

Foreign Professionals and Roman Cultural Revolutions (149–91 BCE)

by

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Dedication

Whatever good is in this dissertation I dedicate to my family. The rest I own myself.

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Abstract

The Gracchan era (149–91 BCE) has excited the interests of historians and the general public alike for its populist movements, and yet there exists no synthetic treatment of its culture. Typically, period studies have focused only on the headliners, the Gracchi brothers, whose legacies become reduced to Tiberius' land bill. While it is commonly held that Tiberius acted to relieve demographic, political, and economic pressures, existing publications have not yet appreciated the broader cultural movement in which the Gracchi played a part. For the fragmentary state of texts dating from this period has stymied our appreciation of Rome's rich interactions with the thought, technologies, and peoples of the rest of the Mediterranean.

In particular, this dissertation fixates on a group of foreign professionals who were attached by necessity, by opportunity, and by friendship to the upper classes of Roman society. As "culture workers," professionals conveyed ideas and resources from the Hellenistic world to central Italy, where they would spark a series of cultural revolutions. The arrival of this new cultural package brought staple Roman institutions under scrutiny, such as the role of democratic elements within the Roman constitution. Roman politicians at first weaponized populism against one another in the name of accountability, but eventually their rhetoric was retooled to mobilize mass political movements. Ideologically motivated violence rocked the city, which it would haunt for another century.

Chapter 1 defines the classes of professionals and patrons studied, and interrogates ancient and modern views of the Gracchan period. It rejects the brand of nativism professed by Cato the Elder, and questions the historical reception of the Gracchi. Chapter 2 describes how the

patron-professional relationship was formed in practice. It first autopsies the historical milieu, tracking a pattern of “brain drain” from the cities of the Hellenistic kingdoms to Republican Italy. The chapter argues that Rome’s administration and exploitation of the provinces brought the Roman patron class and foreign professionals into constant collision. Chapter 3 offers the theoretical underpinnings for a new method of “textual archaeology,” which is necessary to control for the selection of the literary fragments that comprise our sample of Gracchan-era literature. Foremost Chapter 3 demonstrates how the later grammarians who are responsible for preserving the overwhelming majority of Gracchan-era fragments have distorted the fabric of their source texts. Chapter 4 examines Gracchan-era literature with the philological tools developed in Chapter 3. The chapter groups various literary trends together as modes of public “translation,” a metaphor that previous scholars have fruitfully applied to Roman–Greek cultural contact in other eras. Of great importance were a broad set of critical and scientific tools imported to Rome for the first time, which among other things helped shape the newly created genre of satire into a vehicle of social critique of and by elites. Lucilian satire forms a bridge into the final chapter (5), which charts the formalization of political mechanisms to restrain abuses by Rome’s executives, e.g. a new court system specialized for the review of ex-magistrates (*quaestio de repetundis*). Eventually the Gracchi brothers logically extended clambering for political oversight to a re-affirmation of sovereignty of the Roman people over its government. Threatened by the prospect of a Greek-inspired popular uprising (*stasis*), Roman authorities reacted with brutality against the Gracchi and their followers.

Chapter 1 Introduction

The meager remains of the literature of the late-second century BCE have led to rather dismal estimations of the period's intellectual activity. Elizabeth Rawson sets Rome's intellectual *floruit* much later, as she opens her intellectual history of the late Republic with the statement: "The first great intellectual flowering at Rome came in the fifties and forties B.C."¹ By implication, the preceding intellectual culture was undeveloped or underdeveloped.² And yet others cast these same years as culturally, socially, and politically vibrant. Andrew Wallace-Hadrill previewed the animus behind his monograph *Rome's Cultural Revolution* as follows:

The crisis of the Roman Republic is a crisis of authority through which the social system is constructed. From the Gracchi onwards, and even before, we can observe the Roman ruling class setting about demolishing the authority on which its own dominance was based. I am not only thinking of the representation of the tribunates of the Gracchi and their successors as attacks on the *auctoritas senatus* (though this too is indicative). I am also thinking of the demolition of *moral* authority that results from mutual onslaughts on morality and luxury.³

Wallace-Hadrill clarifies that this "cultural revolution" is really an implosion, whereby the elite erode their moral standing through internal conflicts that expose the hypocrisies of their value system. But could this radical self-examination of society (Wallace-Hadrill) really have functioned without the serious engagement of intellectuals (Rawson)? And if the crisis of the late Republic stems from "the demolition of *moral* authority...from mutual onslaughts on morality

¹ Rawson 1985: 3.

² Cf. "decidedly immature" (Rawson 1985: 4) on the period of Cicero's youth.

³ Wallace-Hadrill 1997: 11.

and luxury,” who is more to blame for the Fall, the satirist Lucilius or the Gracchi? After all it would be odd indeed for a countercultural movement to produce no great artistic expression.

Classical scholarship has assumed otherwise simply due to the lack of full texts preserved between the careers of Terence and Lucretius. As the truism tells us, absence of evidence is not evidence of absence. The third chapter will demonstrate the reasons why we do not possess complete literary texts from the second half of the second century BCE, and why we do possess the extant “fragments”; most of these quotations of lost Republican literature are transmitted by grammarians, who were interested in lexical and morphosyntactic oddities, not content.⁴ It is hardly a representative sample, and when used without care the fragments can lead to the erroneous impression that Rome’s Cultural Revolution added no literary achievements, which in turn becomes equated with intellectual poverty altogether. What is more, historians of the period have disregarded the surviving literature: David Stockton found nothing of utility in the fragments of second-century-BCE historians collected in Hermann Peter’s *Historicorum Romanorum Reliquiae*, whereas Greenidge and Clay offer only a single line of Lucilius, a legal reference, for *Sources for Roman History: 133–70 B.C.*, though the entire Lucilian corpus, numbering over 1400 lines of social commentary of one kind or another, was at their disposal.⁵ It is no surprise that we have arrived at such a meager estimation of Gracchan-period intellectuals on these circular grounds once we limit intellectual production to literature only while holding the extant textual witnesses as worthless.

The central thesis of this dissertation is that Italy had a set of cultural revolutions over the years 149–91 BCE, that new ideas accompanied and contributed to the sociopolitical upheaval of

⁴ For the effects of such distortion in the transmission of literary fragments, see Chapter 4.

⁵ Greenidge-Clay 1960: 25; Stockton 1979: 3.

the period, and finally, that foreign professionals were principal drivers of these developments. My approach eschews narrowly defined terms such as “intellectual” history over and against “cultural” history—or what constitutes a “revolution,” for that matter—since I intend to take advantage of the slippage between these categories. In point of fact, too often we have divorced the topic of the Hellenization of the Roman elite from the mass populist movements of the Gracchan period. For all its vagueness, “cultural revolutions” fit this nexus of social changes under one and the same umbrella. We must instead probe what have become the operational parameters of investigation.⁶ Whose culture changed? Who changed it? And need the answer to these two questions be the two-word refrain, “the elite”?⁷ More inclusive terms of engagement would challenge traditional views of Roman culture as an elite-dominated one. Thomas Habinek gives the standard line that nascent Roman Republican literature was a means for aristocrats to control Greek cultural influence, which was to be “sequestered” from the general public, but “displayed” within the confines of polite society.⁸ According to this view, Roman elites were eclectics who picked *à la carte* from a menu of Greek learning, adopting material that could be reconciled with their own cultural norms and discarding that which could not: portraiture, *if done right*; stone theaters, *too much*; Stoic philosophy, *that’s more like it*. Though the Goldilocks analogy of Greco-Roman cultural contact has commended itself to many, it overlooks non-elites as agents of concrete change in the Roman world, which is equally true of the artisan class as well as the citizen members of the Gracchan political movement.

⁶ For the discussion of Hellenistic intellectual history, see esp. Stevens 2019: 7–13. Cf. Zanker 1995: 3.

⁷ Wallace-Hadrill probes, “Why assume that Roman culture is an elite culture?” (Wallace-Hadrill 2008: 12).

⁸ Habinek 1998: 60–8.

1.1 Some Working Definitions of Subjects, Scope

One of the main goals of the current study is to recenter conversation around the relationship of foreign professionals to their elite patrons. With “professionals,” I mean to draw attention to the spectrum of activities that constitute intellectual labor, as well as the common social obligations of patronage. I define “professionals” as the class of highly skilled laborers—those requiring apprenticeships, training, etc.—who produced knowledge or art primarily for the consumption of central Italian elites, upon whom they relied for their livelihood in exchange.⁹ I have intentionally combined philosophers, poets, grammarians, rhetoricians, and the other “thinkers” who would populate a traditional intellectual history (Group 1) with the painters, scribes, sculptors, high-end jewelers, and other skilled service providers who catered to elite clientele (Group 2). In part this more expansive conception of the intellectual laborer responds to the gaps in our evidence, as notices for “literate” workers (Group 1) naturally will be overrepresented in literary sources, scarce though they are. Group 2 is better attested epigraphically and in the material record itself and thus supplements the first group.

More crucially, I justify collapsing occupational boundaries because they share the same patronage model, and I argue that it was the collocation and collaboration of innovators with members of an elite starving for exotic refinements that catalyzed social change during the “Gracchan era.” For the scope of this dissertation, “professionalism” therefore will retain its normal connotation in juxtaposition to “amateurism,” because the divide between foreign professionals and elite amateurs—or better still “hobbyists”—is salient to my arguments about cultural developments. The modern sense of the professional as a trained, regular salaried

⁹ I define “foreign” in this context on p. 6.

employee is not meant, however; more correctly I might refer to my subjects as “elite-attached culture workers,” but I use “professional” for the sake of simplicity.¹⁰

Ancient precedent exists for unifying categories of intellectual laborers. Greeks and Romans both linked the written, plastic, and performative arts. Ancient authorities employed the term *technitai* in a broad sense as “artisans” or “craftspeople,” and in a way that is comparable to my use of “professionals.” When Athenaeus stages a conversation about the decline of Alexandria that took place in ca. 145 BCE, he lists émigrés from the city as “*grammatici*, philosophers, surveyors/mathematicians, musicians, painters, athletic trainers, doctors, and all sorts of other *technitai*.”¹¹ Athenaeus thus seems to use *technitai* for “skilled professionals” as I do. Its signification was broad. From the Hellenistic period onwards, actors’ guilds were known collectively as the *Technitai of Dionysus*. And though Plutarch only calls them “Greeks,” the diverse cast of teachers who surrounded Aemilius Paulus’ sons, including Scipio Aemilianus, resembles Athenaeus’ catalogue of Alexandrian *technitai*: grammarians, thinkers, rhetoricians, sculptors, painters, dog and horse trainers, and professional hunting guides.¹²

Moreover, a particularly strong strain in ancient literary criticism connected art with poetry and its study.¹³ In a much discussed papyrus that lists the head librarians at Alexandria, the preceding column collects a parallel assortment of “sculptors, statuaries, painters...and grammarians.”¹⁴ The catalogues form a series outlining the best and brightest in their respective

¹⁰ I owe the term “elite-attached culture worker” to Basil Dufallo.

¹¹ Ath. 4.184b–c; see discussion in Chapter 2.

¹² οὐ γὰρ μόνον γραμματικοὶ καὶ σοφισταὶ καὶ ῥήτορες, ἀλλὰ καὶ πλάσται καὶ ζωγράφοι καὶ πόλων καὶ σκυλάκων ἐπιστάται καὶ διδάσκαλοι θήρας Ἴλληνας ἦσαν περὶ τοὺς νεανίσκους (Plu. *Aem.* 6.5), “For not only were there grammarians and thinkers and rhetoricians around the boys, but sculptors, painters, trainers of horses and hounds, and professional hunting guides.”

¹³ The grammarian Crates likened the role of the critic to an architect (S. E. *M.* 1.79), for example.

¹⁴ *P. Oxy.* 1241 (second century CE). I quote from Grenfell and Hunt, the first editors of the papyrus. They interpret the whole piece as a “chrestomathy,” a compilation piece of mythological and historical facts.

fields. Earlier, Plato had invigorated a long conversation about the “mimetic” arts because painter and poet both threatened the moral development of his ideal citizen with imitations and fabrications (vs. the “true form”).¹⁵ In this tradition, Horace opens the *Ars Poetica* with an extended analogy between bad painters and bad poets.¹⁶ But there is also reason to believe the comparison had a practical basis, as occupational boundaries were fluid throughout antiquity, including in the second century BCE.¹⁷ The tragedian Pacuvius in fact was a painter *and* poet.¹⁸ And finally, there is the well-studied phenomenon of ecphrasis, the synesthesia of poetry and fictive art object, which appears already in Roman literature of the second century BCE.¹⁹

“Foreign” professionals were alienated twice over, firstly due to their occupation, which entailed middling or low social standing, and secondly due to their origin.²⁰ The intersection of these professional and foreign identities was most conspicuous in doctors, whose working language was Greek almost without exception.²¹ By “foreign”, I mean non-citizens who immigrated to Italy, since in this period “Roman” is a problematic designation both in political and social terms—i.e. before the Social War and the extension of citizenship to allied communities. I have settled then on peninsular Italy as the “domestic” geographical unit, combined with the economically and socially aligned cities of eastern Sicily, which by the end of the second century BCE had been under Roman jurisdiction for over a century. For the purposes

¹⁵ Pl. *R.* 10.595a–602d; cf. Arist. *Po.* 1448a, 1450a.

¹⁶ Hor. *Ars* 1–23.

¹⁷ Note for instance Suetonius’ claim that the fields of grammar and rhetoric were indistinct in the second century BCE (discussed Chapter 4).

¹⁸ Fabius Pictor, Rome’s first historian, had earned his cognomen from amateur forays in painting.

¹⁹ On ecphrasis, see Dufallo 2013, esp. 1–5.

²⁰ Bond 2016: 1–20. Cf. also Finley’s description of the Roman slave as a “deracinated outsider” (1998: 143), quoted also at Joshel 1992: 29.

²¹ Adams 2003: 356–9. Even Punic doctors felt the need to advertise themselves trilingually in Greek, as well as the Punic and Latin vernaculars (ibid. 216–7). Greek was also the preferred language of sex workers.

of my argument therefore foreign professionals are exogenous to these areas, and naturally are classed in opposition to the “central Italian elite,” the umbrella term I use for the predominant aristocratic players of Republican Rome. “Elite” here renders persons in Central Italy who were of age to enter into business arrangements and who could meet the minimum census property requirements for an equestrian, but, importantly, one should not assume that people of such status held or desired Roman citizenship.²² I expressly include Roman elite women such as Cornelia Africana who surrounded herself and her sons Tiberius and Gaius with Greek intellectuals.²³

These patrons and clients together, however asymmetric they were in political, social, and economic circumstances, fueled the Intellectual Revolution of the late second century BCE. Fortunately, Classical scholars already have developed a rich vocabulary for describing the reciprocal obligations inherent to the patron-client relationship (*clientela*).²⁴ In Ernst Badian’s classic treatment *Foreign Clientelae*, he describes this flexible arrangement of social unequals as based on *fides*, a form of “entrustment” that entailed protection:

[Roman expressions of *fides*] denote a close relationship on a moral (i.e. extra-legal) basis; the legal element may or may not be the sort of *potestas* the patron has over his freedman or the victorious general over the surrendered enemy. There is no reason...why we should expect all these different situations to produce identical results.

Romans used these informal mechanisms to bring outsiders into the fold. Indeed it is commonly remarked that “outsiders” produced most of “Roman” literature from the third century BCE to the first century CE, save the genre of historiography, which was reserved for elites from

²² One is reminded of the infamous case of Marcus Perperna, consul of 130 BCE from Etruria, who was remembered for holding a consulship before citizenship due to a legal technicality (V. Max. 3.4.5).

²³ See esp. Plu. *CG* 19.2; also Cic. *Brut.* 211; Quint. *Inst.* 1.1.6.

²⁴ Gelzer 1969 is seminal.

Rome.²⁵ Ennius, the Calabrian polymath, was “three-hearted” as ethnolinguistically Sabellian, Roman, and Greek.²⁶ So too for the rest of the diverse cast of the second century BCE: Livius Andronicus was Tarentine, Naevius was Campanian, Accius was Umbrian, and so on.

By itself Badian’s formulation of *clientela* is unsatisfactory for describing the relationship between Italian elites and foreign professionals, however, since the latter manifestly had more autonomy than “subjects.” Renaissance patronage of artists is a better approximation of this kind of *clientela* but still requires adjustment for fit. Artists in early modern Europe could occupy a range of social statuses, which should remind us that ancient professionals will have had very different legal and economic standings depending on the individual—e.g. the difference between Roscius and a silversmith. Thus Werner Gundersheimer speaks of hierarchies of patron and professional during the Renaissance:²⁷

[There is a] need to be alert to two hierarchies besides the one implicit in the patron-client relationship. These are the hierarchies among patrons considered as a social group, on the one hand, and those among artists as an occupational cadre, on the other.

Many foreign professionals in antiquity will have been worse off than their Renaissance peers, enjoying legal protections and recourses only in so far as they had elite *patroni* to vouch on their behalf. In the Renaissance artists also enjoyed the “artistic license” to alter the schemes of their patrons or even rebuff patrons for whom they did not wish to work.²⁸ Though ancient professionals stood on less stable legal footing than their Renaissance counterparts, they too exercised sway over their patrons as gatekeepers and modulators of culture, especially of Hellenic culture. Whereas Renaissance patrons sometimes depended on learned intermediaries to

²⁵ For modern discussions, see e.g. Feeney 2016: 66–7.

²⁶ Gel. 17.17.1.

²⁷ Gundersheimer 1981: 16.

²⁸ Janson 1981.

tell their painters which scenes from recondite Greco-Roman myths would reward the patrons with the most intellectual cachet, ancient professionals routinely served as teachers to Italian elite households.²⁹ The ancient artisans themselves were the culture-brokers and with that came power.³⁰

1.2 Counterpoints: Cato, the Expulsions

There are two apparent pieces of counterevidence that militate against the Intellectual Revolution I have proposed, and consequently deserve immediate attention: 1) the reported position of Cato the Elder against foreign professionals, and 2) records of the expulsions of foreigners, including professionals, which date to the Gracchan period. We can dispatch with both in short order, since neither objection implies widespread persecution of intellectuals or foreigners.

Cato's testimony, as we possess it, is hypocritical and patently the product of his moralizing agenda. Pliny the Elder recounts how Cato had inculcated his son with a suspicion of foreign professionals, doctors above all:

dicam de istis Graecis suo loco, M. fili, quid Athenis exquisitum habeam et quod bonum sit illorum litteras inspicere, non perdiscere uincam. nequissimum et indocile genus illorum, et hoc puta uatem dixisse: quandoque ista gens suas litteras dabit, omnia conrumpet, tum etiam magis, si medicos suos hoc mittet. iurarunt inter se barbaros necare omnes medicina, sed hoc ipsum mercede faciunt, ut fides iis sit et facile disperdant. nos quoque dictitant barbaros et spurcius nos quam alios Ὀπικῶν appellatione foedant. interdixi tibi de medicis. (Plin. *NH* 29.14; quoted as *ipsa eius* [sc. *Catonis*] *uerba*)

Let me tell you about those Greeks in its proper place, my son Marcus. I will reveal what I learned at Athens and what benefit there is in looking over their literature, but not learning it thoroughly. Consider that part of them [i.e. Greek authors] the most depraved and ignorant, and imagine that a *uates* has said this to you: "When that race will give its literature, it will corrupt everything, more so even if it will send its doctors. They have

²⁹ On the Renaissance "advisers," see Hope 1981.

³⁰ See the "teacher-translators" in Chapter 5.

made an oath among themselves to kill all barbarians with the practicing of medicine, but they do this at their set price so that they gain trust [*fides*] and easily destroy [their clients].” Us too they call “barbarians” and, more demeaning than the rest, they smear us with the name “Opici” [Oscans, but also “buffoons”?]. I forbid you from associating with doctors.³¹

Father Cato insists that high Greek culture is dangerous, singling out Athens for its literary allurements. As part of the conceit he takes on the voice of the *uates*, an Italic prophetic figure (vs. Gr. ποιητής/*poeta*), in order to issue a dire warning about the Greek physicians who have jointly conspired to rid the world of barbarians—a label which includes Italians, as he reminds young Marcus.³² Cato’s admonitions recall the melodrama of the famed plot on Pyrrhus’ life by his own physician, which was only thwarted through the goodwill of the consul Fabricius who warned the enemy commander of his would-be assassin.³³ Thus when Cato wards off the fatal danger of *medicina* from his son and the reading public, he is reperforming the Fabrician *exemplum*.

It is easy to deconstruct Catonian rhetoric and its tortuous rationale. By his logic, the Greek cultural package of literature and medicine threatens to corrupt Roman minds and bodies respectively, despite the fact that Athens was not known, in fact, as a great producer of doctors.³⁴ Nor does he substantiate any link between writers and doctors. Are they to be representative of Hellenism at large, its worst and most dangerous purveyors?³⁵ One is to understand Cato’s stance

³¹ All translations are my own, unless stated otherwise.

³² A common self-reflection: *Maccus uortit barbare* (Pl. *As.* 11); *barbarica ope* (Enn. *TrRF* F 23, 12).

³³ Plu. *Pyrrh.* 21.1–3.

³⁴ Compare instead Pergamum, the home of Galen, and Alexandria.

³⁵ Cf. also Plu. *Cat. Ma.* 23.2.

on doctors only in a vague moralistic sense, just as when he exhibits similar prejudice towards merchants in the opening of *De Agri Cultura*.³⁶

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Many aspects of Cato's personal life undercut his public opposition to Hellenic culture.⁴⁰ Though Cato was unusually hands on with his son's education, according to standard elite practice he also kept a Greek slave, Chilon, who was Marcus' teacher.⁴¹ Cato's magnum opus, an ethnography of Italian peoples called the *Origines*, is redolent of the local histories (*ktisteis*) popular in Hellenistic historiography. Cato even allowed that his own Sabine ancestors were Greek immigrants. Discerning in his models, however, Cato held that the eponymous king Sabus, progenitor of the Sabines and their famed *disciplina*, was a Spartan, and decidedly not an Athenian.⁴² Surely some of Cato's xenophobic posturing was genuine, but the reports of his

³⁶ *est interdum praestare mercaturis rem quaerere, nisi tam periculosum sit, et item foenerari, si tam honestum sit* (Cato Agr. pr. 1).

³⁷ Compare instead Pergamum, the home of Galen, and Alexandria.

³⁸ Cf. also Plu. *Cat. Ma.* 23.2.

³⁹ *est interdum praestare mercaturis rem quaerere, nisi tam periculosum sit, et item foenerari, si tam honestum sit* (Cato Agr. pr. 1).

⁴⁰ For Cato's anti-Hellenic posturing, see the classic treatment in Gruen 1994: 52–83.

⁴¹ Plu. *Cat. Ma.* 20.3.

⁴² *Cato autem et Gellius a Sabo Lacedaemonio trahere eos originem referunt. porro Lacedaemonios durissimos fuisse omnis lectio docet. Sabinorum etiam mores populum Romanum secutum idem Cato dicit: merito ergo 'severis', qui et a duris parentibus orti sunt, et quorum disciplinam victores Romani in multis secuti sunt* (Serv.

positions that we possess scarcely constitute a coherent belief system, and instead smack of political opportunism. Cato simultaneously could subscribe to Aeolism, the theory that early Latin developed from the Aeolic dialect of Greek, while railing against a colleague who had composed a history in Greek.⁴³ Just as easily, he himself could quote Homer from memory upon learning of the early successes of Scipio Aemilianus in the Third Punic War.⁴⁴ Erich Gruen has suggested persuasively that The Censor strategically self-presented as the “emblem of resistance to the alien intrusion,” a rough surgeon for the contagion of foreign wealth and influence.⁴⁵

Some Roman policy-makers shared in the contradictory anti-Hellenic views of Cato, evidenced by targeted deportations of the very classes of foreign professionals whom they employed. Punishment, however, seems to have been limited in scale. What records we have reflect crackdowns, irregularly enforced rather than any consistent immigration policy.⁴⁶

Through table talk from Athenaeus, we learn not only that in the consulship of a Lucius Postumius (either 173 or 154 BCE) the Romans had expelled two Epicurean philosophers, Alcious

Auct. 8.647-8 = *FRH* 5 F51), “Cato and Gellius report that [the Sabines] trace their heritage from Sabus, the Lacedaemonian. Furthermore, every textbook teaches that the Lacedaemonians were the toughest people. Cato also says that the Roman people followed the morals of the Sabines. Rightly therefore were the Sabines a ‘stern’ people, who were born from tough parents, and whose teachings the victorious Romans followed in many ways.”

⁴³ On Aeolism, see Stevens 2006/7. The attack was against Postumius Albinus (Plb. 39.1; Plu. *Cat. Ma.* 12.5). Part of the problem was that Postumius introduced his history with a *captatio benevolentiae*, asking his readers for the indulgence of any solecisms in his Greek. The *Origines*, on the other hand, was the first history we know to be written in Latin.

⁴⁴ The line comes from Circe’s description of Tiresias’ status among the dead: οἷον πεπνύσθαι· τοὶ δὲ σκιὰὶ ἄσσοουσιν, “he alone draws breath; the others flit as shadows” (Plu. *Cat. Ma.* 27.4 = Hom. *Od.* 10.495; the reference likely comes from Polybius). The remarks were in praise of Aemilianus and in disparagement of the rest of the Roman army, as the periocha to Livy’s history clarifies: *Cato, uir promptioris ad uituperandum linguae, in senatu sic prosecutus est, ut diceret reliquos, qui in Africa militarent, umbras uolitare, Scipionem uigere* (Liv. *Per.* 49), “Cato, a man possessed of a tongue rather quick to find fault, pursued this line so far that he said the rest of those who were serving in Africa flew as shades; Scipio had life.” The Homeric line itself possesses a neat parallelism, which may have been rendered effectively and memorably as a Saturnian in the Latin translation of *Odyssey* that Livius Andronicus produced. Elsewhere Cato would evoke the Cyclopean Cave of *Odyssey* 9 in a comment to Polybius (Plu. *Cat. Ma.* 9.3).

⁴⁵ Gruen 1994: 52.

⁴⁶ Compare, “Foreigners had no passports and Romans no identity cards; there was no police force of any effectiveness” (Balsdon 1979: 98).

and Philiscus, but additionally that the Messenians had outlawed that entire philosophical school, and that a Seleucid king had once ordered a satrap to deny entry to any philosopher whatsoever.⁴⁷ Roman authorities thus were hardly exceptional in their sporadic scapegoating of intellectual laborers as social malcontents, as I will demonstrate in the case of the *secessio doctorum* from Alexandria (Chapter 2).

The other expulsions of foreigners and/or professionals hardly suggest a continuous, coordinated program of deportation. Aulus Gellius transmits the actual wording of two *senatus consulta* aimed at curtailing the activities of professionals, one in 161 BCE *de philosophis et de rhetoribus*, and another in 92 BCE *de coercendis rhetoribus Latinis*.⁴⁸ In the first example, the praetor is to remove the philosophers and rhetoricians only from the city of Rome proper (*praetor...curaretque...uti Romae ne essent*), whereas the second is merely a statement of censure for the new and dangerous (*noua*) teachings in vogue at schools. The scope and intent of the Lex Iunia Penna of 126/4 BCE, the so-called “peregrine” law, are unclear, though Cicero’s testimony suggests at least some foreigners were banned from cities.⁴⁹ During Gaius Gracchus’ legislative advocacy, the senate entreated the consul Fannius to remove non-residents from the city with the aim of curtailing the Gracchus’ base, but the measure was not carried out.⁵⁰ Indeed the efficacy of such orders is doubtful, since in 187 BCE Roman authorities found 12,000 Latins residing illegally at Rome after fielding complaints from their home communities; the same problem persisted ten years later, with the Samnites and Paeligni joining the renewed

⁴⁷ Ath. 12.547a–b.

⁴⁸ Gel. 15.11.

⁴⁹ The meager sources are Cic. *Off.* 3.47; Fest. 286 M.

⁵⁰ Plu. *CG* 12.

protestations of the Latins.⁵¹ The Roman state failed time and again to control the movement of populations.⁵² Additionally, Jews and Chaldeans at Rome were persecuted in 139 BCE as “superstitious,” akin to the at most short-term disbandment of Bacchanals in 186 BCE, which our source Valerius Maximus cites explicitly as precedent.⁵³ In sum, these incidents show that foreign professionals sometimes fell under the same umbrella as a nebulous mélange of other disadvantaged groups, who were rounded up as the usual suspects when crises arose. The area of operations for these police actions usually was confined to the city of Rome itself, and strict enforcement was impossible.

Under Cato’s lead the ruling classes at Rome treated foreign professionals capriciously, whom they supported and harassed alike. Chapter 2 will further detail the informal systems of patronage and personal commendation which bound the elite and professionals together. But we can preface that discussion with the observation that professionals made their stamp on the Italian elite. At least three-quarters of all portraits recovered from Roman villas are of intellectuals.⁵⁴ While one should not minimize the marginalization foreign professionals experienced at Rome, it would be unwise to deny their societal impact, which Cato ironically acknowledged as the basis for his grievances. These culture workers might occupy a socioeconomic position corresponding roughly to the one Sarah Bond has established for

⁵¹ Liv. 39.3; 41.8.

⁵² Isayev 2017: 34–47.

⁵³ V. Max. 1.3.1–3; cf. Liv. *Per.* 56. 186 BCE brought extra embarrassment when the consul Spurius Postumius, after quelling the Bacchanalian Conspiracy, found the Roman maritime colonies of Sipontum and Buxentum deserted (Liv. 39.23.3), even though they had been founded just eight years prior (Liv. 34.45). Cremona and Placentia, two Latin colonies in Northern Italy also lasted only a generation, (abandoned 190 BCE, Liv. 37.46.9–10; founded 218 BCE, Plb. 3.40). This policy failure is astounding, considering that these bulwarks of the defensive front had served as refuges for survivors after the Battle of the Trebia (Liv. 21.56) and were the site of a bloody stalemate with Hannibal (Liv. 21.59).

⁵⁴ Zanker 1995: 207–8.

praecones (“public criers”), who were formally disbarred from holding local office despite their wealth. Bond demonstrates that as social climbers the *praecones* threatened their elite employers, who responded by preempting any political advancement of their subordinates.⁵⁵ Stigmatized though they were, *praecones* were formidable precisely because of their affinity with the highest echelons of Roman politics.

1.3 Reception of the Gracchi

Another obstacle to our project comes from the reception of the Gracchi, who from the time of the Renaissance and Early Modern periods became both archetypes and archetypal for dangerous reformers. Consequently the legacy of their land bill has overshadowed the rest of the Gracchan-era cultural revolutions. For European readers in the Renaissance, the biographies of the Gracchi brothers were reduced to the most sultry snippets preserved from Livy and Cicero, along with the continuous narratives of Appian and Plutarch, which first became available in Latin translation at this time.⁵⁶ In *De Tyranno* (“Concerning a Tyrant”), published in 1400, the Florentine statesman Coluccio Salutati basically epitomizes the Ciceronian and Livian accounts, even recycling the apothegm of Scipio Aemilianus that his kinsman Tiberius had been “justly slain” (*iure caesum*).⁵⁷ Even in antiquity Scipio’s pronouncement had become an aphorism for insurrectionists.⁵⁸ The Gracchan period thus would become defined by the picture of its seditious

⁵⁵ Bond 2016: 21–45. For the prohibition of the candidacy of *praecones*, see *RS 24 (Tabula Heracleensis)*, ll. 94–5.

⁵⁶ Plutarch’s *Lives* of the Gracchi were translated into Latin by Leonardo Bruni in 1410, and Appian’s history in 1472 by Petrus Candido Decembrio (see below).

⁵⁷ *Africanus enim posterior numantinum agens triumphum, a Gn. Carbone, graccane seditionis et caedis indice, interrogatus quid sibi de affinis et consanguinei sui morte videretur, respondere non dubitavit, sibi videri iure caesum* (Salut. *De Tyr.* 19–20, ed. Ercole), “for when Africanus was leading his triumph after the Numantine War, he was asked by Gnaeus Carbo, a champion of the cause of the insurrection and slaughter of Gracchus, what he [Africanus] thought about the death of his own blood relation, and he did not hesitate to answer that he was justly slain.”

⁵⁸ Cf. variations of *iure caesum* judgments at Cic. *Att.* 15.3.2; *De Orat.* 2.106 (of Tiberius Gracchus, with reference to Gaius); *Mil.* 8 (said of Tiberius Gracchus, with reference to Gaius, Servilius Ahala, and Sulla); *Phil.* 13.2 (of

tribunes *qua* usurpers (*affectatores regni*) in the Latin “Greats,” and Renaissance and Early Modern authorities were threatened by the idea that the past might repeat itself.⁵⁹ 1410 was to be a landmark in the rediscovery of the Gracchi, as in that same year Leonardo Bruni, the friend and pupil of Salutati, would translate Plutarch’s lives of the Gracchi and the *Life of Sertorius* into Latin.⁶⁰ These selections perhaps reflect Bruni’s discontent with the mercenary armies that then dominated Italy in contradistinction to the citizen armies of the Roman Republic, whose declining health Plutarch treated at length in his accounts of the Gracchi and Sertorius. Bruni even added a cryptic *explicit* to his translation of the Gracchan *Lives*: “the spirit that bears moderation prevails in the meantime, but when it falls it does not remove reversals of fortune.”⁶¹ Whatever that means, it is hardly the sentiment of a reactionary.

Though the Gracchi would become poignant *exempla* for thinkers of the American and French Revolution, they resurfaced again only superficially as progressive icons. As a young man, the French socialist François-Noël Babeuf, later styled Gracchus Babeuf, like many others became enthralled by the subversive ideology ascribed to the Gracchi and the specter of a new *loi agraire*. Babeuf nonetheless admitted he knew next to nothing about ancient Roman agrarian practice. In a statement that puzzles and forebodes in equal measures, Babeuf romanticizes how the Roman elite (!) responded to attempts to redress economic inequalities with land redistribution.⁶² No historian he, Babeuf would lose his head just under a decade later when he led the proto-communist Conspiracy of the Equals against the members of the

Caesar, with reference to Marius, Sulla, Octavius, Carbo, and Cinna); Liv. 4.15 (of Spurius Maelius); *Per.* 59 (of Tiberius Gracchus).

⁵⁹ See Neel 2015 on the trope in ancient historiography.

⁶⁰ Pade 2007: 1.143–8.

⁶¹ *interdum praevallet, sed in cadendo moderationem animi ferentis adversa non aufert* (Pade 2007: 2.101).

⁶² The letter dates from 1787, and is collected at Daline, Saitta, and Soboul 1977: 1.231–3.

Directory, the interim government. Lisa Mignone moreover has argued that during the short-lived Paris Commune of 1871 the ancient populist topography of the Aventine Hill was conceptually remapped onto Paris, especially when the National Guard seized Montmartre.⁶³ That overlapping semiotic baggage undoubtedly conjured the recollection of the Aventine as the site of Gaius Gracchus' death. The later execution of Gracchus Babeuf, who had served as a secretary in the first Paris Commune, also would have elicited the memory of his namesake. In the French Republic, the Gracchi had transformed into martyrs for a timeless populist cause.

Margaret Malamud has demonstrated how American estimations of the Gracchi have varied over time according to the changing sociopolitical climate, but, as in Europe, the Gracchi remained stereotypical revolutionaries. For early American leaders, they were rabble rousers who threatened to destabilize law and order. In *On Government*, John Adams quoted speculation from Adam Ferguson's *The History of the Progress and Termination of the Roman Republic* that Tiberius Gracchus was "actuated by...an idea not uncommon to enthusiastic minds, that *the unequal distribution of property, so favorable to the rich, is an injury to the poor* (emphasis Adams)."⁶⁴ Adams selected Ferguson's well-read yet banal version of the Gracchan program in order to defend the reprehensible classist divisions of his own America; both men faulted the Roman people for the Fall of Rome.⁶⁵ Nonetheless, as the pro-labor movement took root in the United States, recollections of Gaius and Tiberius grew fonder, especially at the National Reform Association (NRA). The NRA-run newspaper *Workingman's Advocate* would publish editorials

⁶³ Mignone 2016: 192–3.

⁶⁴ Adams 1851: 4.539. In a prior section, Adams' quotes extensively from Polybius Book 6 on the Roman constitution, interspersed with his suggestions for American improvements (4.435–445).

⁶⁵ "The distinctions of poor and rich are as necessary, in states of considerable extent, as labor and good government. The poor are destined to labor; and the rich, by the advantages of education, independence, and leisure, are qualified for superior stations" (ibid. 539–40; emphasis again Adams').

during the 1840s under the name “Gracchus,” a choice reminiscent of the pseudonym “Publius [Valerius Poplicola]” used in the Federalist Papers.⁶⁶ And the memory of Gracchan land distribution would profoundly color debates in the lead-up to the Homestead Act of 1862, which delivered up small farming plots in the West from public lands (*≈ ager publicus*).⁶⁷ On the House floor, Galusha Grow, a representative from Pennsylvania, quoted at length from the textbook narratives of the Gracchi in Nathaniel Hooke’s *History of Rome* and William Smith’s *Dictionary of Greek and Roman Biography and Mythology* in order to support the cause of land reform.⁶⁸ The majority of the speech therefore resembled lessons derived from Plutarch and Appian, but in its conclusion, Grow weighed in even on the state of Classical scholarship, praising historian Berthold Georg Niebuhr for his rehabilitation of the Gracchi: “their name [i.e. that of the Gracchi] was made synonymous with infamy, and as an arch disturber of all that was good in society, till Niebuhr tore off the veil of two thousand years of obloquy, and vindicated to future times their memories as true defenders of the rights of the people.”⁶⁹

Naturally the Gracchi again ensnared the minds of economic historians around the turn of the twentieth century, including Marxists, but I will spare the reader any cumbersome literary review of that subject.⁷⁰ For my purpose it is more important to note how strongly economic, political, and demographic histories still dominate modern Classical studies of the Gracchan period. A quick perusal of Frederico Santangelo’s bibliography of Gracchan scholarship (1985–2005) will prove how worn these topics have become.⁷¹ Principally at stake are the material

⁶⁶ Malamud 2009: 55.

⁶⁷ Malamud 2009: 57–61.

⁶⁸ Malamud 2009: 60–1. I read the version of the speech as reported in the *Evansville Daily Journal* (July 27, 1860).

⁶⁹ See preceding note.

⁷⁰ I would note, however, that the Gracchi are surprisingly absent from Max Weber’s *Roman Agrarian History*.

⁷¹ Santangelo 2007.

circumstances behind the presumed agrarian “crisis” that the Gracchi attempted to solve—wealth inequality, population pressures, land usage, the extent of the property allotments and their legal status, etc.—as well as period class tensions. Many brilliant scholars have applied themselves to these issues, and have entrenched themselves in various camps over the efficacy and inspiration of the Gracchan reforms.⁷² Treading familiar ground nonetheless has its pitfalls. John Rich has shown conclusively that Niebuhr’s intuitions on the background to the Gracchan land bill have misled more than a century of scholars.⁷³

Some of the most effective contributions to Gracchan studies have challenged the underlying premise that the Gracchi proposed a practical response to real sociopolitical and/or economic problems. Peter Brunt hints presciently in *Italian Manpower* that while the decline in the Roman census figures up to 124 BCE may be owed in part to the waning economic fortunes of Italian citizen-soldiers who no longer met the minimum property qualifications to serve in the army—i.e. the supposed recipients of the allotments in the agrarian bill—one can just as easily suppose that the class of *assidui* became delinquent in their *professiones*, declarations of household members and property to Roman officials.⁷⁴ In other words, a major problem was feelings of disaffection and underrepresentation; most Italian farmers would have been chary of conscription in unprofitable wars for someone else’s benefit. In archaeological terms, Nicola

⁷² One does wonder at times whether in framing this question we have progressed past the rhetorical exercises and *suasoriae* of the early first century BCE which debated the legacy of the Gracchi. This tradition is reflected in the *Rhetorica ad Herennium*, which elects for a revisionist history of the Gracchi as heroes of the Republic (*Rhet. Her.* 4.31, 68). Fannius, the historian, may have achieved a more balanced assessment of his contemporary, since in one fragment he related his own firsthand account of the courage of Tiberius when the two had served together at the siege of Carthage, even though these former comrades would end up at odds politically (*HRR F 4*).

⁷³ Rich 2008: 524–543. The crux is whether or not the older *lex Licinia Sextia* had imposed a limit on just public land-holdings, or all of a citizen’s land-holdings. Rich concludes that the *lex Licinia Sextia* had counted all lands towards a 500 iugera cap, a requirement which Tiberius watered down by applying it only to public lands and raising the limit higher (543–68).

⁷⁴ Brunt 1971: 74–5.

Terrenato has shown that the countryside of Northern Etruria bears little resemblance to the desolate scene evoked by Gracchan propaganda. Tiberius, says the tradition, conceived of his platform of land redistribution after traveling through deserted fields in that very same region of Italy.⁷⁵ A different dataset is required to dispel other period fictions, including its underestimated intellectual environment.

1.4 Appropriate Benchmarking; Ancient Perceptions of the “Gracchan Period”

Our best informed sources present mid-second-century-BCE Rome as a hub of learning, and the city compares favorably against other benchmarks from the Hellenistic world, save perhaps Alexandria and its library (*mouseion*) of the third and early second century BCE, which is an unusually high bar. But modern scholars have not been as fair to Republican Rome in this respect as they have been to the other multicultural empires of the Hellenistic period. In period histories, one would not fracture the Seleucid empire into satrapies, nor divorce the vibrant scene at Cyrene from discussions of Ptolemaic Alexandria. Yet just so Rome, a great political includer and enfranchiser by reputation, is regularly alienated from its holdings in Magna Graecia, and even further from its political dependencies in Greece. Chapter 2 will attempt to redress this wrong.

By the Gracchan period, Rome possessed the capacity of an intellectual center. Rome already had enjoyed a *mouseion* for half a century in the form of the *Aedes Herculis Musarum*, which Fulvius Nobilior dedicated in 179 BCE. Its temple walls bore *fasti*, lists of Roman magistrates, and the Muses, the daughters of Memory (*Mnemosyne*), made natural wards for its public records. Scholars have noted how this combination of art and utility partners well with the

⁷⁵ Terrenato 1998. Gaius Gracchus promulgated the story in a political pamphlet (Plu. *TG* 8.7).

Annales of Ennius, who was Nobilior's client and wrote a universal history of Rome.⁷⁶ The synesthetic construction of building and poetry gave the Muses a Roman home. While the Roman "Museum" did not replicate the whole research apparatus of the Library of Alexandria, the Ptolemaic and Attalid libraries were outliers; plain *mouseia*, i.e. "sanctuaries of the Muses" without a library, were ubiquitous in the Hellenistic world, so the absence of a public library at Rome was normal.⁷⁷ Even the royal library buildings themselves were little more than storehouses attached to the more prominent temple complexes.⁷⁸ Private Italian libraries, on the other hand, outraced their public counterparts.⁷⁹ Some measure of public support did exist for literary artisans nonetheless, whose trade union (*collegium*) was officially recognized by the Roman state; Gaius Julius Caesar Strabo Vopiscus, the aristocratic playwright, even frequented the guild headquarters.⁸⁰ Most Hellenistic states in fact granted similar privileges to associations of artisans (*technitai*, in the collective).

These facts suggest that Rome did not lag behind its Hellenistic competitors in intellectual patronage, but rather used a different funding model, i.e. private wealth instead of civic, temple, or royal treasuries. Naturally, the tastes of Italian patrons governed which fields were studied, and they had no craving for research in the hard sciences.⁸¹ But it is important to remember that neither did the Greek world value higher learning intrinsically. Ironically, it was

⁷⁶ Gildenhard 2003: 94–7; Rüpke 2006.

⁷⁷ Asinius Pollio created the first public library at Rome in the early Principate (Plin. *Nat.* 7.115, 35.10). Its perceived "late" arrival has led many scholars astray.

⁷⁸ Fraser 1972: 1.324–6.

⁷⁹ Generals amassed early private collections from campaigns: Aemilius Paulus (Plu. *Aem.* 29.11); Sulla (Plu. *Sull.* 26.1–2); Licinius Lucullus (Cic. *Fin.* 3.7; cf. Plu. *Luc.* 42.1–2;). The library at the Villa of the Papyri, thought to be owned by Calpurnius Piso Caesoninus, also antedates Rome's first public library (mid-first century BCE; see Sider 2005:7 for date).

