

in the book as a whole,¹¹ and it is no surprise to find Horace doing both these things within the same epistle, especially when Stoicism is likely to be the favoured sect of its addressee: both teasing about Stoicism and Stoic exposition are here very much *ad hominem*, and equally effective in Horace's general enterprise in the first book of *Epistles*, that of mild philosophical protreptic directed towards his friends.¹²

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¹¹ Contrast with the humorous treatment already observed the positive presentation of Stoic views on suicide in *Ep.* 1.16.73ff.

¹² Cf. S. J. Harrison, *CQ* 38 (1988), 473–6.

LIVY AND CLODIUS LICINUS*

In 204 B.C. Pleminius, after perpetrating appalling atrocities at Locri, was sent back to Rome, and his fate is described at Livy 29.22.7–10.¹

Pleminius quique in eadem causa erant, postquam Romam est uentum, extemplo in carcerem conditi. ac primo producti ad populum ab tribunis, apud praeoccupatos Locrensiū clade animos nullum misericordiae locum habuerunt; postea cum saepius producerentur, iam senescente inuidia molliabantur irae, et ipsa deformitas Plemini memoriaque absentis Scipionis fauorem ad uolgum conciliabat. mortuus tamen prius in uinculis est quam iudicium de eo populi perficeretur. (§10) hunc Pleminium Clodius Licinus in libro tertio rerum Romanarum refert ludis uotiuīs, quos Romae Africanus iterum consul faciebat, conatum per quosdam quos pretio corruperat aliquot locis urbem incendere, ut refringendi (*Luchs*: fringendi *codd.*: effringendi *Weissenborn*)² carceris fugiendique haberet occasionem; patefacto deinde scelere relegatum (*Conway*: delegatum *codd.*) in Tullianum ex senatus consulto.

We are at once confronted with an anomaly: for nowhere else does Livy refer to the obscure Clodius Licinus. In his *editio maior* of books twenty-six to thirty August Luchs deleted the whole of §10 as an interpolation,³ and the resulting text runs smoothly and coherently from §9 to §11. But, though Luchs's arguments have won some acceptance from historians, editors of Livy have been unimpressed: Conway and Johnson dismissed the conjecture with contumely;⁴ and it has also been rejected by e.g. M. Müller, H. J. Müller, F. G. Moore,⁵ and now by Professor Walsh. Yet the arguments in favour of deletion are powerful, and a full exposition of them is needed.

I

The nature of the MS. tradition at this point bears importantly on the question, and formed a vital part of Luchs's evidence.⁶ The text of Book 29 is to be constituted from

* I am most grateful to Dr J. Briscoe, Professor M. D. Reeve, and Professor P. G. Walsh for improving an earlier draft of this article, and to Professor Reeve for pointing out to me the interest of the problem.

¹ I quote from the 1986 Leipzig Teubner Text of P. G. Walsh.

² The solution of this textual problem does not affect the argument.

³ A. Luchs, *Titi Livi Ab Urbe Condita Libri A Vicesimo Sexto Ad Tricesimum* (1879), pp. lxxvii–viii. However, in his *editio minor* of 1889 he suppressed his conjecture entirely.

⁴ In their note ad loc. in the *apparatus* to their Oxford Classical Text (1935).

⁵ Respectively (1884) in his revision of Weissenborn's Teubner Text, (1910) in his revision of Weissenborn's commentary, and in the Loeb edition (1949).

