NOTES ON LIVY, BOOKS 1–5

The most recent edition of these books is that of R. M. Ogilvie (Oxford, 1974), which should be read in conjunction with his Commentary on these books (Oxford, 1965). The other modern edition to which I have referred is that of W. Weissenborn and H. J. Müller (Berlin, 1894–1908) = W.-M.

1.5.7 Romulus non cum globo iuuenum ... sed aliis alio itinere iussis certo tempore ad
regiam uenire pastoribus *ad* regem impetum facit.

Romulus attacks king Amulius.

This instance of *ad*, instead of *in*, with *impetum facere.*is unique in Livy and perhaps in Latin (cf. *TLL* 1.483.69). There is a similar isolated use of *ad* with *incursu* at 35.26.8, and an editor would therefore hesitate before changing *ad* to *in* in our passage. Nevertheless it is quite possible that the *ad* before *regem* is an erroneous repetition of the preceding *ad* before *regiam*.

1.14.9 ita multiplici terrore perculsi Fidenates, prius paene quam Romulus quique
†cum eo uisi erant† circumagerent frenis equos, terga uertunt.

Romulus draws the men of Fidenae into an ambush by tricking them into pursuing his cavalry in pretended flight.

There is much confusion in the manuscripts over the obelized passage; in the various readings which they offer Ogilvie sees a doublet, *cum eo uisi erant* and *cum equis ierant*. He himself reads his own conjecture *cum eo uiri erant*, but *uiri* is intolerably otiose. Of the other conjectures listed by W.-M. and by Ogilvie, the two which seem most worthy of consideration are *cum eo equites erant* (an old conjecture) and *auehi cum eo uisi erant* (Walters, *CQ* 4 [1910], 269). To the latter Ogilvie objects that the Romans had not merely seemed to ride away from the walls of Fidenae but had in fact ridden away. Perhaps that is what Livy said, i.e. *cum eo auecti erant*. Walters points out that *auehi* is the regular word for 'riding rapidly away'; so at 9.13.13 and 27.11; 27.16.3; 34.20.8.

1.29.3 silentium triste ac tacita maestitia ita defixit omnium animos ut prae metu
obliti quid relinquerent, quid secum ferrent deficiente consilio rogitantesque
alii alios, nunc in liminibus starent, nunc errabundi domos suas ultimum illud
uisuri peruagarentur.

The reaction of the Albans to the imminent destruction of their city and their enforced removal to Rome.

Madvig pointed out that the indirect deliberative questions *quid relinquerent, quid secum ferrent* cannot be dependent on *obliti* but must be construed with *deficiente consilio*; he therefore deleted *obliti*. D. R. Shackleton Bailey (*RFIC* 114 [1986], 320) would delete *prae metu* as well, on the ground that the Albans were shocked or stunned rather than frightened; but fear is surely a very natural feeling under the circumstances. And *obliti* also can be retained if it is supplied with an appropriate object, e.g. ⟨*omnium rerum*⟩ *obliti* (with this insertion the reason for the omission is obvious); perhaps it would be sufficient to insert *omnia*, since Livy once elsewhere (22.58.8) uses a neuter accusative with this participle (cf. Kühner-Stegmann i.471). The Albans were in a daze.

1.42.5 tum classes centuriasque et hunc ordinem ex censu discripsit [*sc.* Seruius Tullius], *uel paci decorum uel bello.*

Livy introduces his description of the Servian constitution (*hunc* = 'the following').

Well might Ogilvie remark that it is hard to be happy about the italicized phrase. He points out that 'paci decus, bello praesidium' is a Latin cliché; concinnity therefore demands an adjective with *bello* which can correspond to *decorum* with *paci*. The absence of such an adjective he explains by the fact that Latin has no adjective derived from *praesidium* as *decorum* is derived from *decus*; he therefore thinks that Livy 'could not reproduce the cliché exactly', an explanation which has been called 'as confused as the phrase itself' (F. R. D. Goodyear, *CR* 16 [1966], 61). I think it probable that an adjective has dropped out of the text, and suggest *uel ⟨utilem⟩ bello* (an excellent clausula); cf. 1.45.1 (likewise of Servius), 'formatis omnibus domi et ad belli et ad pacis usus'.

1.45.1 aucta *ciuitate* magnitudine urbis,...consilio augere imperium conatus est.

Livy has just described how Servius Tullius enlarged the city by extending the pomerium.