⁸⁰ Fest. 333M; V. Max. 3.7.11.

⁸¹ For example, advanced mathematics (Cic. *Tusc.* 1.5).

only in the Roman period that Greek *mouseia* regularly began to resemble universities in the Alexandrian mold.⁸²

Contemporary and near-contemporary sources in fact depict Republican Italy as teeming with intellectual energy. By his own account, Polybius, the preeminent Greek historian, diplomat, and political prisoner, had ingratiated himself as tutor to Scipio Aemilianus in Rome at a time (ca. the early 160s BCE) when “I [Polybius] see a great multitude of such [teachers] who have poured in from Greece.”⁸³ A fragment from the early- to mid-second-century-BCE dramatist Titinius likewise has garnered attention for the inventive complaint of a member of its cast: “Now it’s gone totally Greek in the countryside (*nunc ruri pergraecatur*).”⁸⁴ City and country indeed would be inundated by Greeks and Greek culture. After the victory of Aemilianus’ father Aemilius Paulus at the Battle of Pydna (168 BCE), one thousand of Polybius’ Achaean compatriots were held as hostages and distributed throughout the cities of Etruria.⁸⁵

Cicero particularly romanticizes the time of his birth (106 BCE) and boyhood as a time of intense Hellenism, and he repeatedly borrows a turn-of-the-century setting (second/first BCE) for the fictionalized dialogues of his philosophical and rhetorical works. Nostalgia aside, Cicero’s positive evaluation of the intellectual climate must be taken seriously. In the *Pro Archia*, Cicero contextualizes the arrival of his client, the poet Archias, at Rome in 102 BCE:

erat Italia tum plena Graecarum artium ac disciplinarum, studiaque haec et in Latio uehementius tum colebantur quam nunc isdem in oppidis, et hic Romae propter tranquillitatem rei publicae non neglegebantur. (Cic. *Arch.* 5)

⁸² Fraser 1.313.

⁸³ Plb. 31.24.6.

⁸⁴ 175 Rib³. Welsh 2009: 12–3 For Titinius’ dates, see also Welsh 2011: 126–38.

⁸⁵ Paus. 7.10.11. Cf. Liv. 45.31; Plb. 30.13.

Italy was at that time full of Greek sciences and fields of learning, and these pursuits were cultivated more strongly in Latium at that time than they are today in its towns, and here at Rome they were not disregarded due to the peacefulness of the state.

Cicero admits here that the previous generation was even more steeped in Greek learning than his own. In Book 1 of *Academica*, Cicero frames the new dedicatee Varro, ten years his senior (born 116 BCE), as a strawman alum of the old educational system in order to question the entire purpose of writing philosophical works in Latin.⁸⁶ “Varro,” bemused at the proposition, takes it for granted that any Roman elite so inclined would just read the texts in the original Greek or be sent abroad to study at the philosophical schools.⁸⁷ And in his history of Roman rhetoric, the *Brutus*, Cicero remarks on the exemplary education of Decimus Brutus, an older relation of the dedicatee, who was so gifted an orator that he earned the admiration of the poet Accius:

“[Brutus] had been instructed in Greek and Latin, *according to the standard practice in those days (ut temporibus illis; my emphasis).*”⁸⁸ Throughout his rhetorical treatises, Cicero holds the highest opinions of past orators who received this old-fashioned bilingual education.⁸⁹ Serious study of all fields Greek (*artes ac disciplinae*, above) belonged to these “other” times (*illa tempora; erat Italia tum...*, above). Finally, in his most direct and least humble version of the claim, Cicero sets his birth year (106 BCE) as “the age when Latin oratory first reached

⁸⁶ The old dedicatee, Lucullus, was born only one year prior in 117 BCE.

⁸⁷ Cic. *Ac.* 1. 4, 5, 8. Cf. *Fin.* 1.1, 9–10. The real Varro may have had sympathies with the younger generation, however, since he often disagreed with his teacher, the famed grammarian Aelius Stilo (born 154 BCE), who to Varro’s mind had fabricated Greek etymologies for what really were native Latin words (a sentiment most famously preserved at Gel. 1.18.1 = *GRF* F 120; cf. Rawson 1985: 120). Hellenizing had its limits for Varro.

⁸⁸ *uester etiam D. Brutus M. filius, ut ex familiari eius L. Accio poeta sum audire solitus, et dicere non inculte solebat et erat cum litteris Latinis tum etiam Graecis ut temporibus illis eruditus* (Cic. *Brut.* 107), “and your relative Decimus Brutus, son of Marcus, as I was accustomed to hear from his friend Lucius Accius, the poet, was accustomed to speak in a way that was not uncultured, as he had been instructed in Greek and Latin, according to the standard practice in those days.”

⁸⁹ Another older Junius Brutus (cos. 77 BCE) is praised as *Graecis doctus litteris et Latinis* (ibid. 175). *Graecis litteris eruditus* likewise is applied to Tiberius Gracchus (ibid. 104), Rutilius Rufus (ibid. 114), and Lutatius Catulus at (*De Orat.* 2.28.7). Aelius Stilo, Varro’s teacher, reaches the apex for Cicero as *idemque eruditissimus et Graecis litteris et Latinis* (*Brut.* 205).

maturity.” Afterwards, any good orator was expected to be instructed in *philosophia, ius ciuile*, and *historia*, like his role model Lucius Licinius Crassus.⁹⁰

A strong conservative vein in the Roman Republican historiographical tradition agrees with Cicero’s timeline, albeit with an opposite and negative outlook on multiculturalism. Still under the influence of Cato, these historians theorized that Rome lost its native essence and succumbed to the pressures of foreign cultures once it had defeated its Mediterranean rival states. Calpurnius Piso Frugi (“the temperate”; cos. 133 BCE) approximated the start of Rome’s moral decline to the start of the Third Punic War (149 BCE), when the palm tree on the Capitoline Hill that portended victories abroad was replaced by a fig tree, a symbol of leisure and lassitude.⁹¹ The last datable fragment of Piso’s *Annales* in fact is the report that in 146 BCE the Secular Games were held to commemorate a *saeculum* synchronized with the end of the Third Punic War.⁹² The scope of Piso’s history cannot have gone far past this logical terminus. Sallust inherited this datum, which he promulgated famously, “before Carthage was destroyed...fear of the enemy (*metus hostilis*) kept the State within good practices (*artibus*).”⁹³ Even the Tiberian period historian Velleius Paterculus stood in this tradition. Velleius labels Caecilius Macedonicus *uel magnificentiae uel luxuriae princeps*, the “first man of both grandeur and

⁹⁰ *his enim consulibus eam legem suasit [sc. Crassus orator] quibus nati sumus...quod idcirco posui ut dicendi Latine prima maturitas in qua aetate exstitisset posset notari et intellexeretur iam ad summum paene esse perductam, ut eo nihil ferme quisquam addere posset, nisi qui a philosophia, a iure ciuili, ab historia fuisset instructor* (Cic. *Brut.* 161), “for [Crassus] advocated for this law during the consulship in which I was born...for which reason I propose that it can be marked down that Latin oratory first reached its maturity in this age and that it had already nearly been brought to its peak, such that almost no one could add anything to it unless they had been rather well educated in philosophy, law, and history.”

⁹¹ Plin. *Nat.* 17.244 = *HRR* F 38; discussed also in Chapter 5. This date corresponds with the end of the *lustrum* of the censors of 154 BCE (i.e. their period in office), a natural unit of moral time along with the *saeculum* (see above).

⁹² Censor. *DDN* 17.1 = *HRR* F 39 Peter.

⁹³ *nam ante Carthaginem deletam...metus hostilis in bonis artibus ciuitatem retinebat* (Sal. *Jug.* 41.2). Cf. *Cat.* 10; *Hist. fr.* 1.11, 12.

luxury,” since he first employed Greek marble for his Greek inspired and designed temple (ca. 146 BCE).⁹⁴ For all these historians, multiculturalism at institutions of learning (*artes*) posed a grave danger to the very moral fabric of Rome.

From the emic viewpoint, therefore, the ancient sources clearly felt that, for better or worse, Roman culture changed drastically around the mid-century mark. I too have chosen the chronological bounds of this study roughly in line with their intuition: 149 BCE–91 BCE. As an upper bound, I set 149 BCE, a year which marks the death of Cato the Elder as well as the beginning of the Third Punic War, his pet cause.⁹⁵ While Cato’s shadow looms large over the generations that follow, he left a complicated legacy. His disingenuous anti-Hellenism certainly did not prevent younger Romans from studying Greek. In Chapter 5, moreover, I will revisit Cato’s final legislative push as a constitutional watershed moment, the passing of the *lex Calpurnia de repetundis* (149 BCE), which opened magistrates to scrutiny over actions in office in a way that was revolutionary for Rome, but standard in Greek democracies.⁹⁶

So much for Cato; the patron-professional bond proved more enduring. Relationships between Italian elites and foreign professionals, I posit, continued uninterrupted down to the Social War, when the patron class would go to war with itself. Due to the opportunistic predations of Mithridates, during this time Rome also was cut off from its hubs in the East, including Roman Delos and cities in Asia Minor. Roughly 91 BCE thus forms the low date for the Intellectual Revolution proposed. Not coincidentally, Cicero chose 91 BCE for the setting of *De Oratore*, where he gathers the era’s luminaries for a last meeting of the minds before they all

⁹⁴ Vell. 1.11.5.

⁹⁵ Cf. Richlin’s use of the death of Plautus as a bookend to an epoch of the Roman stage (2017a: 2).

⁹⁶ See Chapter 5.

met unfitting ends. For the period 149 BCE–91 BCE, I will employ the term “Gracchan period” and variations thereof as a generational marker. In 149 BCE, its eponymous members were growing up in the Bay of Naples: Tiberius, age fourteen, and Gaius, five. Had the course of history run differently, they may have lived to see the Social War in their sixties and seventies. Indeed destabilizing flashpoints like the Social War dot the entire span of what we conceive of as the Late Republic, but the present study is not interested in establishing the Gracchan period within decline narratives, with the caveats that the endpoints of 149 BCE and 91 BCE serve only as fuzzy borders, and the “Gracchan” of Gracchan period is a sociopolitical catchall for processes that extended before and beyond. That being said, after the Social War the development of an Italian monoculture reached a new stage, reflected, for instance, in the death of non-Latin Italic languages and Etruscan; perhaps this endpoint has merit.

Though I have lent the Gracchan name to the time under study, “culture workers” of all stripes deserve recognition. Macrobius designated the period alternatively as Lucilian (died ca. 102 BCE), when he called the politician and dramatist Titius *uir aetatis Lucilianae*, “a man of the age of Lucilius.”⁹⁷ In that case, Lucilius, the wealthy inventor of satire, becomes the posterboy for the era. On the other hand, Aelius Stilo, the extraordinary polymath of the late second century BCE, was advertising his earthy roots contemporaneously:

Aelius cognomine duplici fuit: nam et Praeconinus, quod pater eius praeconium fecerat, vocabatur, et Stilo, quod orationes nobilissimo cuique scribere solebat; tantum optimatum fautor ut Metellum Numidicum in exilium comitatus sit. (Suet. *Gram.* 3.2.)

Aelius went by a double cognomen: for he was called both “Heraldson” [*Praeconinus*], because his father was a herald, and “Penman” [*Stilo*] because he would regularly write speeches for members of the highest nobility; he was so loyal to the elite classes that he accompanied Metellus Numidicus into exile.⁹⁸

⁹⁷ Macr. 3.14.

⁹⁸ I borrow “Penman” from Sandys 1903: 1.172.

At a time when single cognomina had just become the standard naming convention of the elite, class, Aelius Stilo wore a double-barreled version that advertised his professional origins. His father served the elite with his voice as a public crier (*praeco*), Stilo with his Greek (!) pen, the *stylus*. If one follows the Suetonian order, then *Stilo* came in last position, paralleling the placement of *agnomina* that commemorated the *nobiles* for their military victories—note his patron Quintus Caecilius Metellus *Numidicus* (praenomen, nomen, cognomen, agnomen), “conqueror of Numidia.” Literature, by analogy, was the Aelian sphere of conquest. The status of professionals was on the rise, and it is noteworthy that Cicero found the sharpest character in Lucilian *Satire* to be the *praeco* Granius, who verbally dressed down elite companions at exclusive dinners and accosted them in the street.⁹⁹ Professional wit outclassed dilettantism.

1.5 Foreign Professional as Agents of Change

In order to measure the societal impact of foreign professionals on ancient Rome, we must broaden the scope of inquiry beyond the *clientela* system, a unit-level attribute of Roman society. In its theoretical underpinnings, my approach is equally indebted to Postcolonialist readings of the ancient Mediterranean system, work that has focalized the experience of the subjects of Roman rule in order to recognize their agency and oppression simultaneously. For

⁹⁹ Victims of Granian barbs included Scipio Nasica and Livius Drusus (Cic. *Planc.* 33), as well as other politicians and a barrister (Cic. *De Orat.* 282–3). One Lucilian fragment introduces a quote from Granius (416–7 Marx; content unknown), though undoubtedly “Granius” spoke more in the *Satires*. Cicero notes that Lucilius restaged parts of a dinner party Granius hosted on at least two separate occasions within his works (*Brut.* 160), and Cicero found important historical information among this reported table talk, along probably with a store of Granian badinage. Cicero primarily recalls Granius for his tongue: *Granio quidem nemo dicacior* (*De Orat.* 2.244); *qui appellatur dicax* (ibid. 254); [*Granium*] *dicitate certare* (*Brut.* 172). In the last testimony, Cicero refers to Granius as *noster familiaris*, but elsewhere he is the *amicus* of his interlocutor Crassus (*De Orat.* 254), who may be his source for the Granian saying reported there and that cannot have been transmitted in Lucilian hexameters: *non esse sextantis*, “he is not worth a shilling.” In a letter to Atticus, however, Cicero does report a Lucilian version of one of Granius’ claims: *Granius autem...non contemnere se et reges odisse superbos*, “but Granius asserts that he does not look down upon himself and hates haughty kings” (Cic. *Att.* 6.3.7).

their part, the Romans did not dissemble their imperial designs. Already in 212 BCE, Rome was a signatory to a treaty with the Aetolian league that permitted them to enslave defeated populations in Greece. The official document promises this human war booty under the macabre heading “whatever stuff the Romans take besides the physical city and its hinterland.”¹⁰⁰ Horace, on the other hand, captured the essence of the defeated’s plight with the memorable reversal: “Conquered Greece sacked its savage conqueror and imposed the arts on rustic Latium.”¹⁰¹ Many modern treatments of Roman expansion explore this dualistic tension between conquerors and conquered. *Empire of Plunder*, a recent collected volume, covers Roman colonial exploitation of the Greek cultural package as “cargo,” or on the human level, “traffic in traumatized human bodies.”¹⁰² Under that metaphor, Amy Richlin likens intellectual and commercial production in imperial Rome with the poignant turn of phrase: “the slave craftsmen might be understood as ‘commodifying commodities’—objects which produced other objects.”¹⁰³

Horace aside, in modern discussions it has gone mostly unchallenged that these “objects” of production existed to serve the interests of the Italian elite, the end users who were infamously rapacious for foreign art. And in its basic form, Thomas Habinek’s thesis is that early Roman literature was a vehicle for the self-perpetuation of the elite and its ingroup values, whether the handiwork of outside professionals or not:

[T]he Roman drive simultaneously to solidify and to expand aristocratic hegemony made the use of written literature as a tool of acculturation all but inevitable. Writing, especially writing by outside professionals beholden to the aristocrats individually and/or

¹⁰⁰ ὃ] δέ κα παρὲξ τᾶς πόλιος καὶ τᾶς χώρας Ῥωμαῖοι λάβωντι (*IG IX*, 1², fasc. 2, 241, ll. 9–10). cf. *Plb.* 9.38.7–9.

¹⁰¹ *Hor. Ep.* 2.1.156–7.

¹⁰² Padilla-Peralta 2017: 262, summarizing Richlin 2017b.

¹⁰³ Richlin 2017b: 170.

collectively, comes to supplement and ultimately almost to replace the rituals of acculturation that characterize a smaller, less expansionistic Rome.¹⁰⁴

Roman art no doubt is transactional.¹⁰⁵ That reality does not preclude artistic independence, however. Even when sociologist Pierre Bourdieu defines taste in *La Distinction* as a social construction produced by status and education, he simultaneously emphasizes the power of professionals on the “supply” side of the curve; like any demand, the desires of aristocrats are subject to market constraints, including what artisans can and are willing to produce.¹⁰⁶ Absent modern secondary schooling, if anything the elite Roman *habitus* was more dependent on the indistinct educator-practitioner class of professionals, e.g. *poetae-grammatici* like Livius Andronicus.¹⁰⁷ In fact because the Roman elite were so deferential to the culture and professionals of the Greek world it had subdued, scholars have even questioned whether Postcolonialist theory strictly applies. Who exactly was conquered, Rome or its “subjects,” and in what way—militarily, culturally?¹⁰⁸

Critics of ancient art have appreciated the artist-audience dialectic perhaps more fully than philologists. Roland Smith has mused about the wry humor of Greek portraitists, even in defiance of their Roman patrons’ efforts to efface their authorship. Smith’s reformulation of the patronage relationship comes closest to my own, and I quote it here at length:

¹⁰⁴ Habinek 1998: 45.

¹⁰⁵ See Habinek’s excellent survey of Cato’s concern for *existimatio*, not just good judgment, but by a popular etymology from *aes* (“coin”) the correct appraisal/assessment/evaluation of affairs (1998: 46ff.).

¹⁰⁶ “In the case of the production of cultural goods at least, the relation between supply and demand takes a particular form: the supply always exerts an effect of symbolic imposition. A cultural product...is a constituted taste, a taste which has been raised...to the full reality of the finished product, by a process of objectification which...is almost always the work of professionals” (Bourdieu 1984: 231). Bourdieu’s framework is recommended by the review of Wallace-Hadrill 2008 by Ando (2010).

¹⁰⁷ Suet. *Gram.* 1, famously.

¹⁰⁸ Hose 1999 and Matzner 2019 are seminal and repeat a thought experiment in which Greece had conquered Rome rather than vice versa. Would cultural outcomes not look similar?

Under the Romans signatures continue in diminished quantity in the Greek East, but in Italy they are very rare, and when they do appear they are often not on the base but on the statue itself, often small and concealed. The Romans were simply not interested in who made their sculptures, which, along with paintings and other art-works, they considered (in public anyway) to be trifling and contemptible things (*levia et contemnenda*), in which, like athletics and talking, the Greeks were far too interested. In private they admired the paintings and sculpture of the Classical period which had been sanctified by Hellenistic art criticism, but they could not admire the artists who had made them. Art was not the career for a Roman, especially not sculpture....The Romans annexed Greece; they stole its art-works while despising art and demanded portraits of themselves while despising the sculptors who were to make them and who reciprocated the feeling. In this context of Greek and Roman relations we can perhaps better understand why Republican portraits are such harsh unsympathetic likenesses. Is it not at least partly because the portraitists did not like their clients? But there is of course the part of the client to consider.¹⁰⁹

Smith's rhetorical question reveals the ambivalence of veristic portraiture. Patrons wanted to project their moral rectitude with the stern countenance of their bust, whereas sculptors might be happy to oblige the elite in their desire to be portrayed warts and all. In so doing, the artisans undermine the messaging of their clients: the Romans are not austere; they are ugly bullies.

It is more productive therefore to speak of "collaboration" between patron and professional, without the connotation of unqualified "cooperation." The two parties need not be cross-purposes. Rawson, for instance, argues that the philosophers in the cadres of Roman officers abroad were advisors (*symbolētai*) not on trivial matters of geography or local politics—the Romans knew the lay of the land well enough—but on the moral behavior of just rulers.¹¹⁰ In the part of *On the Good King according to Homer* that Philodemus addresses to his patron Calpurnius Piso Caesoninus, the philosopher summed up the point of the lesson, i.e. to draw examples of Homeric kingship for the "criticism of the behavior of leaders" (ἐπανορθώσεις

¹⁰⁹ Smith 1981: 36–7.

¹¹⁰ Rawson 1989.

δυναστειῶν).¹¹¹ Philosophers thus adopted a similar posture to their Roman hegemons as they had taken to Hellenistic monarchs, whom they counseled to apply a more mild administrative touch. As a second-century-BCE model, we possess the well-known “good friend” passage from Ennius, where a learned confidant (*doctus, fidelis...*) knows all the right things to say to an elite friend in need. This is the role of the *amicus minor*, an associate of lower sociopolitical standing who gives helpful advice.¹¹² Aulus Gellius, the quoter, ends his excursus with the observation that Aelius Stilo interpreted the passage as a self-portrait of Ennius, who was known to have close ties with Roman grandees like Fulvius Nobilior, Scipio, and Cato the Elder.¹¹³ Aelius himself, one recalls, was an *amicus minor* who followed Metellus Numidicus into exile (quoted above), so it was only natural for him to imagine himself mirrored in Ennius, poet-friend to a great man.¹¹⁴

The prospects of the artisan as an *amicus minor* depended on a delicate positionality, one suited to the complex circumstances of Roman imperialism. Edward Said opens *Orientalism* with observations appropriate to the balancing act of Gracchan-era Rome :¹¹⁵

In a quite constant way, Orientalism depends for its strategy on this flexible *positional* superiority, which puts the Westerner in a whole series of possible relationships with the Orient without ever losing him the relative upper hand.

One need only swap the proper nouns of the passage with ancient counterparts: for “Orientalism,” read “Roman cultural imperialism” or “Romanization”; for “Westerner,” read “Roman elite”; and for “the Orient,” read “Greece.” David Mattingly has attempted to bridge the

¹¹¹ *PHerc.* 1507 col. 43, ll.15–20.

¹¹² See esp. Habinek 1998: 50–1, with discussion of the Ennian passage.

¹¹³ Badian 1972 is especially significant since it maintains the poet’s autonomy despite these high associations.

¹¹⁴ Stilo perhaps cited Ennius’ accompaniment of Nobilior in the Epirote campaign as justification for the relocation, since that equally odd arrangement had, with difficulty, fended off criticism from Cato the Elder (Cic. *Tusc.* 1.3).

¹¹⁵ Said 1978: 7.

taxonomic gap between modern and ancient Imperialism more fully. It is better, he argues, to pluralize and speak of “Roman imperialisms” in order to capture the variety of colonizer and subaltern experiences of this system.¹¹⁶

Different persons thus experienced Roman imperialism(s) differently. It is crucial nonetheless not to whitewash the evils of this institution.¹¹⁷ In another important contribution to the topic, Amy Richlin has illuminated the *palliatae* as slave theater, where “[t]he slaves onstage lay claim not only to family but to personhood, as they tell what abuse feels like and say what it is they want.”¹¹⁸ Statuses within the traveling acting troupe (*grex*) could range widely, all the same, including better-off freedmen impresarios. Richlin likens dramatic employees and employer to the range of jobs found in ceramic factories, from proprietors at the top down to technicians.¹¹⁹ In other words, we can extrapolate the trajectories of professional lives along a

¹¹⁶ Mattingly 2011: 17.

¹¹⁷ Ever-presently Roman authorities exerted control over the bodies of their subjects, against their will, backed both by threatened and realized violence. See e.g. Joshel 1992: 30–1; Mattingly 2011: 94–121. In Lucilius’ poetry, one encounters the truly horrifying threat: *cum manicis catulo collarique ut fugitium | deportem*: “I would fetch you with handcuffs and a dog’s collar like a runaway slave” (854 Marx).

¹¹⁸ Richlin 2017a: 70.

¹¹⁹ Richlin 2017a: 13–14. The evidence for the civic status of actors is slim. Richlin’s treatment is surprisingly truncated on the subject, but an inventory of Republican actors can be found in Garton 1972. Despite some meteoric careers, e.g. Roscius’, they were a disadvantaged class. It was legal in the Republic to beat actors on and off the stage (Suet. *Aug.* 45), and children of senators were forbidden by the *lex Iulia* from marrying acting professionals, who are lumped with freedmen/-women (*Dig.* 32.2.44). Producers and managers are known from the *didascaliae*, production notices that have been transmitted in the manuscript tradition, for example: Publilius Pellio, “The Tanner” (Did. on Pl. *St.*; Pl. *Bac.* 214–5; *Men.* 404); Lucius Ambivivus Turpio, “The Ugly Restaurateur” (Did. on Ter. *Ad., An., Eun., Hau., Hec., Ph.*); Lucius Atilius Praenestinus (Did. on Ter. *Ad., An., Eun., Hau., Ph.*); Lucius Sergius Turpio (Did. on Ter. *Hec.*). Ambivivus also put on plays for Caecilius (Ter. *Hec.* Prol. 14) and makes big claims about his rehabilitation of that playwright’s career: *ita poetam restitui in locum prope iam remotum iniuria aduorsarium ab studio atque ab labore atque arte musica* (ibid. 21–3), “and so I restored the poet to his station at a time when he was nearly removed from the pursuit and work and profession of the muses by the slights of his detractors.” Opinions vary on whether it is significant that the stage-managers bear cognomina. Gratwick (1982: 80) and Manuwald (2011: 81) see the use of a cognomen as a marker of high status in this period, but Rawson (1985: 112) and Richlin (2017a: 13) note the humble connotations of the names. There is a middle ground, i.e. an up-and-coming professional class; see on Aelius Stilo above. The attested *tibicines*, musical performers who accompanied the dramatic performance, are all slaves: *Marcipor Oppii*, “Marcipor, slave of Oppius” (Did. on Pl. *St.*); *Flaccus Claudi* “Flaccus, slave of Claudius” (Did. on Ter. *Ad., An., Eun., Hau., Hec., Ph.*).

gradient. In the prologue to *Heauton Timorumenos*, Terence's promoter, Ambivius Turpio, exemplifies the pell-mell existence of drama workers: 1) "actor" as stage-manager (cf. Gr. *chorēgos*); 2) "actor" as the actual deliverer of the prologue; and 3) "actor" as a pretend lawyer representing Terence's interests (< *legis actio*, a civil legal procedure).¹²⁰ A triple threat, Ambivius Turpio (lit. "The Ugly Restaurateur"), at least could pretend to climb socially to the Roman law court.¹²¹ We must not forget of course Terence's own over-familiarity with his elite patrons, the grounds for the charge against his authorship of the plays.¹²²

Once we accept this more encompassing understanding of intellectual producers as subordinate but active clients to Roman elite households, it becomes clear that the Gracchan cultural revolutions cannot be divorced from the more notorious political episodes of the period. The professional classes profoundly molded public discourse in Republican Italy, where playwrights and actors could be political organizers as much as the Gracchi. That being said, we must not fall into the trap laid by Roman historiographers which holds foreign professionals responsible for the Fall of the Republic. If we had to apportion "blame," and we do not, we could follow Wallace-Hadrill's lead in this dissertation's opening quotation and point to the Roman elite's penchant for self-destruction. Professionals moreover were not a monolithic group. We have already noted that individual artisans will have occupied various statuses from slave to the independently wealthy. Their attitudes towards the Romans will have ranged from hostility to

¹²⁰ *nunc quam ob rem has partis didicerim paucis dabo. | oratorem esse uoluit me, non prologum. | vostrum iudicium fecit, me actorem dedit, | si hic actor tantum poterit a facundia | quantum ille potuit cogitare commode | qui orationem hanc scripsit quam dicturus sum* (Ter. *Hau.* 10–15), "Now I will give the reason why I have learned these roles. He [sc. Terence] wanted me to be an orator, not a prologue speaker. He has laid the court case before you, and he has made me the advocate [actor], whether this advocate will be able to match in eloquence the ability of that playwright to reason correctly, who wrote the speech I am about to deliver."

¹²¹ Heights that Aelius Stilo almost reached, who was speechwriter to many prominent barristers (Cic. *Brut.* 169).

¹²² Ter. *Ad.* 15–21; Don. *Ter. Vit.* 3–4 (ex *Suetonii De Poetis*).

affection, and sometimes even both simultaneously. Rather than search in counterfactuals for ways to save the Roman Republic from the Fall—as if it were something worth saving—scholars can more productively listen to the voices of the subaltern.

A few brief cases will underscore the point. For example, Diodorus Siculus describes the sway of stage performers at a flashpoint in 91 BCE between rowdy theater-goers in an audience divided between Romans and Italians. (The scene was likely none other than the city of Asculum, the tinderbox that would ignite the Social War with the assassination of the praetor Servilius and his legate Fonteius.) The Roman contingent had brutally murdered a comic actor, in Diodorus' words, for "annoying them while he was on stage" (κωμῳδὸν ἐπὶ τῆς σκηνῆς ἀγανακτοῦντα κατέσφαξαν). The Italians wanted to kill a performer beloved by the Romans as reprisal, but the buffoon, known only by his stage role (Lat. *Sannio*), escaped death by affirming to them, "I am no Roman, but like you I live under their fasces; I wander Italy trafficking in levity and chasing after pleasure and laughs." While "Buffoon"/Sannio defused mob violence on this occasion, it is also worth noting on the contrary that Eunus, a Greek slave, had launched a slave rebellion in Sicily from the theater at Enna (104 BCE).¹²³ Eunus' whole claim to legitimacy rested on his impersonation of a lost member of the Seleucid household, one or another "Antiochus." We do not know much about Eunus' past, but I suspect he may have practiced this role of pretender king at the very same venue as the actor for Oedipus, Agamemnon, or Creon.

To that end, we know that Hellenistic performance techniques profoundly impacted Roman Republican oratory.¹²⁴ Licinius, a slave, served as the voice coach for Gaius Gracchus,

¹²³ D.S. 34/35.13.

¹²⁴ Though the focus here is on forensic speech, consult also the discussion of criminal show trials in Chapter 5, especially in the standing court for extortion (*quaestio de repetundis*). The defendant in the inaugural case, Sulpicius

who modulated his vocal exercises to a tuning fork and studied other musical training.¹²⁵ Gracchus' tutelage under the rhetoricians Diophanes of Mytilene and Menelaus of Marathus is well documented also.¹²⁶ And Enrica Sciarrino remarks that such influence extended even Gaius Gracchus' speech patterns: "Gaius' selection of clausulae... was dictated by an attempt to fully exploit cultural materials rendered available by non-elite professionals."¹²⁷ Gaius of course would employ prosody and other rhetorical skills to great effect. In Cicero's *De Oratore*, his interlocutor Crassus proffers Gaius Gracchus as the crowning example of the power of dramatic performance in public speech.¹²⁸ Crassus relates how Gaius, upon the death of his brother Tiberius, quoted from Ennius' *Medea* in order to express a feeling of being lost at sea after the death of his own "Apsyrtos," killed likewise by friends and family.¹²⁹ Crassus tags the quote with the memory that "[Gaius] acted out the scene with his eyes, voice, and body such that such that even his enemies could not hold back tears."¹³⁰ For Cicero/Crassus, Gaius Gracchus embodies the mask of the politician. Ever the stage-manager, Gaius Gracchus, like Eunus, appreciated the populist optics of political theater: Gaius famously rotated the *rostrum* towards the Roman Forum like a *proskenion*.¹³¹

Galba, used his crying children as props in order to garner sympathy, much to the chagrin of Cato (Cic. *Brut.* 90; cf. V. Max. 8.1.2). (He was acquitted.)

¹²⁵ Plu. *TG* 2.5 Cf. pitch exercises at V. Max. 8.10.1; Quint. *Inst.* 1.10.27–8. See also Sciarrino 2007.

¹²⁶ Cic. *Brut.* 100, 104.

¹²⁷ Sciarrino 2007: 63.

¹²⁸ Crassus begins the excursus, *actio, inquam, in dicendo una dominatur* (Cic. *De Orat.* 3.213), "delivery alone, I say, is the governor of speaking," and ends with a parallelism after the Gracchan *exemplum*: *haec ideo dico pluribus quod genus hoc totum oratores, qui sunt ueritatis ipsius actores, reliquerunt, imitatores autem ueritatis, histriones, occupauerunt* (ibid. 214), "I made these points at such length for the very reason that orators, who are the deliverers of the truth itself, have abandoned this entire area of study, whereas artificers of the truth, the actors, have seized it."

¹²⁹ Clearly, the parallel occurred to the mind of Cicero, who quotes the two in close proximity (*quo uertam?* Cic. *De Orat.* 3.214 = *ORF* 61 vs. *quo nunc me uertam?* ibid. 3.217 = Jocelyn F 217. I owe the intertext to Sciarrino 2007: 61; see also Jocelyn *ad loc.*

¹³⁰ *quae sic ab illo esse acta constabat oculis, uoce, gestu, inimici ut lacrimas tenere non possent* (Cic. *De. Orat.* 3.214).

¹³¹ Plu. *CG* 5.3.

1.6 A Roadmap of the Chapters to Follow

The general movement of this dissertation will run from theory to practice, culminating in a reinterpretation of the Gracchan reforms not as a political solution to real-world problems, but as a revolutionary ideological shift that manufactured political problems in turn. The second chapter shores up the case that second-century-BCE Rome was an intellectual center of the Mediterranean, and with historical and epigraphic data I track a pattern of “brain drain” from the cities of the Hellenistic kingdoms to Republican Italy. Day-to-day collisions of members of the Roman administration and provincials fueled the centripetal motion of professionals. In sum, the realities of empire were completely incompatible with Cato’s nativist pipedream of an Edenic, cloistered Rome. Chapter 3 will detail the perilous conveyance of second-century-BCE literature through fragments preserved in late grammarians, the situation that has so often beleaguered a serious and fair account of the Gracchan-era intellectualism. Such eccentric transmission, I argue, has obscured the emanations of an enlightened period of Roman thought. The chapter will advance a form of textual archaeology as a mitigation strategy, where fragments are excavated within their find context, i.e. a quoter. Once we compare a number of shared quoting environments, it becomes easier to eliminate the widespread distortions in the textual data that have had a deleterious effect on period studies.

The second half of the dissertation pivots to paired studies of the impact of the Intellectual Revolution on literature (Chapter 4) and politics (Chapter 5). Chapter 4 will borrow the metaphor of “translation” to describe the arrival of Hellenistic artists, ideas, and cultural materials at Rome; it will then apply the methods of textual analysis outlined in Chapter 2 to the dramatic and satiric *corpora* from the late second century BCE. The results will demonstrate that the dramatists were not unoriginal thieves of Greek intellectual property, but, like Rome’s

diplomatic corps, were cultural modulators. Lucilian satire, meanwhile, had a deeply introspective political element since it presented an outlet to hold Roman elite accountable, if not legally, at least publicly and socially. Chapter 5 will build on more formal mechanisms of public oversight and accountability, such as the newly established standing extortion court (*quaestio de repetundis*). These measures were propped up by the Greek-inspired conviction that the machinery of the state was obligated to the *dēmos*, a radical idea that equally would underpin the anti-establishment rhetoric of the Gracchan program. Regular auditing of magistrates' expenditures from public funds presaged the review of the use and abuse of *ager publicus*; these populist measures were intended to curb the excesses of the ruling class and reassert the right of the people over the management of state wealth, the *res populi*. This recalibration depended on the newcomers who opened traditional institutions to scrutiny.

Chapter 2 Central Italian Patrons and Foreign Professionals

στῆλαι	<i>tituli</i>
ἐνθάδε	<i>heic</i>
τυποῦνται καὶ	<i>ordinantur et</i>
χαράσσονται	<i>sculpuntur</i>
ναοῖς ἱεροῖς	<i>aidibus sacreis</i>
σὺν ἐνεργείαις	<i>cum operum</i>
δημοσίου.	<i>publicorum</i>
(CIL X 7296)	

Stelae, here! Shaped and engraved for sacred buildings and public works.

An anonymous stonecutter (*lapidida*) makes a pitch to a bilingual audience of elites. The two mirrored *stelai* carry neat bilinear lettering in Greek and Latin, and therefore demonstrate to purchasers that the stonecutter can produce quality results in either language. Indeed the ad sells itself. Little else can be settled about the inscription—neither its exact date nor original location is secure—but nonetheless its content has sparked speculation. It was displayed in Palermo as early as 1762, and Greek-Latin bilingualism fits that venue.¹³² From a local inscription in Palermo we know that Italian businessmen (*negotiatores*) operated there in the second century BCE, and they might have been the kinds of prospective buyers the *lapidida* solicited.¹³³ Olga Tribulato has even argued that the inscription owes its solecisms to the fact that the engraver was a native Punic speaker living in Palermo or Western Sicily.¹³⁴ Within this imagined community Giancarlo Susini meanwhile pictures this stonecutter as the proprietor of a larger *officina*, a

¹³² Tribulato 2011: 134.

¹³³ CIL I² 836.

¹³⁴ Tribulato 2011: 133–8.

“workshop.”¹³⁵ For just a moment I would use this single putative *officina* as a proxy for the foreign artisans in the second century BCE who navigated Rome’s multicultural empire in order to bargain with Italian elites. One can envisage protracted haggling between the Palermo *officina* and *negotiatores* over construction materials, the ductus of the lettering, honorifics used, etc.

The aim of this chapter is to describe the relationship between professionals of the Mediterranean and the Italian elite upon whom they depended financially. A *desideratum* is to return agency to both parties—patron, but also patronized. First, I will situate patrons and clients within the geopolitical environment of the second century BCE, which had reoriented around Rome. As fortunes shifted, professionals were detached from traditional lines of patronage at the declining Hellenistic courts. Rome was ready to receive them. In this zero-sum game, the losses of the successor kingdoms would benefit the Italian elite, who had amassed staggering private fortunes. The Italian elite redeployed their new wealth in two main ways: 1) semi-public, semi-private infrastructure projects in the growing urban centers in Latium, Campania, and the Sicelo-Italic zone; 2) financial support of leisure activities (e.g. popular entertainment, personal instruction in philosophy). These investment prospects were push-pull factors for itinerant professionals, who were forced out of traditional culture hubs like Alexandria and towards the dense cluster of patrons in the newly modernized cities of Italy. The second half of the chapter demonstrates how the patron-client bond was formed in practice and how such collisions took place at every level of aristocratic life, from chance meetings with professionals on diplomatic missions or military campaigns to planned stays at philosophical school in Athens. The everyday administration of the Roman empire catalyzed many unions of professionals and elites, but so

¹³⁵ Susini 1973: 19.

too did the social pressures on the patron class regarding the use of their *otium*. Association with foreign professionals was normalized and became a status marker of the Italian elite.

2.1 Destination Italy; Urban Magnetism and Geopolitics

Over the course of the second century BCE Rome took the mantle as the Mediterranean hegemon in a geopolitical system that had formerly been anarchic.¹³⁶ Elena Isayev has described Rome as the premier people-mover of the Mediterranean basin thereafter, albeit with some limitations. As Isayev has demonstrated, the Roman “state” apparatus did not possess the capability to dampen, much less stop the net flow of immigrants through peaceful measures, though in times of war its head magistrates were horrifyingly efficient at doing just those things.¹³⁷ In other words, under Rome’s leadership we should posit a period of stable exchange of populations across the second-century-BCE Mediterranean world, punctuated intermittently by major dislocations due to conflict. That still leaves us with questions unanswered: since Mediterranean professionals would have been subject to the same systematic constraints as everybody else, what circumstances drove them particularly to relocate in such numbers and over such distances? As the Hellenistic courts destabilized, migration was one way to alleviate the precarious position in which many professionals found themselves, and we must rely on cross-cultural comparisons to understand their plight.

¹³⁶ See Eckstein 2006: 12–38; the picture is uncontroversial, even if it is open to debate as to whether Kenneth Waltz’s brand of Realism can be applied to a second-century BCE context. See e.g. Waltz 1979: 88–128. By the zero-sum rules of Realism, one state’s political gains must necessarily originate in the losses of another state; one state’s increased security means a less secure outlook for others.

¹³⁷ Isayev 2017: 34–47. Compare James Tan’s portrayal of Rome as a weak state: “For the Salaminians and so many others, the Roman state was the worst combination of strength and weakness. It had a formidable capacity when it come to coercing whichever unfortunate souls fell within its sights, but it lacked the autonomy to fend off the agenda [of its elites]” (Tan 2017: 69).

Most migrants did not travel far in early modern Europe.¹³⁸ Rural “surplus” population replenished high mortality zones, primarily large cities, which could not sustain themselves due to endemic disease, food insecurity, poor public hygiene, and other factors.¹³⁹ Many readers will recognize this phenomenon as the “urban graveyard effect.” In early modern Europe, the home communities of urban newcomers radiated in concentric circles in the countryside around major population centers, and the draw of the cities decreased in proportion to distance. Yet an exception to this rule were skilled laborers who could and did travel long distances for desirable apprenticeships in urban areas.¹⁴⁰ This mobile trained workforce best matches the group of foreign professionals whom I have selected for this study and who traversed large spans in order to arrive in the Sicelo-Italic orbit.

I approach ancient parallels *mutatis mutandis*. For one matter, I assume that cities were desirable to professionals due to the markets they provided, specifically employment opportunities under the urban elite. In the second century BCE the Central Italian urban cluster would have been an attractive destination, combining the budding megalopolis Rome with satellite cities in Campania.¹⁴¹ Interleaved with economic advantages, however, were the dangers of city-dwelling just enumerated, such as sanitation. Newcomers, moreover, were among the most vulnerable to risk and insecurity.¹⁴² One expects that transient populations often resided in subpar shared housing arrangements such as crowded tenement structures. Turnover would be high as lodgers left in success, defeat, or caskets. Professionals may have weathered the

¹³⁸ Much of the discussion in this paragraph depends on Flinn 1981: 65–75. Demographers of Early Modern Europe rely in turn on parish records, mostly in England and France, which have been used comparatively for the second-century-BCE Italy by Classical scholars (e.g. Isayev 2017: 29–30).

¹³⁹ On sanitary conditions at Rome due to flooding, see Mignone 2016: 87–8.

¹⁴⁰ Freu 2016 provides a recent and thorough evaluation of apprenticeship in antiquity.

¹⁴¹ On urban growth, see Isayev 2017: 27–9. For Italian urban networking, especially in Campania, see Morley 1997.

¹⁴² On food insecurity and plague, see Bagnall and Frier 1994: 173–8.

obstacles of city life better than other immigrants, all the same, because they enjoyed access to elite households; there are numerous examples of Romans billeting philosophers, poets, etc. as in-house guests.¹⁴³ From urban *collegia* professionals also gave and received lines of support mutually. Cameron Hawkins describes the semi-formalized corporate structure of the *collegium* as a “private-order enforcement network” which was flexible enough to weather uncertain market conditions, while simultaneously driving down transaction costs of its members. In addition, *collegia* offered artisans basic protections, arbitration, and opportunities based on personal recommendation and reputation.¹⁴⁴

Beyond the *collegia*, mobile professionals figured in urban policies throughout the Mediterranean. Long ago Dupont-Sommer published a Punic-war era inscription that seems to detail basic urban planning at Carthage, perhaps even zoning to be enforced by magistrates. Its separate provisions single out Greek sandal sellers in these districts.¹⁴⁵ Similarly, Penelope Goodman has catalogued artisan clusters at Rome, sometimes substantiated in *uici* known as the haunts of various professionals, with eponyms like the *uicus argentarius*. Named ethnic neighborhoods also are suggestive of vibrant immigrant communities in the *urbs*.¹⁴⁶

Urbanism in fact characterizes the entire Hellenistic period. The successors routinely favored pre-existing urban sites or synoecized communities in order administer their kingdoms

¹⁴³ See *passim* this chapter and the inventory in the Appendix. For the early first century CE, the chamber tomb of the Statilii Tauri provides a useful snapshot, for household workers of the *familia* buried there were listed with their occupations. Those named as architects/surveyors, readers/entertainers, financial agents, administrators, and secretaries/copyists comprise 28% (32/116) of all such individuals (see Joshel 1992: 75 for data). Perhaps skilled laborers were more likely to be included in the family tomb, but the numbers suggest that a single aristocratic family could support a significant number of them.

¹⁴⁴ Hawkins 2016: 66–129. Cf. Venticinque 2016: 35–66.

¹⁴⁵ Dupont-Sommer 1968. The title in Punic is borrowing from Greek. The word, ironically, is a loan twice-over, first from pre-Greek to Greek.