⁶ The most recent and clearest treatments are by M. D. Reeve in *RFIC* 115 (1987), 405–40 and in J. Diggle, J. B. Hall and H. D. Jocelyn (edd.), *Studies in Latin Literature and its Tradition in Honour of Charles Brink* (1989), pp. 97–112; Reeve discusses our passage at *RFIC*, p. 418 n. 2 in conjunction with the fragmentary MS. from Nancy (cited henceforth as Y).

two sources, the *codex Puteaneus*, Paris Lat. 5730 of the fifth century, and the generally more reliable 'Spirensian' tradition. The absence of 29.22.10 from Vat. Palat. 876, Lond. Harl. 2684, and the first hand of Y shows that this passage was not in the archetype of the Spirensian tradition. It is true that Paris Lat. 5690, Flor. Laurent. lxxxix inf. 1, and Luchs's R- group⁷ are sometimes useful witnesses to this tradition, and all contain the passage; but likewise all are contaminated regularly with the Puteanean tradition, and such contamination explains their text at this point.

Now the absence of our passage from the Spirensian tradition does not in itself mean that Livy could not have written it. Nevertheless, there is no obvious diplomatic explanation for such an omission, nor is there any parallel for it in books 26–30.⁸ Thus, if the other arguments for excision assembled below are convincing, they gain powerful support from the testimony of the MSS. For it is easy to argue that the passage in question was in origin a marginal gloss, written by someone with access to the work of Clodius Licinus. Thence it intruded into the text of the *codex Puteaneus* or one of its ancestors; but the ultimate source of the Spirensian tradition either was more careful or never saw such a gloss.⁹

II

Another powerful argument concerns chronology: it is highly likely that Clodius Licinus had not written his *Res Romanae* when Livy wrote book 29; and, if he had, it is surprising that Livy chose to cite a writer very much his junior.¹⁰

(a) Jerome dated Livy's birth to 59 B.C.;¹¹ Syme, following Hirst, preferred 64 B.C.¹² Many scholars have followed Syme, but in truth only the date given by Jerome for the birth of Messalla Corvinus has been impugned,¹³ and it is hardly proven that his information concerning Livy is at fault.¹⁴

(b) Book 29 cannot be dated precisely. Since Livy wrote 142 books between approximately 30 B.C. and A.D. 10, it is reasonable to argue that he wrote about three books a year, or a pentad every eighteen months.¹⁵ If, therefore, he began his work in 29 B.C. (a favoured date),¹⁶ it can hardly have been written after 18 B.C.; if,

⁷ Θ in Reeve's articles; two representatives are cited regularly as θ by Conway and Johnson.

⁸ Conversely, however, it has to be admitted that there is no parallel for such an insertion in the Puteanean tradition.

⁹ A parallel for this kind of intrusion is provided by Vell. 1.6.6, a fifty-eight word passage which begins 'Aemilius Sura de annis populi Romani', and which must in origin have been a marginal note taken from the otherwise unknown writer Aemilius Sura (cited in this context by F. Münzer, *Hermes* 47 [1912], 163 n. 1; discussion of Sura may be found at H. Peter, *Historicorum Romanorum Reliquiae*, ii [1906], pp. 161 and ccx). The deletion is made by most editors of Velleius Paterculus; but J. M. Alonso-Núñez, *Latomus* 48 (1989), 111, has persuaded himself that Velleius cited Sura as a source.

¹⁰ For the chronological argument, see e.g. H. Peter, op. cit. (n. 9), cvii, and C. Cichorius, *RE*, iv.78.

¹¹ (*Ol.* 180.2) 'Messalla Coruinus orator nascitur, et Titus Liuius Patauinus scriptor historicus'.

¹² G. M. Hirst, *CW* 19 (1926), 138–9 = *Collected Papers* (1938), pp. 12–14 and R. Syme, *HSCPh* 64 (1959), 40–1 = *Roman Papers*, i (1979), pp. 414–15.

¹³ The case is simply and forcefully put by R. Jeffries, *CQ* 35 (1985), 144.

¹⁴ Thus, rightly, T. D. Barnes, *AJPh* 102 (1981), 464.

¹⁵ One might wish to argue that he took longer than forty years over his work; but then we must allow also for periods in which he may have written little.