Ogilvie points out that in theory either *ciuitate* or *magnitudine* could be the subject of the ablative absolute: either 'the state having been enhanced by the size of the city' or 'the size of the city having been increased by the citizen-body'. However one construes, the two ablatives are certainly awkward. Dismissing the insertion of *et* after *ciuitate* as 'frigid', Ogilvie adopts the drastic solution of deleting *ciuitate*. Much better, with M. Müller, to insert *cum* before *ciuitate*: 'both the citizen-body and the physical size of the city having been increased'. Best of all, I suggest, to insert *pro* in that position: 'the physical size of the city having been increased in proportion to the citizen-body'. Then *pro ciuitate* corresponds to the *ad* phrase in the sentence (44.3) in which Livy introduces the topic of the enlargement of the city: 'ad eam multitudinem urbs quoque amplificanda uisa est.'

2.2.4 hinc primo sensim temptantium animos sermo per totam ciuitatem est *datus*.

Ogilvie points out that *sermonem dare* occurs nowhere else; he mentions two conjectures, *dilatus* and *diditus*, but prefers his own *satus*. I doubt whether that is the right word in this context: *sermonem serere*, 'engage in conversation', does not go very well with *per totam ciuitatem*; that phrase suggests that it was combined with a verb meaning 'spread'. In preference to *dilatus* and *diditus* I suggest *elatus*, which is palaeographically excellent (*el-*, like *cl-*, is liable to be mistaken for *d-*); for *efferre* = 'publish abroad' see Ogilvie's note on 1.32.3; *OLD* sense 8; *TLL* 5.2.145.22ff.

2.30.1 multis, ut erat, horrida et atrox uidebatur Appi sententia, rursus Vergini Larcique exemplo haud salubres; utique Larci *putabant sententiam*, quae totam fidem tolleret.

Livy has just detailed three proposals made in the senate for dealing with the problem of debt and credit (*fidem*).

The fact that *putabant sententiam* repeats the sense of *uidebatur sententia* is not a cogent reason either for deleting these two words or for changing *putabant*. It is much more probable that there is a small lacuna in which stood a predicate of *putabant*. Ogilvie inserts *eam esse* after *sententiam*. I should prefer to insert *perniciosam* before *putabant*, where it could easily have been omitted; cf. 6.19.3, 'perniciosis consiliis'.

2.38.4 quid ⟨eos⟩ qui nos uidere abeuntes, quid eos qui huic ignominioso agmini fuere obuii existimasse putatis nisi aliquod profecto nefas esse quo, si intersimus spectaculo, uiolaturi simus ludos piaculumque merituri, ideo nos ab *sede* piorum coetu concilioque abigi?

Attius Tullius, a prominent Volscian, addresses his countrymen who have been ejected by the Romans from the celebration of the *ludi Romani magni* in honour of Jupiter.

Ogilvie rejects *sede* on grounds both of sense (*sede piorum* ought to mean the abode of the holy in the underworld) and of language (*coetu concilioque* epexegetic of *sede*); his solution is to follow Karsten in deleting *sede*, but he does not attempt to account for its presence in the text. Livy here makes Tullius echo the protests put into the mouth of the ejected Volscians at the end of the previous chapter (37.9): 'se ut conscceleratos contaminatosque ab ludis, festis diebus, coetu quodam modo hominum *deorum*que abactos esse'. In our sentence there is nothing corresponding to *deorum*. There would be if we emended *sede* to *aede* and assumed a small lacuna after it, e.g. *ab aede ⟨dei et⟩ piorum coetu*, the *deus* in question being Jupiter.

2.58.7 si citius agi uellet agmen, tardius sedulo incedere; si adhortator operis adesset, omnes sua sponte *motam* remittere industriam.

The soldiers deliberately 'go slow' in order to spite their general Appius Claudius.

'All relaxed the effort which they had been making on their own initiative.' So the last clause is usually translated, but Ogilvie is justified in objecting (*a*) that *sua sponte* more naturally goes with *remittere* than with *motam*; (*b*) that *mouere industriam* is an unparalleled (I would add 'and unconvincing') expression. Ogilvie is therefore inclined to adopt Clericus' emendation *notam*; this he translates 'which he [the general] noticed', but that is feeble in the extreme; it would be more natural to take it as 'well-known', for which there is no support in the context. I suggest an alternative emendation which is almost equally easy palaeographically, *insitam*, the energy which comes naturally to a well-trained army; *insitus* is a word of which Livy is very fond, and at 23.14.1 he has 'insitam industriam animis [*sc.* Romanorum]'.

2.59.3 tum *expressa uis ad pugnandum*, ut uictor iam a uallo submoueretur hostis.