¹⁴⁶ Goodman 2016. Cf. the *uicus Tuscus* (D. H. 5.36.4; Fest. 354, 355M; Liv. 2.14.9); *uicus Africus* (Var. L. 5.159).

more efficiently.¹⁴⁷ Indeed some cultural institutions could only function in near court at the capitol, such as the royal libraries.¹⁴⁸ Naturally the Ptolemies furnish the most exaggerated example. Timon of Phlius remarks on the close-quartered combat which took place in the Ptolemies' zoo for intellectuals:

πολλοὶ μὲν βόσκονται ἐν Αἰγύπτῳ πολυφύλῳ
βιβλιακοὶ χαρακίται ἀπείριτα δηριόωντες
Μουσέων ἐν ταλάρῳ (SH 786)

Many basement-dwelling book-nerds are fattened up in the melting pot of Egypt, where they incessantly squabble in the bird-cage of the Muses.

Timon evokes a crowded Alexandria where cloistered intellectuals are many and well-fed (πολλοὶ μὲν βόσκονται; cf. Αἰγύπτῳ πολυφύλῳ). The fragment also spotlights Alexandria as a new foundation, a city of immigrants. After all most of its librarians, the exotic avians in Timon's metaphor, were necessarily born outsiders.¹⁴⁹

So why did the caged birds sing now for the Romans? Let us examine the “losers” first.

2.2 Mediterranean Turmoil; Alignment Rome-wards

While many others have analyzed Rome's rise at the expense of other Hellenistic states, we need to consider the knock-on effects for professionals specifically. Fortunately, we possess a good guide in Polybius, himself a resident alien at Rome, who observed to a young Scipio Aemilianus:

περὶ μὲν γὰρ τὰ μαθήματα, περὶ ἃ νῦν ὀρῶ σπουδάζοντας ὑμᾶς καὶ φιλοτιμουμένους, οὐκ ἀπορήσετε τῶν συνεργησόντων ὑμῖν ἐτοίμως, καὶ σοὶ κάκείνῳ· πολὺ γὰρ δὴ τι φῦλον ἀπὸ τῆς Ἑλλάδος ἐπιρρέον ὀρῶ κατὰ τὸ παρὸν τῶν τοιούτων ἀνθρώπων (Plb. 31.24.6–7)

¹⁴⁷ Boehm 2018: 29–139.

¹⁴⁸ On Ptolemaic patronage, see Pfeiffer 1968: 96–8; Fraser 1972: 1.305–335; Schironi 2019. Cicero (*De Orat.* 1.69) too was aware of the urban draw on Hellenistic professionals when he noted the irony that the poet Nicander of Colophon, “a man at the furthest remove from the countryside” (*hominem ab agro remotissimum*), could write on snake bites and their remedies. (He had no contact with wildlife, essentially.)

¹⁴⁹ For Callimachus' Cyrenean origins, see Cameron 1995: 3–11.

On the subject of the teachings, concerning which I see you now in serious study and labor, you will not lack for collaborators at the ready, both for you and for [your brother]. For certainly at the present I see a great mass of these sorts of people flowing out of Greece.

His wording is careful: Greek teachers were abandoning Greece; they enjoyed mutual interest from Roman patrons; the relationship could be characterized as one of collaboration (τῶν συνεργησόντων).¹⁵⁰ While in hindsight Polybius embellishes this first encounter with Aemilianus, Polybius' optimistic prognosis for pedagogues at Rome squares with the overarching narrative of his *Histories*, Rome's domination of the Mediterranean. I operate under the premise that Polybius has read the situation correctly. With Rome's political rise came massive influxes of cash through the hands of private citizens and into the urban economies of Italy. The Sicelo-Italic macroregion had capital and patrons enough to facilitate a process of "brain drain" from established Hellenistic centers.

2.2.1 Ptolemaic Kingdom

Alexandria, the undisputed intellectual jewel of the early and middle Hellenistic period, ceded its title during the Gracchan era. 145 BCE was the relative highwater mark for the Ptolemaic kingdom, at which time Ptolemy Philometor even controlled Syria through the Seleucid Demetrius II, whom he had installed as a puppet. Philometor thus could make a credible claim to Asia too.¹⁵¹ Many have burdened his brother and successor Ptolemy Physcon with the responsibility for Alexandria's decline from the pinnacle of the academic world, beginning with Physcon's second accession in 144 BCE. Polybius himself was present as Physcon's troops

¹⁵⁰ Of interest here is the recurrence, as in Timon of Phlius (above), of πολλὸν...φῶλον; like Alexandria, Rome became crowded with intellectual immigrants.

¹⁵¹ Macc. 1.11.13.

suppressed riots in the capital: “Physcon, in a counter-measure against the popular insurrection, thrust the crowds into his soldiers over and over again and thoroughly destroyed them.”¹⁵²

Martial law did not bode well for educational institutions. Physcon burned alive a number of youths who were crammed into a *gymnasium* and sent in troops to mop up survivors.¹⁵³ What scholars call the *secessio doctorum* followed, “the exodus of professionals.” “*Grammatici*, philosophers, surveyors/mathematicians, musicians, painters, athletic trainers, doctors, and all sorts of other skilled laborers [*technitai*],” Athenaeus narrates, fled to unspecified “islands and other cities.”¹⁵⁴ While it is not clear whether Aristarchus, head of the Library, was one of these refugees, it is suggestive that he died in Cyprus according to Suidas. The *Mouseion* never fully recovered after his departure anyway.¹⁵⁵

Rome and its close allies like Athens and Rhodes were among the “island” and “city” destinations for intellectual refugees fleeing persecution and hardship in the Ptolemaic empire. Kilian Fleischer’s new readings of *P. Herc. 1201*, known as Philodemus’ *Index Academicorum* (“Yearbook of the Academy”), would place the philosopher Charmadas of Alexandria in the school of Carneades at Athens beginning in 146/145 BCE, along perhaps with an Alexandrian

¹⁵² Plb. 34.14 (via Str.). Cf. D. S. 33.6/6a, 12, 13; Justin 38.8 (in gruesome detail).

¹⁵³ nam cum animaduertet quanto sui odio patria teneretur, timori remedium scelere petiuit, quoque tutius plebe trucidata regnaret, frequens iuuentute gymnasium armis et igni circumdedit omnesque, qui in eo erant, partim ferro, partim flamma necauit (V. Max. 9.2. ext. 5), “For when [Ptolemy] considered how much his country hated him he sought a remedy to instill fear by a heinous act so that he might rule more safely once the multitude was slaughtered. With fire and weapons he enveloped a gymnasium which was crowded with young people, and he had everyone killed inside, some by the sword, some by fire.”

¹⁵⁴ Ath. 4.184b–c; Pfeiffer 1968: 212; Fraser 1972: 1.319 (and elsewhere).

¹⁵⁵ Schironi 2019: 5–6. Fraser (1972: 1.333–4) notes that according to the papyrus that lists the head librarians in chronological order (= *P. Oxy. X 1241*) Aristarchus’ successor was Cydas, “a member of the spearmen” (ἐκ τῶν λογχοφόρων). This phrasing, in his estimation, reflects the fact that Physcon had placed a member of his military cadre as interim steward of the Library following Aristarchus’ departure. The subsequent period is unremarkable and the details of the papyrus are vague. See Murray 2014 on the problems that this papyrus poses as a historical document.

cohort mate, Antipater of Alexandria.¹⁵⁶ Apollodorus of Athens, Philodemus’ own source on Charmadas’ life, was bouncing between his native Athens, Alexandria, and Pergamum during this tumultuous period.¹⁵⁷ And it was in Athens that Charmadas would later teach Antonius and Crassus, two of Cicero’s interlocutors for *De Oratore*.¹⁵⁸ By the time of the *secessio*, some ex-Alexandrians had already reached up-and-coming Rome. When Ptolemy Philometor traveled to Rome in 164 BCE to escape the intrigues of Physcon—his brother, co-ruler, and rival claimant—Philometor looked up an old friend, Demetrius the “Typographer” (= relief-sculptor/painter?), who was likewise in narrow straits: “Having discovered along the way where [in Rome] Demetrius the Typographer lived, [Ptolemy Philometor] sought him out and lodged with a man whom he himself had hosted many a time in house stays at Alexandria.”¹⁵⁹ Demetrius rented a crummy loft (ὑπερῶον), presumably on the upper story of an insula-style tenement building.¹⁶⁰ The anecdote of Philometor’s visit to Demetrius does double duty: Demetrius’ squalid apartment in Rome is an example of the precarious living arrangements to which mobile artisans might be forced; the story also serves as a Polybian reversal of fortune for the Ptolemies, who came to Rome down on their luck just like their former subjects.

The *patres* watched Ptolemaic tragedies unfold from the sidelines, malevolently and with a lassitude that would typify the Roman response to the implosion of the Hellenistic

¹⁵⁶ Fleischer 2014, 2019.

¹⁵⁷ Jacoby 1902: 2–9.

¹⁵⁸ Discussed p. 77.

¹⁵⁹ πεπυσμένος δὲ κατὰ τὴν πορείαν τὸ κατάλυμα τὸ τοῦ Δημητρίου τοῦ τοπογράφου, πρὸς τοῦτον ζητήσας κατέλυσε πεφιλοξενημένον ὑπ’ αὐτοῦ πλεονάκις ἐν τῇ κατὰ τὴν Ἀλεξάνδρειαν ἐπιδημίᾳ (D. S. 31.18.2). Valerius Maximus merely calls the artist with whom Philometor stayed an *Alexandrinus pictor* (V. Max. 5.1.1).

¹⁶⁰ Diodorus relates that Demetrius Soter, the Seleucid royal hostage at Rome, grew disconcerted at news of Philometor’s poor condition on this visit. Demetrius offered help, but Ptolemy refused his fellow dynast (D. S. 31.18.1).

kingdoms.¹⁶¹ Despite extensive diplomatic oversight over Egypt, the senate followed up with little concrete help or harm.¹⁶² Even if the senators rubber-stamped a partitioning of territories between Physcon (Cyrenaica) and Philometor (Cyprus, Egypt) in 163 BCE, they scarcely engineered the demise of the Ptolemies by “dividing and conquering”; Ptolemaic family members accomplished that for themselves. The failure of the Ptolemaic line was so abject that on multiple occasions dynastic rivalries spurred rulers to will all or part of the Egyptian kingdom to the Roman people. Though never probated, these wills resembled Attalus’ bequest of Pergamum.¹⁶³ The diminution of the Ptolemaic dynasty therefore illustrates that the Hellenistic monarchies were no longer capable of independent action from Rome by the mid-century mark, the upper bound and *post quem* date for this dissertation (149 BCE). One could say that Polybius’ readers lived in a very different Hellenistic world from the one which they read about in his *Histories*. And without Polybius as a crutch, many modern historians write sparingly of the next period indeed.

2.2.2 Seleucid Kingdom

The Seleucids came to an end even more miserable than the Ptolemies.¹⁶⁴ In the estimation of Gruen: “It pays few dividends to rehearse the dismal history of the Seleucids in the succeeding decades [i.e. after 145 BCE]. The Hellenistic powers had effectively reduced the

¹⁶¹ Gruen 1984: 713–16 (post 145 BCE), but with doubts for the 160s BCE (ibid. 699–700) when the Ptolemies could still skillfully exercise statecraft before the Roman senate.

¹⁶² See Gruen 1984: 713–5 on the ineffective missions of Minucius Thermus and Scipio Aemilianus to Egypt.

¹⁶³ The first was the “will” of Physcon (*SEG* 9.7; 155 BCE), which, in light of recent attempts on his life (by Philometor?), names the Romans as the beneficiaries of Cyrenaica should he die without issue. Physcon would have children, which invalidated this provision. Many read Physcon’s proclamation for Rome as a gesture to dissuade Philometor from attempting to unify Egypt at his own expense (Gruen 1984: 702–5). Ptolemy Apion, son of Physcon, who died childless himself, would fulfil his father’s wishes and left Cyrenaica to Rome. In response the senate proclaimed its cities free (*Liv. Per.* 70). Finally in 88 BCE the exiled Ptolemy Alexander I left Egypt to Rome in his will as security for Roman creditors while he pursued his own restoration (Badian 1967).

¹⁶⁴ Gruen 1984: 663ff.; cf. Habicht 2006: 174–242.

kingdom to second-class status—and then left it to devour itself.”¹⁶⁵ Recent studies nonetheless have depicted Seleucids as active patrons before their inglorious fall.¹⁶⁶

Even after the death of Antiochus the Great and through a carousel of successors, for a time the Seleucid court was able to sponsor professionals. The reign of Alexander Balas, Seleucid regent 150–145 BCE, would be an inflection point. For Athenaeus relays that Alexander Balas invited the Epicurean philosopher Diogenes of Seleucia-on-the-Tigris and other philosophers to a symposium at the palace with distinguished nobles.¹⁶⁷ Though Balas himself was a Stoic, the king and Diogenes ribbed one another good-naturedly. Not so with Balas’ successors, however—one of them had Diogenes executed for his *kakologia*. Athenaeus reflects, “in comparison, Alexander [sc. Balas] was kind to all and a lover of knowledge (φιλόλογος) in the presence of company.”¹⁶⁸ Balas’ predecessors also had wined and dined with professionals. Antiochus Epiphanes was no stranger to revelries in 168 BCE following his military offensive against Egypt. Epiphanes employed gladiators and perfumers in a mock-triumph he had designed to one-up Aemilius Paulus’. The drunken king even climbed on stage where he acted with a mime troop.¹⁶⁹ And around 170 BCE Antiochus Epiphanes had hired Cossutius, a Roman citizen (!), as an architect to finish the Olympeion started by the Peisistratids at Athens.¹⁷⁰ (That direction of patronage was soon to flip.) Moreover, an anonymous tract found at Herculaneum (= *P. Herc* 1044) suggests that the Epicurean philosopher Philonides had infiltrated the Seleucid

¹⁶⁵ Gruen 1984: 668.

¹⁶⁶ Stevens 2019: 205–7, citing the then unpublished dissertation of Marijn Visscher (2016, Durham University, now Visscher 2020; *non uidi*). Bevan 1902: 2.276–7 is still relevant.

¹⁶⁷ Ath. 5.211a–d. This Diogenes is not to be confused with Diogenes of Babylon, the scholarch of the Stoa.

¹⁶⁸ ὁ δ’ Ἀλέξανδρος προσηνὴς ἦν πᾶσι καὶ φιλόλογος ἐν ταῖς ὀμιλίαις (Ath. 5.211d).

¹⁶⁹ Mimes: Plb. 30.26.7–8; gladiators: Plb. 30.25.6; perfumers: Plb. 30.25.7. Cf. Liv. 41.20.

¹⁷⁰ *sollertia scientiaque summa ciuis Romanus Cossutius nobiliter est architectatus* (Vitr. 7 *praef.* 15; cf. *ibid.* 17). Cossutius’ exploits are also known from an inscription found near the Olympeion (*IG II²* 4099). (A different Cossutius is credited for a building at *IG II²* 10154.)

royal entourage as early as the reign of Seleucus IV (coronated 187 BCE).¹⁷¹ Some of Philonides' accomplishments at court include: he quelled a tense situation in his native Laodicea which was under military occupation, precipitated either by the murder of the Roman legate Gnaeus Octavius in that city (ca. 162 BCE) or the assassination of Seleucus IV;¹⁷² converted Demetrius Soter to Epicureanism;¹⁷³ and perhaps served as tutor to the young Seleucids.¹⁷⁴

Dynastic squabbling only intensified after the death of Alexander Balas, reducing the kingdom to such a degree that it was no longer a viable contender for outside professionals.¹⁷⁵ Such volatility seems to have motivated Archias' departure from Antioch for Rome in 102 BCE. The recruitment woes of the Seleucids were cemented; no longer could they even retain local talents like Archias.¹⁷⁶ As with the Ptolemies, the waning political and economic power of the Seleucids had gone hand-and-fist with diminished prospects for intellectuals. Most wounds were either self-inflicted or at the hands of other competitors in the Near East, in this case the growing Parthian Empire. The Roman senate meanwhile preferred to discourage the Seleucids from aggressive expansion through soft power.¹⁷⁷ Polybius' *aperçu* cannot be far wrong: "For quite often now there exists the following sort of calculus among the Romans by which, through the

¹⁷¹ Gera 1999.

¹⁷² For the former, see Habicht 1988, the latter, Gera 1999.

¹⁷³ Fr. 20, 30 Gallo.

¹⁷⁴ Fr. 32 Gallo. The identification of the child is difficult, perhaps Demetrius or another young Seleucid.

¹⁷⁵ At this time, Syria was split in two between Antiochus Grypus, based in Antioch, and Antiochus Cyzicenus, based in Damascus.

¹⁷⁶ All the more pronounced because Antiochus Cyzicenus (ruler 116–96 BCE) put on intellectual airs of his own, consorting especially with musicians and stage performers (D.S. 34/35.34).

¹⁷⁷ Polybius claimed the senate had kept Demetrius (later Soter), the most capable heir to the dynasty, captive in exchange for his younger, more pliable cousin on the throne (Plb. 31.2.7–10). This was not a strong preference, as Polybius and Ptolemy Philometor's representative, Menyllus, schemed to restore the wronged Demetrius to the throne. Scholars have read their success as tacit approval by at least some portion of senators who looked the other way. While Gnaeus Octavius, an overeager legate of the same year, would interpret the terms of the Treaty of Apamea strictly, and therefore dispossess the Seleucids of their war elephants and (nominal) fleet, small build-ups of this kind in previous years had gone unpunished.

ignorance of their rivals, they grow and supply provisions to their own political power, while they revel in propping up mismanagers and aim to do it.”¹⁷⁸

2.2.3 Antigonid and Attalid Kingdoms

The Antigonid and Attalids kingdoms came under direct Roman jurisdiction in 146 and 129/126 BCE, respectively, and the Romans wasted no time in exploiting both regions. We noted earlier that Aemilius Paulus had despoiled the Macedonian kingdom of its royal libraries in 168 BCE.¹⁷⁹ As Aratus’ former research center, the collection must have been impressive.¹⁸⁰ The Antigonids, however, just like the Seleucids and Ptolemies had to abide as other players poached their homegrown prospects.¹⁸¹ Increasingly, it was the Attalids who stepped into the power void. Their heavy investments in Athens, the Antigonids’ backyard, are well known—e.g. the Stoa of Attalus and Eumenes. Meanwhile Pergamum itself had grown to rival to Alexandria.¹⁸²

Even before its annexation, the Pergamene kingdom had shared its trove of intellectual resources with Rome. Attalus II or his brother Eumenes II selected the scholar Crates for an embassy to Rome sometime in the 160s or 150s, a choice which only makes sense if their emissary could expect a warm reception.¹⁸³ In Chapter 4 we will examine Crates’ role in importing *grammatikē* to Rome. For now it is important to note that the Attalids picked Crates for diplomatic duties during a very turbulent moment for their dynasty. Following a victory at

¹⁷⁸ πολὺ γὰρ ἤδη τοῦτο τὸ γένος ἐστὶ τῶν διαβουλίων παρὰ Ῥωμαίοις, ἐν οἷς διὰ τῆς τῶν πέλας ἀγνοίας αὐξοῦσι καὶ κατασκευάζονται τὴν ἰδίαν ἀρχὴν πραγματικῶς, ἅμα χαριζόμενοι καὶ δοκοῦντες εὐεργετεῖν τοὺς ἀμαρτάνοντας (Plb. 31.10.7).

¹⁷⁹ See also Introduction.

¹⁸⁰ On the biography of Aratus, see Gee 2013: 4.

¹⁸¹ Stevens 2019: 203–4.

¹⁸² See Schironi 2018: 583–91 on the “rivalry” between the grammarians Crates (Pergamum) and Aristarchus (Alexandria).

¹⁸³ Suet. *Gram.* 2. See Kaster 1995: *ad loc.* for fuller discussion of the date, with 167 BCE as a tentative suggestion.

Pydna (168 BCE), Rome had summarily uprooted the Antigonids, and meanwhile the senate had grown cold towards the Pergamenes and Rhodians, two former allies it no longer trusted.¹⁸⁴ Just after the war was completed, Eumenes had been humiliated, stranded in Brundisium, and sent home before he could address the senate.¹⁸⁵

So why in this tenuous position was Crates of all people chosen to represent Pergamum's interests? In the mid-second century BCE, we observe a pattern where Greek states would employ rhetoricians, philosophers, and grammarians in diplomatic missions to Rome.¹⁸⁶ It was a form of cultural pleading and it worked. In 159 BCE, the Seleucid king Demetrius delivered up to Roman authorities Isocrates, a boisterous *grammaticus* who proclaimed that a slain Roman envoy "had it coming," along with Leptines, the murderer himself, with a view towards salvaging the fragile political situation.¹⁸⁷ Both got off scot-free.¹⁸⁸ The famous Embassy of the Philosophers in 155 BCE was meant to remedy an equally perilous moment in which Athens ran the risk of joining one-time allies who had crossed Rome. None of the three heads of the philosophical schools who argued their case was Athenian by birth, however, but instead hailed from a medley of exotic locales: Cyrene, Lycia, and Seleucia-on-the-Tigris. Perhaps Roman elites relished the chance to recreate the arrival of Gorgias and the sophists at Athens in the fifth century BCE, only with the roles reversed. The Attalids likewise were in a good position to stoke such fantasies and lent out Crates in order to earn the kingdom back into the good graces of the ruling class at Rome. Although the Attalids had leveraged their embarrassment of academic

¹⁸⁴ Habicht 2006: 332–8. Will (1967: 320) describes the senate's demeanor towards the Attalids as one of "refroidissement."

¹⁸⁵ Liv. *Per.* 46; Plb. 30.19.1–10.

¹⁸⁶ The geographer Artemidorus of Ephesus also served as a diplomat to Rome ca. 100 BCE (Str. 14.1.26; Hillscher 1892: 362).

¹⁸⁷ Plb. 32.2–3.

¹⁸⁸ Plb. 32.3.10–13.

riches in order to navigate the political firestorm, soon Rome would own Pergamum together with its intellectual resources.¹⁸⁹

2.2.4 Carthage

To our chagrin less is known about the Carthaginian professional ambit, but what meager evidence we do possess matches the narrative outlined thus far for Macedon and Pergamum. Cato and other envoys visited Carthage while it flourished during the interwar period, before it was ultimately razed in 146 BCE.¹⁹⁰ Little else about their mission is certain, but we do know that Romans were present in Carthage before, during, and after the sack.¹⁹¹ The land of Carthage would be apportioned to future inhabitants of the Gracchan colony of Iunonia, but, as the *Lex Agraria* makes painfully clear, the status of various holdings was left in flux.¹⁹² Conversely, the Carthaginian libraries had received priority handling. The senate commissioned Decimus Iunius Silanus to translate Mago's twenty eight books on agriculture from Punic to Latin, whereas the rest of the book collection was gifted to client kings in North Africa.¹⁹³

¹⁸⁹ In late traditions, we hear of Rome as the arbiter and beneficiary of the rivalry between the libraries of Pergamum and Alexandria when Ptolemy adopted a protectionist policy that prohibited the export of papyrus. The Pergamenes responded by “inventing” parchment (*pergamenum*) to fill their writing needs. Lydus presents parchment's origin story as an epic contest between Ptolemy-Aristarchus and Attalus-Crates under Roman eyes (Lyd. *Mens.* 1.28). Pliny's account may derive from Varro and does not mention any Roman involvement, direct or indirect (Plin. *Nat.* 13.68–70). The later version may corroborate the sense that Rome was involved with the Pergamene library even before the kingdom's annexation, which we suspect already from Crates' role in the embassy to Rome.

¹⁹⁰ App. *Pun.* 69.

¹⁹¹ See n. 284, 285.

¹⁹² *RS* 2. Extant clauses of the law: separate land granted to North African allies cities (the “Free cities”); call for an investigation into whether more claimants have fraudulently applied for title to land than the original number of colonists designated for Iunonia; authorize interim grants of land in cases where the plot is contested or otherwise under litigation; make amends for personal allotments which the state erroneously leased to others; and appear to introduce an odd compromise class of property, i.e. privatized land subject to taxation. In sum, Carthaginian resources fell totally under Roman supervision.

¹⁹³ Mago, cui quidem tantum honorem, senatus noster habuit Carthagine capta, ut, cum regulis Africae bibliothecas donaret, unius eius duodetriginta uolumina censeret in Latinam linguam transferenda, cum iam M. Cato praecepta condidisset, peritisque Punicae dandum negotium, in quo praecessit omnes uir clarissimae familiae D. Silanus (Plin. *Nat.* 18.22), “Mago, whom our senate held in such great esteem that once Carthage was captured and once they gifted the libraries to the minor kings of Africa, they judged that for him alone his thirty two volumes should be

Despite the dearth of our knowledge of Carthaginian professionals, the careers of Terence and the philosopher Clitomachus make for compelling case studies. As a young man, Clitomachus (né Hasdrubal) left Carthage for Athens, where he would succeed Carneades as scholarch of the Academics and expand upon his predecessor's Skeptic principles.¹⁹⁴ His later entanglements with Rome and Romans are intriguing and mysterious in equal measures. Clitomachus dedicated works both to Lucilius, the Italian poet, and to Marcius Censorinus, the very consul of 149 BCE who had initiated hostilities against Clitomachus' native Carthage. Cicero reports parts of these work near verbatim which stressed the importance of withholding assent (*adsensus sustinere*).¹⁹⁵ Skeptics, Clitomachus clarified, did not deny sensual perception, but denied that it granted the ability to discern truth and falsehood. He instead spoke in probabilities (*probabilitas*) and of they way things "seemed" (*uisa*).¹⁹⁶ Such aloof and noncommittal positions surely were informed by reality; Clitomachus' attitudes towards the Roman conquest appear correspondingly ambivalent. For Cicero claims to have read a book of Clitomachus "which he sent for the purpose of consoling his fellow captive citizens after Carthage was destroyed." It was based on a lecture Carneades had given on the plight of a hypothetical philosopher whose country had been conquered.¹⁹⁷ The philosopher of course was

translated into Latin, even if Marcus Cato had already made laid the foundation [for the study of agriculture], and they judged that the task should be given to people experienced in Punic, and on that point Decimus Silanus, a man of a most distinguished family, outstripped all others." Sallust in fact would make use of materials which came from the Numidian monarchs (*ex libris Punicis, qui regis Hiempsalis dicebantur*; *Sal. Iug. 17.7*), but they may have belonged to the batch of books seized from Carthage which had already passed through Roman hands once before. Sallust relies on the books for the early mythohistory of Africa.

¹⁹⁴ D. L. 4.10.

¹⁹⁵ It is unknown whether the work is in Latin or Greek—presumably the latter, though the former is possible too. Cicero does not actually specify that he is translating Clitomachus.

¹⁹⁶ *Cic. Ac. 2.102–3*.

¹⁹⁷ *legimus librum Clitomachi, quem ille euersa Karthagine misit consolandi causa ad captiuos ciues suos. in eo est disputatio scripta Carneadis, quam se ait in commentarium rettulisse. cum ita positum esset, uideri fore in aegritudine sapientem patria capta, quae Carneades contra dixerit scripta sunt* (*Cic. Tusc. 3.54*), "I have read a book by Clitomachus which he sent to his captured countrymen to console them once Carthage had been razed. In it he

supposed to remain detached even under extreme duress, but, as Cicero admits, that would be a bitter pill to swallow for someone with Clitomachus' lived experiences.¹⁹⁸ And yet Clitomachus singled out Lucilius and Censorinus for philosophical refinement, an odd-couple who could be paired only by their abrasive and abusive personalities.¹⁹⁹ Perhaps both men could stand to learn *clementia*. Whatever Clitomachus' motivations were he was in a thorny position, pitching simultaneously to Carthaginian and Roman interests from a third place still, Athens.

While Terence's biography is transmitted only indirectly, the through line of his *Life* tells a plausible story of his dislocation. The biography is found in the introduction to an aggregated version of Donatus' commentary on Terence, compiled roughly in the sixth century CE from Donatus and other exegetes.²⁰⁰ At the end of this *Vita Terenti*, "Donatus" tags the material as Suetonius' (from *De Poetis*). As a rule, scholars treat biographies of the second-century-BCE scenic poets with suspicion due to their unreliable sourcing, but Terence's is convincing and these traditions may be more sound than assumed.²⁰¹ "Suetonius" via "Donatus" reports that Terence was born in Carthage and was trafficked to Italy where he became the slave of a senator named Terentius Lucanus, who had the promising young man educated and manumitted.²⁰² The

has written out a dialogue of Carneades, which Clitomachus says he recorded in his journal. It details what Carneades said against the proposition that the wise man will become sick with pain if their homeland is captured."¹⁹⁸ tanta igitur calamitatis praesentis adhibetur a philosopho medicina, quanta in inueterata ne desideratur quidem, nec si aliquot annis post idem ille liber captiuus missus esset, uulneribus mederetur, sed cicatricibus (ibid.), "therefore so great a medicine will be used by the philosopher for a present tragedy as would not be even be needed for old injuries, and if some years after the fact the same book were sent to the captives, it would not heal wounds but scars instead."

¹⁹⁹ Censorinus was implacable even in the face of the Carthaginian envoys who came to Sicily to deliver up noble youths to the consuls as hostages (App. *Pun.* 90). He avoids most of the blame for the early Roman missteps in the war merely by virtue of the fact that he left the siege early to preside over the elections for his replacements (App. *Pun.* 99; Liv. *Per.* 49)

²⁰⁰ Wessner 1902: XLIV-XLIX.

²⁰¹ Though see now Richlin (2017a: 4–7) on Plautus' stint as a miller. Scholars have been more credulous regarding the Terentian *Vita* (Beare 1968: 91–4; Manuwald 2011: 244). Barsby, however, wonders if Terence's Carthaginian origins are induced from his cognomen alone (1999:1).

²⁰² Suet. *Vit. Ter.* 1.

details of Terence's enslavement are reminiscent of more firmly established cases. In a similar transaction, the grammarian Lutatius Daphnis was bought and freed by Lutatius Catulus, an aspiring poet himself.²⁰³ Terence's successful career as a poet blazed a trail into Roman elite circles for free young professionals as well, like Archias.²⁰⁴ The *Vita Terenti* adds finally that many previous scholars believed Terence died gathering scripts of plays on a trip abroad, perhaps to Asia Minor, Greece, or both (Greece en route for the return journey).²⁰⁵ If so, he was a mobile artisan indeed. Through Terence, we glimpse into the lives of the many Carthaginians who were enslaved after the Punic Wars and at whom ancient sources only hint. For instance, Cato the Elder railed against the Punic-style mosaics that decorated the villas of the peers.²⁰⁶ Surely it was the mosaic-makers and not the mosaics who were transplanted from Africa.

2.3 Rome's Offerings

While Rome's competitors faltered or were annexed outright, the central Italian elite had amassed unmatched levels of human and intellectual capital at the expense of their adversaries. Empire would transform the *urbs* and its elite together. On offer was a city stocked with up-to-date amenities, and with their spending habits the central Italian elite were signaling that Rome was open for business. Where else could offer such a density of superrich patrons? And what the elites could not buy they took.

In material terms, Rome's ascent was staggering. The Roman rapacity for Greek art was especially infamous, and Marcellus' sack of Syracuse in 211 BCE formed an *exemplum* for

²⁰³ Plin. *Nat.* 7.128; Suet. *Gram.* 3.

²⁰⁴ *Vit. Terent.*; Cic. *Att.* 7.3.10; Quint. *Inst.* 10.1.99.

²⁰⁵ Suet. *Vit. Ter.* 5.

²⁰⁶ Fest. 242M.

future commanders. In celebration Marcellus had inundated Rome with captured Sicilian artwork.²⁰⁷ Later Aemilius Paulus' triumph over Perseus would stretch into a three-day affair, with an entire day dedicated solely to the parading of royal artistic treasures. Allegedly the booty amounted to 250 wagonloads altogether.²⁰⁸ In 146 BCE, Mummius Achaicus "filled up Italy" with statues and paintings taken from Corinth.²⁰⁹ A rival, Caecilius Metellus Macedonicus, repurposed statues from Alexander the Great's victory monument at the River Granicus for his own *Porticus Metelli*.²¹⁰ He took one step further when he commissioned the Greek architect Hermodorus of Salamis for his new temple to Juppiter Stator.²¹¹

In the Introduction, we noted the significance of the construction of Fulvius Nobilior's *Museion* at Rome, which also re-used pillaged Greek statuary, but the *Aedes Herculis Musarum* is just one example of a number of manubial building projects undertaken in the mid- to late second century BCE. The central Italian elite were re-investing war booty heavily into infrastructure projects that flagged Rome as a Mediterranean capital. It led to a construction boom that recent scholarship has begun to recognize. Marcello Mogetta has dislodged entrenched opinions of Rome's architectural stagnation during the Gracchan period by down-dating the spread of structural applications of concrete: "If archaeologists from another planet were to compare the city of around 100 B.C. with that of around 200 B.C., they would find very

²⁰⁷ On the effects of this imported art, see Pape 1975; Miles 2008: 13–104; Dufallo 2013: 6ff.; Schultz 2016. On the sack of Syracuse see Liv. 25.40; Plb. 9.10.; Plu. *Marc.* 21.

²⁰⁸ Plu. *Aem.* 32.4. In doing so, he emulated Titus Quinctius Flamininus, philhellene *par excellence*, who some 27 years earlier had spent the first full day of his triumph displaying artwork from the same royal house (Liv. 34.52).

²⁰⁹ *Mummius Corinthum signis tabulisque spoliavit; quibus cum totam repleisset Italiam* (Victorin. *De Vir. Ill.* 60). There were enough statues left over to lend to Licinius Lucullus for the temple of *Felicitas* (Cic. *Ver.* 2.4.4; D. C. 22.76.2; Str. 8.6.23).

²¹⁰ The sculptor was none other than Lysippus himself (Vell. 1.11.3–4). See also Dufallo 2013: 6–7.

²¹¹ Vitruvius 3.2.5.

little in common, and perhaps even infer that a foreign culture had taken over.”²¹² Mogetta proposes in addition that new concrete technologies were discovered just in the nick of time to aid builders who were scrambling to meet the demands of Roman elite clientele chasing ever after building typologies borrowed from the Hellenistic world, such as *basilicae*. In Mogetta’s words, “a foreign culture had taken over.” Filippo Coarelli in fact had anticipated Mogetta’s corrective by noting that once one controls for the disappearance of Livy’s books covering the period after 168 BCE, the count of independently attested building projects actually increases.²¹³

It is under these circumstances that a civic architecture emerged at Rome, though it was not exclusively sanctioned by the state but also privately directed. The censorship especially was co-opted for self-interested ends. Cato the Elder had stretched the broad discretionary powers of the office of censor in order to build the Basilica Porcia in his name out of public funds, despite strong opposition from ill-disposed aristocrats.²¹⁴ One censorial cohort later, Aemilius Lepidus and Fulvius Nobilior set aside personal enmities and saw to the construction of the Basilica Aemilia et Fulvia.²¹⁵ Theirs boasted on-site banking facilities by design, and its expansive porticoes were open to commercial leasing.²¹⁶ Tiberius Sempronius Gracchus, father of the

²¹² Mogetta 2015: 33.

²¹³ Coarelli 1976. Livy is the primary source for such foundations.

²¹⁴ Liv. 39.44. Plu. *Cat. Ma.* 19. It was the first Roman basilica to be named after its dedicator ([sc. Cato] *basilicam suo nomine primus fecit*; ps.-Aur. Vic. 47).

²¹⁵ Marcus Aemilius Lepidus, a descendant of the censor of 179 BCE, decorated the basilica like a family residence exactly 100 years after its inauguration. He had the Aemilian *imagines clipeati*, round-shield portraits of distinguished household members, installed in the basilica, while a matching set was commissioned for his own home: *M. Aemilius collega in consulatu Quinti Lutatii [sc. clupeos] non in basilica modo Aemilia, uerum et domi suae posuit* (Plin. *Nat.* 35.12). In 61 BCE, Lepidus issued a denarius which depicted the shields affixed to the Basilica on its reverse (*RRC* 419 3a/b).

²¹⁶ Livy states that they positioned the basilica “behind the newly built bank-tellers” (*basilicam post argentarias nouas*; Liv. 40.51). The syntax of the passage renders the basilica in parallel with “a fish-market surrounded by shops which Fulvius privatized” (*forum piscatorium, circumdatis tabernis quas uendidit in privatum*; *ibid.*) as well as a series of porticoes which were attached to dockyards and pre-existing temples. Taken altogether, the passage suggests that Fulvius and Aemilius planned with spatial synergy and efficiency in mind.

Gracchi, as censor would purchase the land behind the “Old Shops” as the site for his future basilica, including nearby shop-stalls and a property that had belonged to his father-in-law, Scipio Africanus.²¹⁷ (Tiberius surely negotiated a generous “fair”-market value on behalf of the family.) Opimius too abutted his well-frequented basilica onto his temple to *Concordia*.²¹⁸ A cash windfall from the destruction of Corinth to the tune of 180 million sesterces funded Marcus Rex’s repairs to existing aqueducts, and a new one bearing his own name (*aqua Marcia*).²¹⁹ Just Marcus’ expenses alone as censor were roughly equivalent to half the normal annual operating budget of the Roman state.²²⁰ As censor also Aemilius Scaurus saw to the creation of a drainage system in the Po Valley, a massive undertaking associated with the Via Aemilia of his *gens*.²²¹ And the Servii Sulpicii Galbae oversaw the grain dole from the granary attached to their home on the Aventine, though no family members held the censorship.²²²

This litany of expenditures is the product of a system built by and for private wealth. James Tan has argued compellingly that behind nominally “public” enterprises lay parasitic public-private partnerships, wherein expenditures and losses were socialized while profits were privatized.²²³ In a similar vein, David Potter offers a contractor state model for Republican Rome and concludes that: “the failure to change the traditional contract system effectively brought

²¹⁷ Liv. 44.16.

²¹⁸ Var. *L* 5.156. It was an effort to assuage public outcry after Opimius had Gaius Gracchus and his partisans killed. Though Opimius’ public relation spin did not gain traction, Cicero remarks that the temple complex was bustling in his day (*monumentum celeberrimum in foro*; Cic. *Sest.* 140). For obvious reasons Opimius did not enjoy enough popularity as a *consularis* to win a censorship, dying in double disgrace for his association with Jugurtha.

²¹⁹ Fron. *Aq.* 1.7.4. The *aqua Tepula* of 125 BCE was also censorial (*ibid.*).

²²⁰ Tan 2017: 17, 33 (with Tan’s rough figures on the state budget).

²²¹ Ps.-Aur. *Vict. Vir Ill.* 72,8 (*via Aemilia, pons Mulvius*); Str. 5.1.11 (Po valley project); Frank *ESAR* 1.258.

²²² See Mignone 2016: 90–5 on the *Horrea Galbana*.

²²³ I would propose the following modifications, however, to the argument found in Tan 2017: 29–35. Tan suggests that public expenditures decreased over the course of the second century BCE, but ignores some key developments: 1) Rome had less major windfalls in this period in form of indemnities and war booty, and yet 2) instituted its largest entitlement program ever, the grain dole. One should not dismiss this huge investment in infrastructure. Tan’s arguments against Coarelli’s view of steady public upkeep (1976) are not convincing.

about the privatisation of Rome's wealth."²²⁴ The approaches of both Potter and Tan recall Tenney Frank's phrasing of "semipublic finances."²²⁵ According to Tan, the bidding system on state contracts that the censors oversaw was not an inevitable solution for the premodern state; rather it was a machination of Roman elites who had an interest in repressing the growth of the state's footprint. In other words, aristocrats found it advantageous to maintain a weak state that outsourced its revenue collection to tax-collectors (*publicani*) and let out construction contracts to private companies for the maintenance and construction of key public amenities. Everything extracted above the accepted bid on tax collection rights was pocketed by the *publicani* (i.e. gross taxes less net taxes). Likewise, builders were incentivized to undercut cost once their contract had been awarded. Huge amounts of money funneled in this way to private citizens. As Potter notes, the contract for sewer cleaning leased at about the rate equal to the annual installments of Antiochus' war indemnities to the *aerarium* following his defeat at Magnesia.²²⁶ One can picture Cato grinning at the thought that Romans were flushing the city's excrement with Antiochus' money.

Private enrichment, public outlays, and provincial exploitation all worked in tandem to prop up the central Italian urban core and its resident elite. Professionals would take notice of the new order of things: the wealth of Roman elite households had grown tremendously after the Second Punic War.²²⁷ By the first century BCE, single aristocrats could outspend the Roman

²²⁴ Potter 2019: 112.

²²⁵ Coined at Frank 1959: 1.255. Though perhaps too we ought to credit Sallust's moralizing: *ita bonum publicum, ut in plerisque negotiis solet, priuata gratia deuictum* (Sal. Jug. 25.3).

²²⁶ Potter 2019: 112.

²²⁷ Tan 2017: 7–8; Kay (2014: 87–105) notes a huge increase in coined silver starting ca. 150 BCE. Shatzmann (1975: 12–21) sounds notes of caution about adducing a strong growth trend in senatorial wealth over the second century BCE, but the outcome is clear enough. By the Sullan period, estates were orders of magnitude larger than they had been in the mid-second century BCE.

treasury with ease.²²⁸ Yet even in the previous century individual elite members commanded resources on par with Hellenistic monarchs, and collectively the *nobiles* outstripped all other patrons. It is revealing that Lucilius, the wealthy satirist, could afford to purchase the palatial estate at Rome that had been erected for the house arrest of Seleucid heirs, Antiochus Epiphanes and after him Demetrius Soter.²²⁹ Examples of corruption, fraud, embezzlement, and extortion abound from this age of extreme profiteering. Of the one hundred public trials from 149–91 BCE, twenty seven included an element of provincial maladministration (charges *de repetundis*) and a further seven of bribery (charges *de ambitu*).²³⁰ Another career suited to the times: Aemilius Scaurus had risen from relatively humble origins to become the spokesman of the senate (*princeps senatus*) but not without scandalous rumors that he had been bribed first by Jugurtha and later by Mithridates.²³¹ Just one of Scaurus' lavish homes would be appraised later

²²⁸ Tan 2017: 3–20.

²²⁹ Asc. *Pis.* 52. The Horatian exegetical tradition asserts the wealth of his satiric predecessor: Porphyrio names Lucilius as the great-uncle (*auunculus*) of Pompey (Porphyrio *ad Hor. S.* 2.1.75); a branch of the ps.-Acro scholia (Γ) supports the same relation, as well as the riches of the poet (*ualde nobilis Lucilius*, ps.-Acro *ad Hor. S.* 2.1.29; *diues fuit*, *ibid.* 75). On Lucilius' wealth (in cattle), see also Cic. *De Orat.* 2.284.

²³⁰ Figures derive from data in Alexander 1990, with modifications of my own. In some instances our sources do not make the charges explicit, but rather they are implied or must be inferred from other information. The general picture is clear enough, however. The proportions of *de repetundis* and *de ambitu* cases are even more impressive when you consider that Alexander counts a number of protracted investigations as separate cases for each individual defendant, namely, the Vestal Virgin scandals, inquests into the murders of the Gracchi, and accusations of *perduellio* for association with Jugurtha (bribery, but not counted as such here); in other words, the ratio easily could be taken at a higher figure. I have added the *de repetundis* trial of Lentulus Lupus to the inventory (see Chapter 4). Some resolutions of cases ambiguous for Alexander: Manius Aquillius (no. 23) was tried *de repetundis* in 125/124 BCE, as ps.-Asconius clearly states (ps.-Asc. *Div. Caec.* 69). Cicero (*Div. Caec.* 69) and Appian (*BC* 1.22) all but confirm this identification when they pair Aquillius' trial with that of Aurelius Cotta, who definitely was tried *de repetundis* in 138 BCE. The most natural reading of Decius' (no. 27) misconduct is extortion also (*pecuniae captae*, Cic. *De Orat.* 2.135, *Part.* 104). Cicero suggests strongly that M. Papirius Carbo (no. 46) was tried *de repetundis* for conduct in Sicily (Cic. *Fam.* 9.21.3). This is also the case for Licinius Lucullus (no. 69) (surrounded by *de repetundis* cases at Cic. *Off.* 2.50; cf. Plu. *Luc.* 1), and Servilius (no. 70) (Cic. *Div. Caec.* 63; quaestor disbarred from prosecuting his senior magistrate *de repetundis*). In a courtroom exchange, Marcius Philippus (no. 90) was called a thief, *fur*, a jab which suggests he took the stand to defend himself on charges *de repetundis* (Cic. *De Orat.* 2.220; Quint. *Inst.* 6.3.81). I have left out no. 30, the trial of C. Papirius Carbo (Alexander suspects *de repetundis*). So too in the case of L. Marcius Philippus (no. 95); surely he was charged either *de repetundis* or *de ambitu*, but a determination is impossible given Florus' imprecise language (see Alexander 1990: 50).