¹⁶ See e.g. Syme, loc. cit. (n. 12), 41 = pp. 415–16.

however, one follows Luce and others who argue that he began before the Battle of Actium in 31 B.C.,¹⁷ then it will have to be dated earlier. Helpful evidence, moreover, is provided by 28.12.12, which mentions the final conquest of Spain '*ductu auspicioque Augusti*'. This probably refers to the campaigns conducted by Augustus himself in 26 and 25 B.C., and certainly to a campaign earlier than the successes of Agrippa in 19 B.C.; at any rate it must have been written before 19 B.C.

(c) The literary achievements of Clodius Licinus¹⁸ are known only from our passage, two small citations in Nonius Marcellus (pp. 327 and 858 Lindsay), and Suet. *gramm.* 20 'C. Iulius Hyginus...fuitque familiarissimus Ouidio poetae et Clodio Licino consulari historico, qui eum admodum pauperem decessisse tradit et liberalitate sua quoad uixerit sustentatum'; but this last passage leaves little doubt that he was identical with C. Clodius C. f. C. n. Licinus, the suffect consul of A.D. 4.¹⁹ If he followed the pattern of many Romans and wrote his history in old age after his retirement from politics (and this is the date which his comments on Iulius Hyginus suggest),²⁰ then he could not have been used by Livy. Syme has argued that the consulship may have been a reward for his literary endeavours;²¹ this is perhaps possible; but it can scarcely be deemed probable with our poor evidence, especially since such an obscure work is unlikely to have been a masterpiece.

(d) Since, however, we cannot be sure that Clodius did not write before his consulate, we must establish a likely date for his birth. Syme has argued plausibly that men who were not *nobiles* were eligible for the consulship at the age of 42.²² Thus, if Clodius reached the consulate at this age, he was born in 39 B.C. (Ovid, also a friend of Hyginus, was born in 43 B.C.), and if we grant that he is unlikely to have published book 3 of his *Res Romanae* before the age of 25, then it can hardly have been written before 14 B.C. at the earliest. Now this date could be pushed earlier: Clodius might have been a youthful literary prodigy, and might have come to the consulate rather older than was customary;²³ but the difficulties confronting anyone who wishes to hold that his history was published by 18 B.C. are enormous, and no scholar familiar with the evidence has adopted this position.

There is, moreover, another factor which we must take into account: ancient historians only rarely cite their contemporaries.²⁴ Thus it is hardly likely that Livy would record the opinion of a man so much his junior – and then on only one occasion, and at that in a very minor episode in Roman history.

All these chronological considerations make it difficult to see how Livy could have

¹⁷ See e.g. T. J. Luce, 'Dating Livy's First Decade', *TAPhA* 96 (1965), 209–40 and A. J. Woodman, *Rhetoric in Classical Historiography* (1988), pp. 128–40.

¹⁸ In general on Clodius Licinus see Peter, *op. cit.* (n. 9), cvii–viii, L. Holzapfel, 'L'Opera Storica di Clodio Licino', *Rivista di Storia Antica* 1.2 (1985), 61–7, C. Cichorius, 'Clodius (35)', *RE*, iv.77–9, and R. Syme *History in Ovid* (1978), pp. 111–13.

¹⁹ For inscriptions bearing the name of Clodius Licinus, see *CIL* vi.1263 and 1264.

²⁰ For the statesman as historian, see e.g. R. Syme, *GR* 4 (1957), 160–1 = *Ten Studies in Tacitus* (1970), pp. 11–13 and E. Badian in T. A. Dorey (ed.), *Latin Historians* (1966), pp. 1–38.

²¹ Syme, *op. cit.* (n. 18), pp. 112–13.

²² R. Syme, *Tacitus* (1958), pp. 653–6.

²³ For other possible late consulates see R. Syme, *The Augustan Aristocracy* (1986), pp. 100, 363.