Appius Claudius' soldiers allow themselves to be defeated and driven back to their camp, but are then forced to fight.

'This compelled them to exert themselves and fight.' To this translation Ogilvie objects (*a*) that *uis* should be the force which compels them to fight, not the force which they exert in fighting, (*b*) that what is extorted should be the resolve to fight, not *uis*. Should *uis* be *uoluntas*? cf. 43.20.2, 'uoluntatem sibi non deesse ad bellandum cum Romanis'.

2.64.5f. primum aequo campo signis conlatis pugnatum, ingenti caede utrimque, plurimo sanguine; et Romani, quia paucitas damno sentiendo *propior* erat, gradum rettulissent ni *e.q.s.*

There were heavy casualties on both sides, and the Romans, being outnumbered, felt their losses more quickly. But *propior* is not the word we want (the parallels adduced by the editors are quite different). Read *promptior*, and (for the gerundive construction) compare 25.16.12, 'gentem magis exorabilem promptioremque ueniae dandae'.

3.40.11 ceterum †neminem† maiore cura occupatis animis uerum esse praeiudicium
rei tantae fieri.

> neminem *M'Δ*: nemini se *M*   fieri *H. J. Müller*: aufferri *codd.*

The point in question is the legal validity of the second college of decemvirs (450
B.C.). A senator argues that this should not be prejudged when Rome is threatened
by external wars.

Ogilvie has a very thorough discussion of this much-disputed passage. He
tentatively proposes *nemini* ⟨*uideri pos*⟩*se maiore*: 'further, no one could think it
right that when men's minds were preoccupied with greater anxieties a matter of such
importance should be prejudged'. Much the same sense can be obtained by
substituting *minime* (construed with *uerum*) for *neminem*; the hyperbaton, especially
since it involves the placing of a negative towards the beginning of a sentence, is not
surprising in Livy (cf. L. Kühnast, *Die Hauptpunkte der livianischen Syntax* [Berlin,
1872], p. 316). At Cicero, *Att.* 7.3.8, the latest editors read *minime* for *nemo.*

3.72.3f. hoc legatos referre domum, hoc uolgari, hoc socios audire, hoc hostes ... ;
Scaptione hoc ... adsignaturos putarent finitimos populos? clarum *hoc* fore
imagine Scaptium, sed populum Romanum quadruplatoris et interceptoris
litis alienae personam laturum.

> sed *Alschefski*: esse *codd.*

It has been usual to emend *hoc* (before *fore*) to *hac* (construed with *imagine*), 'Scaptius
will be famous by this memorial' (Ogilvie), but (*a*) *hoc* is supported by the five
previous occurrences of that word, (*b*) *hac imagine*, in the sense of *hoc imaginis titulo*,
is perhaps possible but certainly surprising; cf. 4.16.4, 'falsum imaginis titulum';
10.7.11, 'cuius ⟨in⟩ imaginis titulo'. In the latter passage *in* has been omitted before
imag-. The same may have happened in ours, i.e. one might suggest *clarum hoc fore*
⟨*in*⟩ *imagine Scaptii.*

4.24.2 itaque cum renuntiatum a mercatoribus esset negata Veientibus auxilia
iussosque suo consilio bellum initum suis uiribus exsequi nec aduersarum
rerum quaerere socios cum quibus spem integram †communicati non sint, tum
dictator *e.q.s.*

The other Etruscan cities refuse to help Veii to make war on Rome.

Since there is no deponent verb *communicor* some change is essential. Most editors
adopt either Jac. Gronovius' *communicari non sirint* or H. J. Müller's *communicare
noluerint.* Against the former is the fact that *siris, sirit, sirint* are found only in
formulaic expressions like *ne istuc Iuppiter sirit, ne di sirint* (cf. Neue-Wagener,
Formenlehre iii.455, 458, 459); the latter gives good sense but is palaeographically
remote. I think that a lacuna is more probable, and suggest *communic*⟨*are dign*⟩*ati
non sint*; it is true that Livy does not elsewhere use *dignor*, but it fits this context well.

4.37.9 clamor indicium primum fuit qua res inclinatura esset: excitatior crebriorque
ab hoste sublatus; ab Romanis dissonus, impar, segnius *saepe* iteratus [incerto
clamore] prodidit pauorem animorum.

> incerto clamore *del. Gruter*

A demoralized Roman army enters into battle with the Volscians.