²³¹ Humble origins: V. Max 4.4.11 (inherited only HS 35,000, according to Scaurus' autobiography); *Vir. Ill.* 72.1–2; bribed by Jugurtha: Sal. *Jug.* 29.2–3; *Vir. Ill.* 72.4; bribed by Mithridates: V. Max. 3.7.8; bribed on an embassy to

at over HS 30 million.²³² With his new-found wealth Scaurus also bought the grammarian Daphnis at auction for a record sum, before reselling him to Lutatius Catulus at the same price (above).²³³

2.4 Intermediaries and Linkages; The Sicelo-Italic Zone

Beyond the city of Rome, Italy and eastern Sicily offered an important cultural buffer zone that facilitated exchange with Rome's far-flung dependencies. Second-class cities could and did feed the capital dendritically with a diversified pool of people and goods, including professionals. Studies have only just begun to liberate the larger Sicelo-Italic zone from established dogma, especially the work of Toynbee (*Hannibal's Legacy*), who, leaning almost exclusively on literary evidence, painted the years after Hannibal's defeat in broad, foreboding strokes.²³⁴ In Toynbee's view, Southern Italy was to be depopulated, divested of territory, and otherwise marginalized over the course of the second century BCE in reprisal for local defections to the Carthaginian cause. Allegedly the newly confiscated *ager publicus* was exploited by rich landowners, which was subsequently redistributed by Gracchan land commissioners. As I indicated in the Introduction, I have no interest in wading into a debate that is intractable under its current terms, scale, and the state of evidence. That being said, as elsewhere I am attracted to solutions that do not assume statecraft which, by all other tokens, Roman senators could not

Asia, and subsequently brought up on charges *de repetundis* by Servilius Caepio: Asc., p. 24 Stangl. Scaurus' malfeasance was inherited by his son: "[the accusers of the younger Scaurus] feared on that account that Scaurus junior would buy a consulship with the money he had taken from the allies—just as his father had done—before his trial could be held, and that he would enter his magistracy and plunder other provinces before he gave an account of his prior administration" (Asc., p. 23 Stangl). See also Shatzman 1975: 263–4.

²³² Plin. *Nat.* 36.115. Disgruntled slaves had set fire to the Tusculan villa. It is unclear whether Pliny's figure reports the "write-off" value of the home, or merely the damages.

²³³ HS 700, 000, that is (Plin. *Nat.* 7.128). For the same price he sold Daphnis to Lutatius Catulus, who manumitted him (Suet. *Gram.* 3.5). See Kaster 1995 *ad loc.*

²³⁴ For a reconsideration of Toynbee, see esp. the contributions in Lo Cascio and Mariano 2001. Toynbee's account of the "devastation" of Southern Italy and Sicily can be found in Toynbee 1965: 2.16–33.

sustain—i.e. a coherent policy of retribution, heritable from one generation of *patres* to the next. In fact, the knotted issue of allied land use and ownership loosens once we shift emphasis from lands to peoples. Local elites are principle stakeholders in any model of Republican-era politics, and, generally speaking, recent studies have documented their resilience *in situ*.²³⁵ In short, even under the most dire estimations there were cities and patrons enough in the Sicelo-Italic region for professionals to thrive there. In fact we shall see that professionals moved along the same tracks as the Sicilian and Italian businesspeople (*negotiatores*) who were forging East–West pipelines from the provinces to their home communities.²³⁶

2.4.1 Sicily

Though it had suffered from two centuries of uninterrupted conflict, Sicily retained its charms and, with the exception of Syracuse, the island was not as heavily impacted by the Second Punic War as by the First. Importantly, its civic architecture remained functional. Marconi has down-dated the construction date of many Sicilian theaters from the fourth century BCE—the urban renaissance traditionally ascribed to Timoleon’s good governance—to the third, with the implication that Roman administration of Sicily did not pause, slow, or otherwise impede the insular entertainment industry.²³⁷ Many polities therefore had up-to-date facilities in which performers could act.²³⁸ One of the only guilds of theatrical performers, the so-called *technitai* of Dionysus, that has been attested in the Western Mediterranean was based in Syracuse at this time.²³⁹ Another variant synod appears in some later Syracusan inscriptions (ca.

²³⁵ I have participated in one such effort, the “Non-Roman Elites” project (Samuels et al. 2019).

²³⁶ Hatzfeld 1912; Roselaar 2019: 61–73 (esp. 71–2).

²³⁷ Marconi 2012; see also Mitens 1988: 16–18.

²³⁸ Eunus, the instigator of the first Servile War, gathered rebels in the theater at Morgantina (D.S. 34/5.15-16). That he chose the theater as a meeting venue suggests it was still in regular use.

²³⁹ Le Guen *TE* 73.

early–mid first century BCE) under the epithet “the *technitai* of Aphrodite Hilara,” a find which has led to speculation as to whether they produced another popular theatrical form (*hilarotragedia?* mime?).²⁴⁰ The entire dossier of Syracusan inscriptions is remarkable since many of them document benefaction by Italian patrons who in return received recognition and/or proxeny:

Marcus Acilius Caninus (procos. 40s BCE; Le Guen *TE* 76)
Atilius Sarranus Sopatrus (from consular family, coss. 107, 106 BCE; Le Guen *TE* 77)
Apollodotus L. (!) f. (Le Guen *TE* 74)

In other words, we know of the existence of the Sicilian acting troupes primarily through honorifics for central Italian elites. Though the record of the Syracusan guild is sparse, that is no doubt due to poor epigraphic recovery from the city; one should not subordinate the western guilds to their eastern counterparts on this account, nor for the fact that they fundraised from patrons on the mainland.²⁴¹ As a matter of fact, this donor list and the longevity of the sponsored dramatic professional associations reveal that the Romans supported Syracuse’s traditional artistic institutions even well after they had sacked the city. For the available testimonia demonstrate that as late as ca. 100 BCE Syracuse still had an active *museion* to which the *technitai* were attached.²⁴²

Information gathered for the trial of Verres (70s BCE) is another valuable source on the prospects for professionals in Sicily during the preceding decades. In point of fact, one of

²⁴⁰ Robert *BE* 1964, no. 622.

²⁴¹ *pace* Le Guen 2001: 1.38. On the second point, I would note that at least one—and probably two—of the guild’s patrons were local Sicilians: Scymnus (surely Syracusan; Le Guen *TE* 73), and the *proxenos* Sosis (already, perhaps, using the Syracusan demonym, which would imply residence there; Le Guen *TE* 75, l.7–8). The honorific for Sosis was displayed in the Syracusan theater itself. The more convincing reading of the inscriptions, to my mind, is that the Sicilian troupe and central Italian elite gained mutually from these associations; we need not assume that local funding sources had dried up, nor that the guild had become indigent.

²⁴² Le Guen *TE* 74, l.3; *TE* 75.

Cicero's go-to refrains is that Verres surrounded himself with a cabal of sycophantic artisans in lieu of a proper apparitorial staff: "those chosen companions of yours served as your right-hand men: deputies, secretaries, attendants, doctors, diviners, and heralds."²⁴³ Many other rumors associated Verres with such company, and some of his main faults, in Cicero's estimation, stemmed from an overeager interest in the Sicilian art industry.²⁴⁴ Two of Verres' favorite lackeys were artisans and brothers to boot, Tlepolemus the painter and Hiero the sculptor, who had approached him while he served as a legate of Dolabella in Cilicia (80 BCE). For years they shadowed Verres, eventually serving as his henchmen in Sicily.²⁴⁵ For Cicero, however, association with artists is not damning *per se* nor entirely unexpected for an assignment to the province of Sicily. But when Verres appointed artists to preside over judicial cases that was a bridge too far.²⁴⁶ Cicero reiterates that many Romans enjoyed rights of guest-friendship (*hospitium*) with Sicilians; it was Verres' extreme corruption that was novel.²⁴⁷ In other words, Cicero's line of attack grants that Italian elites and professionals caroused in Sicily before

²⁴³ *comites illi tui delecti manus erant tuae; praefecti, scribae, accensi, medici, haruspices, praecones manus erant tuae* (Cic. *Ver.* 2.2.7)

²⁴⁴ Some highlights: Verres set up an *officina* at Syracuse that employed *artifices omnes, caelatores ac uascularios* (Cic. *Ver.* 2.4.54); he sponsored weaving shops across Sicily (*nulla domus in Sicilia locuples fuit ubi iste non textrinum instituerit*, *ibid.* 2.4.58), sites specified in the following section as Segesta, Netum, Lilybaeum, Aetna, Syracuse, and Helorus; he placed a wax sculptor, doctor, and painter in prominent judicial roles (*ibid.* 2.3.28, 2.3.69, 2.4.30); his illicit payments to these henchmen were disguised and entered as "for Greek painters" in the ledger of Q. Tadius (*ibid.* 2.4.31); Verres secretly freed a group of captured pirates, selecting out the handsome ones and those talented in the arts, especially music (*ibid.* 2.5.71–3). Verres also commissioned the construction of a cargo-ship (*cybea/onerarius nauis*) at Messana to haul home the art treasures which he had wrung from Sicilian elites and craftspersons.

²⁴⁵ Cic. *Ver.* 2.4.30–1; cf. *ibid.* 2.3.69. For their part, the brothers were escaping charges of temple robbery in their native Cicyra.

²⁴⁶ See, e.g., Pittia 2007: 81, "La cohorte de Verrès n'est guère originale dans sa composition et ce qui peut être vraiment litigieux, c'est la désignation des membres de la suite comme juges récupérateurs."

²⁴⁷ Some examples of *hospitia* relations: Eupolemus of Calacte had hosted Lucullus (Cic. *Ver.* 2.4.49); Heius of Messana had put up Verres, who would repay his erstwhile host by bullying him into giving up various heirloom art pieces (*ibid.* 2.4.18); the same Heius had lent his statue of Cupid to Gaius Claudius Pulcher for display at Rome during the latter's aedileship (*ibid.* 2.4.6; 99 BCE), a favor which implies a close connection; Cicero's family enjoyed *hospitium* with Pompeius Basiliscus at Messana (*ibid.* 2.4.25). The Claudii Marcelli of course were patrons to all Syracusans, and one Heius (of Messana?) injured by Verres was a ward of a Marcellus (*ibid.* 2.4.37).

Verres' governorship. We know of other such Sicilian visits. Book 3 of Lucilius' *Satires* narrated his leisurely cruise around the Straits of Messina in the late second century BCE.²⁴⁸ And the philosopher Philodemus was present in Sicily around the time of Verres' gubernatorial stint; he moved from Alexandria to Athens (post 86 BCE), then onto Himera (ante 68 BCE) before finally reaching the Bay of Naples.²⁴⁹

Finally, direct literary evidence survives—a rarity for the Gracchan period—that attests to the success of Sicilian professionals under and despite Roman domination. This is the poetry of Moschus. Because Moschus wrote in Greek, he has routinely been neglected by Roman historians and Latin philologists, which is an astounding oversight. To speak plainly, Moschus' entire career was spent in “Roman” Syracuse, and his poems activate a number of contemporary historical references.²⁵⁰ In particular Rome's hegemony over Sicily seems to lurk insidiously throughout Moschus' works. It is certainly tempting to read colonial experiences into the short poem entitled *Eros, the Runaway Slave* (Ἔρως Δραπέτης), wherein Eros gets loose and Aphrodite offers a reward for his return.²⁵¹ *Eros, the Runaway Slave* was, tragically, a story familiar in outline to Roman subjects across times and places, and the plea of Moschus' Aphrodite sounds like an announcement Sicilians might hear from a *praeco* rented by the class

²⁴⁸ See p. 76.

²⁴⁹ The story in the Suda of Philodemus' sojourn to Sicily—s.v. Τιμῶνται (cf. Ἴμεραία, Κυκοφαντεῖν)—would be confirmed by Fleischer's reading at *P. Herc.* 1021 col. XXXIV l.10 (Fleischer 2017: 77–9).

²⁵⁰ Suidas lists Moschus as a pupil of Aristarchus, which would set him within the nexus of Hellenistic court intellectuals as well.

²⁵¹ The story has close affiliations with the Cupid-Pysche episode in Apuleius' *Metamorphoses*, where Aphrodite pursues Pysche instead of Cupid/Eros. Some verbal parallels: (Claim of ownership) δραπετίδας ἐμός ἐστιν (Mosch. *ED* 3); *Psychem illam fugitivam uolaticam mihi requirite* (Apul. *Met.* 5.31.8); (Kisses from Venus/Aphrodite as prize for return) ὁ μανύσας γέρας ἐξεῖ. | μισθός τοι τὸ φίλημα τὸ Κύπριδος· ἦν δ' ἀγάγης νιν, | οὐ γυμνὸν τὸ φίλημα, τὸ δ', ὧ ξένε, καὶ πλέον ἐξεῖς (Mosch. *ED* 3–5); [sc. *quis reddiderit Psychem*] *accepturus indiciae nomine ab ipsa Venere septem sauvia suauietate et unum blandientis adpulsu linguae longe mellitum* (Apul. *Met.* 6.8.8).

of large landowners.²⁵² Eros playing the trickster-slave may be a proxy for Eunus, the Syrian slave who masterminded the First Sicilian Slave Revolt (135–2 BCE) from the theater at Enna.²⁵³ Though one should not reduce Moschus’ poem to bare historical commentary, it probably does reflect experiences of the slave trade in Sicily during this period. Likewise, allusions to Roman rule may be latent in Moschus’ more famous *Europa*, since the epyllion fixates on East-West (Europa) and West-East (Io) cross-traffic, which by slippage could conjure the image of Rome as the pre-eminent people-mover of the Mediterranean—or as Juppiter the woman-snatcher, for that matter.²⁵⁴

2.4.2 Southern Italy

We should envisage Sicily as a bustling hotspot for the production of knowledge and art from the mid-second century BCE onwards. While the case for Southern Italy is more difficult to settle due to the state of the literary and material records of the region, the general picture looks just like the one developed for Sicily. Ostensibly, the major distinction between mainland and island would be the punitive action Rome took against Southern Italian defectors in the

²⁵² Ἄ Κύπρις τὸν Ἔρωτα τὸν νιέα μακρὸν ἐβώστρει (Mosch. *ED* 1; cf. preceding note). The language is more clear in the *Cupid and Psyche* variant: (Venus to Mercury) *nil ergo superest quam tuo praeconio praeium inuestigationis publicitus edicere* (Apul. *Met.* 6.7.10).

²⁵³ Aphrodite describes her son so that he can be recognized: “His thoughts are wicked, his chit-chat sweet, for he does not think and speak the same thing. His voice is honey, his mind bitter. He’s wild, a deceiver, not at all truthful, a tricky kid and he plays savage games” (Mosc. *ED* 8–11). The fullest account of Eunus comes from Diodorus (34/35.8–48).

²⁵⁴ Europa’s dream opens the poem and features the two continents of Europe and Asia warring for her (ὥϊσατ’ ἠπείρους δοιάς περὶ εἶο μάχεσθαι, l. 8), and naturally her eponym wins, though because she resorts to brute strength: “the other woman [i.e. Europe, personified] violated me with her strong hands and dragged me along, though I was not unwilling” (ἢ δ’ ἐτέρη κρατερῆσι βιωμένη παλάμησιν | εἶρυν οὐκ ἀέκουσαν; Mosc. *Eur.* 13–14). Though reminiscent of many Hellenistic dream sequences, Europa’s most closely follows Queen Atossa’s premonition in Aeschylus’ *Persians*, in which her son Xerxes’ successful yoking of a “barbarian” woman to his chariot is set in relief to his failure to do so with her Greek counterpart, thus foreshadowing his doomed crossing of the Hellespont (*A. Pers.* 176ff). Might Xerxes’ fate become Rome’s? Medea’s dream in A.R. 3.616ff. is another model, though given the relative chronologies, one might also allow that Ilia’s dream in Ennius’ *Annales* (fr. 34–50 Skutsch) could have exerted influence on Moschus, should he have read in Latin.

denouement of the Second Punic War. Many of these wartime measures were heavy-handed—the atrocities cannot be denied—but such crackdowns should not be taken uncritically as proof of the annihilation of the local cities and their elite. As Michael Fronda has demonstrated, communities were often divided internally between pro-Roman and pro-Carthaginian factions, and in this dangerous game betting on the right horse *could* mean life or death. And yet the Roman response to loyalty and disloyalty was not boiler-plate. Many cities and their ruling classes backed the Romans and were rewarded with their just desserts once the war was won, or they were simply left alone. Those on the “wrong” side of history did not always fare so luckily—stripped of rank, property, or life—but some nonetheless thrived.²⁵⁵

What little evidence remains in fact shows that Rome’s retributions after the Second Punic War did not hamper the artistic capacity of the cities of Southern Italy, including the Italiote cities. The performance culture of these regions continued unabated, for one matter. As in Syracuse, *technitai* of Dionysus are also attested at Rhegium and Naples.²⁵⁶ In fact many communities in Campania and Samnium erected permanent, stone theaters for the first time in the second century BCE. Established Greek centers no longer did so, primarily, because like the Siceliotas they already had functioning versions that predate this period.²⁵⁷ The theaters of Campania and Samnium were significant cultural investments. Among the new constructions the Samnite temple-theater complex (Temple B, second century BCE) at Pietrabbondante is the most imposing, with its massive polygonal masonry and commandeering vistas of the valleys below.

²⁵⁵ See the Blossii (discussed p. 253).

²⁵⁶ Rhegium: Aineso, a local woman, was honored as patron of the guild of the Dionysiac Guild (Le Guen *TE* 72; 2nd/1st century BCE). Curiously, Aineso is also given a demonym, which may hint at her civic status since such practice is uncommon outside of, e.g., Athens (cf. Le Guen 2001: 1.318). Naples: Brutus coordinated with the guild of Dionysiac artists at Naples to organize spectacles in the immediate aftermath of Julius Caesar’s assassination (Plu. *Brut.* 21.5). The guilds are discussed at length p. 81–9.

²⁵⁷ On the theater boom in Campania/Samnium see Mitens 1988: 30–2.

Dedicatory inscriptions on-site record the busy building activities of a local elite competitive and conversant in cross-cultural trends.²⁵⁸ Temporary staging was typical of the Italic performance tradition, but with regular facilities the Samnite elite at Pietrabbondante experimented in new, “Hellenistic” modes of entertainment architecture.²⁵⁹ In Campania, one notes a euergetic flurry at the Capuan theatre, where inscriptions record the building of theater (108 BCE) with four rounds of improvements (e.g. seating) in 105–94 BCE, accompanied by *ludi*.²⁶⁰ Pompeii’s theatre was built and renovated around the same time.²⁶¹ Investments in theater architecture are only one measure of theater culture, however. What is more, dramatic innovation continued throughout Italy since it is in the period before the Social War that the genres of *togatae* and Atellan farce reached their zenith.²⁶²

Other literary sources paint Magna Graecia as far from a cultural wasteland. Tarentum cannot have been abandoned in the 170s and 160s BCE, as it would become home to Onesimus, a defector from the Macedonian nobility on the eve the Third Macedonian War. The senate resettled Onesimus there with a town residence and a matching grant of land from *ager*

²⁵⁸ Pietrabbondante was the site of continuous construction. The extant sanctuary is flanked by outbuildings added piece-meal over the course of two centuries, while their obsolete predecessors have been detected in earlier phases of the site (e.g. a decommissioned “Ionic” temple). *ImagIt* Terventum 18 suggests that Bovianum was a great supporter, financially at minimum, of construction at the sanctuary, and according to the editors of *Imagines Italicae* the inscription may refer to the so-called *domus publica* on site (Crawford et al. 2011: 2.1174). Just as elsewhere in Samnium, the *meddices tutici* recorded as benefactors at Pietrabbondante must be understood as local magistrates, not federal (cf. Campochiaro). A Ga(v)ius Staius L. f. Clarus is responsible for augmenting the temple podium sometime in the second century BCE, in what official capacity we do not know (*ImagIt* Terventum 12; probably *meddix*, cf. *ImagIt* Terventum 11).

²⁵⁹ The irony, speaking in historic linguistic terms, that stone structures could still masquerade as **tríib-** in Oscan (cognate with Lat. *trabs*, “wooden beam”) as late as the turn of the first century BCE—e.g. *ImagIt* Terventum 9 at Pietrabbondante—hints at an amalgam of Greek (stone) and Italic (wood) scenic technologies. It behooves us to remember also that stone theaters themselves were novel to Greeks, with the Campanians and Samnites trailing the Athenians and Sicilians by perhaps only a century and a half.

²⁶⁰ Mitens 1988: 156–9.

²⁶¹ Mitens 1988: 167–8.

²⁶² See Welsh 2011 on the respective dating of the canonical triad of *togatae* fabulists Titinnius-Afranius-Atta.

publicus—what kind of reward would holdings in a ghost town make?²⁶³ In 93 BCE, Archias moved to nearby Heraclea, on which residence rested his subsidiary claim to Roman citizenship (post *Lex Plautia Papiria* of 89 BCE) and the whole of his defense by Cicero. Of course Archias cannot have predicted the Social War and the benefits he stood to gain thereafter; Heracleian citizenship was desirable in and of itself. Cicero claims that Archias enlisted the help of his patrons, the Luculli, to vouch for his application to join the citizen rolls at Heraclea.²⁶⁴ Archaeologists moreover have traced a construction boom at Heraclea to this very time period.²⁶⁵ Not content with only Heracleian citizenship, Archias accrued for himself at one point or another the Tarentine, Rhegine, and Neapolitan varieties, that is, exactly the polities in Magna Graecia that Strabo says retained their Greek character even into the Augustan Period.²⁶⁶ In the cases of Archias and Onesimus, Roman elite members were happy to accommodate “cultured” foreign guests within the historically vibrant communities of Magna Graecia. Just such a job in fact was entrusted to local elites like Rammius of Brundisium, who entertained Roman and foreign dignitaries at his own home when they arrived in port. Rammius’ distinguished guests included

²⁶³ Liv. 44.16.7.

²⁶⁴ cum esset cum M. Lucullo in Siciliam profectus, et cum ex ea prouincia cum eodem Lucullo decederet, uenit Heracliam: quae cum esset ciuitas aequissimo iure ac foedere, ascribi se in eam ciuitatem uoluit; idque, cum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracliensibus impetrauit (Cic. Arch. 6), “After [Archias] had left for Sicily with Marcus Lucullus and when he left from that province with the same Lucullus, he came to Heraclea. Since [Heraclea] was a city that enjoyed the best rights and treaty, he wanted to be enrolled in that city. And although he himself was thought to be worthy on his own merit, Archias sought [citizenship] from the Heracleans with the backing of Lucullus.” We know a good deal about what municipal life in Heraclea was like in the first century BCE from its municipal charter (RS 24, Tabula Heracleensis).

²⁶⁵ De Siena and Giardino 2001: 144.

²⁶⁶ Archias probably was an honorary citizen of Locri as well (Cic. Arch. 5, 10). Strabo states: τὴν μεγάλην Ἑλλάδα ταύτην ἔλεγον καὶ τὴν Σικελίαν: νυνὶ δὲ πλὴν Τάραντος καὶ Ῥηγίου καὶ Νεαπόλεως ἐκβεβαρβαρῶσθαι συμβέβηκεν ἅπαντα καὶ τὰ μὲν Λευκανοὺς καὶ Βρεττίους κατέχειν τὰ δὲ Καμπανοὺς (Str. 6.1.2), “They used to call this area *Magna Graecia* as well as Sicily: but now it has taken place that everywhere has ‘barbarized’ outside of Tarentum and Rhegium and Neapolis, and the Lucanians and Bruttians and Campanians occupy these lands.”

Hellenistic monarchs and their entourages of bureaucrats.²⁶⁷ Similar hospitality welcomed the Stoic philosopher Sosus of Ascalon to Teanum (sc. Sidicinum) in Campania, where he taught until his death.²⁶⁸

Nor did Southern Italy lack local talent. Blossius of Cumae, a Stoic, associated with the young Gracchi while they grew up at the family villa in Misenum nearby his hometown.²⁶⁹

Marcus and Nysius, Samnites both, became prominent Stoics.²⁷⁰ Resident in Locri likewise was the poetess Melinno, who will have composed her hymn to *Roma* sometime in the first decades of the second century BCE (Bowra's guess), or *vermutlich nach 133, vor Sulla* (Wilamowitz').²⁷¹

Her *faux*-Aeolic panegyric to the Roman state mimics an image in Lycophron's *Alexandra* in which Rome yokes the world to her will, *terra marique*: σᾶ δ' ὑπὸ σδεύγλα κρατερῶν λεπάδνων

| στέρνα γαίας καὶ πολίας θαλάσσας | σφίγγεται, “the breasts of earth and gray sea are bound under your yoke by strong leather straps.”²⁷² Like many Italiotes, Melinno was acquainted

unfortunately also with the Latin idiom *sub iugum*, forced awkwardly in the Greek above.

Following Ennius, a fellow Southern Italian, hers is a *Roma* that is daughter of Ares (= Mars, with Ilia?) and who “holds her hegemony (ἄγεμονεύης) through the possession of supreme power (κάρτος) (ll. 7–8).” Though I do not find Simon Hornblower's arguments in favor of

downdating Lycophron's *Alexandra* to the second century BCE persuasive, I do believe that both

²⁶⁷ princeps Brundisi Rammius fuit; hospitioque et duces Romanos omnes et legatos, exterarum quoque gentium insignis, praecipue regios, accipiebat (Liv. 42.17.3). Rammius' proximity to power led king Perseus to solicit his help as a co-conspirator—or so Rammius, Livy, and the Romans say. Rammius was to poison prominent Roman figures on the king's orders, but instead he divulged the plot to the Senate and was rewarded. Perseus himself would be hosted in Alba Fucens (V. Max. 5.1.1).

²⁶⁸ *PHerc.* 1018 LXXV.

²⁶⁹ See Chapter 5.

²⁷⁰ *PHerc.* 1018, col. LXXIV. In the same column, Dorandi (1994) edits a Π[ε]ῖ[σ]ω at the edge of a lacuna.

²⁷¹ Bowra 1957: 28 with n. 23.

²⁷² *Anth. Lyr. Graec.* 2² pp. 315–6 Diehl. Cf. Lyc. 1229–30.

it and Melinno's short poem respond to Rome's dominance of Southern Italy in their own way and in very different orders of magnitude.²⁷³ On issues of precedence, it may be suggestive that Moira ("fate") impatiently declares for Rome in Melinno's second stanza, while Lycophron stretches Cassandra's theurgic crypto-babble for more than a thousand lines. Melinno exhibits no interest in revisiting a time when Rome's rise was merely prophetic, not even in poetic conceit. She stands in a tradition of other Southern Italians—Leonidas of Tarentum, Lycophron, Ennius, to name a few—who flourished under Roman rule just as Moschus did in Sicily.

In conclusion, Rome may have destroyed the capacity of Sicily and Southern Italy for independent military and foreign policy enterprises, but not their cultural legacy.

2.5 Middlepersons: Sight-seers, Ambassadors, *negotiatores*, *publicani*

Middle spaces, like the Sicelo-Italic region, were home to middlepersons who catalyzed the flow of peoples and goods to imperial centers. In this section, I examine a hodgepodge cast of businessman, bureaucrats, and their attendants who traveled abroad. I find that such brokers were crucial to the recruitment and extraction of professionals from the provinces. As Roman authorities and their entourages traversed, or better yet "wandered" through imperial landscapes, they necessarily collided with municipal authorities and local artisans.²⁷⁴ Provocatively, one can

²⁷³ It depends on an allusion to the heritage of the Dasii, who claimed descent from Diomedes following his *nostos* to Daunia, and the fact that the Dasii played a role, memorable to Livy at least, in the Second Punic War (Hornblower 2015: 266–7; followed by McNelis and Sens 2016: 11). The Dasii hypothesis is used to refute Momigliano's (1942: 61) claim that the *Alexandra* does not reference any events after the First Punic War. (I would add as well that Wilamowitz (1883: 10–12) dated the *Alexandra* to the high Hellenistic period on content and style.) The argument for downdating is not convincing. Dazos is a common *single, personal* name in the region, yes, but no doubt many elite Daunian families would want to draw lineages back to their local hero Diomedes. Lycophron could have nodded to any of these other families, and the *nostos* story was an old one. Diomedes' arrival in Daunia featured already in the third-century-BCE historiographers Timaeus of Tauromenium and Lycus of Rhegium (Σ Lyc. 615 = *FGrH* 566 F 53),

²⁷⁴ Language borrowed from Dufallo forthcoming.

conceive of such traveling bands as *greges*.²⁷⁵ Admittedly, it is the very rare occasion indeed that extant data allow historians to piece together entire social chains from artisan to middleperson to central Italian elite figure. Nonetheless, the evidence strongly suggests that artisans entered elite social circles through a system of personal commendation. Put another way, though professionals may have wished to do business with Roman aristocrats directly, in most cases they would require an introduction. That meant professionals needed to win over, for example, members of a Roman commander's staff to their cause. Consequently, I consider Italian/Roman diaspora, provincial elites, and gubernatorial attendants (*apparitores*) as the go-betweens of the Roman office-holding classes and foreign professionals. For when Roman aristocrats relocated abroad for schooling, leisure, a military posting, or exile they will hardly have moved alone.

Many central Italians indeed can be found overseas, and these expatriates were often caught in this "middle" space.²⁷⁶ A tragic testimony is the "Asiatic Vespers," the massacre in which Mithridates had tens of thousands of Italian businesspersons and their families murdered in Asia.²⁷⁷ The Italian victims of Mithridates were distributed among a number of coastal cities where they had taken advantage of Asia's urban economies: Ephesus, Pergamum, Adramyttium, Caunus, and Tralles.²⁷⁸ For example, an intriguing notice at Smyrna relates the civic contributions of a Publius (!) Apollonius from Catane in Sicily.²⁷⁹ On lettering, the inscription has been dated to the second or first century BCE—was Publius Apollonius a survivor or victim of the Mithridatic purge, one wonders? Through the figure Chaeremon of Nysa, we ascertain

²⁷⁵ Language borrowed from Richlin 2017: 3 (of acting troupes).

²⁷⁶ Only partial catalogues are given in Müller and Hasenohr 2002. See also Hatzfeld 1912.

²⁷⁷ 150,000 killed (Plu. *Sull.* 24.4); 80,000 killed (Phot. *Bibl.* 231a = (Memnon) *FGrH* 434 F 1; Val. Max. 9.2. ext. 3).

²⁷⁸ App. *Mith.* 87–91.

²⁷⁹ *ISmyrn* 689, 1. 32.

furthermore that pro-Roman provincial elites smuggled Italian refugees from the Vespers into safe havens, e.g. Rhodes. In letters to his satrap Leonippus, an irate Mithridates placed a sizeable bounty on Chaeremon, dead or alive, and demanded his immediate apprehension.²⁸⁰ Clearly Italian residents had made friends in high places as they forged inroads into civic life in the province of Asia.

From the gross casualty figures and the ubiquity of the Italians in the cities of Asia Minor we can deduce that economic draws had operated there for some time, surely stretching back into the 120s, when *publicani* first were dispatched to Asia.²⁸¹ So too elsewhere: the Italian *negotiatores* who resided on Delos have been well studied.²⁸² These businesspersons came to Delos after the Romans placed the island under an Athenian protectorate in 167/166 BCE. Delos soon became homely enough that the Italians could celebrate their native *compitalia* (“crossroads festival”) on that hallowed ground.²⁸³ Trade likewise attracted *negotiatores* to Africa. For we hear that Jugurtha killed Italian businessmen during the siege of Cirta and after its surrender.²⁸⁴ Italian resident aliens at Carthage also had become targets during the Third Punic War.²⁸⁵ As with the Vespers, the Roman historiographic tradition made a point of remembering these traumas, but these grisly episodes nonetheless underscore the scope of Italian ventures into the

²⁸⁰ Welles nos. 73–4.

²⁸¹ The *publicani* will have started tax-collection there in earnest after the *lex Sempronia* of Gaius (Kay 2014: 59–83). The dossier of a local Pergamene politician, Menodorus, sheds light on the precarious interim period between Rome’s annexation of the province and its actual administration (Wörrle 2000). The poet Lucilius jested about becoming a *publicanus* in Asia (671–2 Marx)—presumably many tried.

²⁸² Hatzfeld 1912; Rauh 1993: 22–68.

²⁸³ See Flower 2017: 175–91.

²⁸⁴ Sal. *Jug.* 26, cf. *ibid.* 21.2.

²⁸⁵ App. *Pun.* 434. Bourdin and Crouzet (2009) argue also for the presence of linguistically Italic names in Punic inscriptions recovered from Carthage. A Hamilcar, “the Samnite,” was a leader of the pro-Carthaginian Independence party in the entr’acte between wars, and was a key instigator in hostilities with Numidians (App. *Pun.* 306, 318).

provinces. More often Roman citizens and allies abroad will have become prisoners of war instead. A number of Roman citizens and allies were captured in conflicts or kidnapped in peacetime. They were sometimes enslaved, but sometimes ransomed.²⁸⁶

Exile was another pathway to the provinces, and eastern cities became preferred refuges for disgraced politicians.²⁸⁷ Cicero, in the *Pro Balbo*, lists the fates of those who found asylum in the provinces or Southern Italy:

duarum ciuitatum ciuis noster esse iure ciuili nemo potest: non esse huius ciuitatis qui se alii ciuitati dicarit potest. Neque solum dicatione, quod in calamitate clarissimis uiris Q. Maximo, C. Laenati, Q. Philippo Nuceriae, C. Catoni Tarracone, Q. Caepioni, P. Rutilio Zmyrnae uidimus accidisse, ut earum ciuitatum fierent ciues. (Cic. *Balb.* 28)

None of our citizens can become a dual citizen under civil law; someone who has pledged themselves to another state cannot belong to our state. And we see that this has happened not only through by pledging, but also in political ruin, and to the most distinguished of men: Quintus Maximus, Caius Laenas, Quintus Philippus in exile at Nuceria, Caius Cato at Tarraco, Quintus Caepio and Publius Rutilius at Smyrna; as a result they became citizens of those states.

It is worth dilating over Cicero's last and very famous example. Rutilius Rufus was convicted *de repetundis* (ca. 94 BCE) by an equestrian jury, who, according to sources sympathetic to Rufus, backed their peer *publicani* against Rufus because as a legate in Asia he had served too honestly for their liking.²⁸⁸ Astoundingly, Rufus found comfort in the very province that he was accused of despoiling because in fact he and his superior officer had alleviated the locals from the threats of the tax-collectors.²⁸⁹ Such friendships with local elites were one consolation of exile. Rufus

²⁸⁶ Flaminius retrieved Romans from Greece who had been captured in the Second Punic War. Their freedom was bought at five minas each (Plu. *Flam.* 13.5; cf. Liv. 34.50.1–7.). Fabius Labeo, in 189 BCE, found 4000 Roman citizens enslaved on Crete, and received a triumph upon their safe return home (Liv. 37.60).

²⁸⁷ The appendix of Kelly (2006: 161ff.) shows a boom in politically motivated exiles. From the institution of the *quaestio* in 149 BCE down to 109 BCE there are five recorded exiles; from just 109–91 BCE: thirteen exiled.

²⁸⁸ Cicero met Rutilius Rufus in Smyrna in 78 BCE (Cic. *Rep.* 1.13, 17; *Brut.* 85). See also Kallet-Marx 1990: 123–4.

²⁸⁹ D.S. 37.5; V. Max. 2.10.5; ps.-Asc., p. 202 Stangl.

even brought the polymath Aurelius Opillus in tow, who in their retirement there was able to compose *Musae*, a nine volume set of “various erudition” in honor of each muse.²⁹⁰ Rufus meanwhile wrote a Greek history.²⁹¹ Metellus Numidicus made himself similarly at home in the East after he had fled Saturninus’ government in 100 BCE. Accompanied by the grammarian Aelius Stilo Numidicus settled in Rhodes. Scholars have speculated that in Rhodes Stilo met the Greek grammarian Dionysius Thrax, from whom Stilo imported Alexandrian critical symbols for use in Latin texts.²⁹² Numidicus himself found solace in Greek popular entertainment; when Numidicus received word that he had been recalled to Rome he was actually taking in a show at the theater in Tralles on the mainland.²⁹³ (He politely waited for the production to end before departing.) Additionally this anecdote is significant since it shows that Numidicus had not stayed rooted in Rhodes but went sightseeing through Asia Minor.

For it was in just this period that central Italian elite began to tour exotic locales on official business (*negotium*), in leisure (*otium*), or both. The chronology of Scipio Aemilianus’ embassy to the East is a thorny issue (ca. 140 BCE), but not its broad itinerary: Aemilianus, with the philosopher Panaetius at his side, visited dependencies across the Eastern frontier, including Asia, Syria, and Egypt.²⁹⁴ Diodorus Siculus makes the attraction of ambassadorial duties patent:

ὄτι ἦκον εἰς Ἀλεξάνδρειαν οἱ περὶ τὸν Σκιπίωνα τὸν Ἀφρικανὸν πρεσβευταὶ κατασκευόμενοι τὴν ὅλην βασιλείαν. ὁ δὲ Πτολεμαῖος μετὰ μεγάλης ἀπαντήσεως καὶ παρασκευῆς προσδεξάμενος τοὺς ἄνδρας τὰς τε ἐστιάσεις πολυτελεῖς ἐποιεῖτο καὶ τὰ βασίλεια περιάγων ἐπεδείκνυτο καὶ τὴν ἄλλην τὴν βασιλικὴν γάζαν. [...Diodorus praises the Roman resistance to such luxuries and gives other details from the trip...] ὠμιληκότες

²⁹⁰ Suet. *Gram.* 6.2.

²⁹¹ *HRR* F 1–6.

²⁹² Sandys (1913: 843) is the first to suggest this, as far as I am aware. See also Reynolds and Wilson 1968: 20. The notae were used in editions of Republican authors: *his solis* [sc. *signis criticis*] *in adnotationibus Ennii Lucilii et historicorum usi sunt* [sc. *grammatici*] (*GLK* 7.533).

²⁹³ *V. Max.* 4.1.13.

²⁹⁴ See Astin 1967: 127 with n. 3 (sources).

δὲ βασιλεῦσι καὶ δήμοις καὶ τὴν προϋπάρχουσαν αὐτοῖς φιλίαν πρὸς ἅπαντας ἀνανεωσάμενοι πρὸς εὐνοίαν τὴν ἡγεμονίαν ἐπηύξησαν. (D. S. 33.28b.1–2, 4)

And then Scipio’s party of ambassadors came to Alexandria in order to survey the entire kingdom. Ptolemy received them with a great welcome and preparation and held costly banquets, and leading them around the palatial estates he showed them the entire royal property. [...] Once [the ambassadors] had reconciled kings and peoples and had restored the pre-existing friendship towards [the Romans] among all peoples, they thereby increased [Rome’s] hegemony into goodwill.

In addition to Ptolemy it appears that several other monarchs took the opportunity to ingratiate themselves to Aemilianus.²⁹⁵ Alongside its political successes (*negotium*), Diodorus spells out the embassy’s pageantry as well as its ranging mandate (*otium*). By way of comparison one recalls Lucilius’ jaunt through Sicily, the so-called “*Iter Siculum*,” on which Horace based his own journey poem (*S.* 1.5).²⁹⁶ Sight-seeing was involved.²⁹⁷ Emily Gowers has recharacterized the *Iter Siculum* in Hellenistic literary and navigational terms as a *periplus*, i.e., a lackadaisical cruise around the imperial periphery.²⁹⁸ And a papyrus find records how Egyptian officials scrambled to accommodate the surprise visit of a Lucius Memmius to the Arsinoite in 112 BCE. His *theoria* penetrated into the depths of the Egyptian kingdom. Whether officially sanctioned, for pleasure, or a combination, the trip appears frivolous all the same.²⁹⁹

Beginning in the Gracchan period, another way to pass one’s *otium* was to study at Greece’s philosophical schools. In the 160s, Aemilius Paulus had fetched teachers like

²⁹⁵ Astin (1967: 138–9) suspects that Aemilianus enjoyed friendly relations with Seleucus VII in addition to Attalus III. Cicero documents the latter relationship: Attalus sent donatives and support to Aemilianus at Numantia (Cic. *Deiot.* 19).

²⁹⁶ *Lucilio haec satira aemulatur Horatius iter suum a Roma Brundisium usque describens, quod et ille in tertio libro fecit, primo a Roma Capuam usque, et inde fretum Siciliense* (Porph. ad Hor. *S.* 1.5.1).

²⁹⁷ *et saepe quod ante | optasti, freta, Messanam, Regina, uidebis | moenia, tum Liparas, Facelinae templa Dianae* (102–4 Marx), “And you will see what you have often hoped for before—the straits, Messana, the walls of Rhegium, then the Lipari islands, the temple of Diana Facelina.” There was hiking too (ibid. 110–13).

²⁹⁸ Gowers 2014.

²⁹⁹ ἐπὶ θεωρίαν ποιούμενος (*P. Tebt.* 1.33, 6).

Metrodorus, the Athenian painter and philosopher, to teach his sons in Rome.³⁰⁰ Contrariwise, extended stays at Athens became normal within just a generation. The orators Antonius and Crassus went to Athens to become pupils of Charmadas, the Academic philosopher. In the course of Charmadas' lectures, Antonius and Crassus were also introduced to the rhetor Menedemus.³⁰¹ Athens was an entry point for their Hellenism and for others'. Long before his exile to Asia, Metellus Numidicus had studied under Carneades at Athens.³⁰² And in the same city Titus Albuicius even dabbled in Epicureanism.³⁰³

By the Gracchan period Rome had also developed a serious diplomatic corps in the tradition of Hellenistic "embassy" culture.³⁰⁴ While regrettably no source as rich as Polybius survives from the late second century BCE who can supply us with information on contemporary international relations, inscriptions are a helpful supplement. When only epigraphic testimonia are considered, the number of delegations sent to Rome from the East over the period 150 BCE–91 BCE approximates the corresponding sum over the next ~sixty years, 91 BCE–31 BCE.³⁰⁵ That plateauing indicates that the Romans maintained a high level of diplomatic activity. Nobody

³⁰⁰ Plin. *Nat.* 35.135; cf. their greek education at Plu. *Aem.* 6.4–5. See also Introduction.

³⁰¹ Cic. *De Orat.* 1.85–8. Crassus would also meet the learned Metrodorus of Scepsis in Asia as a quaestor (Cic. *De Orat.* 3.75; ca. 109 BCE). Metrodorus would become a close friend of Mithridates (Plu. *Luc.* 22.1–4) and verbally lashed Rome according to Ovid (*Pont.* 4.14.37–40).

³⁰² Cic. *De Orat.* 3.68.

³⁰³ Cic. *Fin.* 1.8–9, *Brut.* 131. See also Chapter 4 on Albuicius.

³⁰⁴ See also Chapter 4.

³⁰⁵ The numbers are from Canali del Rossi 1997. Since Cicero and other late republican literary sources predominate in the latter period, epigraphy is the most natural way to even the comparison. Such an approach nonetheless introduces new problems since it straddles the creation of the provinces Macedon (148 BCE) and Asia (133 BCE). Perhaps, for instance, communities felt it more advantageous to keep inscriptions posted that dated to the original reconciliations of their respective regions with Roman authorities. However that may be, I do not suspect that these early settlements prejudice the picture to any great degree, as in many cases the same grievances tended to crop up over and over again. (We will visit some of these.) Situations required that initial arrangements be modified as needed.

embodies *l'esprit de corps* more than a Greek philosopher of the Academy, Antiochus of Ascalon:³⁰⁶

τὸ πλεῖστ[ον] τοῦ | βί[ου] πρεσβεύων Ἀ[θή]νηθεν [ε]ἰς τε Ῥώμη[ν κ]αὶ πρὸς | τοὺς [ἐ]ν ταῖς ἐπαρχε[ῖαι]ς στρατηγ[ού]ς, κα[ὶ] τ[ὸ] πέρασ ἐν | τῇ Μ[ε]σοποταμίᾳ Λευκίῳ | Λευκ[ό]λλῳ προκαρτε[ρῶν] [ἐ]τελεύτησεν ἡγα[πημέ]νο[ς] ὑπὸ πολλῶν κα[ὶ] (Phld. *P. Herc.* 1021, col. XXXIV, 35–43)

He spent most of his life as diplomat from Athens to Rome and to generals in the provinces, and he met his end in Mesopotamia in the cadre of Lucius Lucullus; he was cherished by many and[

With Antiochus one can class a number of now familiar episodes from the second century BCE: the embassy of the philosophers in 155 BCE, Panaetius' participation in Aemilianus' embassy, and the spokesmanship of Crates on behalf of the Attalids. Finally, we may add that Posidonius' mission to Marius in 86 BCE would have overlapped with the period in which Antiochus devoted his energies.³⁰⁷ Again we see the political function of the Greek philosophers, who flitted in and out of Roman aristocratic circles.