²⁴ In his *Roman Antiquities* Dionysius of Halicarnassus cites almost all known Latin annalists except his contemporary Livy. On this matter see further J. P. Sullivan, *Martial* (1991), pp. 125–6.

cited Clodius Licinus. Münzer²⁵ and Syme tried to circumvent them by suggesting that our passage was written by Livy for a second edition. Yet, while it may be plausible to hold that there was a second edition of the first pentad (in which the author reflected *inter alia* on the views of Augustus on Cornelius Cossus),²⁶ there is no other evidence for a second edition of any of books 21–30.²⁷ As so often, the hypothesis of a second edition turns out to be a refuge for the despairing textual critic.

III

We may turn now to the language of the passage. Conway and Johnson wrote ‘sat erit affirmare unam quamque uocem huius narrationis in eo ordinem positam esse quem Liuius se amasse sescenties demonstrat’; but this confidence is unwarranted: *pretio corruperat* is unparalleled in Livy’s work,²⁸ and *conatum* is unusual.²⁹ Above all, however, the reference to *Africanus* is very surprising:³⁰ for Livy never calls his hero P. Cornelius Scipio by this name before his triumph over Carthage, except at 21.46.8, where he has just reported the incident in which Scipio saved the life of his father: ‘hic erit iuuenis, penes quem perfecti huiusce belli laus est, Africanus ob egregiam uictoriam de Hannibale Poenisque appellatus’. This is obviously different, and therefore irrelevant.

We should grant that two expressions may be paralleled in Livy: one, hardly significant, is the use of *occasionem habere* with a gerund (cf. 22.27.7); the other is *hunc Pleminium*, which Luchs erroneously held to violate Livian idiom. For we may compare not only analogous passages at 1.46.4, 4.13.8, and 39.52.4, but also clear parallels from other places where Livy cites variant traditions: 4.16.3 ‘hunc Minucium apud quosdam auctores...’ and 30.45.5 ‘hunc regem in triumpho ductum Polybius, haudquaquam spernendus auctor, tradit’. These parallels may be held to constitute an argument in favour of retention of §10, but their force is very much weakened by the fact that this idiom is employed also by other writers.³¹

If our passage is an interpolation, it is likely to have originated in a commentary or scholion. It is therefore very pertinent to note that *hunc Pleminium* would constitute an exemplary piece of scholiastic writing; cf. e.g. Asc. p. 25.25 (Stangl) ‘L. hic Tubulus praetorius fuit...’, p. 25.31 ‘hic Crassus fuit pater Crassi eius...’, and Lact. *ad Stat. Theb.* 3.42 ‘HAEMONIDES hic est...’.³²

²⁵ Syme op. cit. (n. 18), p. 112 and Münzer, op. cit. (n. 9), 162–6.

²⁶ See especially J. Bayet, *Tite-Live Livre I* (1940), pp. xvi–xxii, Luce, art. cit. (n. 17), *passim*, and Woodman, op. cit. (n. 17), pp. 134–5; also R. M. Ogilvie, *A Commentary on Livy Books 1–5*² (1970), p. 784.

²⁷ And we have seen that the publication of the work of Clodius Licinus was hardly likely to occasion a new edition.

²⁸ The MS. reading *delegatum* is also difficult and unparalleled; but both *relegatum* (Conway, accepted by Walsh) and *deiectum* (J. N. Madvig, *Emendationes Livianae*² [1877], pp. 420–1) would remove the anomaly without undue violence.

²⁹ Livy only rarely uses this participle in the oblique cases, and *conatum* itself nowhere else; 36.19.1 is the only remotely similar passage.

³⁰ This point was noted first by A. Wodrig, *Jahrb. für Phil.* 27 (1881), 197; see also Holzapfel, op. cit. (n. 18), 62 and Cichorius, op. cit. (n. 18), 78.

³¹ Cf. e.g. Hdt. 1.34.2, Cic. *har.* 29, Sen. *suas.* 1.7, Tac. *hist.* 1.53.1, *ann.* 4.20.2, and *orig. gent. Rom.* 4.6 ‘hunc Faunum plerique eundem Siluanum a siluis, Inuum deum, quidam etiam Pana uel Pan esse dixerunt’.

