46.13 *ex eo tempore in duas partes discessit ciuitas: aliud integer populus, fautor et cultor bonorum, aliud forensis factio tenebat.*

Tenebat is the reading of all manuscripts except F (9th century), which has *tenebat*. In support of *tenebat* Walters explains *aliud* as meaning *aliud in re publica propositum uel principium*, but it seems difficult to understand all that from the context. Modern editors generally adopt *tenebat*, with which Anderson construes *aliud* as an 'internal' accusative: "kept straining one way,... another way". I should prefer <in>*tenebat*, ('aimed at') as at 3.11.2 *manu obtinendum erat quod intenderes*; cf. OLD 11d, ThLL 7.1.2116.84ff. Verbs compounded with *in* are often interchanged with the corresponding simple verbs; e.g. *tendat* and *contendat* are variants at Vit. 4.7.

10.1.4f. ... *nuntiabatur ex spelunca quadam excursiones armatorum in agros fieri. in eam speluncam penetratum cum signis est et ex eo loco obscuro multa uulnera accepta maximeque lapidum ictu.*

Madvig (p. 221) points out that, while *eam* is a natural use of the demonstrative pronoun, *eo* with the addition of an adjective describing the cave is "prauissimum"; he therefore deleted it either as a dittography of *ex* or as an erroneous repetition of *eam*. He has generally been followed by later editors, except that Walters, after one 11th-century manuscript, reads *ex ea, loco obscuro*, a very unconvincing apposition, in which, moreover, local *ex* is objectionable because the Roman soldiers carrying their standards were not outside the cave being attacked from within but were themselves inside. I suggest *ex eius loci obscuro*, where *ex* is causal, "in consequence of the darkness in the place". Substantival *obscurum* occurs at 41.2.6 *conkursatio in obscuro incidentium aliorum in alios*; examples in other authors are listed in ThLL 9.2.169.12ff. The corruption of *eius loci* to *eo loco* would be due to the preceding *ex*.

10.5.8. *itaque, ut prope serum auxilium iam paene circumuentis, ita uniuerſa requies data est.*

Well might W.-M. comment on the unusual *uniuerſa*, which Foster translates as if it were *uniuersis* ("they were now all given a respite"). I think that there is a small lacuna, like *uniuerſa <re mutata>* or *uniuerſa <pugna inclinata>*; Livy has *uniuerſa pugna* at 23.16.5 and 27.12.9.

10.46.5f. *omne aes argentumque in aerarium conditum, militibus nihil datum ex praeda est; auctaque ea inuidia est ad plebem quod tributum etiam in sti-*

pendium militum conlatum est, cum, si sprete gloria fuisset captivae pecuniae in aerarium inlatae, et militi tum dari ex praeda et stipendium militare praestari potuisset.

The simplest solution for *tum* is to delete it as a dittography of the last syllable of *militi* (it is already omitted in some later manuscripts). But Madvig (pp. 239ff.) objects that *dari* must have a subject expressed; he therefore changed *tum* to *donum* (others have conjectured <*aliquan*>*tum*). However, I think it may be possible from the preceding *militibus nihil datum ex praeda est* to supply *aliquid* as a subject for *dari*. To supply a positive from a preceding negative is a recognized and quite common phenomenon; see Hofmann-Szantyr 825.

Aberdeen, Scotland

W. S. WATT