Ranging apparitorial staffs were a first point of contact for those who wished to garner the attention of Roman magistrates, just as Lucullus' had absorbed Antiochus. Verres, we remember, had even blurred lines by employing artisans directly in his cadre. Jan Dewitt estimates from provisions of the *Lex de XX Quaestoribus* that around two hundred *apparitores* in total may have accompanied their superior officers abroad each year, and, even granting that Sulla expanded the number both of magistrates and bureaucrats, Dewitt suspects that the same figure is in the ballpark for second-century-BCE practice.³⁰⁸ One can appreciate the sum of officer companions after adding the senior staff, such as *legati* and *praefecti*, to these heralds,

³⁰⁶ Text follows Fleischer 2017.

³⁰⁷ Plu. *Mar.* 45.4–7. See Kidd and Edelstein 1972 on T 28.

³⁰⁸ Dewitt 2019: ch. 4, p. 17–20.

messengers, and clerks. Educated *scribae* especially must have been cultural conduits between commanders and foreign professionals; after all the poet Horace himself had been a *scriba quaestorius*.³⁰⁹ Furthermore, the governor's retinue often included *publicani*, who provided day-to-day functions for the staff in return for the necessary muscle (military and ideological) to enforce their contracts and collections.³¹⁰ Cicero relied on the companies of tax-collectors for some basic services, even as letter carriers, during his time as proconsul in Cilicia.³¹¹ They expected favors. After Cicero had initially refused the request of a *negotiator* Scaptius for a prefecture, on the grounds that he did not grant such commissions to businesspeople on principle, Cicero nonetheless caved.³¹² And just like that Cicero had commissioned a debt collector to his staff. Three things have become evident about the staffing of Roman magistrates: 1) a large number of adjutants, military and civilian, accompanied field officers, 2) some of these subordinates already will have been invested socially and financially in the area of operation, 3) while others will have been culturally invested in the same areas.

As Roman governors traveled through the provinces with these large networks of dependents it became inevitable that they would tangle with municipal governments and local elite; that was part of the job. Cicero makes a point to publicize his abstention even from hospitality afforded to him under Roman law, despite admitting that he had occasionally taken his hosts up on such offers.³¹³ Provincial enthusiasm was high, Cicero reports:

³⁰⁹ Purcell 1983: 138–46. Horace's teacher Orbilius had also done a stint on an apparitorial staff (Suet. *Gram.* 9) and perhaps encouraged his student in the same direction.

³¹⁰ Tan 2017: 76–9.

³¹¹ Cic. *Att.* 5.15–16, 21.

³¹² Cic. *Att.* 5.21, 6.1. Scaptius had connections with Brutus, and was attempting to receive payment from the Salaminians.

³¹³ *scito non modo nos faenum aut quod e lege Iulia dari solet non accipere sed ne ligna quidem, nec praeter quattuor lectos et tectum quemquam accipere quicquam, multis locis ne tectum quidem et in tabernaculo manere plerumque* (Cic. *Att.* 5.16.3), "know that I did not only refrain from taking the hay and whatever is allowed under the

ipse in Asiam profectus sum Tarso Nonis Ianuariis, non me hercule dici potest qua admiratione Ciliciae ciuitatum maximeque Tarsensium. postea uero quam Taurum transgressus sum, mirifica exspectatio Asiae nostrarum dioecesium quae sex mensibus imperi mei nullas meas acceperat litteras, numquam hospitem uiderat. (Cic. Att. 5.21.7)

I myself came into Asia from Tarsus on the Nones of January, and by god, I can't express how the cities of Cilicia, especially the people of Tarsus, wondered at my arrival. Indeed after I crossed Taurus, there was unbelievable enthusiasm in all our districts of Asia, which had not received any letter from me in my six months of administration, and had never had me or a member of my staff as a visitor.

But, as Cicero clarifies, the provincials wanted to pay off magistrates with protection money lest they have to billet Roman soldiers (*anepistathmeia*), and they were willing to kick in various honorifics too to sweeten the deal—shrines, chariots, and statues in Cicero's honor.³¹⁴ Thus in Cilicia wining and dining governors had already become institutionalized in the fifty years since its annexation as a province (ca. 102 BCE). Nothing suggests that Cilicia was an exceptional province on that account. Indeed it was expected that local elites would self-advocate, for this understanding too was engrained among Italian elite society. In the charter for the Caesarian colony at Urso, the *Lex Coloniae Genetiva*, is a provision that decurions were duty-bound to participate on embassies.³¹⁵ Failure to comply with ambassadorial duties or to provide a substitute for was a high crime according to the fine schedule, second only to betraying the public trust for personal kickbacks.

While it is rarely possible to connect all dots from aristocratic *patronus* to professional *cliens*, I have laid out a circumstantial case for the role of various middlepersons as bridges

lex Iulia, but not even firewood; nor did I take anything beyond four couches and a roof over my head, and often in many places I did not even have a roof over my head but stayed in my tent." On Cicero's professed restraint, one notes that he has to walk back his frequent boasts that he had cost the province not a penny, as he discovered that his brother, as legate, had taken advantage of the *lex Iulia* and demanded money from locals for travel (5.21.5).

³¹⁴ *ibid.*

³¹⁵ *Lex Coloniae Genetivae* XCII. Though the charter founds a colony in Spain, it is typically taken to represent common municipal governance throughout Republican Italy.

between social networks. Nor is that to say that only *Italian* middlepersons paved the way for the professionals to enter the circles of the central Italian elite. Panaetius himself it seems became a facilitator for others, since his move to Rome inspired another (unknown) philosopher to join him there, and, as Philodemus implies, Asclepiadotus of Nicaea immigrated to the *urbs* for the same reason.³¹⁶ In this and other cases, one can imagine chain migration: once “anchor” professionals established rooted communities in Italy/Sicily, these communities could support fresh immigrants in turn.³¹⁷ Rather than stress one or another set of relationships, it is necessary to acknowledge these social ties in all their permutations: patron–professional (asymmetric), central Italian elite–local elite (peer, or near-peer), professional–professional (peer), middleperson–professional, middleperson–central Italian elite. It is easy to imagine any number of scenarios where unofficial and official members in the retinue of Roman governors drew their superiors into contact with local elites and professionals. Were Cicero not such a killjoy, he could have befriended a Cilician sculptor just so.

2.6 A Matter of Policy: “How to Deal with the Supremely Irksome Artisans of Dionysus”

The internal workings of their Greek dependencies concerned the Roman state, and the following cases illuminate more formal collisions between professionals and elites than have been discussed thus far. I will demonstrate how Roman authorities sunk significant time and resources into the welfare of the cities and city-dwellers of the East, in particular trying to appease pre-existing incorporations of stage performers called the Artisans of Dionysus, the

³¹⁶ *P. Herc.* LXXIII.

³¹⁷ See discussion above on urban “zoning” of professionals.

Guild of Dionysiac Artists, *vel sim*. With their political lobbying such professional organizations jumped the queue to the very forefront of Roman policy-making.

Much of the Senate's energies in the second century BCE was to be exerted in triaging incidents as they were reported by provincials, imagined as follows: “ἡ δεῖνα city in New Acquisition B, citing a rescript of the upteenth Antiochus—*Which one again is he? Didn't our dear Lucilius just buy his old bachelor pad?*—hereby challenges the counter-claim of *Hellenopolis* to an abutting piece of the *chōra* on the authority of an earlier judgment under Lysimachus. *Remind me, is that place why the youngest Metellus brother styles himself Hellenopolitanus these days? And did we really forget to centuriate that ager publicus again?*” Quotidian problems of this kind no doubt taxed the patience of senators. Many extant *senatus consulta* deal with petty land disputes, questions over privileges, and respond to anxious overtures by representatives whose home states had run afoul of Rome. The Senate often inclined towards affirming the status quo, or, when appropriate, outsourced adjudication of outstanding problems to a third-party arbitrator, usually another Greek city-state.

Dealing with Hellenistic cities meant dealing in turn with their civic institutions and fence-sitter associations, such as the artisans' guilds, which acted simultaneously in public and private capacities. And yet if one were to inform the Senate of 186 BCE, fresh from its resolution on the Bacchanalian “conspiracy”—Willems' reconstructed senate for 179 BCE is a close enough approximation for the thought experiment—that they and their descendants would mete out indulgences to companies of Dionysiac artisans over the next half century, one would expect to meet stares of mild bewilderment.³¹⁸ But this is just how matters would unfold. It would be all

³¹⁸ Willems chose 179 BCE as a date when senate membership is well-attested, sitting in the middle of the range covered by Livy's surviving books (Willems 1885: 303). The Senate's overreaction to the Bacchanals is difficult to

the more appalling to discover as an epilogue that the once esteemed guild at Athens would help betray the city into the thrall of Mithridates in 88 BCE.³¹⁹

Clubs and professional unions (*collegia*) were politically active, hence dangerous, so consequently Roman leaders instituted partial bans on Italian organizations several times in the first century BCE.³²⁰ But they had no choice but to deal with the Greek guilds of Dionysiac artists, who prized their independence. Organized like mini-states, or states within states, the artisans even received embassies on their own; they possessed magistrates, assemblies, and managed funds strictly outside the structures of the city-state.³²¹ The rise of the guilds went in lock-step with that of the Hellenistic circuit of games, as competing monarchs and cities inaugurated games in order to boost their prestige. Guilds relieved the administrative burden from municipal and central imperial governments, and offered a more efficient way to ensure that games functioned and functioned well.³²² As the Ionian/Hellespontine branch grew, for instance, it became powerful enough to bully the small states that it called home.³²³ Due to this track record, Roman authorities were cautious when associations of artisans expressed interest in

understand unless part of the danger they posed rested on their ability to organize within pre-existing structures, like the Dionysiac artisans. (Often the heads of the colleges were the very same as the high priests.) To my knowledge, this hypothesis is yet to be explored.

³¹⁹ Ath. 5.212b–e = *FGrH* 87 F 36 (Posidonius).

³²⁰ Suet. *Aug.* 32.1 (*collegia praeter antiqua et legitima dissoluit*); *Jul.* 42.3 (*cuncta collegia praeter antiquitus constituta distraxit*); Asc. *Pis.* 8. Asconius testifies that the *collegia* were community organizers, and hence the perceived threat to the political establishment: *L. Iulio C. Marcio consulibus...senatus consulto collegia sublata sunt, quae aduersus rem publicam uidebantur esse admissa. solebant autem magistri collegiorum ludos facere, sicut magistri uicorum faciebant, Compitalicios praetextati, qui ludi sublatis collegiis discussi sunt. post VI deinde annos quam sublata erant P. Clodius tribunus plebis lege lata restituit collegia*, “When Lucius Julius and Gaius Marcus were consuls (64 BCE) the *collegia* were disbanded that seemed to have been allowed against the interest of the state. But the heads of the *collegia* were accustomed to give games, just like the heads of the *uici* do, in honor of the Compitalia and dressed in the *praetexta*. When the colleges were disbanded these games were broken up. Six years later Publius Clodius as tribune of the plebs had a law passed to restore the *collegia*.” On *collegia* generally, including their political activism, see Liu 2009: 36–41 (*collegium centonariorum*; attested late, but potentially dating to the second century BCE, *ibid.* 38); Venticinque 2016: 167–98.

³²¹ See esp. Le Guen 2001: 2.77–82. Cf. Jory 1970: 225.

³²² Aneziri 2009.

³²³ See the countersuits of the Teans below.

Rome—e.g. holding *Romaia* festivals—even if that attraction was reciprocated by many members of the central Italian elite.

During the second century BCE enterprising colleges of Dionysiac *technitai* vied with one another for the attentions of Hellenistic monarchs and later Rome. On one such occasion, the Athenian synod of performers approached Nyssa and Ariarathes V of Cappodocia (ca. 130 BCE), the royal couple whom the Romans had recently restored to that kingdom.³²⁴ The synod had selected these honorands for their artistic predilections.³²⁵ Sophia Aneziri has highlighted how this iteration of games employed a unique funding model: the guild itself organized, sponsored, *and paid for* the musical contest.³²⁶ In return they hoped to win typical legal protections for their performers: *ateleia*, *asphaleia*, and *asylia*. They threw in honorific statues too to seal the deal. This exceptional case lays bare the *quid pro quo* nature of the arrangements struck between performers and politicians.

Dealings with the Dionysiac artists required tact all the same, so some trepidation on the part of the Romans is not unwarranted. Among the ps.-Aristotelian collection of *problēmata* is the rhetorical prompt, “how to deal with the supremely irksome (*πονεροί*) artisans of Dionysus.”³²⁷ The response of Eumenes II of Pergamum to warring delegations from the city of Teos and the guild resident there reflects just such exasperation.³²⁸ In a grandiose exposition, Eumenes expatiates on how public quarreling tarnishes reputations, and thus why he had taken it upon his royal person to reconcile the city and guild once and for all. For all this, Eumenes’

³²⁴ Le Guen *TE* 5.

³²⁵ It may have been the case that the royal family stayed in Athens on their way back to Cappodocia from Rome and built a rapport with the college during that time.

³²⁶ Aneziri 2007: 67–8.

³²⁷ See Welles 1934 on *RC* 53.

³²⁸ *RC* 53.

bluster quickly gives way to deferential consensus-seeking and nods to the joint efforts of his own ambassador and the delegation of Teans.³²⁹ No doubt Eumenes' logorrhea was meant to soften the bad news for the capricious Ionian/Hellespontine branch of the artists; simply put, if they were to operate in Teos then they would have to abide by the laws of the city. They did not. Finding themselves on the wrong side of a *stasis* at Teos later, the guild fled temporarily to Ephesus, then to Myonnesus under the direction of Attalus, and after they had worn out their welcome there, the guild lobbied the Romans for safe haven in Lebedus, and the Romans acquiesced.³³⁰

The Romans and the Dionysiac artists would cross paths increasingly over the course of the second century BCE. On multiple occasions, Romans employed Greek performers in Italy to mark important occasions, including triumphs.³³¹ Though scholars have disputed whether the Greek associations were models for a comparable institution at Rome, the *collegium poetarum*, the striking correspondences probably indicate a cognate, or derivative relationship.³³² And when Mummius Achaicus settled the province of Macedonia (post 146 BCE), one of his urgent concerns was to re-affirm the status of two major branches of the *technitai*, the association of Ionia/Hellespont and its counterpart at Isthmia/Nemea.³³³ The second example is all the more

³²⁹ So Welles 1934: "the letter is written in a rhetorical style employing obscure forms of expression and long and involved sentences" (231).

³³⁰ Str. 14.1.29. It is perhaps worth noting that an earlier Roman rescript gave blanket tax-exemptions to Teos, probably due to the influence of the guild (*RDGE* 34; 193 BCE).

³³¹ Fulvius Nobilior showed Greek athletes and actors in 186 BCE, and Scipio Asiagenus just actors in the same year (Liv. 39.22). It would be surprising if the Bacchanalian conspiracy of 186 BCE were not connected with these celebrations of Dionysus. A scum broke out between groups of musicians, choral performers, boxers, and tragic actors during the games of Anicius in 167 BCE (Ath. 14.615a–e = Plb. 30.22). Tacitus singles out Mummius Achaicus as the first Roman to showcase Greek drama, which does not make sense on these timelines (Tac. *Ann.* 14.21; at Mummius' triumph).

³³² Fest. 333M; V. Max. 3.7.1. See esp. Jory 1970: 225–233. Note also the resilience of the Western Greek guilds (above) and their relations with Rome.

³³³ Le Guen *TE* 50 and 34, respectively.

remarkable, since Mummius had just destroyed the sanctuary at Isthmia for its association with Corinth. The nominally “Isthmian” games moved to Sicyon, and hence the entire *raison d’être* of the Isthmian guild evaporated overnight. And yet it was important to Mummius that the guild continue.

The Romans would spend an inordinate amount of time thereafter resolving disputes between the Isthmian/Nemean *technitai* and those at Athens, as Roman intervention had upset the balance of power between the two guilds.³³⁴ A dossier of Roman judgments in favor of the latter against the Isthmians was inscribed at the Athenian Treasury at Delphi. These documents imply no less than three conventions of the Senate and multiple other approaches to Roman magistrates by guild members. Roman magistrates had encouraged the merger of the Isthmian and Athenian synods, but consolidation only intensified the feuding. The details of the dispute only become clearer in the final *senatus consultum* (112/111 BCE), which recapitulates some of the main points of contention. The Athenians alleged to the Senate that: the Isthmians had ignored prior Roman directives; they since had absconded with the communal funds for the two groups; they met in Sicyon rather than in their designated seats—for the Roman mind perilously close to Corinth, a one-time rebel stronghold; and they had locked the Athenians out of lucrative festival contracts.³³⁵ In response the Isthmians envoys scapegoated a rogue splinter group of their own organization, whom they claimed they had already tried to hold accountable.³³⁶ The senate

³³⁴ For a cogent recap of the entire affair, see Le Guen 2001: 2.26–7.

³³⁵ Le Guen *TE* 12A.16–27.

³³⁶ Le Guen *TE* 12A.35–46.

ruled definitively in favor of the Athenians, but it is noteworthy how much diplomatic energy was spent and over how many years (ca. 138–112 BCE).³³⁷

As the squabble dragged on it drew in Roman dependencies also. The Amphictyony, ever friends to Rome, had tried to allay the nerves of the Athenians with a guarantee of the association's traditional privileges at Delphi. It cannot have hurt their case that the Athenian guild had just performed a Pythais celebration for Delphi in 128/7.³³⁸ Tellingly, the Athenians had closed their second Paean for Apollo with the tagline: “and, [Apollo], grow the empire of the Romans, mighty with the spear, and their ever flourishing victory!”³³⁹ Since the mid-century mark, artists had approached Delphi as a conduit for pro-Roman messaging. In this capacity Delphi had attracted one Aristotheos of Troezen, a historiographer, who wrote *encomia* to the Romans. Aristotheos in turn translated the goodwill he earned into a sweetheart proxeny deal from the Amphictyony (ca. 157 BCE).³⁴⁰

Due to rich stores of Attic prosopographical research some careers of individual Athenian stage performers can be charted, which information often discloses repeated contacts with Rome or its proxies. Klaffenbach's catalogue of the membership of the Athenian guilds remains handy.³⁴¹ Take the *curriculum vitae* of Krateros, son of Antipater, from Amphipolis

³³⁷ We only have snippets of the intervening actions: Gnaeus Cornelius Sisenna (*RE* 373), governor of Macedonia in 118 BCE, had inherited the mess of a fellow but unknown Cornelius (128/7 BCE). At its original composition, Sisenna's resolution was amenable to the Isthmians, as they are signatories to the ongoing conditions of their merger (Le Guen *TE* 12D. cf. *ibid.* B and C). Obviously the Isthmians reneged on the agreement.

³³⁸ We have no reason to believe the Athenian *technitai* lost their status at Delphi. A formal decree might have assuaged insecurities, however. Presumably, the Athenians were upset about lost performance opportunities too. Other Pythais were celebrated in 138/7, 106/5, and 98/87 BCE. The charts at Tracy 1975: 215–8 show the increasing pageantry of the Delphic missions. In the late Pythais, the Dionysiac artists begin to far outnumber the epebes and religious representatives of the city.

³³⁹ τάν τε δορισ[θενῶν] | Ῥωμαίω[v] ἀρχάν αὖξεται' ἀγηράτων θάλλ[ουσάν τ' αἰ] | νίκαν (Le Guen *TE* 9.38–40, my supplements).

³⁴⁰ *SIG*³ 702.

³⁴¹ The inventory is found in Klaffenbach 1914: 47–66.

(Klaffenbach no. 108). Originally Macedonian, Krateros had performed at a sacred festival at Delphi around the turn of the second to first century BCE.³⁴² Years later the same Krateros re-emerged in Oropus, a city in Boeotia, where he won a contest for an “epic encomium” at a celebration for the hero Amphiaraus and Rome.³⁴³ Eubios (no. 70), son of Eubios, was an Athenian who also won at this joint festival in Oropus as a citharode, while he had earlier performed a paean at Delphi.³⁴⁴ These career paths suggest that the circuit of games in Central Greece had re-aligned around the interests of Rome and its allies (e.g. Delphi), which had cascading effects for the participants in the *agones*. It is no wonder therefore to find Roman connections for an Athenian named Pausanias (no. 139) who participated in a Pythais festival at Delphi in 98/97 BCE,³⁴⁵ his father Lyciscus not only was a priest of Serapis at Delos, but also served as a *hieropoios* in the *Romaia* on the island.³⁴⁶ This family therefore had ties to the entire triad of regional powers sympathetic to the Roman cause, Delphi-Delos-Athens.

Another career bears witness to Rome’s increasing presence in Asia Minor, which pulled artisans as far afield as Athens. Diomedes son of Athenodorus (no. 47) attended a sacred festival of Delphi in the late second century BCE as a comic poet associated with Athens.³⁴⁷ The same Diomedes won a contest for best original comic playwright at the local *Romaia* in Magnesia on the Maeander—and on this occasion under his dual Pergamene citizenship.³⁴⁸ If we allow that Diomedes chose to compete at Magnesia under an honorific “Pergamene” status—perhaps earned from a prior victory there—then his decision at least indirectly paid homage to the

³⁴² *FdD* 2.49.25.

³⁴³ *Epigr. tou Oropou* 528.

³⁴⁴ *Epigr. tou Oropou* 523.

³⁴⁵ *FdD* 3.2.48.

³⁴⁶ *ID* 2146, 2596.

³⁴⁷ *FdD* 3.2.49.

³⁴⁸ *SIG*³ 1079, l. 20–21.

Attalids, who were great patrons of the arts and built, for example, the Stoa of Attalus in Diomedes' native Athens. Additionally, the Attalids were closely allied to the Romans. We would do well to remember that when Diomedes traveled to Magnesia on the Maeander, he was a visiting a new Roman administrative unit, i.e. the province of Asia, and by advertising Pergamum's special relationship with Rome, he was stroking Roman egos. After all, on the Roman stage Ennius had conflated Pergamum, Troy, and Rome long before Diomedes.³⁴⁹

2.7 Case Studies: Roscius, Claudius Aesopus, and Panaetius

We do not have a full record of any single professional's life, career, and interactions with central Italian elites. As with Gracchan-era literature (Chapter 3), we will have to manage with "fragments" from literary and epigraphic sources. And yet the circumstantial picture of Roman patronage of foreign professionals just sketched becomes persuasive when we look at collections of careers. I have put together a preliminary set for the Appendix. Each fragment of professional lives may illuminate only one stage in the process of patronage, and unfortunately, our biographies of even well known professionals will have gaps.

Biographies of Roman stage performers are especially lacunose, but let us try to recreate a few examples anyway.³⁵⁰ For instance, the family of the great actor Roscius (cognomen Gallus) indeed may have come from Gaul—and that is what one would expect from comparison with the poet Cornelius Gallus—but Roscius himself was in Latium already at a very young age.³⁵¹ While it is probably not wise to speculate unduly over Roscius' ethnic origin, Roscius' fellow stage

³⁴⁹ *nam maximo saltu superavit grauidus armatis equus qui suo partu ardua perdat Pergama* (Enn. *TrRF* F 22), "for the horse pregnant with armed troops has crossed over with a great leap and is destroying lofty Pergamum with its birthing of soldiers."

³⁵⁰ On Terence and Plautus, see above.

³⁵¹ Cic. *Div.* 1.79; cf. Henry 1919: 345.

performer Cimber (i.e. the “Cimbrian”) does seem to have landed in Rome as a byproduct of its military engagements in Northern Italy and Southern Gaul, perhaps after the Battle of Vercellae (101 BCE).³⁵² Gaulish or local, Roscius would become very rich.³⁵³ Sulla even granted Roscius the honor to wear the golden ring that was an insignia of the equestrians.³⁵⁴ Claudius Aesopus, the tragic actor with whom Roscius was so often paired, was fabulously wealthy too.³⁵⁵ Aesopus left a large inheritance thereafter to his son.³⁵⁶ At dinner, he could afford to indulge on songbirds bought at a record price (HS 100,000 altogether) in order to celebrate his own vocal talents.³⁵⁷ But beyond their smashing personal successes Roscius and Aesopus belonged to a support network for stage performers. The *collegium* for poets and actors was still active in their lifetimes, and Roscius himself set up a “school” that took in immigrants and trained them to act.³⁵⁸ Disturbingly, Cicero calculates Roscius’ investment of training hours in his protégé Panurgus at a far higher value than the auction price paid for the novice slave.³⁵⁹ Indeed it was Roscius’ reputation that launched Panurgus’ career to meteoric heights before the young man was killed. As a manager, Roscius had the ear of Roman aristocrats like Sulla and Catulus, an old flame.³⁶⁰

³⁵² See Appendix.

³⁵³ Cic. *Q. Rosc.* 8; Cicero estimates that Roscius turned down HS six million in earnings from acting over the last decade of his career. He was well established already, and in fact capital gains on his real estate were the reason for his court appearance.

³⁵⁴ Macr. 3.14.13–4.

³⁵⁵ Comparison on wealth: Macr. 3.14.13–4. Pairings of Aesopus and Roscius: Hor. *Ep.* 2.1.82; Quint. *Inst.* 11.3.111; V. Max. 3.10.2.

³⁵⁶ Plin. *Nat.* 9.122. The son ate pearls as an extravagant snack (cf. Hor. *S.* 2.3.239–41); see also the eating habits of his father.

³⁵⁷ Plin. *Nat.* 10.142.

³⁵⁸ Cic. *Q. Rosc.* 27–31. See also Appendix under “Eros” and “Panurgus.”

³⁵⁹ Cic. *Q. Rosc.* 28–9 (bought at HS 4,000, training evaluated at HS 100,000).

³⁶⁰ See Chapter 4.

The biography of the Stoic Panaetius is better known and differs in important ways.³⁶¹ In fact the philosopher's early life was not wholly unlike a Roman aristocrat's. Panaetius was born into a wealthy family at Rhodes.³⁶² At some point he served in the Rhodian fleet, and when he moved to Athens to pursue philosophy he brought two doctors with him in his entourage.³⁶³ Matthias Haake views Panaetius as a blue blood: "Like many other sons from families of the upper classes in Hellenistic *poleis*, Panaetius came to Athens to listen to philosophers lecture."³⁶⁴ Panaetius would fit right in once he met Rome's upper echelons. A late source envisions Panaetius as the "instructor" (*praeceptor*) of both Laelius and Scipio.³⁶⁵ In addition to Scipio Aemilianus and Laelius, Astin lists Panaetius' Roman associates as C. Fannius, Q. Mucius Scaevola, Q. Aelius Tubero, P. Rutilius Rufus. Astin supposes that Scipio, as the oldest in this group of mutual friends and relations (minus Laelius), made the introduction for Panaetius.³⁶⁶ Van Straaten suggests alternatively that it was Nicagoras, Panaetius' father, who paved the way for his son into Roman high society when he served in an embassy to Rome sometime between 172–168 BCE.³⁶⁷ This was the delicate political situation that occasioned Cato's *Pro*

³⁶¹ Van Straaten 1946: 3–17; Astin 1967: 296–9; Mattingly 1996.

³⁶² *ILind* 223 attests Panaetius' role as *hierothytes* on his native Rhodes.

³⁶³ *P. Herc.* 1018 col. LVI.

³⁶⁴ "Wie zahlreiche andere Söhne aus Familien der lokalen Oberschichten hellenistischer Poleis kam auch Panaitios nach Athen, um bei Philosophen zu hören" (Haake 2007: 144).

³⁶⁵ *Panaetius Stoicus philosophus fuit praeceptor Scipionis Africani et Laelii genere Rhodius* (Porph. ad Hor. *C.* 1.29.13–14). On Panaetius' politics, we have: *περὶ δ[ὲ] πολιτικῆς εἰς τοῦναντίον ἔρρεπ[ε]ν* (*PHerc.* 1018, col. 62, 1.2–4; ed. Dorandi 1994, who mistranslates the phrase), "on politics he inclined to the opposite." Just before Panaetius' politics, Philodemus seems to have mentioned his ideas about the soul. His metaphysics and politics did not mix, one guesses.

³⁶⁶ Astin 1967: 296.

³⁶⁷ *Plb.* 28.2.1 (a Nicagoras as Rhodian ambassador to Rome). Van Straaten (1946: 6) "on ne peut justifier d'admettre dans ce temps à Rhodes plus d'un Nicagore influent." Another possibility is that Crates of Mallus could have given his personal recommendation of Panaetius to the Roman nobility. Crates went on an embassy to Rome for the Attalids (see Chapter 4) around the same time as Nicagoras' mission, and Crates is named as Panaetius' teacher at *Str.* 14.5.16.

Rhodiensibus, as Rhodes had waffled between Perseus and Rome.³⁶⁸ At any rate, Panaetius landed smoothly at Rome. Scipio lodged Panaetius at his house.³⁶⁹ And later sources stress that Scipio was inseparable from Panaetius *domi militiaeque*, just as he had been with Polybius.³⁷⁰ Panaetius moreover would be Scipio's sole companion on his embassy which became a grand eastern tour.³⁷¹ After Scipio's death, Panaetius seems to have split his time between Rome and Athens.³⁷²

In conclusion, we have two very divergent trajectories of foreign professionalism. The stage was a social elevator for Roscius, Aesopus, and Panurgus. They hit a ceiling, however. Italian elites dined with actors, but they did not regularly visit Ptolemies with them. On the other hand, Panaetius was a noble through and through, and his political influence is an important precedent for our last chapter, where we will observe the fallout of the political activism of the philosopher Blossius of Cumae during the Gracchan crisis. In the meantime, we move on to another set of intellectual laborers and cultural brokers: the imperial and late antique grammarians who preserve Gracchan-era literature.

³⁶⁸ Gel. 6.3.

³⁶⁹ Cic. *Mur.* 66.

³⁷⁰ Vell. 1.13.3; cf. Symm. Or. p. 331 Seeck.

³⁷¹ Astin 1967: 127; Dorandi 1994: 27; Mattingly 1996.

³⁷² *P. Herc.* 1018 col. LXIII.

Chapter 3 The Fragmentation of Gracchan-era Literature

3.1 Intellectual History from Fragments

In the Introduction, I argued that the loss of texts composed from 149–91 BCE has been given disproportionate weight in previous assessments of Gracchan-era intellectual culture. The *communis opinio*, tacitly most often, operates from the assumption that because this period's texts have arrived to us only in fragments, they probably do not exist whole for a reason, and that reason is or was that they no longer stood up to scrutiny once replaced by sequel competitors. While changes of taste surely account for the loss of some of these texts, the disappearance of nearly all of them cannot be chalked up simply to the notion that they were bad. Instead such texts suffer due to a temporal accident, i.e. they arrived too early to be codified into the curriculum of Imperial school texts formed in the early first century CE. (Terence is a happy exception.) Whatever damage Republican-era texts suffered in antiquity, modern prejudices have compounded twice over; the fact that the fragments survive only indirectly, squirreled away in grammatical sources dulls whatever luster remains. For the grammarians who relay parts of these lost works stand themselves outside the canon of authors whom we regularly teach today.

Once more we must remember that “absence of evidence is not evidence of absence” when we engage with this segment of Republican literature. Even if the quality of second-century-BCE literature fell somewhat short of its first century counterpart, if Ennius really were worse than Vergil in objective terms somehow, then still it would remain imprudent to infer on that account that the *intellectual activity* of the entire earlier period was inferior. And if so, how inferior? Chapter 2 has demonstrated how foreign professionals integrated into Roman society,

and Chapters Four and Five will demonstrate that the fragments themselves speak to a lively intellectual culture in the years 149–91 BCE. Until we grapple with literary fragmentation, however, we cannot be well-informed readers of Gracchan-era texts.³⁷³ Thus before we deal with second-century-BCE literature we must take an extended stopover in late antiquity and beyond, for that is when most of the fragments were manufactured. Since philological methods for the study of fragmentary corpora are only rudimentary, I will create a model of textual archaeology to be applied in later chapters.

Naturally I owe the reader a timely definition of the literary “fragment.” It is not a very helpful metaphor, truth be told, and I will offer others in due course but for now an explanation of the common usage: many conceive of literary fragments as broken parts of once complete texts (< Lat. *frango*, “to break”). So a fragment is a textual excerpt, a piece of a whole, incomplete yet unmodified. This principle does not hold true in all details, however, outside of some special cases. Epigraphic texts certainly can fit the bill as “fragments.” A poetic epitaph would qualify, which can fracture in form—i.e. broken stone—and so too in content—i.e. missing letters. Were lacunose papyri extant that preserved early works of Latin literature they too could be dubbed “fragments.” (No such papyri survive.)

What conventionally pass as “fragments” are more properly quotations, and much of the rest of this chapter explores their dualistic nature as broken things yet ones purposefully embedded in another continuous text. The paradoxical sense of the broken but whole “fragment” serves only as a provisional heuristic. If we linger on the first half of this dyadic tension, we might note that literary fragments are not quite fragments in the way a pot sherd is. One rarely

³⁷³ Cf. Welsh 2009: 175.

can tell if they originate from an especially tell-tale or metapoetic moment in the source text unless the quoter marks them as such. Unlike a fragment from a “diagnostic” feature of a ceramic object—e.g. a handle—most ancient quotations give no sense of the dimensions, shape, or contents of their textual fabric. Papyrus finds and inscriptions offer more clues in this respect: the amount of letters that can fit into a gap, the presence of stichometric signs, repetitions of formulae, etc. These caveats aside, we can expect quotations to provide precision in some areas where other source types do not. Textual quotations are tagged regularly with an author and often a title too, which shrinks the original production window to a person, time, and place. Even in murkier cases—e.g. a fragment of an author with few biographical details—the margin of error of \pm a decade is small in comparison to material objects found without corroborating numismatic evidence or some other chronological indicator. On the other hand, without additional context the dating of black slip ware leaves a large margin of uncertainty (several centuries BCE), as with inscriptions in respect to orthography and letter shapes (half-centuries or more BCE). The scheme I have sketched for artifacts and literary fragments is oversimplistic, and there are a number of fair objections: a maker’s mark stamped on a pot pre-firing might reveal its workshop and proprietor; though the poet Accius lived long enough to meet Cicero, his biographical details are fuzzy; and so on. On the whole, nevertheless, literary fragments pose different problems and provide different information than other datasets. And this is a good thing for ancient historians.

A few specialists of ancient fragmentary literature have explored the production processes peculiar to this subset of texts. Jarrett Welsh describes a “chain-of-custody” from lost text original text through its manipulation by later quoters. It is an enlightening image, but as

Welsh notes, the process is more complicated than that.³⁷⁴ No quoter quoted with the aim of aiding future editors, whose methods would have been unthinkable to them. These middlepersons in the chain, grammarians primarily, adapted material for their own functions, such as an explication of the subtle *differentiae* between two near-synonyms. For that reason it is better to conceptualize quoters as producers and re-producers of knowledge. They too are intellectual laborers after all, much like the cast we met in the previous chapter. The same is true even of copyists, who are so often elided from the storied transmissions of the ancient texts that they produced.³⁷⁵ Should we return to the epigraphic fragment as a baseline, we might compare copyist and stonecutter and shed light mutually upon the two data sets: epigraphy is text and text is a *constructed* object.

The thousands of fragments of Roman literature from the late second century BCE resemble assemblages of other human modified materials insofar as they 1) represent a large data set, and 2) survive through circumstances that impart a sampling bias. To the latter point, the literary context of a literary fragment ironically is destroyed during its secondary deposition into a new text by a human actor who selects the quotation, both its contents and its bounds. Quotation resembles the cut-and-fill process in archeological contexts where historical agents have disturbed lower stratigraphic layers and deposited outside materials there. Imagine excavating material from the fill of a posthole, for instance. Often it is injudicious to extrapolate from such artifacts without an original stratigraphic context. Just so an intellectual historian inattentive to textual dislocation runs the risk of cherry-picking individual fragments based on their content, while doubling-down on the idea that these meager quotations accurately reflect

³⁷⁴ Welsh 2009: 26ff.

³⁷⁵ We will mark the impact of *scribae* on diplomatic translations in Chapter 4.

themes of the lost target text or, a graver error still, the author. In order to surmount these *a priori* challenges I will investigate the manufacturing process of literary fragments and survey them in large numbers.

Grammarians have agendas and methods which scholars helpfully have elucidated through close examination of their engagement with surviving texts. From such research one can hazard more about fragments of lost works, even in a few cases, the relative positioning of a fragment against another within the same text. Rather than downplay the indirect transmission of fragments and its effects, or give up on the use of fragments altogether as untrustworthy, I contend that it is necessary to recenter the conversation around the quoters themselves. Why did they recycle material in the first place? How did they repackage old texts for new ends? At what remove did they stand from the texts that they quote?

3.2 Fragmentary Overview; The Toolbox of Modern Philologists

I am not aware of a single work of Roman literature that survives whole from 149–91 BCE save Moschus' epyllion, *Europa*—and yes, a central point of this thesis is to argue that even his *Europa* might count as “Roman” once the goal-posts are moved to their proper location. “Fragment” I have shown to be a misnomer, albeit a handy shorthand.³⁷⁶ For there exists no tattered manuscript, say, of second-century-BCE Roman tragedians from which our slender scraps descend, no grand stock of Latin papyri from which to draw a salutary example with the *explicit* “Chryses Pacuvii.”³⁷⁷ Instead literary “fragments” are not wholly unlike the disembodied quotations which lead chapters in many academic monographs. If, otherwise oblivious, an editor

³⁷⁶ Dionisotti 1997: 1–2.

³⁷⁷ Knut Kleve's claims otherwise are suspect, however often they have been parroted.

were to attempt to reassemble these *disiecta membra* following the standards of textual criticism, readers would come away with a very warped and superficial impression of the quoted authors. A user of such a compilation might reasonably conclude that no thinker of the 20th century dealt in anything other than platitudes and thinly veiled social commentary. To do so, nevertheless, would be to forget why people quote things. Quotation still today remains a form of scholastic gamesmanship. We, like the ancient miscellanists Aulus Gellius and Nonius Marcellus, remind readers of what is on our bookshelves, and of that narrower subset still, what we have actually read.

And as we do now, the ancients imparted social value to quotations of highly esteemed works. This habit has repercussions for our understanding of fragmentary Classical literature which have not been studied fully, however. Literary fragments do not survive randomly, and rather more often than not the role quotations play is quite distinct from the one the “fragments” played in the source text, since their selection and use are liable to the agenda of the quoter, and because quoters are not epitomators; very seldom is it their aim to encapsulate the quoted work in microcosm. Editors of fragmentary texts, however, commonly have arranged groups of fragments by theme on no other authority than their own discretion and intuition.³⁷⁸ It is vital to work instead with controls, working from known to unknown quantities. Several thought experiments have demonstrated what inaccuracies would arise if one were to try to reconstruct extant texts not from their proper manuscripts but only from secondary quotations found elsewhere. The results are humbling, as are their implications for works which only survive at

³⁷⁸ Since I have dealt with this problem extensively for Lucilius, I would refer interested readers to that discussion (forthcoming).

second hand.³⁷⁹ While these studies have sounded a note of caution, any large-scale reappraisal of editing methods has been slow in coming.³⁸⁰

A theoretical overhaul is therefore quintessential to new studies of Republican literature, though some pre-existing frameworks could be repurposed to better use. The study of reception is one such lead, and Charles Martindale has spelled out its basic tenets and application for Classical literature as follows:³⁸¹

Meaning, we could say, is always realized at the point of reception; if so, we cannot assume that an ‘intention’ is effectively communicated within any text. And also, it appears, a writer can never control the reception of his or her work, with respect either to the character of the readership or to any use which is made of that work.

Martindale follows this provisional definition with an incisive critique on the philologist pipedream of uncovering an “original” text beneath the encrustations of the Middle Ages. In so doing, Martindale makes a point of borrowing the vocabulary of contempt to which textual critics too often resort when dealing with obstacles in transmission—and human copyists usually constitute the “obstacles.”³⁸² Classical scholars no doubt will feel additional discomfort when they consider that our quest for morsels of early Latin works often relies upon the intervening readings of grammarians and their own subsequent receptions. For example, one need not only worry about the five centuries worth of textual errors that found their way into the copy of Lucilius’ *Satires* that the grammarian Nonius Marcellus then mined; Nonius’ judgment is also in

³⁷⁹ Dover 2000: xvii-xxix (for Aristophanes’ *Frogs*); Welsh 2014: 154–63 (Plautus’ *Captivi*); Olson 2015 (authors in Athenaeus’ *Deipnosophistae*).

³⁸⁰ Some notable exceptions: The new *Tragicorum Romanorum Fragmenta (TrRF)* series orders fragments by the date of the quoting author (see e.g. *TrRF*: 2.XXV). Jackie Elliott uses the same organization for Ennius’ *Annales* (2013: 348–558).

³⁸¹ Martindale 1993: 3–4.

³⁸² Cf. Zetzel 2005: 160–1 (in terms of religious “fidelity”).

question because he patently misunderstands some Lucilian lines;³⁸³ and finally, copying introduced subsequent errors into MSS of Nonius' dictionary, the relevant entry of which now may or may not still resemble something Lucilian. The transmission of Republican authors through grammatical sources is complex, and even the process just outlined ignores what textual critics call scribal "contamination," a derisive term for what might be better described as "an honest attempt at improving one's own text by looking at other materials, including other copies of that very text."³⁸⁴ At first glance, the lessons of reception studies do not appear to alleviate our aporia but increase it. How can the concept of intertextuality square with the practice of lexicography? In other words, can grammarians really "allude"? In fact the framework outlined above precludes the possibility that quoted Republican texts can be analyzed per se.

But there is a sensible compromise to be made, since we need not accept a false choice between discarding literary fragments as a class on theoretical grounds and accepting their appearance in collected editions at face value. Ideas have percolated within circles of textual critics that would complement Martindale's ideas on literary reception. James Zetzel has toyed provocatively with an extreme pessimistic position for exegetical works:³⁸⁵

The ancient material is sometimes valuable; but we can not polish up the words or syntax of the *Commentum* [sc. *Cornuti*, commentaries on Persius] and find silver beneath the tarnish, nor can we remove medieval incrustations from an ancient jewel. In editing a medieval text, one is editing a medieval text, whatever earlier material it contains: it does not provide access to a lost ancient 'original.'

³⁸³ It is debatable whether *misreading* can really occur under the parameters of reader-response theory, but that lies beyond the intended scope of this example.

³⁸⁴ My own definition attempts to deliver the term from its near criminal, diseased reputation. Tarrant relates in an anecdote the observation of his colleague James Hankins "that in another context this activity would be called 'scholarship'" (2016: 15 n. 36)

³⁸⁵ Zetzel 2005: 146.

While it is true that one can never recover the intent even of the quoters or copyists, let alone the original authors whom they quote or transcribe, the logical corollary calls for humility, not the total abandonment of research into these areas—and Zetzel is fully aware of that fact.³⁸⁶ Zetzel’s contribution illustrates some methodological shortcomings in both textual criticism and reception studies. Following “Lachmann’s method,” a lost archetype takes pride of place, the earliest common text that textual critics can recreate and from which all surviving MSS descend—i.e. the “start”—whereas post-modernist theories accentuate the reader or “point of reception”—i.e. “the finish.” In other words, reader and author get their due, but the human actors who facilitated transmission between the two are scrubbed out of sight and mind. Especially in the study of fragmentary texts it will be necessary to stress the entire lifespan of the text.