³² Also e.g. Asc. pp. 26.21, 58.27, 61.20, 70.28–9, 72.14, Porph. *ad Hor. serm.* i.6.30, and schol. Berne *ad Luc.* 2.173.

IV

In his account of 194 B.C. Livy (34.44.6–8) returns to Pleminius and recounts the same story as Clodius Licinus, but without reference to book 29. Now 29.22.7–9 and 34.44.6–8 will continue to duplicate and contradict each other even if we remove 29.22.10, and such doublets and contradictions are found elsewhere in Livy's work;³³ but a telling point can still be made in favour of excision: one would have expected 34.44.6–8, like other such material relating to events at Rome, to come from one of Livy's normal annalistic sources (presumably either Claudius Quadrigarius or Valerius Antias).³⁴ If this supposition is correct, then this passage shows that when Livy came to describe the fate of Pleminius in book 29 he had no need to look beyond his usual sources of information.³⁵

Future editors would therefore be unwise to regard Livy as the author of 29.22.10.

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³³ See e.g. P. G. Walsh, *Livy: His Historical Aims and Methods* (1961), pp. 147–8.

³⁴ Briscoe *ad loc.* takes a different view: 'L. here follows the version of Clodius Licinus'; but he himself had thought it likely that the preceding passage (34.44.5) came from Antias. T. P. Wiseman, *Phoenix* 27 (1973), 195, optimistically held that Clodius Licinus was the source not just of 34.44.6–8 but also of Asc. *Corn.* pp. 55–6. We may suspect that Clodius Licinus and Livy both took their information from the annalistic tradition.

³⁵ Two further arguments of lesser force may be presented in a footnote. Luchs (*loc. cit.* [n. 3]; cf. also W. S. Teuffel, *A History of Roman Literature* [trans. W. Wagner, 1873], i.510, Holzapfel, *op. cit.* [n. 18], 62, and Cichorius, *op. cit.* [n. 18], 78) observed that the precision of the reference to Clodius Licinus is very uncharacteristic of Livy; but this cannot be used as a powerful argument for deletion in view of a parallel which he overlooked at 45.25.3: 'ipsius (sc. Catonis) oratio scripta exstat, Originum quinto libro inclusa'. Nevertheless, the case of Cato is perhaps somewhat different, since he is an author who features in Livy primarily as an historical character. Likewise the isolated reference to Clodius Licinus, though surprising, is not in itself a strong enough reason to justify excision, since there are unique references to Silenus (26.49.3) and Rutilius (39.52.1). Both these, however, were more considerable figures than Clodius Licinus.

CHASSEZ LA FEMME

Ipsa quoque et cultu est et nomine femina Virtus:
 non mirum, populo si placet illa suo.
 (nec tamen hae mentes nostra poscuntur ab arte; 25
 conueniunt cumbae uela minora meae.
 nil nisi lasciui per me discuntur amores:
 femina praecipiam quo sit amanda modo.)
 femina nec flammas nec saeuos discutit arcus;
 parcius haec uideo tela nocere uiris. 30

Ovid, *Ars amatoria* 3.23–30

Femina in line 28 has nagged me subconsciously for years. I have now belatedly realized that it sabotages the poet's prudent disclaimer: it is not women in general who are in question, but only those not ruled out of bounds by *stola* and *uittae*. The repetition of the word in the following verse, where it means, as the opposition to *uiri* indicates, 'the female sex', only serves to underline its inappropriateness here. Cristante's defence of the anaphora, that it 'ribadisce la necessità dell'insegnamento, introducendone la giustificazione' (*Ovidio, L'arte di amare*, ed. E. Pianezzola [1991], p. 352), sets up an unwanted connection: lines 25–8 are strictly parenthetical to the main argument, as indeed is signalled by the truly functional anaphora of *femina* in line 29,