'Madvig and Housman felt the corruption to lie in *segnius saepe iteratus* and asked how a shout could be repeated often more sluggishly', says Ogilvie, and then proceeds to record Housman's suggestion *semper* (or *usque*) for *saepe*. But in itself *saepe iterare* is unobjectionable; cf. 1.45.2, *saepe iterando*, and the other passages listed in *TLL* 7.2.547.67ff. Here, however, the context demands *segnius*, ⟨*nec*⟩ *saepe, iteratus*; then *nec saepe* contrasts with *crebrior*, just as *segnius* contrasts with *excitatior*.

4.48.3 nec enim ferme quicquam agri, ut in urbe alieno solo posita, non armis partum erat, nec quod uenisset adsignatumue publice esset praeterquam †plebs habebat.

Practically all Rome's land had been captured in war, and land sold or assigned was held by patricians (cf. 51.5f.). That is the sense which we expect, but instead of 'was held by patricians' the transmitted text says 'was held by the plebs'. I suggest that the easiest way of solving the difficulty is to suppose that a word beginning with a *p* has fallen out before *plebs*; e.g. *praeterquam* ⟨*paulum*⟩ or ⟨*paululum*⟩.

5.3.6 sic hercule, tamquam artifices improbi, opus quaerunt *qui et* semper aegri aliquid esse in re publica uolunt, ut sit ad cuius curationem a uobis adhibeantur.

From a speech of Appius Claudius against the tribunes.

Ogilvie reviews the various attempts to emend *qui et* either by deleting one of these words or by substituting another word like *quippe*. One suggestion which has apparently not been made is to expand *qui* to *Quirites* (vocative) here as was done long ago in §2 above (at the beginning of Appius' speech), at 5.6.15, 5.18.3, and elsewhere both in Livy and in other authors.

5.5.6f. cum tantum laboris exhaustum sit et ad finem iam operis tandem peruentum, relinquendane haec censetis, ut ad aestatem rursus nouus de integro his instituendis exsudetur labor? quanto est minus ⟨laboris⟩ opera tueri facta et instare ac perseuerare defungique *cura*! breuis enim profecto res est *e.q.s.*

Appius Claudius argues that the Roman siege-works at Veii should be manned throughout the winter.

A word is clearly missing after *minus*. Both *operae* and *operis* have been inserted, but I doubt the resulting combination, which is not really required by palaeographical considerations: *laboris* might equally well have fallen out after *minus*, and the fact that *labor* occurs twice in the previous sentence seems to me to tell in its favour rather than against it.

Ogilvie is surely right in rejecting the bare *cura*. Rather than replace it, as he does, with *certamine* (not an easy change) I would add *belli* (omitted before *breuis*) after it. For *cura belli* see *TLL* 2.1843.10ff.; the phrase occurs at least 10 times in Livy.

5.48.1f. sed ante omnia obsidionis bellique mala fames utrumque exercitum urgebat, Gallos pestilentia etiam, cum loco iacente inter tumulos castra habentes, tum ab incendiis *torrido* et uaporis *pleno* cineremque, non puluerem modo, *ferente* cum quid uenti motum esset.

The difficulties facing the Gauls in their siege of the Capitol.

Nearly all commentators and translators take the three words in italics as agreeing with *loco*, and that would indeed seem at first sight to be the only possible

construction. But what then does *ferente* mean? 'aufsteigen liess', say W.-M.; 'being a-swirl with', says Ogilvie. How can the word mean anything of the kind? It must mean 'carrying', and dust and ashes are carried not by any sort of 'place' but by the wind. I therefore suggest *tum* ⟨*aere*⟩ *ab*, the ablative being causal, parallel to the causal participle *habentes*; cf. 22.43.10, 'Volturno uento, qui campis torridis siccitate nubes pulueris uehit'.

5.54.6f. quod cum ita sit, quae, malum, ratio est expertis*** alia experiri, cum iam
       ut uirtus *uestra* transire alio possit, fortuna certe loci huius transferri non
       possit? *hic* Capitolium est...; *hic* omnes propitii manentibus *uobis* di.

The conclusion of a speech of Camillus: why should anyone with experience of Rome wish the Romans to migrate to Veii?

    It is clear that an object of *expertis* which can balance *alia* is missing; *haec, illa, ista,* and *talia* have all been suggested. Of these by far the best is *haec*, which is supported not only by the following *huius* but also by the five-fold *hic* (adverb) in the next sentence. Its loss could be accounted for if we read *expertis* ⟨*haec uobis*⟩; the second person pronoun is then picked up by *uestra* and repeated by *uobis* at the end of the next sentence.

Aberdeen   W. S. WATT