3.3 Grammarian Reproductions; Missing the Forest for the Trees

Many readers will be familiar with Stephen Hinds’ masterful restudy of a Vergilian intertext with Ennius’ *Annales*, a metapoetic tree-cutting scene wherein Aeneas, and Vergil by proxy, enter into an Ennian-tinged grove, which can be read in sum as a metaphorical encounter with the past Roman epic tradition.³⁸⁷ The *silua*, in the sense of Greek ὕλη, is material like a book. For confirmation of the metonymy, Hinds cites Suetonius who describes the professional *oeuvre* of the Vergilian scholar and grammarian Probus as an “arboretum” of ancient authors, *silua obseruationum sermonis antiqui*.³⁸⁸ Similarly, Ennius and his book rolls could become

³⁸⁶ Zetzel’s chapter on “Textual Deviance” in the *Commentum* is an ingenious exploration of the theoretical issues at stake (2005: 144–61). Compare comments on editing generally, e.g. Tarrant 2016: 40–1.

³⁸⁷ Verg. *A.* 6.179–82; 175–9 Skutsch = Macr. 6.2.27. Hinds’ description is more eloquent than my own could be: “As Aeneas find his *silva*, so too does Virgil: the *tour de force* of allusion to poetic material from the *Aeneid*’s predecessor, the *Annales*, is figured as a harvest of mighty timber from an old-growth forest—in a landscape (that of *Aeneid* 6) charged with associations of awe and venerability” (1998: 13).

³⁸⁸ Suet. *Gram.* 24.5; quoted at Hinds 1998: 12.

physical “trees” looming in Vergil’s headspace.³⁸⁹ Vergil could simultaneously venerate the sacred grove of his model Ennius while violently hacking away at the older text for his new purposes. No doubt Vergil knew that by embedding elements of the *Annales* in the *Aeneid* he was canonizing both Ennius and himself, with the goal that the textual composite might become the new standard for Latin epic. Vergil supplants Ennius, whose works fell into obsolescence as the *Aeneid* gained traction, but Vergil’s art ironically depends on the recognition of the intertexts with his endangered predecessor.

Absent in this conversation has been the role of the quoter Macrobius, who only receives a passing acknowledgment from Hinds (“We owe...to Macrobius...the opportunity to compare [the passages of Vergil and Ennius]”).³⁹⁰ In Book 6 of the *Saturnalia*, however, Macrobius places a spotlight on ancient debates over intertextuality.³⁹¹ Indeed Macrobius’ interlocutor Rufius Albinus opens this very book with sentiments that are not foreign to modern discussions of reception and allusion.³⁹² Far from reproaching Vergil’s practice of borrowing from other poets, Albinus claims:

We even ought to give *thanks* to Vergil on the grounds that by lifting passages from others for his own work—the *Aeneid* itself is going to last forever—he has brought it about that the *memoria* of the ancients shall not be erased, those whom, according to the opinion fashionable today, we now have begun to consider worthy not only of neglect but also of derision. And last of all, by his judgment of what to appropriate and by his method of emulation, he has brought it to pass that whatever bits we read of another author’s work in his own, we prefer to attribute them to Vergil, or we stand in awe that they sound better in this locale than where they originated. (Macr. *Sat.* 6.5–6)

³⁸⁹ Cf. Hor. S. 1.10.34–5 (of the Greek poetic tradition).

³⁹⁰ Hinds l.c.

³⁹¹ Compare Norden’s plain observation: “Die Genauigkeit in der Nachbildung des Ennius fiel den Alten Interpreten auf” (Norden 1916: 187). Norden goes on to thank only Vergil, not Macrobius, for preserving Ennius’ evocative scene (ibid.).

³⁹² The modern parallels are denied too hastily by Kaster (1980: 232–3).

Elsewhere Albinus defines the joy of reading as “emulating what you like in the works of others, and turning their sayings which you most admire to some other use of your own in a fitting reuse (*opportuna deriuatione*).”³⁹³

What is even more striking is Albinus’ promise to disclose “how greatly authors who belong to the old library mutually pilfered from one another (*compilarunt*).”³⁹⁴ The original “compiler” is the poet-thief, per Albinus, whereas he himself professes only to be an intelligent reader who “compiles” the Vergilian intertexts. But Albinus/Macrobius is being self-deprecating; readers are still not passive recipients of the text. Vergil “depends” on the discerning faculties of readers like Macrobius to receive his proper kudos. The theft then is as much Macrobius’ as Vergil’s, since he redeploys the same intertext via an interlocutor in order to advertise stolen wisdom. For Macrobius, in the persona of Albinus, reproduces a list of parallel passages of Vergil and his models that was excerpted from commentaries devoted to Vergil’s works (so called *Furta Vergilii*, “Vergilian thefts”).³⁹⁵

Macrobius’ definition of *deriuatio* as reuse (above) hints towards a way through some of the theoretical impasses which encumber the investigation of fragmentary literature: *re*-ception as *re*-use. If text is an object, then a quoter would be its new owner. Kaster keenly observes that Macrobius does not have Albinus present his intertexts as allusions, but as,

literary borrowings conceived as the preservation of and expression of respect for the *societas et rerum communio*, the “unified community” of the shared culture extending into the past, just as the intellectual “borrowing” among the participants in the

³⁹³ Macr. *Sat.* 6.2.

³⁹⁴ *possem pluribus edocere quantum se mutuo compilarint bibliothecae veteris auctores* (Macr. *Sat.* 6.3).

³⁹⁵ Skustch 1985: 31–5. Though the grammarian Servius is himself a Macrobian interlocutor, it has long been suspected that Donatus instead is the source for this material (See Kaster 1980: 255 with bibliography; cf. also Zetzel 2018: 264). Servius and “Servius Auctus” are curiously silent on the corresponding passage of the *Aeneid* and its intertext with Ennius, despite the fact that both sets of commentary quote freely from Ennius elsewhere.

symposium is a means of recognizing and affirming the order, the “unified community,” of the present.³⁹⁶

Kaster’s picture of an antiquarian community hints at the sociological dimension of quotation.

We therefore ought to look for anthropological comparanda to literary fragmentation.

3.3.1 Metaphor 1: Textual *Spolia*; A Rock in Molise, Molise

At the beginning of this chapter I posited that when modern literati cite from bigwig, intelligentsia favorites they share much in common with their ancient forerunners. Quotes are a knowledge claim with cultural currency, and a quoter, by foregrounding another text before their own, insinuates that the intrusive content is important. The gravitas of the quote may sanctify its new textual environs, as if the quoter were to say, “I, along with my text, belong to this prestigious crowd.” Quotation therefore is a type of reception. Many would re-emphasize “*point*” in Martindale’s brief above, “*Meaning, we could say, is always realized at the point of reception,*” which already bears italics, i.e. a point in time and space within a given society. It follows that an understanding of the societal *habitus* of the quoting sources will elucidate their selection process.

Ayelet Haimson Lushkov in fact has already situated a culturally specific form of ancient Roman quotation on firm footing: textual spoliation. Lushkov’s contribution sees Livy’s fixation on *spolia* as a meta-literary nod to his relationship to the historical tradition in which he writes: “[this] chapter applies the metaphorical sense of *spolia* as recycled materials to Livy’s discussions of war booty and his accompanying discussions of source citations..., encourag[ing] us to think of his source citations as *spolia*: literary booty recycled for a new purpose.”³⁹⁷

³⁹⁶ Kaster 1980: 233.

³⁹⁷ Lushkov 2018: 31.

Passages recording *spolia* account for some the richest constellations of quotations and paraphrase in Livy's history. When Livy recounts the various casualty figures, numbers of prisoners of war, and amounts of persons and movable wealth repossessed by Roman generals which he finds in his sources he thereby creates a victory monument to his own literary accomplishments. If, as I propose, one were to press Lushkov's provocative equivalence, then Livy's literary *spolia* would read for a Roman audience like records of temple dedications; the entire conception of *Annales* and the Annalistic tradition after all was based on a superficial linkage with sacred archives (*Annales Maximi*). Literary "synthesis" therefore would not capture Livy's reworking of predecessors in social, religious, and literary terms in the way that "spoliation" does.

Spoliation goes hand-in-hand with Roman antiquarian inclinations. Augustus, an amateur antiquarian himself, was eager to revive, restore, and rededicate whatever longstanding institutions or places had fallen into disrepair. Efforts along these lines led to some striking mismatches of form and content in texts. In the early Principate, a copy was made of Duilius' inscription to commemorate an early naval victory in the First Punic War, and so bears third-century-BCE Latin (spellings, phonology, etc.) in first-century-CE lettering;³⁹⁸ portions of the Acts of the Arval Brethren published in the reign of Hadrian contain what purports to be Rome's oldest hymn, the *Carmen Arvale*. Emperors consequently were reworking the past, gilding the ruins of old Latin sometimes even with their own names—though not Augustus', as he reminds us.³⁹⁹ The Alexandrian footnote (*fertur*, "it is said," vel sim.) is yet another type of Augustan

³⁹⁸ *ILS* 65.

³⁹⁹ *RG* §20. Latin version: *Capitolium et Pompeium theatrum utrumque opus impensa grandi refeci sine ulla inscriptione nominis mei*; Greek version: Καπιτώλιον καὶ τὸ Πομπηίου θέατρον ἑκάτερον τὸ ἔργον ἀναλώμασιν μεγίστοις ἐπεσκεύασα ἄλβνευ ἐπιγραφῆς τοῦ ἐμοῦ ὀνόματος.

literary spoliation, as sign-posted allusions alert readers to fresh reworkings of old models. And only the choicest of models make the cut.

Spoliation holds promise in applications to fragmentary works because quoters are antiquarians too. It is not by chance that so many of the prolific grammarians from the second to fifth centuries CE whom I will examine in this chapter hail from provincial centers—especially North Africa, like Macrobius—where from the periphery they took ownership of Early Latin usages and privileged archaic over contemporary speech patterns. You could even say that they presumed to know Latin better than their peers in Rome. It is telling for Macrobius’ aims, for example, that he foregrounds how Vergil has expropriated and overtaken Ennius—is there not a veiled threat that Macrobius’ *Saturnalia* will displace both *Aeneid* and *Annales*?

Spoliation, at its etymological roots, entails violence to appropriated persons and objects, who then are forcibly relocated to a destination where they are displayed as trophies of conquest. The victors do their best to control the new narrative context in which the *spolia* are to be read, viewed, or experienced. Textual spolia are similar in this respect, and a return to epigraphic fragmentation will be beneficial. For the sake of example, I offer a stone block inscribed in Oscan (Bovianum 97), which a *comune* in the Italian province of Molise—itsself named Molise—used as an altar at a local church for a time up through the early 19th century. Its new function sparks a number of questions. One wonders, for instance, whether the fact that the block bore Oscan letters was a point of pride for some members of the *comune*, who may have felt stronger connections to a localized identity in contradistinction to efforts of Italian unification.⁴⁰⁰ But the block remained also just a well-proportioned surface with nice square cuts. Ambrogio Caraba,

⁴⁰⁰ Molise would remain as part of the Kingdom of the Two Sicilies until succumbing to the Kingdom of Sardinia in 1860.

the scholar who first published the inscription in 1869, insinuates that the historical importance of the inscription had gone unnoticed largely and still lay nearby on the property of a resident baron.⁴⁰¹

Even Caraba himself was misled, however, and his misapprehension of the “altar’s” original function only proves how fickle reception is. The block’s reuse as an altar, in conjunction with Caraba’s incomplete understanding of Oscan—entirely understandable given the knowledge of the language at the time—goaded him towards a ritualistic interpretation of its original purpose, and so a small hole on its surface on his view became a receptacle for blood from animal sacrifices.⁴⁰² On the other hand, the editors of *Imagines Italicae* propose more plausibly that the block once supported a statue of some kind.⁴⁰³ A certain religious irony still remains since Molise’s church-goers, likely unwittingly, were using a support originally designed for a pagan icon for a Christian one.

What this case illustrates is how a single stone block has meant different things to different people at different times. Townspeople found a use for it even though other stone blocks would do just as well. Signore Covelli della Posta presumably kept the stone around due to the antiquarian cachet of its inscription and/or because he remembered it fondly from the *chiesetta*. He did not have to move the thing very far regardless. Caraba, who relied on photographs and oral history since he had not autopsied the stone, wanted to find key evidence for Sabellian sacrificial orthopraxy. For me, the afterlife of the stone (also unseen) speaks to the motivations of people whom I have never met but whose stories I nonetheless have massaged to

⁴⁰¹ Caraba 1869: col. 209.

⁴⁰² Caraba 1869: col. 212.

⁴⁰³ The Oscan verb **prúffed** is probably a reduplicated perfect, < pro-de-d^heh₁-d, which makes it similar in composition to the Greek dedicatory formula ἀνεθήκε (they share a common root).

fit a narrative about literary fragments. For you readers, I cannot guess what, if anything, will become of this anecdote.

While Metaphor 1 situates fragments as repurposed materials, on its own it does not reveal much about the production process of literary fragments. Spoliation is more helpful for understanding why quotes were selected than how they have been modified. Metaphor 2 will help supplement this deficiency.

3.3.2 Metaphor 2: Stone-tool Manufacture

Anna Carlotta Dionisotti has idealized the epigraphic fragment as the purest form of textual fragment.⁴⁰⁴ If one were to extend Dionisotti's principle of fragmentation even more liberally, one might study lithics, human modification and fragmentation of stone, and above all the making of stone-tools. In fact, Carrie Fulton has utilized the *chaîne opératoire*, a concept first developed for lithics, to examine assemblages of goods found in ancient shipwrecks in ways that have relevance for the production of literary fragments. Fulton's innovative application of lithics methodology underscores the motivations of manufacturers, users, and re-users of goods.⁴⁰⁵ The *chaîne opératoire* is an "operational sequence" which stresses all phases of an object's life: "material acquisition, production, distribution, consumption, repair, reuse, and discard."⁴⁰⁶ Its repercussions for ancient commerce call for a movement away from consumer-driven models, with an emphasis on "networks of production, transportation, *and* consumption" (my italics).⁴⁰⁷

⁴⁰⁴ See n. 376.

⁴⁰⁵ Compare the comments of Bar-Yosef and van Peer on the history of technological typologies in anthropology, including the *chaîne opératoire*: "The process of recording and understanding the choice and selection of raw materials, the various methods of knapping hard rocks, the specific shape modification designed to obtain a set of products, and the spatial organization of lithic economy at a regional scale was considered a much more advantageous line of research for bringing us closer to understanding prehistoric artisans" (2009: 104).

⁴⁰⁶ Fulton 2017: 197. Cf. Bar-Yosef and Van Peer 2009: 104–8.

⁴⁰⁷ Fulton 2017: 194.

We have noted a similar trend in literary scholarship, which has aimed to recompose missing works for modern (academic) consumers, while effacing any intermediary piloting, wayward though it may be. Yet shipwrecked in transit is precisely where one finds literary fragments.⁴⁰⁸

Processual models like the *chaîne opératoire* clarify a nexus of social interactions and patterns of behavior. They emphasize cycles of circulation, adaptation, and recirculation, interactions which have typically escaped the one descriptor readily available to philologists, allusion. Grammarians “allude” in so far as they reshape pre-existing materials towards a new purpose. Lithics experts would deem this retooling as “retouch.” As a visual aid, schematics (Figs. 1 and 2) show the creation of a stone tool alongside that of a literary fragment. In lithic terms, there are “objective” pieces of stone, such as a “core,” which one might conceive of as source material, and then there are “detached” pieces, which are removed from objective pieces when the rocks are struck by an implement (a percussor). Though they are better known as “flakes,” let us consider these detached pieces as “fragments” for the sake of the argument. A detached piece or flake itself may be chosen for subsequent modification, in which case it becomes an objective piece as more material is removed and it is refined further on its journey towards becoming a more useful instrument.⁴⁰⁹

Grammarians worked like stone tool makers. In many cases, grammatical sources did not peruse the source texts (\approx whole core) that they quote, but borrowed instead from a quoted version found in other grammatical sources (\approx a detached piece and a core simultaneously), who consulted the original work for themselves or got it from yet another intermediary. In other

⁴⁰⁸ Tangential is Ovid’s poetic characterization of his exile as a shipwreck throughout the *Tristia* and *Epistulae ex Ponto*.

⁴⁰⁹ A good introduction to stone tool manufacture may be found in Andrefsky 2005: 11–23.

words, grammarians could engage in iterative fragmentation. It is telling, however, that conventionally philologists would be interested only in restoring a proto-text which has been “degraded,” whereas in the verbiage of lithics the end-product of the reduction sequence would come to the fore as “improved,” through a process worthy of study *per se*.

Figure 1 A Fragment of Aulus Gellius in Nonius Marcellus' Dictionary

The grammarian Aulus Gellius (second century CE) gives an eye-witness account of a lawyer, and johnny-come-lately intellectual, who attempted to impress the praefectus urbi with his forced use of archaic vocabulary. The anecdote appears in a section of the Attic Nights to which the heading "One really ought not use very old words which are now obsolete and no longer current" was later attached.

ueluti Romae, nobis praesentibus, uetus celebratusque homo in causis, sed repentina et quasi tumultuaria doctrina praeditus, cum apud praefectum urbi uerba faceret et dicere uellet inopi quendam miseroque uictu uiuere et furfureum panem esitare, uinumque eructum et fetidum potare, "hic," inquit, "eques Romanus apludam edit et flocces bibit." aspexerunt omnes qui aderant alius alium, primo tristiores turbato et requirente uultu, quidnam illud utriusque uerbi foret; post deinde, quasi nescio quid Tusce aut Gallice dixisset, uniuersi riserunt. Legerat autem ille "apludam" ueteres rusticos frumenti furfurem dixisse idque a Plauto in comoedia, si ea Plauti est, quae Astraba inscripta est, positum esse.

Just as at Rome, in my presence, an old and well-known man in the courts—but endowed with hasty and somewhat confused learning—spoke in front of the *praefectus urbi* and tried to claim that his client lived off poor and deplorable food, and was accustomed to eating bran bread, and drank washed-back wine that had fouled. "This man," says the lawyer, "eats *apluda* [= "bran?"] and drinks *flocces* [= "dregs of wine?"] as a Roman knight." Everyone present looked around at one another, first displeased with a disturbed and questioning look as to what both of those words meant; then afterwards, as if he had spoken in Etruscan or Gallic, everybody burst into laughter. But that lawyer had read that farmers in the olden days had called the bran of grain "*apluda*," and that it had been used by Plautus in the comedy *Astraba* [= "The Saddle with Extra Butt Padding"]—if indeed that play belongs to Plautus. (Gel. 11.7.3–5)

The lexicographer Nonius Marcellus (third century CE) recycles Gellius' experience in Book 2 of De Compendiosa Doctrina, which is subtitled "On Words that are Respectable, but used in Strange Ways." Even here where Nonius borrows from Gellius he sticks to his rule: Nonius never cites Gellian material by name, whereas he always does so for the Republican texts that he owned. One concludes that Nonius is attempting to disguise his reliance on an Imperial rival. He boasts even that he could quote from the Astraba—a bald-faced lie—but restrains himself from doing so on the pretext that it is a play outside the Aelian/Varronian recension of Plautus. He would seem to disagree with Gellius, moreover, on the viability of the word apluda.

APLVDAS: frumenti furfures dixerunt rustici ueteres. hoc in antiquis inuenitur, quorum in dubio est auctoritas; quamquam et Plautus in Astraba fabula ita dixerit. cuius incertum est an sit comoedia; atque ideo eius uersus de eo ponere supersedimus.

APLVDAS: Farmers in the olden days used this word for brans of grain. This word is found in ancient writers whose authority is open to question; although "Plautus" uses it in

the play the *Astraba* [= “The Saddle with Extra Butt Padding”], it is not clear whether the comedy belongs to him, and so I forgo citing its verses with this word.

Figure 2 Reduction sequence from Andrefsky 2005: 32

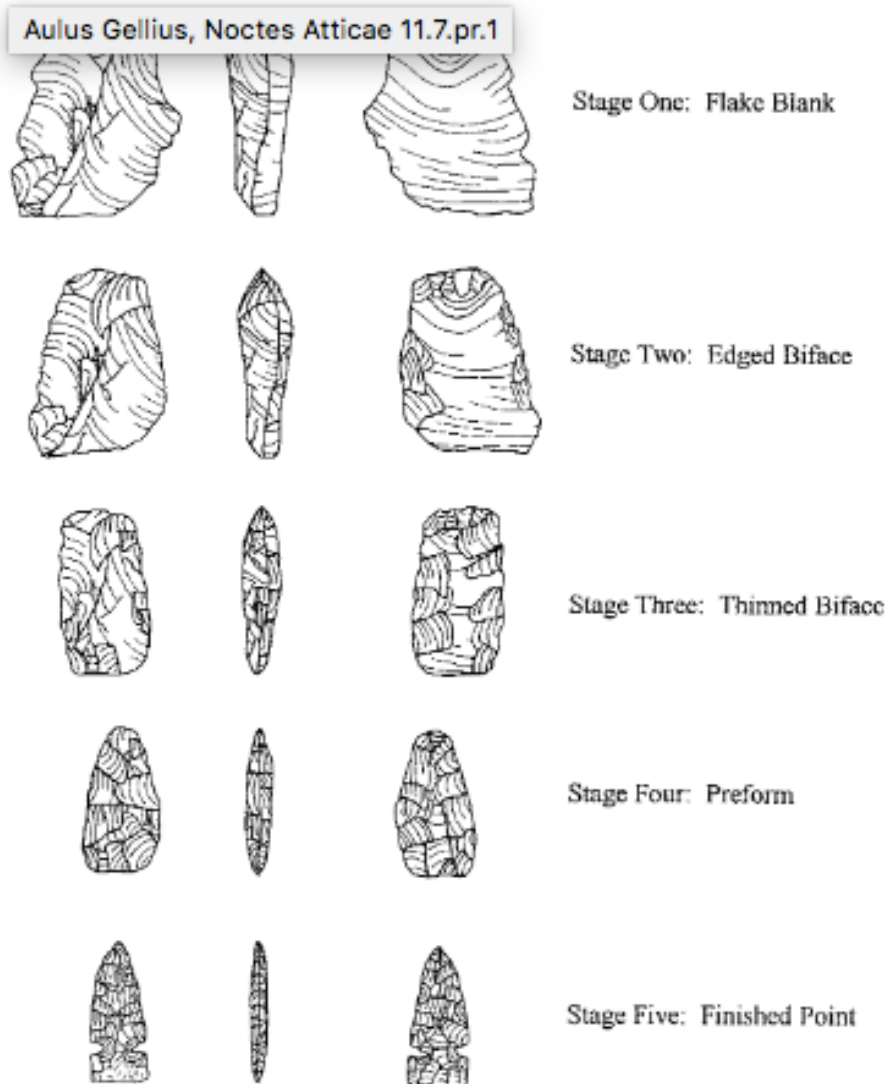


FIGURE 2.14 Schematic illustration showing a bifacial reduction sequence with idealized stages of reduction from flake blank to finished hafted biface.

One can examine the production of literary fragments by phase like an assemblage of lithics: material acquisition (i.e. extraction from source texts), selection, adaptation, reselection, further adaptation, etc. Lithic finds routinely include manufacturing detritus, “debitage,” which allows archaeologists to reverse-engineer steps in the production process from what has been discarded and how it has been worked. Sometimes formerly adjoined pieces of stone even can be pieced back together together through the process of “refitting.” In Fig. 1, I have presented an example of how a textual fragment from Nonius Marcellus can be “refit” onto its Gellian core on similar principles. Just so we can deduce what kind of text-knapper Nonius was through his interactions with extant texts, like those of (genuine) Plautus, Lucretius, Sallust, Vergil, Terence, Cicero, and Aulus Gellius. Moreover, there a limited number of ways that quoters actually design their fragments; they quote by full lines, by sense unit, or some other criterion. Correspondingly in stone tool manufacturing, there are characteristic shapes which emerge at different stages of modification since makers drew from a pool of practicable techniques. The Levallois method of stone knapping, for instance, leaves behind a signature assortment of objective and detached pieces, e.g. Lavallois striking platforms. Nonius’ dictionary likewise retains its tool marks.⁴¹⁰

We have concluded that the designation “fragment” gives the erroneous impression that second-century BCE texts have survived the erosions of time like a weathered inscription with faint, illegible, or missing letters, when in reality *people have selected a version of these texts for one end or another*, as if manufacturing a flake. Lithic tooling is an instructive template for how

⁴¹⁰ See p. 121 for a full explanation of Nonius’ method of lexicography.

quoters purposefully break once whole literary works. Lexicography is a tedious labor of this type, with a functional reference tool as the payoff.

We now have two metaphors for considering literary fragmentation, the first detailing why fragments were made and which fragments were selected (spoliation), the second how fragments were designed and made (tool manufacture). Let us finish by mixing the metaphors. I am reminded of the Late Antique poets Ausonius and Luxurius, who repurposed battle descriptions from the *Aeneid* for sex scenes in a new patchwork form, the *cento*. As scholars have observed, Ausonius et al. pick up on a genuine trope, eroticized death, and so they merely bring themes to the fore that were latent, or not so latent, in the source material.⁴¹¹ Akin to grammarians, these poets advertise that the scenes are “spoliated,” since the parody has to be legible for the humor to work. And in the lucky cases of Ausonius and Luxurius, modern readers can follow the ancients in consulting the Vergilian version side-by-side with its spoof; part of the joke surely relies on such “refit.” Thus it is the combination of “spoliation” and the reader’s awareness of fragment-making that sets up the dramatic tension between the austere verbiage of Vergil and its earthier redeployment. Such recognition depends on the fact that most literate people in the Empire had some exposure to the *Aeneid* as a school text.

There are gradations then from “allusion” to lexical fragments to the *centos*. So far I have offered idealized models of literary fragmentation, because, in point of fact, many grammarians expressly pulled from texts that were in jeopardy even in antiquity, and for this reason were not

⁴¹¹ “While Virgil cannot provide actual obscenities, Ausonius and Luxurius actively alter the referential functions of his units so that they become vividly pornographic. Yet in Ausonius’s calculating formulation, the centonist is not the sole source of that content. The sexual material in the *centos* is simply ‘derived’ from Virgil, and so is already there in the ambiguous depths of his language” (McGill 2005: 112–13). For the eroticism of Vergilian death scenes, see Reed 2007, esp. 16–43.

transmitted through the Carolingian period to salvation. So once quoters carve up a lost author, the lines that were left on the cutting room floor usually are gone forever. Sometimes too the success of the new “spoils” catalyzes the demise of its older constituents (compare Ennius and Vergil). For this reason, it is of paramount importance that we supplement the deficits in our understanding of literature of the second century BCE with an investigation of the methods of their transmitting sources.

Table 1 Fragments of Gracchan-era Authors by Quoter

The aim of this chart is to illustrate the number of fragments each quoter provides. When a quoter quotes the same passage multiple times, it is only registered once in the count. In cases where an author is known to be dependent on another author or reference, the fragment is registered under that other quoter.⁴¹² I have limited the corpora as follows: Lucilius is broken down into the two volumes Nonius Marcellus and others possessed; I selected only the tragedies of Accius and Pacuvius and the fragments that the quoter or Ribbeck attributed to a play. For editorial assignments, I follow Marx and Ribbeck.⁴¹³

Quoting Authorities	Lucilius i (lib. 1– 20)	Lucilius ii (lib. 26–30)	Accius (trag.)	Pacuvius (trag.)
Non-Grammarians (Total)	43	4	45	33
Cicero	7	3	24	12
Gellius	16	0	3	4
Macrobius	5	0	8	0
Pliny	1	1	0	0
Quintilian	7	0	1	1
Varro	4	0	5	11
Other Non-Grammarians	3	0	4	5
Grammarians/Lexicographers/Commentaries (Total)	369	351	405	237
Charisius (<i>Grammatician</i>)	17	0	8	4
Festus/Paul/Verrius (<i>Lexicographer</i>)	6	3	21	33
Nonius Marcellus (<i>Lexicographer</i>)	233	342	328	168
Priscian (<i>Grammatician</i>)	25	2	21	9
Servius/Servius Auctus (<i>Commentator</i>)	17	0	9	4
Other Grammarians, etc.	71	4	18	19

⁴¹² Some examples: instances where Nonius is manifestly dependent on Gellius are only counted under Gellius' name; in the first chapter of Book Six of the *Saturnalia*, Macrobius' interlocutor, Rufius Albinus, is quoting from a collection of Vergilian intertexts, or *furta Vergilii* (see Skutsch 1985: 31–4 and above); in another instance, Macrobius may be quoting Pacuvius via a work of Servius, who happens to be one of his interlocutors, or via another contemporary scholar (Macr. 3.8.7 = Serv. Auct. A. 11.543); Charisius quotes Cicero rather than Pacuvius directly, whom Cicero is quoting (Charisius *GLK* 1.214 = Pacuvius 256 Rib.³); Gellius (16.5.7) loosely references the wording of a Lucilius ii line (Non. 186M = 602 Marx), but Gellius admits here that he is relying on the grammarian Sulpicius Apollinaris for the interpretation.

⁴¹³ Among the Lucilian editions, Warmington assigns unattributed fragments (i.e. those transmitted without book number) more freely to books than Marx does. Usually Warmington places them in Lucilius i books. I share Warmington's inclination, but I take Marx's more conservative lead for the purpose of these tabulations. I do not believe that the choice of another edition would produce substantially different results.

3.4 Grammarians and the Transmission of the Literature of the Gracchan Era

A quick glance at Tab. 1 reveals the scope of the problem at hand: the overwhelming majority of fragments of literature from the period 149–91 BCE derive from grammarians. The time is overripe to examine one-by-one the grammatical sources responsible for the bulk of these texts. For the purpose of mitigating the disorienting effects of this parade of the obscure, representative samplings of the most prolific sources serve in lieu of an exhaustive survey. Authors are further divided into subgroups by “lexical” vs. “non-lexical” affiliations for convenience. Lexical sources, in general terms, are meant to exist as standalone reference works. Their organization is not keyed to any other external text, but depends on thematic groupings, alphabetization, or some other internal mechanism. With the catch-all “non-lexical,” I include commentaries, marginalia, and traditional works of grammar, and thus conflate texts that function primarily to explicate works of literature (exegetical) with those that establish rules for language use (grammars). Lexical works select and collect words or phrases that their compilers esteem worthy, which they enter as lemmata with supporting sentences or verses containing the item.⁴¹⁴ Lexicographers therefore exercise a great deal of judgment even beyond the choice of lemmata: the pool of authors from whom they quote, how many supporting quotations to offer each lemma, how large a quotation to use, etc. Non-lexical works form canons of their own in like fashion. Macrobius’ source of *furta Vergilii* had picked which Vergilian intertexts with

⁴¹⁴ Zetzel uses one more category than I, but his definitions are worth comparing: “By *grammar* I mean works that explain all or part of the morphology and/or syntax of the Latin language, as their authors understood it, including such topics as metrics and orthography...By *commentary* I mean works written to explain a particular text, following the order of that text...*Lexica*—both dictionaries in the modern sense and encyclopedias with some broader form of organization—are the third basic form, lists of words or names, sometimes divided by subject, sometimes simply alphabetical, that offer explanations of words, objects, places, or events” (2018: 5–6).

whom authors mattered, and so landed on Ennius' *Annales* over other options.⁴¹⁵ Selection criteria have knock-on effects. Lexical and non-lexical sources may privilege obscure diction and usage over more everyday occurrences, or even the reverse is possible: Festus claims to have “normalized” Verrius’ overwrought dictionary—though even Festus’ definition of “normal” is more expansive than that of most. Distortion is bound to occur, which raises such questions as: Do so many *hapax legomena* and neologisms exist in Lucilian fragments because a) his works are particularly well attested by grammatical sources in proportion to non-grammatical sources, b) he really was a linguistic innovator, or c) a combination of “a” and “b”? I will make the case for option c in Chapter 4. Lucilian scholars have written themselves into a very odd position indeed, wherein the fragments of Books 26–30 of Lucilius’ *Satires*, attested almost solely by the quotations of Nonius (grammarian; source of 342/355 unique quotations from these books) become for them *the* representative ones. While many fragments indeed can be attributed securely to these last books, they are subject to the capriciousness of a single grammarian quoter (Nonius) while those from the first books enjoy a more varied and robust reception.

I am advocating for a bottom-up approach to second-century-BCE literature, from sources to target texts. This method would complement pre-existing editions which, almost without exception, have worked from content (i.e. themes) downwards. Some of this rethinking is under way now, but surveying the fragments by source is a painstaking endeavor.⁴¹⁶ Moreover, the fragments of Graccha-era literature are embedded in texts that pose particular problems to

⁴¹⁵ Collecting “*furta*” (“thefts” ~ “intertexts”) goes back to the Hellenistic period. Vitruvius (7 *pr.* 5–7) recounts how Aristophanes of Byzantium demonstrated his memory of poetic *furta* in order to grab the attention and patronage of Ptolemy V. Macrobius may have consulted the work of Perellius Fausta, who “Suetonius”/“Donatus” in the *Life of Vergil* says compiled Vergilian *furta* (§44). Doubtless there were competitors to select from. The same source lists an eight (!) volume collection of Vergil’s Greek models under the name of a Gaius Octavius Avitus.

⁴¹⁶ See n. 380.

reconstructions. Many grammatical sources will not admit of stemmatic analysis into a “family tree” of related manuscripts, which is the default strategy in textual criticism for sussing out interrelations between variant readings. Glossaries and marginalia especially can be layered with additions from multiple authors. Consequently the accretions are unsuitable or unwieldy for a stemma. The best one can do is some textual archaeology to try to understand the fragments within their life cycle of reuse.

3.4.1 Lexical Sources

First and foremost, it should be forewarned that modern experiences of dictionaries do not closely approximate their ancient forerunners. The lexica of antiquity were often in alphabetical order only according to initial letter if they were alphabetized at all. Their function often was to define archaic vocabulary not vernacular. Two important sources of Republican fragments, the *De Compendiosa Doctrina* of Nonius and *De Verborum Significatu* of Verrius Flaccus, were of this antiquarian bent. Source texts became treasures to the lexicographers, thus the older and obscurer the better, and in this way lexicographers prefigured Renaissance collectors like Poggio Bracciolini and Niccolo Niccoli who hunted rare manuscripts from monasteries. Lexica were textual museums curating texts imbued with cultural worth. These clearinghouses of knowledge approach Pierre Nora’s conception of *lieux de memoire*: “a *lieu de memoire* is any significant entity, whether material or nonmaterial in nature, which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community.”⁴¹⁷ The idea of the lexicon as a safehouse of ancient memory will be crucial to understanding the aims of Nonius Marcellus, the most prolific source literary fragments from the

⁴¹⁷ Nora 1996: xvii.

period 149–91 BCE. And I should not let it go without saying that this picture of the literary museum is kindred with the notion of textual spoliation I have proposed.

Nonius Marcellus was a North African scholar of the fourth century CE who crafted his *De Compendiosa Doctrina* in order to preserve instructive selections from works of early Latin that had become scarce by that time. W. M. Lindsay therefore retitles the work aptly “The Dictionary of Republican Latin.” Nonius’ collection is thus “compendious” not only in the sense that it is a *compendium* or *breviarium*, but also in the sense of “weighing things together” (< *compendo*) when taking stock, i.e. “saving,” a meaning which Nonius may have borrowed from prior lexicographers.⁴¹⁸ Connoisseurs evaluated their libraries in monetary, material terms. Note the inspiration of the modern thesaurus, Pliny the Younger’s friend Titus Ariston:

quam peritus ille et priuati iuris et publici! quantum rerum, quantum exemplorum,
quantum antiquitatis tenet! nihil est quod discere uelis quod ille docere non possit; mihi
certe quotiens aliquid abditum quaero, ille thesaurus est. (Plin. *Ep.* 1.22)

How expert he is in matters of public and private law! What a stock of subjects,
anecdotes, and knowledge of the past he possesses! There is not a thing in existence
which you would want to know about that he couldn’t teach you; that man is a gold mine
each and every time I ask him about something I don’t know.

Ariston is a walking treasure trove of information (*thesaurus* < Gr. θησαυρός, “storeroom”).

And yet centuries later Nonius would perceive that the memory of Roman elites was failing since

⁴¹⁸ Cf. Var. *L.* 5.183; Paul. ex Fest. 72 M. Aulus Gellius, unlike Nonius, explicitly swears off massive, unvetted lists of passages: “For all of them—and the Greeks above all—after they have leafed through many different writings, sweep up altogether whatever items they found without any thought of selection or organization and aim for bulk alone” (Gel. pr. 11). In the following section, Gellius says that he intends his work as a *facile compendium* of important takeaways for those who cannot otherwise read so extensively (ibid. 12). Though Nonius used Gellius, it is often an adversarial relationship, and one could read *Compendiosa Doctrina* as a correction of the Gellian view of the *compendium*; both are divided into twenty books, but Nonius’ work is longer by far. For the impact of Gellius’ preface on Nonius, see also Mueller 1888: *Advers. Non.* cap. 2.

they were all too content to relay on the basic school-texts of the current curriculum.⁴¹⁹ His reaction was to try to resuscitate old authors and their old Latin.

One of Nonius' alternative motivations no less was to advertise the depth of his literary tastes and the eccentricity of his private collection. Lindsay's study of Nonius' compilation methods allows us to reconstruct 41 sources that he consulted in production for *De Compendiosa Doctrina*, some of which were other glossaries, while most were annotated texts of Republican authors.⁴²⁰ Many indeed have no direct lines of transmission to us today. Because Nonius went through his texts in a mechanical fashion, culling items of interest for the lexicon in the order in which he found them, scholars have long hoped to reconstruct missing texts by reverse-engineering Nonius' method. Lindsay above all overestimated the application of his findings for modern editions of fragmentary authors.⁴²¹ More trenchant eyes have focused instead on what Nonius' collection of literary works has to tell us about the survival and transmission of Republican works generally.

Moreover, Nonius is no thoughtless copyist. Every section of his dictionary is meant to make his case that the ancients had language right, and his peers had it wrong, intents which even a scan of the table of contents makes clear: Book 1 - "On the Core Meaning (*proprietas*) of Words," Book 2 - "On Words that are Respectable, but used in Strange Ways," Book 3 - "On Words with Multiple Grammatical Genders," Book 4 - "On Words with Multiple Definitions," and so on. In a recent study, Jarrett Welsh has demonstrated that when Nonius came across a usage which did not quite fit his ends he would go to lengths to find a proper example further on

⁴¹⁹ Compare the sentiments in Cicero's dialogue: *quid dicam de thesauro rerum omnium, memoria?* (*De Orat.* 1.5.18)

⁴²⁰ Lindsay 1901.

⁴²¹ White 1980: 111–2.

in his lists.⁴²² These posited interventions solve many aberrations in the dictionary, i.e. unexpected disturbances in the sequence of quoted sources, and show that Nonius took care to find the right words *used in the right way*. Welsh’s hypothesis is consistent with the pedagogical aim of *De Compendiosa Doctrina*, which was often transmitted with *per litteras ad filium* appended to the title, that is, “A Summation of Learning, Alphabetized for his Son.”⁴²³ An obvious parallel would be works of Cato the Elder that circulated as *Libri ad [Marcum] Filium* which included both rhetorical and moral works (*Carmen de Moribus*).

What Nonius proves is that grammarians are not unbiased witnesses to lost texts. Another illustrative case is that of Verrius Flaccus’ *De Verborum Significatu*, a lexicon perhaps designed to aid his tutelage of Augustus’ grandchildren, Gaius and Lucius Caesar, and which we know was epitomatized twice more for very different purposes. That it started with the entry “*Augustus*” is beyond doubt, but thereafter our picture becomes obfuscated. *De Verborum Significatu* survives solely through an epitome made by Pompeius Festus which is represented today by a single incomplete manuscript, the *codex Farnesianus*. A full version of Festus’ epitome (now missing) was itself epitomized by Paul the Deacon. Festus, we know, trimmed Verrius’ work down at a date likely in the second century CE, and in doing so added a number of polemical barbs directed at his source. He makes a programmatic statement tucked in the middle of the dictionary occasioned by Verrius’ explanation of the word *poriciam*:

“there is not the slightest reason to refute his opinion, neither in this case nor in many others, since I have purposed to omit the now defunct and buried words which are found in his great many books—he himself even admits they are useless and have no authority!—and all the rest I chose to revise as briefly as possible into just a few books. The latter moreover, about which I disagree, lucidly and briefly in my opinion, can be

⁴²² Welsh (forthcoming).

⁴²³ Mueller 1888: *Advers. Non.* cap. II. Macrobius’ *Saturnalia* was likewise addressed to his (1. pr. 1).

found written in my own books which are entitled ‘[Books?] of Old Words with Examples.’”

It would seem Festus stood on the opposite end of the spectrum from Verrius and by implication Nonius; he liked old-fashioned words, but his patience had limits. By my arithmetic Festus excised in the neighborhood of 50–60% of *De Verborum Significatu*.⁴²⁴ Unfortunately, we cannot know how much was spared for “Old Words with Examples” since that work has left no trace visible in other authors.

And anyone who even casually consults a joint text of Festus and Paul can attest to the scale of the second reduction from Festus to Paul. Starting with the letter M, where the *Codex Farnesianus* begins to supply the Festan text, the editions of Lindsay and Mueller more than triple in the depth of their coverage versus letters A–L. In other words, Paul alone provides the first half of the letters, but only a fraction of the extant material overall. In the second half of the alphabet, we can at least observe some of Paul’s selection criteria through comparison with the remaining parts of Festus’ dictionary, though it is worth noting that this collation proves along the way that Paulus’ text of Festus contained minor variations from the *Farnesianus*.

Nevertheless the overall picture is stark. Paul’s tendency is to remove entries, as Festus had done, yet he also curtails many of those which the latter had kept. Wherever he can Paul omits the names of the obscure prior grammarians whom Verrius consulted, and, doubly vexing to our

⁴²⁴ We know the exact length of a single book in the Codex Farnesianus of Festus, Book 17, which starts on quaternion XIII, column 20 and ends on quaternion XV, column 3. Each quaternion has 16 *folia*, each with two columns of its own, so this gives a total of about 47 columns of material for this book in Festus. On the other hand, partial *incipits/excipits* exist also for Books 13, 14, 15, and 17. These 5 books appear to have covered from the middle of the letter M to the end of the letter P in ~150 columns, for an average of 30 columns/book, each one of which is fairly uniform in length. This is the germane calculation because Festus in fact references five books of Verrius’ dictionary which begin with the letter P (*Verrius in lib. V, quorum prima est p littera*; Fest. 326 M). P accounted for about 67 columns in the Farnesianus, and so we can expect it was just over 2 books (compared to an original 5 in Festus). See also Lindsay 1913: VI-VII on book lengths.

ends, deleted many supporting citations from works of literature, many of which are the very lost Republican texts we seek.

In Paul's case at least one has an indication of his motivations and methods. Paul admitted in the Preface to his epitome that above all else he desired to make an impression on the dedicatee, Charlemagne. A slender and utilitarian reference work was the "little gift," *munusculum* in his words, on which Paul settled in order to court the king's favor:⁴²⁵

Out of a desire to add a little something to your libraries, and because my own is not so prodigious, I borrowed from that of another fellow. Sextus, surnamed Pompeius, a man exceptionally learned in Roman studies, stretched his work to twenty massive volumes (*prolixa volumina*) while he revealed the nature of obscure words and even some of their relations. Out of that mass (*prolixitate*) I skipped over every item that was extraneous or not very important, and I elucidated some of the really recondite material in my own words, though I also left some just as I found them; this *compendium* I offer to your highness to read. In what follows—if you deign to give it a read—you will conveniently find some grammar examples, words with their etymologies, and most of all you will chance upon specific words that have to do with your city of Romulus, its gates, its roads, its mountains, its places, and its tribes. There are pagan customs and practices too as well as odd verbiage used by poets and history writers...And if your wise and keen genius shall not utterly reject this little gift (*munusculum*) born of my poverty, then it will excite my meager means and life along with it on to greater things.

At every turn the obsequious Paul attempts to minimize the proportions of his labor, hence also the diminutive *munusculum*, but he also is deliberately setting his dictionary against the meandering, bloated work of Festus from which it derives. Paul's *munusculum* is a *compendium* as well, however, because he has rescued ancient knowledge about Rome from oblivion for the

⁴²⁵ cupiens aliquid vestris bibliothecis addere, quia ex proprio perparum valeo, necessario ex alieno mutuavi. Sextus denique Pompeius Romanis studiis affatim eruditus, tam sermonum abditorum, quam etiam quarundam causarum origines aperiens, opus suum ad viginti usque prolixa volumina extendit. ex qua ego prolixitate superflua quaeque et minus necessaria praetergrediens et quaedam abstrusa penitus proprio enucleans, nonnulla ita, ut erant posita, relinquens, hoc vestrae celsitudini legendum compendium optuli. in cuius serie, si tamen lectum ire non dedignabimini, quaedam secundum artem, quaedam iuxta ethimologiam posita non inconvenienter invenietis, et praecipue civitatis vestrae Romuleae, portarum, viarum, montium, locorum tribuumque vocabula diserta repperietis; ritus praeterea gentilium et consuetudines, varias dictiones quoque poetis et historiographis familiares...quod exiguitatis meae munusculum si sagax et subtilissimum vestrum ingenium non usque quaque reppulerit, tenuitatem meam vita comite ad potiora excitabit (Paul. pr.).

sake of the king. Sometimes Paul fell a little short of his promises, as when he decided unilaterally that the future Holy Roman Emperor did not need to be told much about *Roma*, which received a tenth of the treatment it had in Festus. Apparently Verrius and Festus spent too much time on the city's alternate founding myths—no need for an aspiring new Romulus to bother himself with those.

On the whole, Paul's abridged lexicon does preserve a number of the types of locales and customs which he advertised in the Preface. It obviously scratched some antiquarian itch the Carolingian elite had. With a provisional handlist of manuscripts, Clare Woods has demonstrated in addition that Paul's version proliferated widely through Charlemagne's Frankish holdings after its initial publication. Woods' secondary supposition and its consequences are more fascinating: Paul worked from a full apograph of Festus originating in former Lombard possessions, perhaps even Monte Cassino, which would grow into a premier intellectual hub in the following centuries. Under this theory, Paul becomes a knowledge broker between his native Lombardy and its Frankish conquerors, and his *munusculum*, the dictionary, serves as an introduction into Charlemagne's court (probably in the early 780s CE). As Paul's handy epitome proliferated it accelerated the demise of Festus and replaced its forerunner on contemporary bookshelves. Consequently, today we do not possess any direct evidence even for the contents of Paul's copy of Festus outside of his *compendium*, let alone for other branches of Festan manuscripts beyond the *Farnesianus*. Augustinus in his foreword to the *editio princeps* of Paul/Festus, after censuring Carolingian elite tastes, lamented that the ragged *codex Farnesianus* was the "sole survivor of this disaster, like a soldier, when all his comrades have been conquered and slaughtered, himself with a disfigured nose, one of his eyes dug out, maimed in another arm, legs broken, so he walks on hands and knees." However one pictures it, Festus' text became a

rare bird indeed.⁴²⁶ Under such circumstances, Paul's abridgement of Festus and its resultant success are indicative of an intellectual marketplace which opened after Charlemagne's conquests; the abbreviated *De Significatu Verborum* filled a knowledge "gap" at court and paved the way for Paul's ascension into Charlemagne's circle.

All of this makes for a fascinating transmission story, but it greatly complicates what one can do with the remnants of Verrius' dictionary and others like it. Each lexicographer worked differently and must be treated separately. Whereas Festus had removed "superfluous" and archaizing entries from Verrius' *De Verborum Significatu*, this was precisely the kind of material that Nonius would have wanted. In fact, one wonders if Festus' lost "Old Words with Examples" lies behind some of the anonymous "glossary"-style works that have been identified as sources for *De Compendiosa Doctrina*.⁴²⁷ Nonius indeed took pains to cover up any grammarians he consulted, and routinely hide his reliance on Aulus Gellius; instead Nonius cited only the old authors themselves where possible (see Fig. 1). Paul did likewise but with a different rationale, because he wanted to trouble Charlemagne with neither lost grammarians nor lost authors. Festus meanwhile was content to reproduce Verrius' sources, if only to point out that he had followed the wrong ones. All of the lexicographers had criteria, yes, but they were esoteric ones. No matter how they differed, however, each lexicographer had an impulse to preserve something, usually for pedagogical purposes: Nonius' audience was his son, Paul's a king, and for Gellius,

⁴²⁶ It is said that Pomponius Laetus fetched the manuscript from Illyricum in the 1470s and that the already damaged manuscript deteriorated further under his possession as several folio were torn out (Augustinus pr.). New findings suggest that this story is apocryphal, or garbled, since Lorenzo Valla (1407–1457), an Italian humanist based in Pavia and Rome, annotated his copy of Quintilian's *Institutio Oratoria* with material apparently taken from the Farnesianus itself or from a text closely related to it (Martinelli and Perosa 1996: LXVII). Diagnostic perhaps is Valla's note on *Quintipor* (note "c" ad Quint. *Inst.* 1.4.24; see *supra*) which repeats a textual error in the Farnesianus, †*Gripor* (F) for *Gaipor* (cf. Fest. 257 M).

⁴²⁷ E.g. Nonius' source "Gloss v" bears a resemblance to *De Verborum Significatu*.

those who did not have time to become as learned as he. (What altruism!) At times, these miscellanists meant to ossify an older canon which was suffering from neglect. Libraries like Nonius' could be a little like what Pierre Nora has dubbed *Lieux de Memoires*, objects and places which activated social memories of a constructed past. Their texts were treasured artifacts of better times which could instruct, morally foremost, better than modern curricula. Yet under different conditions once prized texts could be designated for planned obsolescence. Paul knew quite what he was doing when he "improved" Festus, thereby consigning old dictionaries to the bookworms or to be palimpsested with more relevant reading material. Reuse again is the best descriptor for this transmission process, and what could not be used was discarded.

Glossaries are cognate with lexica, though they do share an important quality with many non-lexical sources: their authorship is routinely in doubt, and it is common for them to enlarge over time as new material is added. If one could fetch a glossary from another monastery and copy from it in order to supplement one's own, that is what one did.⁴²⁸ While for modern editors "contamination" is a great horror, from the perspective of the pre-modern users of glossaries, it was *desirable*. Due to this phenomenon, most experts today are uncomfortable with the endeavors of Lindsay in the early 20th century to husk away the chaff of late additions in the earliest extant glossaries in order to retrieve "ancient lore." On his view, an otherwise unattested ur-glossary, a version of his reconstituted (!) *Abolita* glossary, furnished a bounty of classical knowledge to its medieval descendants. Lindsay believed further that he could identify individual sources that informed the *Abolita*, i.e. commentaries on Terence, commentaries on

⁴²⁸ Lindsay's thoughts on the handling of glossaries are a little incoherent since he claims that glossaries were too valuable to be lent out and so had to be copied *in situ* by visitors (1917a: 185); simultaneously Lindsay maintains that his ur-Glossaries were "imported" from Spain.

Vergil, and Festus' lexicon (!), and that the ur-compiler consulted them in a set order.⁴²⁹ All of this speculation relied ultimately on a misapplication of the same methods that Lindsay had developed for Nonius.⁴³⁰ The obvious difference between the two cases is that Nonius' work is the product of a single project undertaken by a scholar and perhaps a group of his literate slaves; to assume the same of an ur-*Abolita*, supposing it did exist, would be somewhat circular and at odds with what we know about how glossaries are assembled. The general point that Festan material informed medieval glossaries is unobjectionable, all the same; entries from an old lexicon could be readily integrated into a glossary. Furthermore, it may not be coincidental that new Festan influence is less pronounced in glossaries made after ca. 9th century CE; just as Festus' dictionary was phased out for Paul's in the Frankish kingdom around that time, so too in Italy glossaries may have supplanted Festus in like manner.⁴³¹ Thus while Lindsay's intuitions may be correct, any specific connections between missing sections of Festus and material found in glossaries demand extreme skepticism due to the exceptionally convoluted afterlife of Festus, as his dictionary and other sources were "reused" in ways now irrecoverable, nonetheless

⁴²⁹ Lindsay 1916a: 273–8. Lindsay published many supporting arguments in successive volumes of *Classical Quarterly* in the nineteen-teens, whence also originate the principles he applied to his *Glossaria Latina* volumes. Most of the relevant pieces are assembled in Lindsay 1996. See Dionisotti 1996, esp. 221–5 for criticism of Lindsay's glossary studies, and a defense of the more conservative editorial hand of Goetz in the competing *Corpus Glossariorum Latinorum* series which predated Lindsay's own.

⁴³⁰ Lindsay declares his position most clearly when he examines a series of short glosses within the glossary of "Placidus" which, he believes, were appended sometimes to the ends and sometimes to the beginnings of letters, and all ultimately derive from a collection of scholia to lost Republican texts: "If we had the glossary itself [i.e. the proto-glossary that informs only these lemmata] we should probably find that the order of the words was the order of their occurrence in the texts of Republican writers. We would get the same clue as we get from Nonius Marcellus to the arrangement of the fragments of early literature" (Lindsay 1916b: 257). One has to rely circularly on Lindsay's ability to detach just these lemmata from the rest of Placidus and their reassembly as part of a single lost archetype for which there is otherwise no evidence.

⁴³¹ It is probably not coincidental that fresh Festan entries drop out of glossaries after ca. the 9th century CE. Telling perhaps is Monte Cassino MS 90, an 11th century glossary which appears to take the *ipsa verba* of Paulus' *Epitome*, not of Festus (Lindsay 1917b: 131–2). If Paul's copy of Festus was copied at and/or housed in Monte Cassino—a *quaestio vexata*—then either it was not consulted or was no longer available.

practical in their day. Glossaries on that account will not feature greatly in the discussions to follow.

3.4.2 Non-Lexical Sources

Under this heading I have lumped together various repositories of Republican literature. A shared feature is that their authorship remains dubious. As with glossaries, co-authors added whatever material from whatever sources provided that it explained the target text of the exegesis. It was of secondary importance to render credit for specific readings, factoids, etc. Commentaries were still circulated under wishful pseudonyms, hence for instance we are supposed to believe that the *Commentum Cornuti* transmits precious insight from Annaeus Cornutus on the work of his friend, the early Imperial satirist Persius.⁴³² And yet James Zetzel has uncovered how this variegated set of commentaries on Persius that has been lumped together as the *Commentum* for convenience—sometimes presenting in the form of separate commentary, sometimes as scholia—betrays Carolingian interventions. What he posits in fact is a model which can be broadly applied to commentaries on other popular works: what began as common and useful sets of annotations in the margins of texts were excerpted into a separate companion work for consultation alongside the target text, which finally might be distilled down once more into interlinear glosses and marginalia.⁴³³

⁴³² The same is true also of glossaries, such as the bilingual pair referred to now conventionally as ps.-Cyrillus (Greek–Latin, *CGL* 215–483) and ps.-Philoxenus (Latin–Greek, *CGL* 2.3–212). The ps.-*Dositheana*, i.e. conversational Greek–Latin language learning materials attributed apocryphally to a grammarian Dositheus, are now well served by Dickey 2012.

⁴³³ One tell-tale sign of this process is that the lemmata in the scholia no longer match the wording in the main text. These textual variations reveal a different line of transmission for the main text vis-à-vis the one to which its accompanying notes were originally keyed. Wessner’s analysis of the batch of “old” Juvenalian scholia which stems from the copy of a “P. Pithou” informs Zetzel’s approach (Wessner 1967: IX–XVII). Elsewhere Zetzel has expanded upon Wessner’s thoughts regarding the transfer of Donatus’ *Commentary on Terence* into the margins of Terentian MSS (Zetzel 1975, esp. 340).

Through these trips back and forth from the margins to main text, the commentaries no longer remained a unitary composition, and therefore became ill-suited to the methods of textual criticism. Instead they are layered in such a way that it is very difficult to extricate a core of material informed by ancient authorities.⁴³⁴ Scribes would add, delete, and enhance notes, and so the line between old and new content gets thoroughly blurred. Zetzel formulates the dichotomy as follows:

[Collections of scholia] are and are not original compositions by their scribes. In other words, as with the various forms of continuous commentary, so with marginalia: each version is its own text, each scribe is both author and copyist.⁴³⁵

The rest of Zetzel's chapter on "Textual Deviance" in the *Commentum* dissects at length the superficial inconcinnity between author and transmitter in ways that are entirely compatible with, and indeed foreshadow, ideas of textual reuse.⁴³⁶

More germane to our purposes is the exegetical tradition of Horace, and more narrowly still, what it has to say about his relationship to his predecessor Lucilius. A corpus of Horatian scholia presents itself as the product of Helenius Acro, a scholar of ca. the third century CE, whom most modern scholars prefer to his main competitor, Porphyryion, whose commentary on Horace "Acro" uses and of which we possess an independent version.⁴³⁷ With that predisposition, editors and scholars alike have drawn on ps.-Acronian scholia to the *Sermones* for any and all Lucilian asides it contains. The publication date given in most modern editions for the first book of Lucilius' *Satires* relies entirely on a single such note, variously formulated

⁴³⁴ West 1973: 10, succinctly.

⁴³⁵ Zetzel 2005: 145.

⁴³⁶ See esp. Zetzel 2005: 144–55. For a measured defense of the applicability of Lachmann's methods to commentary traditions, including the *Commentum*, see Schlegelmilch's review of Zetzel 2005 in *BMCR* (2006).

⁴³⁷ Ironically, the commentary of "Porphyryion" probably is Porphyryion's own work in one form or another.

and tucked in the margins of a few MSS of Horace.⁴³⁸ As I will argue fully in another venue, it should dismay us to discover that this same subgrouping of MSS that bear ps.-Acronian scholia err together on basic historical facts elsewhere, such as the misidentification of Scipio Africanus (Aemilianus) as his adoptive grandfather.⁴³⁹ If they cannot be trusted for this kind of data, their authority on second-century-BCE Satire should be called into question. Whoever flubbed the two Scipiones can hardly have read even Cicero's *rhētorica* very carefully, otherwise they would have known about Lucilius' position in the "Scipionic Circle" half a century after the death of the first Africanus. And even if a copyist were the culprit, that would leave unpleasant options for the explanation: Did they manufacture this piece of guesswork *ex novo*? Did they misinterpret another reference work, and if so, how could that happen to this degree? Whatever the case may be, the Scipio mix-up is exemplary of the non-sensical notes which have crept into corpora of scholia, all the more insidiously so in the case of Satiric works because historical context is both necessary to understanding the humor and so easily lost. There is a strong incentive to invent explanations for the inside jokes.

It does not follow that we ought to dismiss the value of commentaries altogether, merely that they demand an appropriate amount of caution from would-be users. Among the Vergilian tradition, the portion of ps.-Probus' commentary on *Eclogue* 6 stands out from the pack as it cites directly from Cato's *Origines*, Lucilius' *Satires*, and Ennius' *Annales*, while also making meaningful references to Pacuvius, the Hellenistic poets Callimachus and Euphorion, and,

⁴³⁸ Σ Hor. S. 2.1.67 (*Lupus princeps senatus fuit*). Lupus was the target of Book 1 of Lucilius' *Satires* but the dating of his principate itself, and hence *Satires* 1, requires conjecture. As with much of Lucilian dogma, Marx himself is the font of the predilection for ps.-Acronian scholia when he pits the scholiast against Porphyry on the historical crux of Book 1 of the *Satires*: *scholiastam qui omnino Porphyriōne doctior sit ubi de Lucilio agitur* (1904: XXXVI).

⁴³⁹ Σ Hor. S. 2.1.17.

somewhat surprisingly, a host of Greek natural philosophers.⁴⁴⁰ What is also remarkable is how the ps.-Proban material delivers coherent narratives which provide background for each lemma. It reads much more like the production of a singular mind than most commentaries do, but that is not proof positive that it reflects the work of a “Probus” figure, less still the very Probus whom the manuscripts claim.⁴⁴¹

It is hard therefore to tease apart good commentary from bad, original from secondary, even in a case like ps.-Probus’, which is ostensibly a well-informed one. Even when one marginal comment comes near to reproducing another, the resemblance does not always imply a very close set of relationships, just as if two glossaries were to share an etymology or definition. Lectionary aids for school texts often made fairly banal observations, the kind of reading one could arrive at independently from context without any extra help. Accordingly, commentaries are not suitable for stemmatic representation for comparable reasons to glossaries.

To a lesser degree, multiple authorship plagues our final category of grammatical texts, traditional works of grammar. While these texts regularly can be associated with a single scholar, their nature is also aggregative, and, a more formidable hurdle, they leave many debts unacknowledged to their predecessors. It was most efficient for grammarians to build on previous achievements in the field rather than reinvent matters afresh. Nonetheless, modern scholars, especially of the late nineteenth and early twentieth centuries, have taken this collaborative environment as an invitation to speculate wildly over various lost ur-grammarian

⁴⁴⁰ Hagen-Thilo 3.2.323–47.

⁴⁴¹ Granting even that this were the case, it would only spur further speculation as to whether “Probus” had direct access to the lost texts they quote, and if not, whether they just copied from very good prior Vergilian commentaries or grammatical treatises in their possession.

texts. It became especially fashionable to assume that Flavius Caper (lost) supplied most of the fragments of Republican literature preserved in grammarian works.⁴⁴²

Friedrich Marx's views on the transmission of Lucilius through grammarians are emblematic of the ups and downs of the *Quellenforschung* heyday. The Introduction to his edition of Lucilius makes his contention that wherever a grammarian cites Lucilius without a book number they were dependent on another grammarian for the quotation and did not have the *Satires* at hand, but when they do cite by book number, the grammarians safely can be thought to have poured over Lucilius themselves. Marx states the case most clearly when speaking of Verrius' engagement of Lucilius, which he argues was dependent on an intermediary grammarian. After noting that Verrius (via Festus) often cites Cato's *Annales*, Lucretius' *De Rerum Natura*, and Ennius' *Annales* with book numbers, Marx claims that Verrius never does so with Lucilius, which suggests indirect access on his view.⁴⁴³ If Verrius could have quoted by specific book numbers, Marx assumes he would have done just that, so Verrius' citations betray the fact that he does not have a manuscript of Lucilius available. Marx dismisses an anticipated objection that Festus' practice in fact mirrors Cicero's without any extra qualification, "to this person I would respond that the practice of a *grammaticus* is one thing and the practice of Cicero is another far different from it."⁴⁴⁴ Marx has a point, but his case is still circumstantial and rests on the premise that grammarians always transmit the maximal amount of information available to them.

⁴⁴² Strzelecki 1936 is the biggest offender. See White's refutation of Strzelecki's assertion that Caper directly influenced Nonius (1980: 157–91).

⁴⁴³ Marx makes the claim in the introduction (1904: 1.LXII), but, as it turns out, the assertion depends on Lachmann's elimination of the lone Festan outlier that quotes from Book 2 of Lucilius (see commentary *ad fr.* 1222 Marx). The emendation relies, circularly, on the anomalous nature of the Book 2 citation.

⁴⁴⁴ Marx 1904: 1.LXIV.

Marx doubles down on his belief when he approaches other grammarian sources of Lucilius, and there lies the problem. In one instance, the grammarian Priscian compares the divergent opinions of his antecedents Probus (the “real” one) and Flavius Caper (lost) on whether the proper perfect passive participle of *laccio* should be *laccio* or *laccio*, and the example proffered by Caper, Priscian says, came from Lucilius’ 14th Book. For Marx, Priscian’s passage establishes 1) that Caper possessed a manuscript of Lucilius since there is a book number associated with this passage, and consequently 2) that wherever grammarians cite Lucilius with a book number we should suspect they are reliant on Flavius Caper, even if he is not mentioned by name. While it is not unreasonable to think that some fragments of Lucilius come to us today indirectly from Flavius Caper, especially from his work *De Dubiis Generibus*, it is impossible to trace this trajectory with any certainty because we do not possess Caper’s work.⁴⁴⁵ Despite these barriers Marx reclaims basically all of the Lucilian quotations in Charisius and large swathes of Priscian for Caper, though his stringent criteria for doing so, inclusion of title and/or book number in the citation, are not a little self-defeating since there are discrepancies even in the “Capran” bits.⁴⁴⁶ It is surprising, moreover, that Marx denies Priscian and Charisius any agency in framing the text they transmit. Marx concludes Priscian and Charisius are mouthpieces for Caper while citing evidence (above) that Priscian consulted Caper against Probus, and Priscian actually sides with Probus on that occasion. Marx assumes quite a deal without comment:

⁴⁴⁵ The 3rd book of Nonius covers the same topic. Per Lindsay, Nonius would have met Caper in the marginalia to other texts.

⁴⁴⁶ In his discussions of the habits of Charisius and Priscian, Marx either does not notice the inconsistent inclusion of the word “*libro*” vs. numeral alone, or deems the deviation as trivial, though it is not obviously so to me. Meanwhile Marx attaches significance to the absence of the title *Saturarum* in the genitive (i.e. the Capran style of citation), but notes that there is an exception yet to this supposed rule within the small sample sizes of both Charisius and Priscian. Some grammatical sources, like Nonius Marcellus, are positively robotic when they format their citations—need they all behave so?

Priscian and Charisius cannot have had MSS of Lucilius (an uncertain scenario); Priscian and Charisius are steadfast in their citation habits (they were not); grammarians other than Caper relaying Lucilian fragments made next to no mark on the grammatical tradition (very unlikely).

My critique of Marx and his generation of scholar is only partial. For good reason Marx's remains a well-respected edition of Lucilius even today. In more recent periods grammatical sources and their role in the transmission of Republican literature have received less serious treatment than they once did. *Quellenforschung*, writ large, did a lot of a good in anchoring conversation around the afterlife of missing texts. Its results were less successful when the approach was used to invent grammatical archetypes, like "Caper" or "Abolita", which were the putative ur-sources for all other early Latin material, and when scholars became overly confident in their faculties for discerning "good" (original) from "bad" (derivative) grammatical sources. Tracing a line from lost Republican author A to grammatical source B does not always yield sound outcomes. There remains much of worth to be found in specialist monographs and articles on grammatical sources, despite the fact that much of this scholarship is over a century old at the time of this writing. Grammatical sources just await re-autopsy with new strategies.

3.5 Conclusions

The discussions above have highlighted the benefits and pitfalls of the use of literary fragments. Questions about the transmission of Republican texts through fragments do not admit of easy answers, but we need not accept *aporia*. 91.6% of the over 1300 quotations of Gracchan-era literature I have surveyed came from grammarians. They are eccentric sources, but in several cases we know how they worked. I have set forward "reuse" as a promising tool to consider the reception of these fragmentary texts along similar lines to intertextuality. "Reuse" helps situate non-lexical sources within a fruitful discourse of "conservation" and "adaptation."

Grammatical sources exhibit a propensity for saving archaic usages and meanings as if they had intrinsic value, though, if as many believed, they contained forgotten linguistic truths, then their survival was a matter of practical importance also. More to the point, grammatical sources were willing to draw mutually upon one another when their access to Republican literature was impeded, and so a borrowed citation becomes the next-best-thing in the long game of telephone. Fragments of second-century BCE literature thus carried worth in and of themselves. They acted as cultural touchstones across so many places and such protracted time periods that they should not be undersold as the products transient eclectic tastes—e.g. early Latin revivals under the Flavians and Antonines. My tasking of the grammarian therefore roughly equates with the job title given by Kaster, “guardian of language,” borrowed from Seneca’s *custos Latini sermonis* (*Ep.* 95.65), though the appellation does downplay the grammarian’s active role in reshaping Latin *sermo*, as Kaster notes.⁴⁴⁷ Kaster elaborates elsewhere on the role of the grammarian as “social and cultural mediator” and as “one of antiquity’s great middlemen.”⁴⁴⁸

In sum, the way forward is to recognize transmitters of ancient authors as active participants in the formation of the text now resident in modern editions, that version somewhat short of the Platonic form but the one with which Classicists must content themselves for convenience and sanity. For direct transmission, Tarrant has offered stimulating thoughts on the roles played by owners of MSS, who would emend, annotate, and even add interpolations to their texts where they felt necessary. “It would be possible,” Tarrant says, “to regard collaborative

⁴⁴⁷ Kaster 1988: 17.

⁴⁴⁸ Respectively, Kaster 1988: 6, 7.

interpolation as a particularly active form of reader response.”⁴⁴⁹ Tarrant’s view rightfully dovetails reception theory with ideas of modification, reuse, and multi-authorship. Reader “collaboration” would apply as well, *mutatis mutandis*, to the readership of quoters who comprise the indirect transmission of Republican literature of the second century BCE as they in effect earn the status of co-author not by appending their work to another’s, but carving out a context in which old works can take on a new meaning.

There is a real implementation for these archaeotextual precepts. In Chapter 4, we will attempt to undo the grammarian rewriting of second-century-BCE Roman literature. We will discover foremost that Lucilius, Accius, and Pacuvius read too much like grammarians because nearly their entire transmission depends on grammarians. Scholars are bound to underplay the ingenuity of Republican poets if they sound like grammar books. And yet Lucilian satire meant something very different to Cicero than it did to Nonius.

⁴⁴⁹ Tarrant 2016: 88. Cf. Zetzel 1975: 346–54; 2005: 88, 144–61.

Chapter 4 Gracchan-era Literature: The Translation of Hellenistic Culture to Rome

4.1 Introduction

In Chapter 2, I argued that the movement of foreign professionals to Italy over the course of the second century BCE was driven by political and economic pressures, primarily the rise of the Roman Republic at the expense of Hellenistic competitor states. Within this reconfiguration of the Mediterranean geopolitical hierarchy, I also singled out the patronage of foreign professionals by central Italian elite as a crucial conduit of Hellenistic cultural developments to Italy. Therefore it was necessary to sketch out the transactional realia of these asymmetric relationships in so far as they can be reconstructed from known cases. These data demonstrated that central Italian elite were able to support foreign professionals successfully by drawing on the immense stores of wealth which they had newly amassed from the provinces. Moreover I highlighted how gubernatorial appointments, ambassadorial missions, and other imperial mechanisms brought central Italian aristocrats and foreign artisans into contact with one another. In other words, empire provided the means and opportunity for this type of social interaction.

In this and the chapter that follows it, I consider the impact of “elite-attached cultural workers” (see Introduction) on areas of culture, here primarily literature, and there politics. Like many other modern and ancient observers, I characterize Rome’s reception of Greek literature and literary criticism as a process of cultural “translation,” in its kindred sense of “transference” (< *transfere*). It will be profitable nonetheless to re-examine the application of this common metaphor within the scope of the Gracchan period. In short, newcomers to Italy introduced ideas and technologies that were percolating through the intellectual centers of the Hellenistic

kingdoms. But as I argued in Chapter 2, one should not press a hard distinction between cultural “periphery” and “core” for the Gracchan period, since at this date a diaspora of foreign professionals was already resident inside the political boundaries of Rome’s empire.

With typical acuity Wilamowitz appreciated the profundity of the cultural exchange between Greek and Italian artisans in his foreword to *Hellenistische Dichtung*, only with the direction of translation reversed in his mind:⁴⁵⁰

In Pompei sieht man, daß das Leben einer Zeit, so verschieden seine Äußerungen sind, eine Einheit ist. Das mußte von der italisch-hellenistischen Kleinstadt auf die große hellenistische Welt übertragen werden. (my emphasis)

In Pompeii one sees that the spirit of a time, however different its realizations are, is a singularity. There must be a transference/translation from the Italic-Hellenistic town [i.e. Pompeii] to the larger Hellenistic world.

For Wilamowitz, Italy and the Hellenistic kingdoms collapsed into a cultural singularity (Einheit) once he examined the aesthetics of Campanian wall-painters alongside those of the Hellenistic poets. From the very start therefore *Hellenistische Dichtung* proffered an Italiote city as *the* microcosm of Hellenistic cultural interfacing instead of other natural choices, e.g. Alexandria. In essence, Wilamowitz recognized that Pompeii’s professionals and clients must not be understood as “peripheral” in our understanding of what constitutes Hellenistic culture.

Indeed Wilamowitz’ conception of the Hellenistic Einheit suggests more facets of Hellenistic culture were transferred to Italy than artistic trends alone. What is more, emic evidence supports his vision of a deep cultural translation already in the second century BCE. So intense was Hellenization during the Gracchan period that later Romans took it for granted that

⁴⁵⁰ Von Wilamowitz-Moellendorff 1924: 1.v.

all Greek disciplines had already been converted into Latin equivalents. Greek philosophy, according to Cicero, was the last and only cultural untranslatable left in the first century BCE.⁴⁵¹

quam ob rem hortor omnes, qui facere id possunt, ut huius quoque generis [sc. philosophiae] laudem iam languenti Graeciae eripiant et transferant in hanc urbem...quod si haec studia tractata erunt ad nostros, ne bibliothecis quidem Graecis egebimus, in quibus multitudo infinita librorum propter eorum est multitudinem, qui scripserunt.

For this reason, I urge everyone who can to snatch away the praise of this type of learning [sc. philosophy] from Greece, which is now in decline, and translate it to this city...and once this knowledge has been conveyed to us, we will not even require Greek libraries, where there are books innumerable due to the innumerable authors who wrote them. (my emphasis)

Cicero, a wealthy bibliophile himself, reifies Greek culture as the reception of its books, which he intends to supplant with Latin versions. For Cicero, the second-century-BCE stage was an especially important precedent, and elsewhere he justifies his own Greek-to-Latin philosophical translations in reference to the *palliatae*, Latin adaptations of Greek comedies.⁴⁵² Ruth Caston has argued furthermore that in the absence of a specialized philosophical corpus in Latin Cicero refashions Gracchan-period tragedians into philosophers, who he claims had imbued their Greek source scripts with superior Roman morals.⁴⁵³ Cicero's entire philosophical gambit thus depends on a rich tradition of professional translations from the second century BCE.

Many scholars, however, still insist on minimizing the impact of the second-century-BCE literary "translation project" simply to window-dressing for aristocratic fancies. In a recent monograph, James Zetzel has offered a necessary, but partially unsatisfactory corrective to plain Hellenization as a rationale for trends in Gracchan-era literature. In so doing, Zetzel downplays

⁴⁵¹ Cic. *Tusc.* 2.5, 6.

⁴⁵² Cic. *Fin.* 1.4–7; cf. *Ac.* 1.10. Although the "originality" of Roman dramatic translations was long debated, a more nuanced picture of Roman acculturation has taken shape. See Fraenkel 2007: 252–86; Arnott 1975; Bain 1979. On Terence's mistranslations, see Victor 2010.

⁴⁵³ Caston 2015.

the translation model altogether. For according to Zetzel, Roman linguistic thought was developed independently during this period by scholars of Roman law, amateur elites who scrutinized Roman legal documents as if sacred texts. In this view Roman *grammatica* derived from study of the Twelve Tables and therefore has little to do with Greek—specifically Alexandrian—philological practice, which had no such preoccupations with law.⁴⁵⁴ Whereas Homer was the wellspring of Alexandrian philology, Roman linguistic research in contrast was preoccupied with legal minutiae only salient to elite interests. Other areas of philological study included antiquarianism and the history of popular entertainment, specifically elite-financed dramatic performances. While by and large these earthier topics have not excited modern scholars in the way that Callimachean aesthetics have, any primitivist evaluation of Gracchan-era literary production that pits Rome against Alexandria overlooks key demarcators between the two societies (see Introduction).

In the attempt to redress bias against Roman philology Zetzel has in fact overcorrected. Zetzel focuses exclusively on the ingenuity of the Roman elite classes and states in plain terms:⁴⁵⁵

That many men of considerable standing wrote about philology is important, if unsurprising: an interest in words, in language, and in literature is a fairly constant element in the life of the Roman upper classes. *Latin was too important to be left to the professionals.* (my emphasis)

In order to claim a Roman-generated brand of philology, Zetzel elides the impact of all professionals, both foreign and domestic, against even the strong counterevidence preserved in Suetonius' *De Poetis et Grammaticis*, a history of Roman philology which begins with the

⁴⁵⁴ Zetzel 2018: 15–30.

⁴⁵⁵ Zetzel 2018: 18.

arrival of Crates at Rome in 167 BCE, followed then by a host of ethnically Greek grammarians who worked on second-century-BCE Latin poetry: Octavius Lampadio, Laelius Archelaus, Vettius Philocomus, Pompeius Lenaeus, Sevius Nicanor, καὶ οἱ λοιποί.⁴⁵⁶ The additional facts that Terence, an African professional, had Latin textbook status already for Caesar (né 100 BCE), and that the poet Accius examined the chronologies and language of his fellow playwrights—not without Lucilian repartee—register only weakly in Zetzel’s new appraisal.⁴⁵⁷ We do not need to resurrect the ghost of the Scipionic circle in order to appreciate Gracchan-era *grammatica*.⁴⁵⁸ Nor is there need to cordon off literary professionals from the literary developments in which they were participants. Rather I would propose that if intensified study of law and drama fueled the study of Latin, these disciplinary advances belong to those very same cultural revolutions that animated Gracchan politics and that inform the title of this dissertation.

At its core therefore this chapter relates how Roman and non-Roman agents together “translated” a language of criticism which would come to challenge social institutions (Chapter 5). And as such the chapter expands on Wilamowitz’ unitarianism in order to bridge divisions between elite and professional, Roman and foreigner, and art and politics. Also for this reason I will privilege public-facing works of translation, in these broad categories: diplomatic, epigrammatic, dramatic, and satiric productions. This very entanglement of art, public audiences, and political showmanship will be paramount in my examination of the Gracchan program in the last chapter, where I will argue that Tiberius Gracchus digested political principles derived from

⁴⁵⁶ Zetzel wants to separate early Roman textual work from that of the textual criticism scholars perform today. It is unclear that anybody would suggest otherwise; compare Jocelyn’s (1983) review of Zetzel 1983.

⁴⁵⁷ Julius Caesar: *tu quoque, tu in summis, o dimidiate Menander, | poneris, et merito, puri sermonis amator*, (fr. 1 Courtney) “You too, you, twin of Menander, will be placed among the highest poets, and rightly, as a lover of plain speech.” Cf. Cicero fr. 2 Courtney.

⁴⁵⁸ Manuwald 2011: 210. Zetzel particularly would disapprove of any such attempt to reconstitute a Scipionic Circle; see Zetzel 1972.

Greek democracies—e.g. the review of terms of magistrates—into an ideology that was consumable for the masses. But first we must lay the groundwork for the Gracchan revolutions with a spate of cultural dislocations which transformed Rome into a lab for Hellenistic political experimentation.

Rome's diplomatic translations, i.e. from Latin decrees to Greek equivalents, will serve as an introduction since these are the most literally translated texts we possess. The mechanics of Roman foreign governance were modeled after the chanceries of the Hellenistic monarchs, and Greek-speaking professionals carried out the foreign policy messaging of the Senate. And yet in content these word-for-word translations had to serve dual audiences, Greek subjects and Roman magistrates. On the one hand, Roman governors needed to scrutinize provincial legal precedent with the same philological rigor that was applied contemporaneously to their own civil code by Rome's first jurists. Professional translators had to make accommodations for the elite's proficiency in Greek, however. For ease of comprehension, the translators resorted to a familiar vehicle for Latinate legal idioms, the type of stilted Greek that the gubernatorial class had learned as schoolboys from their Greek teachers.⁴⁵⁹ Notionally Greek public notices, the translations require users to reverse-engineer Greek language instructional practices in order to excavate and decode calques on Latin legal language.

Other Hellenistic technologies were imported to Italy apace. Greek *grammatici* brought methods of textual analysis and other learned literary research (§4.2). Gracchan-era epigram, for example, reveals its debts to the newly compiled and circulated *Garland of Meleager*, and signifies a transition away from traditional expressions of occasional poetry in Saturnians (§4.3).

⁴⁵⁹ It is not improbable that some of these translators had worked as schoolteachers for the same clients before.

What little we know of contemporary tragedies suggest that savvy Roman dramatic translations continued unabated (§4.4). Finally, I must conclude with the least obvious translation, Roman Satire, the genre which, per standard readings of Quintilian, was quintessentially Roman (*tota nostra est*).⁴⁶⁰ Lucilian satire nonetheless is suffused with Greek philological and philosophical thought, as well as a language of social accountability that targets aristocratic behaviors abroad with particular poignancy. The *Satires* exposed an elite society that had “translated” the language of abuse from Hellenistic intellectual rivalries, which was weaponized by and against fellow aristocrats for very Roman ends.⁴⁶¹ Lucilius therefore will guide us through a set of social problems whose political consequences will become the subject of the final chapter, namely the Gracchan crisis.

4.2 Diplomacy: School Texts by other Means

Realistically, members of the class of Roman magistrates needed to manipulate the language with which they intended to administer the eastern provinces and dependencies, and that language was Greek. Cato the Elder quipped once that “Antiochus wages war with letters,” and the Romans themselves adopted contemporary Hellenistic standards for official correspondence.⁴⁶² Consequently, state-employed translators would become invaluable members of the Roman imperial project. The identity and agency of these professional translators are difficult to recover now, however. Eventually at a later date in the early Imperial Period, a bilingual manual would be produced for Roman governors, the *Liber de officio proconsulis*,

⁴⁶⁰ Quint. *Inst.* 10.1.93.

⁴⁶¹ Compare the approach of Puelwa Piwonka’s *Lucilius und Kallimachos* (1942, esp. 138–50), which unfortunately has not received the attention from Classicists that it deserves.

⁴⁶² *Antiochus epistulis bellum gerit, calamo et atramento militat* (ORF 20), “Antiochus wages war with letters; he fights with pen and ink.” See Welles 1934: xxxvii for the administrative burden felt by Antiochus and his peers (cf. Plu. *Mor.* 790a–b).

which is cited for legal terminology by the Latin–Greek bilingual glossary conventionally called ps.-Philoxenus (= *Cod. Par.* 7651). But in all likelihood Hellenophone professionals produced similar *libri* for use long before the Imperial period. Additionally Anna Carlotta Dionisotti has wondered if parts of colloquial Latin–Greek learning materials from late antiquity, the so-called *Hermeneumata*, trace their origins back to language exercises crafted by Greek *grammatici* for the education of young Roman aristocrats in the second and first centuries BCE.⁴⁶³ We may note also that Latin–Greek technical synonyms became increasingly set in historical writings and official documents dating to the lifetime of Polybius and thereafter.⁴⁶⁴ That situation did not arise by accident but through the labor of bureaucrats, like Polybius, and their support staff. Fortunately, scholars of Roman law have dedicated some attention to how rescripts were crafted and promulgated. For indeed a striking amount of our knowledge of the Roman Republican legal code depends on the study of Greek provincial copies of Roman official documents, as even a perusal of Crawford et al.’s *Roman Statues* and *Fontes Iuris Romani* reveals. While little direct attestation remains of the translators, consensus assumes rightly that Republican Rome possessed a diplomatic corps of translators, probably stationed at the *aerarium*, a traditional repository for *senatus consulta*.⁴⁶⁵

These professional *scribae* most likely would have belonged to a comparable class of professionals to the apparitorial attendants on Roman governors (discussed p. 78) and other “writers,” a tie reflected in a much debated passage of Festus:

⁴⁶³ Dionisotti 1982: 91, 95–6; Dickey 2017: 219.

⁴⁶⁴ See e.g. Mason 1974: 155–159.

⁴⁶⁵ “We may conclude that Romans were responsible for these translations, Romans who worked in an office where a continuity of translation style and vocabulary was achievable. They must have been professionals whose lifetime duties kept them in close contact with official state papers and who were at the same time familiar with Roman constitutional forms” (Sherk 1969: 18).

SCRIBAS: proprio nomine antiqui et librarios et poetas uocabant; at nunc dicuntur scribae equidem librari, qui rationes publicas scribunt in tabulis. (Fest. 446 L)

The ancients used to call both *librarii* and *poetae* by a special title [*scribae*]; but in current usage *scriba librarius* actually is the term for those who archive public judgments.⁴⁶⁶

The entry from Festus then recounts how the senate formed an association of *scribae* and *histriones* during the Second Punic War in recognition of Livius Andronicus, who both wrote (*scriba*) and acted in his plays (*histrion*). Even modulated through the antiquarian tradition, this fluid image of dramatic and legal culture workers suggests a provocative analogy of Roman Republican translation projects over the next century: Roman translations of Greek original plays::Greek translations of Roman original edicts. And yet in the case of Roman statute proper, the conquerors reversed roles as *quasi-grammatici*, producing word-for-word translations of Roman laws so literal that they resemble the Latin–Greek bilingual school texts of later periods. On the basis of this matching principle, scholars have taken at least half a dozen cracks at reconstructing the text of a lost Latin archetype for the extant Greek apographs of the *Lex de praetoriis provinciis* (ca. 100 BCE).

And if one presses the comparison even further, Roman borrowings from the diplomatic language of the Hellenistic bureaucracies might resemble the “Plautopolitan” Greek setting of *palliatae*. As on the Roman stage, this mixing and matching of form and content was disorientating; routinely, when the greeting is missing from a rescript of the second century BCE, it is impossible to tell whether the sender was a Hellenistic King or a Roman official.⁴⁶⁷ In a note to a letter from Antiochus III, Welles observes that the monarch and the Romans share a

⁴⁶⁶ Cf. Horsfall’s translation (1976: 90).

⁴⁶⁷ For instance, the attributions: Welles no. 42 (“Scipio Brothers or Antiochus III”); no. 46 (“Attalid king or Roman official”).

fondness for blunt speech: “This address, τοῖς ἄρχουσι καὶ τῆι βουλῆι καὶ τῶι δήμῳ, is common in the Roman period when the new rulers dealt by preference with officials, not with democratic bodies.”⁴⁶⁸ The Romans and Antiochus both cut to the chase in order to get the attention of the “people in charge” (ἄρχοντες).

While it has been recognized that the standardized legal formulae and “Latinisms” that pervade Greek copies of Roman decrees presume a foreign service agency at Rome, no one, to my knowledge, has offered any explanation for the uneven quality of the office’s translations other than linguistic strong-arming.⁴⁶⁹ However I propose another practical reason: these translations resemble language-learning exercises precisely because they were designed by Greek professionals for Italian elites who had received such education in Greek, and who would be entrusted with strictly interpreting legal precedents during their commissions abroad. Furthermore, it is likely that some of the clerks responsible for the translations of public documents were Greek themselves, whether as public slaves, freedmen, or salaried *scribae*. We can speculate that many of the translators began their careers on the stage or in schools. According to Festus (above), Livius Andronicus had won formal recognition for a class of literary professionals—namely *poetae*, *librarii*, and *scribae*—by producing a play in service of the state.⁴⁷⁰ Former actors moreover are attested as *scribae* in the service of Roman magistrates.⁴⁷¹ To this class of translators we can add the first Greek schoolteacher figures at Rome, *grammatici*, whom Suetonius describes originally as *poetae*, *semigraeci*, and *interpretes*

⁴⁶⁸ Welles 1934: 179 (no. 43, a letter of Antiochus III to a Plutonium at Nysa).

⁴⁶⁹ So Feeney, “[the mistakes] are instead classic examples of ‘translating down’ . . . with foreignizing traits being left in the translation as a marker of dominance” (2016: 49).

⁴⁷⁰ It is a point of interest that the poet Horace, no stranger to the Greek language, had worked a job as a *scriba quaestorius* (Suet. *Vit. Hor.*).

⁴⁷¹ Cic. *Ver.* 2.3.184.

(~ “translators”), again singling out Livius Andronicus as a pioneer in these permeable literary spaces.⁴⁷² Livius’ notoriously literal *Odusia* thus foreshadows the mundane work unnamed secretaries performed in service of the Roman government in order to convey foreign policy decisions to the East. For the school-text quality of Livius’ translation of Homer’s epic is well established.⁴⁷³

By the mid-second century BCE, Rome had imported the diplomatic apparatus of a contemporary Hellenistic state, and the corps of translators at the *aerarium* had established a system of equivalences tuned to the needs of the executor of senatorial decrees, the Roman magistrate. Indeed a brief study below of the mistranslations of the terms *sine dolo malo* (“without guile and deceit”), alongside its counterpart *sciens dolo malo* (“intentionally, with guile and deceit”) in the *SC de praetoriis provinciis* will demonstrate how little care Roman government employees took for provincial audiences. While the terms *sine/sciens dolo malo* are rendered by ἄνευ δόλου πονηροῦ and εἰδῶς δόλοι πονηροῖ, respectively, they remain culturally bounded; the Greek reading public here is subjected to the display of Romanocentric behavioral norms, since it is only the good or bad “intention” of Roman magistrates that was at issue. (After all, they were the ones subject to *Roman* law.) Since these documents privilege fidelity to Roman legal/social norms at the expense of Greek morphosyntax and readability, I suggest that one of their primary functions was to facilitate the kind of reverse translation that modern scholars have attempted: from a Greek copy to a reconstructed *Latin original legal document. Roman

⁴⁷² grammatica Romae ne in usu quidem olim, nedum in honore ullo erat, rudi scilicet ac bellicosa etiam tum ciuitate, necdum magnopere liberalibus disciplinis uacante. initium quoque eius mediocre exstitit, siquidem antiquissimi doctorum qui idem et poetae et semigraeci erant—Liuuium et Ennium dico quos utraque lingua domi forisque docuisse adnotatum est—nihil amplius quam Graecos interpretabantur, aut si quid ipsi Latine composuissent praelegebant (Suet. Gram. 1).

⁴⁷³ We might add too Ennius’ *Euhemerus* (see note above).

governors, presented with Greek rescripts by local plaintiffs and armed with the basic education they had received from bilingual teaching aids, could guess at the underlying Latin text.

Accordingly, governors could decide cases without pestering the *aerarium* for originals; the textual mechanics and coherence of the copies were of lesser importance.

This theory explains why inaccuracies in the Greek translations have been allowed to be cut in stone and stand uncorrected. Many such errors would be inconsequential in practice. For Roman governors, senators by requirement, would be at home with the quintessentially Roman phraseology of their own *senatus consulta* and plebiscites. So, when translators of the *Lex de praetoriis prouinciis* consistently mixed up (original) *sine/sciens dolo malo* in the Greek version, these typos caused no trouble for administrators.⁴⁷⁴ Roman magistrates need not possess any great measure of jurisprudence to know that they were not supposed to behave badly—*sciens dolo malo* in the negative clauses of edicts—and conversely that they were supposed to behave well—*sine dolo malo* in positive clauses. The faulty interchange of *sine* for *sciens* meanwhile would have occurred at an early stage in the transformation of the original Latin text, when it was written in cursive on perishable materials; it is far less likely that anyone drafting the Greek version would have mixed up ἄνευ δόλου πονηροῦ for εἰδῶς δόλοι πονηροῖ. If the translations therefore are taken to represent genuine attempts at an artful translation of Latin into Greek, such mistakes would presuppose great negligence on the parts of the translators and stonecutters who let even the most obvious errors remain. But if instead the translations were intended to mimic the kinds of Latin-Greek exercises a Roman aristocrat would complete in their primary

⁴⁷⁴ ἄνευ δόλου πονηροῦ (*RS 12 Cnidos col.II, l. 6*) for *sciens dolo malo*; εἰδῶς δόλοι πονηροῖ (*ibid. col. III, l. 8–9*) and {εἰδῶς} ἄνευ δόλου πονηροῦ (*ibid. col. III, l. 15*) for *sine dolo malo*; Delphi Block C has three mistakes of ἄνευ δόλου πονηροῦ for *sciens dolo malo* in ll. 10, 15, 16.

schooling, then even less polished texts would remain serviceable. The composer of the Greek text could assume that end user was still “thinking in Latin” anyway. In fact one can spot many instances where Latinate morphosyntax has crept into the Greek copies of the *lex de praetoriis prouinciis*. The translator of the Cnidos copy of the law struggled with the many different outcomes of *ut* clauses in Greek, and so supplied finite verbs for natural result clauses, used the subjunctive mood where indicative was called for, and so on.⁴⁷⁵ Similar linguistic cross wiring accounts for calques like the common one formed from *uota suscipere*, εὐχὰς ἀναλάμβειν, unidiomatic Greek yet clear guidance to any duty-bound Roman.⁴⁷⁶

From the study of textual errors in Latin–Greek decrees we can attempt to reverse engineer stages in their production from creation to dissemination. I propose a multi-step process which would have necessitated coordination across different social units:

Table 2 Translation of Latin Statutes into Greek

* indicates reconstructed stage or participant

Stage in translation process	Participants
proposal, <i>relatio</i> of Latin <i>lex</i>	*professional draftsmen/clerks, Roman politicians
archival, deposition in <i>aerarium lex</i> (bronze)	<i>scribae</i> at <i>aerarium</i>
*copying of Latin <i>lex</i> onto perishable materials (papyrus; Latin cursive)	* <i>scribae</i> at <i>aerarium</i>
translation into Greek (papyrus)	*staff of Roman magistrates (apparitorial <i>scribae</i> ?)
transportation/delivery of translated documents	ambassadors, Roman magistrates and their apparitorial cohorts
inscription at destination	local stonecutters/engravers/fabricators of whiteboards, local elite members
interpretation of document	local complainants, Roman magistrates

⁴⁷⁵ *RS* 12 Cnidos col. 3, ll.31–5, *ibid.* col. 4. 21–4, with commentary *ad loc.*

⁴⁷⁶ I purposefully redeploy an example Feeney offers (via Adams) as evidence for the linguistic Imperialism of Latin-Greek translation; it is a more complex matter than I can explore here.

Above I have reconstructed a production line that is hardly streamlined, a fact which consequently multiplies the frequency of elite–professional contacts. Moreover telltale signs of this bureaucratic inefficiency remain in the statutes themselves. It is striking, for example, that two *separate* translations were made in the case of the *lex de praetoriis prouinciis*, as each copy contains minor but free variations on the same phrasing.⁴⁷⁷ In fact the statute details the involved effort of its own dissemination:

Let the praetor assigned to the province of Asia during the consulship of Gaius Marius and Lucius Valerius write letters to the peoples, states, and the kings mentioned above, as well as to whomever the consul should deem it fit to write to under the terms of this law and as he sees fit. And let him send a copy of this law to the cities and states to whom it is necessary to send letters under the terms of this law and let him take care, to the extent that it will be in his power, that however many letters he sends, and to whichever recipients he sends them, that these letters be delivered, and that they be carved straightaway according to the practice of the peoples to whom letters are sent under the terms of this law, typically on a bronze tablet, otherwise either on marble or on an whiteboard, so that they are set up visibly in a temple or in the marketplace in the cities, where everyone standing will be able to read them correctly. Let the praetor write no differently than in the way so outlined in order that these things happen everywhere and that the others under his command do these things. (*RS 12 Delphi B*, ll. 21–7)

The provisions just prior to the section quoted above stipulate that the senior consul is to write to a bevy of Hellenistic kings and pretenders (i.e. the diminished Ptolemies and Seleucids) to the effect that they are to end all piracy in their kingdoms; and secondly, that Rhodian ambassadors, given a special audience with the Roman Senate, were to act as couriers to deliver the consul’s messages to the Hellenistic monarchs.⁴⁷⁸ Epistolary traffic between Roman authorities and the

⁴⁷⁷ Points of overlap in the Greek copies allow for collation, e.g., *RS 12 Delphi B*, ll. 8–13 vs. *Cnidus col. III*, ll. 28–41. Such deviations matter little so long as the same *Latin* phrase is evoked.

⁴⁷⁸ “Likewise to the king in Cyprus and the king in Cyrene and to the kings in Syria, those who have the friendship and alliance of the Roman people, the senior consul is to send letters, [and to tell the kings] that it is just for them to care lest any pirate take harbor in the lands or borders of their kingdoms, nor are the leaders and administrators whom [the kings] have set up to welcome pirates; and also to take care, to the extent that it will be in their power, that the Roman people should have partners in the pursuit of safety for all peoples.” [A broken provision follows that details the role of the Rhodian ambassadors.]

kings was high overall, and in particular this *lex* prescribes that the individual staffs of the consul and praetors divvy up the task of publication among themselves.⁴⁷⁹ But the free variants and types of errors in these documents strongly indicate that the provincial governors must also have delegated translations of legal documents to their own apparitorial *scribae*. A *scriba* for the governor of Macedonia would have produced the Delphi text, while another *scriba* for the governor of Asia would have produced the Cnidos text. Moreover, the happenstance survival of the statute provides a certain irony, namely that the Cnidos copy preserves chapters of the law most relevant to Macedonia, whereas the Delphi copy does so for Asia. In other words, the fragments of each remaining apograph represent the least germane sections to their respective regions, and their impertinence may have taxed the attention of the *scribae*, who let texts so riddled with mistakes pass along the chain.

In sum, the *aerarium* produced Sherk's "Roman documents from the Greek East" written to the needs of at least two distinct audiences throughout the second century BCE: 1) local Greeks, and 2) future Roman magistrates who would govern these locales. Close exegesis of such documents was intended primarily for Romans, and not Greeks.⁴⁸⁰ The texts themselves were practical to the point that they resembled language primers. Such emphasis on verbal

⁴⁷⁹ In a famous letter of Attalus II, the king explains to a subordinate that his own prevarication is due to frequent correspondence with the Romans: ἔκρινον οὖν εἰς μὲν τ[ῆ]ν Ῥώμην ἀεὶ πέμπειν τοὺς συνεχῶς ἀναγγελοῦν[τας] τ[ῶ]ν διστάζομενα, "I decided therefore always to send agents to Rome to report consistently matters on which we were in doubt" (Welles 61, ll. 20–2).

⁴⁸⁰ By way of comparison, it is interesting that the same Latin phrase studied above, *dolo malo*, is *not* translated in the Oscan *lex* for the community of Bantia, an Italic people familiar with Roman legal principles. That document demands that magistrates ensure that state business not be pre-empted by parties acting in bad faith, *dolud malud* (RS 13, col. i, l. 11, and again in the Adamesteanu fragment.) On the eve of the Social War, Bantine language identity politics would have functioned very differently than those in provincial Greece. Engravers at Bantia had capably produced a Latin *lex repetendarum* on the opposite side of the same bronze that would later carry the town charter in Oscan. (*Sciens dolo malo* appears there too in line 8.) This allied town council communicated skillfully in a shared Italic legal idiom—a far cry from the awkwardly contrived Latin-Greek translations under study (see McDonald 2015: 177–83).

“fidelity” is also in keeping with the hyper-literal origins of Roman juristic thought. From the middle of the second century BCE, collections were made of the *responsa* of legal authorities to specific cases, study which evolved into the creation of scientific manuals on the subject. These stages of development are embodied in the work of two cousins a generation apart, the homonymous Q. Mucii Scaevolae (Q. f., “The Augur”, cos. 117 BCE; vs. P. f., the “Pontifex,” cos. 95 BCE).⁴⁸¹ On the other hand, however, we must also recognize the pivotal role professional translators of Roman legal documents played in service of aristocrats like the Scaevolae. Both they and their contributions were numerous.

4.3 Borrowing the Language of Critique

In comparison to Greek *grammatikē*, Gracchan-era philology has been considered of second rate quality. Hesitantly, Rawson concedes only that “[a] technical vocabulary was developing.”⁴⁸² As we have noted, the Roman fixation with legal language has underwhelmed modern academic tastes, which prefer the Alexandrian brand of philology. That being said, early Roman *grammatica* was much more expansive than is generally assumed. Roman grammarians treated many of the same topics, in the same ways and in the same orders as their Hellenistic predecessors.

Without a Homer figure, the Romans started by reorganizing their first dramatic scripts, the *palliatae*. In a well-known and lengthy passage, Aulus Gellius relates how Roman scholars had approached “Plautine” plays when their authorship was in doubt. The discussion is too long to quote in full, so I will digest pertinent information (Gel. 3.3):

⁴⁸¹ On the Mucii Scaevolae and their juristic activities during this period, see Frier 1985: 143–5, 155ff.

⁴⁸² Rawson 1985: 120.

- Aelius Stilo, Vocacius Sedigitus, (Servius?) Claudius, Aurelius (Opillus), Accius, and Manilius had written *indices* of Plautus, i.e. authoritative lists of the true Plautine plays (§1).
- 130 plays in total circulated under Plautus' name (§11–12). Varro's list included 21 plays (§3), which comprises the selection we have today, even if Varro allowed that Plautus' authorship of several others could not reasonably be doubted (§4, 14). Aelius Stilo, Varro's teacher, had a slightly more permissive corpus of 25 Plautine plays (§12–13).
- In *De Comoediis Plautinis*, a multi-book work, Varro relayed Accius' opinions on a number of plays that Accius thought could not have been written by Plautus (§9). Two of Accius' faux *Plautinae* deserve attention, *Boeotia* (“the Boeotian Girl”) and *Commorientes* (“They Who Die Together”), since Accius disagrees with other sources. Varro (and Gellius) was certain *Boeotia* belonged to Plautus (§3–4). Terence, on the other hand, claims that *Commorientes* was Plautus' adaptation of a homonymous Greek play by Diphilus (*Ter. Ad.* 6–7).

After they had been triaged, plays were annotated and arranged in alphabetical order by author. For example, Varro recalls finding *persibus* (= *persipus*) glossed interlinearly as *callide* in the MS of a Naevian play (*Var. L.* 7.107). The same section of *DLL* shows that the volume(s) of Naevian drama used by Varro were alphabetized by first letter.⁴⁸³ Of course, the canonical Plautine plays were transmitted in just such a way. Lindsay offers a handy conspectus of the orders in Plautus editions: the *Ambrosianus*, the *Palatinus*, and the recension Nonius Marcellus possessed. They all agree in first letter alphabetization, with different sequences only in letters that contained multiple productions (the *C-*, *M-*, and *P-* named plays).⁴⁸⁴ As we will see, the alphabetic ordering of Plautus' plays likely predates Varro himself.

All of this work by Roman scholars can be categorized as genuinely “Alexandrian.” Alphabetization especially is a hallmark intervention of the Alexandrian school, and the MS

⁴⁸³ Lindsay 1904: 11–12.

⁴⁸⁴ Lindsay 1901: 108.

traditions of Aeschylus and Aristophanes transmit alphabetic catalogues of their titles, including many lost plays.⁴⁸⁵ Papyri finds likewise alphabetize the oeuvres of Menander and Euripides.⁴⁸⁶ Pfeiffer proposed long ago that these catalogues somehow reflect the original efforts of Callimachus and his student Hermippus of Smyrna to create the filing system of *pinakes*.⁴⁸⁷ The early Roman philologists indexed their dramatic corpora analogously. Opillus, a Gracchan-era grammarian even composed a work titled *Pinax*, about which we know nothing else but the fact that it contained an acrostic of his name, confirming at least its Hellenistic leanings.⁴⁸⁸ We noted above that he had written a Plautine index. Roman grammarians also borrowed the critical signs of the Alexandrians, e.g. the obelus to athetize spurious materials:

his solis [sc. signis criticis] in adnotationibus Ennii Lucilii et historicorum usi sunt Varro Servius Aelius aequae et postremo Probus, qui illas in Vergilio et Horatio et Lucretio apposuit, ut in Homero Aristarchus. (*GLK* 7.533; with conjecture of Bonner 1960)

Varro, Servius [Clodius?], Aelius [Stilo] alike used only these diacritics in their markups for Ennius, Lucilius, and the historians. Probus finally applied them to Vergil, Horace, and Lucretius, like Aristarchus had done for Homer.

Varro and Aelius therefore intended not just to attribute genuine comedies to Plautus, but to sort out accretions in early hexametric works and histories—more serious stuff, ostensibly.

Editorialization gained traction. Already in Cicero’s generation one could laugh at the

⁴⁸⁵ The Aeschylan catalogue found in MSS M and V gives the names of 72 plays in alphabetical order (Wilamowitz 1914: 7–8; editio maior), which Wilamowitz finds difficult to reconcile with the count of 90 given by Suidas. See Koster 1.1a: 142 for the Aristophanic catalogue (mostly dependent on the opening folium of Vat. Gr. 918). The list matches one found also in a second-century-CE papyrus (*P.Oxy.* 2659), which includes other comic poets and titles of their works alphabetized. The contention of the original editor that it represents the collection in a local library seems very unlikely to me; I doubt that Epicharmus, one of its entrants, was so readily available in that region of Egypt.

⁴⁸⁶ Menander: *P.Oxy.* 2462 (first half of second century CE); Euripides: *P.Oxy.* 2456 (second century CE).

⁴⁸⁷ Pfeiffer 1968: 129–30.

⁴⁸⁸ Suet. *Gram.* 6. From the same source, we learn he also wrote a nine-volume treatise of the name *Musae*—one per Muse? Opillus is the Oscan praenomen **Upils**, which I presume Aurelius Opillus wore as a cognomen—i.e. he was a freedman. See *STCm* 33, Sa 53, tSa 12, Cp 31.32 for the wide geographic distribution of the personal name at this time.

“Alexandrian” antics of Curtius Nicias, a Lucilian scholar (see below) and *alter Aristarchus*, who *obelized* a loan receipt in an effort to make it go away.⁴⁸⁹

When grammarians began to set Roman drama in good order, they were replicating some of the first work of the Alexandrians which concentrated on stage scripts and productions. In the reign of Ptolemy Philadelphus, Lycophron and Alexander Aetolus had made a *diōrthōsis* of Greek comedies and tragedies plays, respectively, and their efforts are likened to the works of Zenodotus and Aristarchus on the Homeric texts.⁴⁹⁰ Production notices were collated as well. Aristotle had written three single-book works on this subject, *Didascalica*, *On Tragedies*, and *Victories at the Dionysia*; such research broke the ground for inscriptions that displayed comprehensive lists of victors in the dramatic festivals.⁴⁹¹ The Roman playwright Accius, like Aristotle, wrote *Didascalica*, though their scope appears rather expansive (see below). In Italy as well it became important to establish genre firsts.⁴⁹² Indeed Accius downdated Livius Andronicus’ career so far that he stripped Livius of his status as the first playwright as a

⁴⁸⁹ nihil enim Romae geritur quod te putem scire curare, nisi forte scire uis me inter Niciam nostrum et Vidium iudicem esse. profert alter, opinor, duobus uersiculis expensum Niciae, alter Aristarchus hos ὀβελίξει; ego tamquam criticus antiquus iudicaturus sum utrum sint τοῦ ποιητοῦ ἢ παρεμβεβλημένοι, (Cic. Fam. 9.10.1 = Suet. Gram. 14.2; 45 BCE), “Nothing is afoot in Rome which I judge you would care to know, unless perhaps you wish to know that I am appointed arbiter between our friend Nicias and Vidius. The latter, I believe, is producing a couple of lines registering a payment to Nicias, who on his side Aristarchus-like obelizes these same. My job is to decide like a critic of old whether they are the poet’s own or interpolated” (trans. Shackleton Bailey).

⁴⁹⁰ ἰστέον ὅτι Ἀλέξανδρος ὁ Αἰτωλὸς καὶ Λυκόφρων ὁ Χαλκιδεὺς ὑπὸ Πτολεμαίου τοῦ Φιλαδέλφου προτραπέντες τὰς σκηνικὰς διώρθωσαν βίβλους, Λυκόφρων μὲν τὰς τῆς κωμῳδίας, Ἀλέξανδρος δὲ τὰς τῆς τραγῳδίας, ἀλλὰ δὴ καὶ τὰς σατυρικὰς... τὰς δὲ γε σκηνικὰς Ἀλέξανδρος τε, ὡς ἔφθην εἰπών, καὶ Λυκόφρων διωρθώσαντο. τὰς δὲ γε ποιητικὰς Ζηνόδοτος πρῶτον καὶ ὕστερον Ἀρίσταρχος διωρθώσαντο (Anon. *Prol. de. Com.*), “One should know that Alexander Aetolus and Lycophron of Chalcis made a *diōrthōsis* of the stage texts at the urging of Ptolemy Philadelphus; Lycophron did the comedies, Alexander did the tragedies as well as the satyr plays...as I was saying before, Alexander and Lycophron made a *diōrthōsis* of the stage texts. Zenodotus first, and Aristarchus later, made a *diōrthōsis* of the poetic texts.”

⁴⁹¹ D. L. 5.1.26 gives the Aristotelian titles. Pickard-Cambridge 1953: 69–70; Pfeiffer 1968: 81. For the Attic inscriptions, we now have welcome new editions in Millis and Olson 2012.

⁴⁹² Compare the counter-claims the Megarians and Sicilians made against the Athenians over priority in drama (Arist. *Po* 1448a-b).

consequence, thereby earning the derision of Cicero.⁴⁹³ Per Accius, Livius first performed at the *Ludi Iuuentatis* of Livius Salinator in 197 or 191 BCE, by which time, Cicero reminds us, Plautus and Naevius would have been long established.

More importantly the community of dramatic professionals at Rome was regulating its craft and narrating its own history. Even as a green playwright, we are told, Accius was preoccupied with his position within the dramatic canon. On a trip to Asia, Accius lodged in Tarentum with the aged and ill Pacuvius, to whom he recited his *Atreus*—very much a work-in-progress according to the latter.⁴⁹⁴ In addition, it is possible that during this stayover the young Accius checked into Livius’ background and early career at local archives in Tarentum. Accius would later boast that he, then thirty years old, and Pacuvius, then eighty, highlighted the same festival. Surely it was Accius’ *Didascalía* that marked the coproduction as a passing of the torch.⁴⁹⁵ Likewise another pre-Varronian tragedian, Pompilius, gave his own poetic genealogy thus in an epigram: “I am called the student of Pacuvius, and he used to be Ennius,’ and Ennius the Muses’; I am named Pompilius.”⁴⁹⁶ At a later date and in a work *De Poetis*, Volcaciuss Sedigitus gave a ranking of all the Roman comedians in senarii.⁴⁹⁷ Roman playwrights were establishing a pecking order, and membership in the guild of stage poets was even another pathway for recognition and status.

⁴⁹³ Cic. *Brut.* 72–3. See Manuwald 2011: 188–90 for the full range of sources on this bifurcated tradition of high-date, low-date Livius. Curiously absent is any mention of Mattingly 1957.

⁴⁹⁴ Gel. 13.2. Gellius’ sources are not known, but given the emphasis on Accius’ response to Pacuvius’ critique, one suspects Accius himself is one of the sources.

⁴⁹⁵ *Accius isdem aedilibus ait se et Pacuuium docuisse fabulam, cum ille octoginta, ipse triginta annos natus esset* (Cic. *Brut.* 229), “Accius says that he and Pacuvius produced a play for the same aediles, when [Pacuvius] was 80, and Accius was 30 years old.”

⁴⁹⁶ *Pacui discipulus dicor, porro is fuit [Enni], | Ennius Musarum. Pompilius clueor* (Non. 88M). Nonius is quoting one of Varro’s *Menippeans*, which was quoting Pompilius. Varro also quotes Pompilius at *L.* 7.93 for a senarius (cf. Courtney 1993: 51).

⁴⁹⁷ Gel. 15.24.

Another staple of Alexandrian philology was textual organization, and there are reports that texts were edited and re-edited in the Gracchan era. We already noted that basic critical signs were imported to Rome at this time, while an impulse for stricter arrangements seems to have accompanied them. Notably Gaius Octavius Lampadio divided Naevius' *Bellum Punicum* into seven books.⁴⁹⁸ A generation later, the grammarian Santra apparently read Lampadio's edition of the *Bellum Punicum*.⁴⁹⁹ Modern scholars have compared Lampadio's projects on Roman epic to the recension of the Homeric texts into units of 24 books, each assigned to a letter.⁵⁰⁰ Gellius reports that centuries later imperial booksellers were hawking editions of Ennius purporting to have passed through Lampadio's hands.⁵⁰¹ The Lucilian corpus meanwhile was circulated in at least two volumes, the second of which, comprising Books 26–30 is organized metrically (roughly, septenarii > mixed iambo-trochaics > hexameters). Hellenistic recensions of Sappho's poems by meter perhaps anticipate the Lucilian divisions, as well as the ones found in the Catullan *libellus/-i*.⁵⁰² Whatever basis was used, book divisions became standard in the publishing industry.

We come at last to Suetonius' history of the spread of *grammatica* at Rome after the model of Crates:

hactenus tamen imitati [sc. Cratetem], ut carmina parum adhuc diuulgata uel defunctorum amicorum uel si quorum aliorum probassent, diligentius retractarent ac legendo commentandoque etiam ceteris nota facerent; ut C. Octavius Lampadio Naeuii Punicum bellum, quod uno uolumine et continenti scriptura expositum diuisit in septem libros: ut postea Q. Vargunteius annales Ennii, quos certis diebus in magna frequentia

⁴⁹⁸ see *infra*.

⁴⁹⁹ Santra *De Verborum Antiquitate* III 'quod uolumen unum nos lectitauimus, et postea inuenimus septifariam diuisum' (Non. 170M), "Santra in Book 3 of *The Ancient Pedigree of Words*, 'I have read that one volume, and afterwards I found one divided into seven parts.'"

⁵⁰⁰ Pfeiffer 1968: 116; Kaster 1995: 65. Seven, we might remember, is a lucky and meaningful number for the Romans.

⁵⁰¹ Gel. 18.5.11. cf. Fro. *Aur.* 1.7.4.

⁵⁰² On Sapphic recension, see Page 1955: 318ff; Hutchinson 2008: 8–10 (citing *P. Köln Inv.* 21351 + 21376).

pronuntiabat; ut Laelius Archelaus Vettiusque Philocomus Lucilii satyras familiaris sui, quas legisse se apud Archelaum Pompeius Lenaeus, apud Philocomum Valerius Cato praedicant. (Suet. *Gram.* 2.3–5)

Nevertheless, they imitated [Crates] in so far as whatever poems they approved that had been little publicized up to that point, whether they belonged to dead friends or other people, they would examine these thoroughly and by reciting and commenting on them they would make the poems known to others. Just so Gaius Octavius Lampadio divided Naeivius' *Punic War* into seven books, which had been circulated in a single roll (with cramped writing too); so too at a later date did Quintus Vargunteius treat Ennius' *Annals*, which he would perform on pre-advertized days among a great crowd; and likewise Laelius Archelaus and Vettius Philocomus did with their friend Lucilius' *Satires*, which Pompeius claims to have read with Archelaus, and Valerius Cato claims to have read with Philocomus.

Suetonius has just narrated how Crates of Mallus first transported—*intulit*, Horace's verb!—*grammatica* to Rome ca. 167 BCE.⁵⁰³ Crates' arrival is marked as an act of translation, as he replaced an original tradition of literary studies at Rome led by *poetae et semigraeci* (= *Livius et Ennius*).⁵⁰⁴ The whole melodrama of Crates' embassy is suspiciously coincidental, all the same, and bears the fingerprints of a self-deprecating and abashed later scholastic tradition. We are to believe that: Crates, peer of Aristarchus (*Aristarchus aequalis*), was on embassy business for an Attalid king, broke his leg, and gave public lectures on literature while he convalesced, which then provided a model for inspired Romans to follow (*nostris exemplo fuit ad imitandum...*, thence our passage).⁵⁰⁵ Suetonius later must qualify oversimplifications in the opening part of the

⁵⁰³ For date, see Kaster 1995: 59–60. The allusive chain runs: *Poenico bello secundo Musa pinnato gradu | intulit se bellicosam in Romuli gentem feram* (Porcius Licinus fr.1 Courtney, tr.⁷); *Graecia capta ferum uictorem cepit et artis | intulit agresti Latio* (Hor. *Ep.* 2.1.156–7); *primus igitur, quantum opinamur, studium grammaticae in urbem intulit Crates Mallotes, Aristarchi aequalis* (Suet. *Gram.* 2.1).

⁵⁰⁴ ...*antiquissimi doctorum, qui idem et poetae et semigraeci erant—Liuivum et Ennium dico...* (Suet. *Gram.* 1.2), “the most ancient learned people, who were both poets and half-Greek—I mean Livius and Ennius.”

⁵⁰⁵ *primus, igitur, quantum opinamur, studium grammaticae in urbem intulit Crates Mallotes, Aristarchi aequalis: qui missus ad senatum ab Attalo rege inter secundum ac tertium Punicum bellum sub ipsam Enni mortem, cum regione Palati prolapsus in cloacae foramen crus fregisset, per omne legationis simul in ualetudinis tempus plurimas acroasis subinde fecit assidueque disseruit ac nostris exemplo fuit ad imitandum* (Suet. *Gram.* 2), “Crates of Mallus was the first one, as far as I am concerned, who imported *grammatica* to Rome; he was the peer of Aristarchus. He was sent to the senate by a king Attalus between the second and third Punic Wars, around the date of Ennius' death (ca. 169 BCE). After he broke his leg on the opening of a sewer, for the whole duration of the

tract on *grammatica*: many *semigraeci* were still employed in Roman *grammatica* after Crates; these *grammatici* sometimes taught rhetoric too, as the disciplines were not so distinct,⁵⁰⁶ some still were poets themselves, like Valerius Cato. But Suetonius' general case for public readings and private tutorials fits our evidence. Surely too his embellishment of Crates' misfortune reflects genuine debts of Roman *grammatica* to Hellenistic centers of learning.

Greek instructors of literature quickly became in demand in Italy. Johannes Christes has made the fascinating observation that many of the ethnic Greeks whom Suetonius names as *grammatici*—e.g. Archelaus, Philocomus, and Lampadio—were 1) *grammatici Latini* (“instructors of Latin” instead of Greek); and 2) were probably *uernae*—slaves in or born to Roman elite households—or freedmen, formerly *uernae*. Christes' case rests on the trio's irregular names and the other scant pieces of their biographies.⁵⁰⁷ Suetonius of course had excluded the *grammatici Graeci* from *De Grammaticis*, but his account nevertheless suggests that already in the second century BCE Roman noble houses could count on a local circuit for training household slaves skilled in literary analysis.

Lucilius above all received exegetical attention since he had brandished his witty *Satires* against the Roman *nobiles* like a Hellenistic critic-poet. Whether written or remembered *uiuua uoce*, lessons on the *Satires* by Laelius Archelaus and Vettius Philocomus inspired the next generation of Lucilian readers. Pomponius Lenaeus, a student of Archelaus, composed a satire that savaged Sallust with rare insults mined from Lucilius.⁵⁰⁸ Curtius Nicias, a near-

embassy and his convalescence he made many and repeated lectures and taught constantly and was an example for our people to imitate.” Crates and Aristarchus are lumped together elsewhere, as in Str. 13.1.55.

⁵⁰⁶ Suet. *Gram.* 4.4.–5.

⁵⁰⁷ Christes 1979: 6–10, 165–179.

⁵⁰⁸ *Sallustium historicum...acerbissima satira lacerauerit, lastaurum et lurconem et nebulonem popinonemque...* (Suet. *Gram.* 15.2), “he lashed Sallust, the historian, with a very bitter satire, as a ‘cinaedus’ and a ‘guzzler’ and a ‘trifler’ and a ‘barfly.’” (I borrow the translation of Kaster 1995 for the last term.) Only *lastaurus* cannot be proven

contemporary, wrote *d/De Lucilio libri* that met with the approval of the grammarian Santra.⁵⁰⁹ Gellius meanwhile knew of multiple commentaries dedicated to Lucilius.⁵¹⁰ Their authorship must belong to this group of *grammatici*. Lastly, the lines inserted at the beginning of Horace's *S.* 1.10, and which probably are the work of an imperial grammarian, claim that Valerius Cato performed *emendatio* on the *Luciliana*.⁵¹¹ As Suetonius reports (above), Cato studied under Philocomus, the other original Lucilian commentator. This long critical afterlife of *Satires* is not a little ironic since Lucilius had professed that he did not want to be scrutinized by really learned people like Persius, a literary luminary of his day.⁵¹² Lucilius' wishes aside, the *Satires* would join Roman comedy and tragedy as the objects of intensive study by Gracchan and post-Gracchan-era scholars.

This same generation of Roman philologists created the first attested Roman glossaries, and once more we find precedent for their endeavor in the early Hellenistic period. Philetas of Cos wrote *Glossai*—*Ataktai Glossai* as they would become known (“Unordered Glosses”)—and Simias of Rhodes produced three books of *Glossai*, though scarcely any trace of them

Lucilian: *lurco* (75, 77 Marx), *nebulo* (468, 577 Marx), *popina* (11 Marx). According to Suetonius, Pompeius was defending the honor of his patron Pompey against Sallust. It is only fitting that he consulted the family poet for inspiration; Lucilius was the great-uncle of Pompey (Porphyrio and Σ ps.-Acr. *ad Hor. S.* 2.1.75).

⁵⁰⁹ Suet. *Gram.* 14.4. Nicias, like Lenaeus, had affinities with Pompey the Great, who was the grand-nephew of Lucilius (Suet. *Gram.* 14.1, where Nicias is associated with Memmius also). Naturally the family had a great stake in the legacy of the *Satires*. See precedig note.

⁵¹⁰ *hanc Lucilius poeta legem [sc. legem Fanniam] significat, cum dicit: 'Fanni centussis misellus.' in quo errauerunt quidam commentariorum in Lucilium scriptores, quod putauerunt Fannia lege perpetuos in omne dierum genus centenos aeris statutos* (Gel. 2.24), “the poet Lucilius refers to this law when he says ‘the miserable little hundred-penny of Fannius.’ On which point some writers of commentaries on Lucilius are wrong, because they think that by the *lex Fannia* one hundred pennies was the spending limit for every type of day.” It was one of the sumptuary laws, and their history is the subject of the chapter of Gellius.

⁵¹¹ *qui male factos | emendare parat uersus*, “[Cato] attempts to correct the poorly made verses.”

⁵¹² Cic. *Brut.* 99; *De Orat.* 2.25–6; *Fin.* 1.7; Plin. *Nat. pr.* 7.

survives.⁵¹³ On the other half of this comparison, Varro’s frenetic quotations in *De Lingua Latina* provide the best evidence for Roman glossography, which grew out of commentaries on the poets. He quotes “interpreters of glosses” (*qui glossemata interpretati*) for the understanding of *caelitum camilla* in Pacuvius’ *Medus* as “*ministra*” (i.e. “attendant of the gods”), the same line which Vergilian commentators say inspires Vergil’s invention of the character Camilla, “the attendant [sc. of Diana].”⁵¹⁴ Varro also explicitly cites “those who have written glosses” for religious vocabulary.⁵¹⁵ Earlier in the same book (7), Varro praises Aelius Stilo’s commentaries on the *Salian Hymns*, which picked apart the archaic vocabulary of its target text letter by letter.⁵¹⁶ Varro’s text in *De Lingua Latina* §66–70 even bears witness to an intermediate stage of glossography where vocabulary notes from the Plautine commentaries of Servius Clodius and Aurelius Opillus (and probably others) could be excerpted into a glossary of sorts.⁵¹⁷ The alphabetization of the source plays is followed, not the glossed words: *Astraba* (supporting

⁵¹³ See Pfeiffer 1968: 89–93, esp. on the $\mu\epsilon\lambda\alpha$ -glosses in *P. Hibeh* 72 as an additional witness to Hellenistic glossography, or part of Philetas’ work. Philetas’ fragments, mostly from Athenaeus and Hesychius, can be found in Kuchenmüller 1928.

⁵¹⁴ Var. *L.* 7.34 = Pacuvius 232 *Rib.*³. Cf. Serv. Auct. A.11.543; Macr. 3.8.7.

⁵¹⁵ *qui glossas scripserunt* (Var. *L.* 7.10; on *templa* as *tesca*, and therefore *sancta*). We have reports also of the later grammarian Ateius Philologus, who taught Sallust and Asinius Pollio on proper word usage (Suet. *Gram.* 10.6) and wrote a *liber glossematorum* (Fest. 181M). A collection of Roman religious glosses would match the Hellenistic reference work whence McNelis and Sens (2016: 39–43) suppose Lycophron culled his recherché cult titles for the gods and goddesses for the *Alexandra*. Many of the divine epithets in the *Alexandra* come in alphabetized chunks and retain the order of the lost source (ibid.). We know that lists of epicleses existed for each god/-dess and were organized alphabetically (e.g. *AP* 9.524, 525).

⁵¹⁶ *Aelii hominis in primo in litteris Latinis exercitati interpretationem Carminum Saliorum uidebis et exili littera expedita[m] et praeterita obscura multa* (Var. *L.* 7.2), “You will see that Aelius Stilo, the man with the foremost experience in Latin literature, rests his interpretation of the Salian Hymns from single letters, without which many things would be unclear.” The follow section, via genealogical metaphors, sets up Stilo as the father of Roman etymology.

⁵¹⁷ Nettleship (1880: 258) found other strings of “poetic” lemmata in *DLL* 7 arranged in alphabetical order that may be owed to more polished glossaries: *ancile, catus, cortina, duellum, Iugula, supremum, tempestas* (§43–51; cf. §9–12, §88–92, §98–101).

quotation from *Sitellitergo*)-*Cesistio*-*Neruolaria*-*Poenulus*-*Truculentus*.⁵¹⁸ That ordering belongs to some scholar's readthrough of the Plautine corpus, which we noted was alphabetized early on. But as one can discern neither rhyme nor reason for Varro's selection of poetic words here, and because so much of *De Lingua Latina* 7 depends on secondary works anyway, it is likely that this string hails from another scholar of Plautus—some of the sources are not even true Plautine plays in Varro's view.

Poetic rivalries were another Alexandrian import, down to debates over spelling conventions. Long ago, none other than the famed linguist Ferdinand Sommer recognized that Lucilius was using the humorous metaphor of “slim” and “fat” vowels (*tenuis* and *pinguis*, respectively) for instructive purposes, and that the amusing rationales behind his conservative orthographic precepts mirror those of Greek grammarians.⁵¹⁹ In several fragments, Lucilius demonstrates mnemonics for when the digraph *ei* should be retained to represent the historical diphthong *ei*, even though its current pronunciation had become \bar{i} . Of course \bar{i} had other sources. Per Lucilius, you can differentiate when to spell \bar{i} sounds with *ei* vs. *i* if only you remember that *ei* has more letters (i.e. *pinguius*; it is “fatter”). So, a thousand, because it is a big number, should have more letters, not *mille*, but *meille*.⁵²⁰ A single “ball” (*pīla*) or “pestle” (*pīlum*) properly would have just one *-i-*, but throw many “spears” (sg. *pīlum*) and now you have *peila*, which cannot be confused with *pīla*.⁵²¹ Likewise, the genitive singular of second declension nouns should only receive one *-i*, particularly gentiles in *-ius* (e.g. the poet himself, *Lucili*, “of

⁵¹⁸ Among other things, in this section Varro is careful to use bare play names without attribution to Plautus. Gellius doubted that the *Astraba* was Plautine, probably on Varro's authority (Gel. 11.7.5). Aurelius Opillus (cf. Festus 375M) and Servius Claudius (Var. l. c.) provide the only extant references to the *Sitellitergo*.

⁵¹⁹ Sommer 1909.

⁵²⁰ 358–9 Marx. *Miles* and *militia* are also felt to be collective (*meiles* and *meilitiam*).

⁵²¹ 359–61 Marx.

Lucilius”).⁵²² Individuals naturally should get a single *-i*. By the same logic, in the nominative plural we should use *-ei* in order to designate that a larger group is signified.⁵²³ In order to recall the third declension dative singular spelled as *-ei*, you should think of giving something (dative < *do*, “the giving case”) to a thief (*fur*, third declension), who so often “enlarge” themselves; they will take the extra *-e-* as *furei!*⁵²⁴ (It should not go without saying that Lucilius sometimes gets the historical phonology correct, but other times misapplies *-ei* analogically.)⁵²⁵ The *Satires* apparently also tackled consonant spellings. Consonant assimilation formed the core of some jokes, but we are missing context and the punchlines. My speculation: his first example, *abbibere* (< *ad + bibere*, “to drink away”), is acceptable because one slurs the consonants anyway when drunk;⁵²⁶ *accurrere*, “to run towards,” is likewise approved, because it is easier to muddle pronunciation when speaking in a hurry.⁵²⁷ Importantly, we cannot determine if Lucilius was speaking any of these lines in *propria persona*, so they may belong to a silly schoolteacher, like Accius.

One of the targets of the “Lucilian” spelling reforms indeed was Accius. Accius used digraphs for all long vowels, either geminating (*aa* for *ā*) or employing diphthong spellings for monophthong sounds (*ei* for *-ī* in all cases).⁵²⁸ Lucilius, on the other hand, had reduced *-ei* to the cases above, and furthermore argued that Latin vowel spellings indifferent to length had good footing in the alternate Homeric scansion of Ares’ name (Ϝ–); the *Ars Grammatica* of Dionysius

⁵²² 362–3 Marx.

⁵²³ 364–6, 369–70 Marx.

⁵²⁴ 367–8 Marx.

⁵²⁵ Cf. Weiss 2009: 220–5 (second declension endings); 243–6 (third). *Pīlum* was not spelled *peila*, as the ancient *Carmen Saliare* shows. Lucilius elsewhere seems to explain the archaic genitive ending in *-āī* (*GRF F 11*).

⁵²⁶ 374 Marx.

⁵²⁷ 375–6 Marx.

⁵²⁸ See *GRF F 24* for the many references. Gemination is usually limited to first syllables (e.g. Osc. **maakkiis**, *ST nCm 7b*, *nomen gentilicum*; Μάαρκος, praenomen transliterated in Greek; *paastores* *CIL X 6950*, Gracchan era).

Thrax, Lucilius' contemporary and Aristarchus' student, looks like the source.⁵²⁹ Accius nevertheless did adopt some hyper-Greek habits:⁵³⁰ -gg- to represent -ng- (nasalization),⁵³¹ *Hectora* (acc. sg.) with Greek inflection for *Hectorem*;⁵³² *scena* (< σκηνή) for *scaena*.⁵³³ Lucilius, in contrast, could be compared by critics to more subtle Hellenizing poets, like Calvus and Catullus.⁵³⁴

Some Accian pedantry, however, may have not have been purely academic, but nugatory like the reasoning of the Lucilian speller. Among the *opera minora* of Accius were the *Parerga* (lit. "Side Projects"), *Pragmatica* ("Stage Manual," a hypercorrected form of *Dramatica*?), and *Sotadica*, poems written in a meter with a ribald reputation.⁵³⁵ In the very first book of *Didascalica*, Accius made an attempt to date Hesiod before Homer because Homer assumes Achilles' father Peleus was a familiar figure to the audience. They only would know of Peleus, Accius reckons facetiously, through Hesiod's genealogies. Furthermore, Accius finds the description of Homer's cyclopes less arresting than it should be because the monsters already had been spoiled by the *Theogony*. Certainly Accius' logic is ridiculous and lies beyond the

⁵²⁹ *aa primum longa, [a] brevis syllaba. nos tamen unum | hoc faciemus et uno eodemque ut dicimus pacto | scribemus 'pacem-placide; lanum, aridum-acetum,' | Ἄρες Ἄρες Graeci ut faciunt* (352–5 Marx), "[Accius says] first off spell 'aa' for a long syllable, 'a' for a short one. We, on the other hand, will write 'pācem vs. plācide; lānum and āridum vs. ācetum.'" Dionysius uses Ares as the example to prove the same point (D. T. p. 18, 20 Uhlig). Cf. Marx 1904.2: 352. The Homeric line in question is Hom. Il. 5.31, which likewise opens Ἄρες, Ἄρες...

⁵³⁰ And yet he did not accept the letters Y and Z (*GRF* F 26).

⁵³¹ *GRF* F 25.

⁵³² *Accius Hectorem nollet facere, Hectora mallet* (Var. L. 10.70). It is a hexameter of Valerius Soranus poking fun at Accius.

⁵³³ *GRF* F 23.

⁵³⁴ In *Sermo* 1.10, Horace reports two sets of remarks that literary critics used to defend poets like Lucilius: *at magnum fecit, quod uerbis Graeca Latinis miscuit* (20), "but he did a great thing mixing Greek and Latin words"; *at sermo lingua concinnus utraque | suavior, ut Chio nota si commixta Falerni est* (23–4), "but talk is more harmonious and sweet with mixed languages, like when you mix a cask of Falernian with Chian wine." The intimation is that Lucilius tastefully blended his Greek and Italian wines.

⁵³⁵ Scholars cannot agree whether these are in verse, prose, or quote others. On *pragmatica* vs. *dramatica*, see Arist. *Po.* 1448a–b. The title *Pragmatica* (< πράττω, Attic) would suggest Accius prioritized Athenian drama over its Doric/Sicilian competitors, despite his proximity to the latter. Otherwise, Accius would have titled the work *Dramatica* instead (< δρᾶν, Doric).

scope of a work titled “Production Notices.”⁵³⁶ Such absurd anachronism is reminiscent of the conceit of Callimachus’ *Iambus* 1, the contest for the Cup of Bathycles, where Callimachus has Thales learn Pythagorean geometry before Pythagoras’ birth. (A solution: Pythagoras made the discovery during his incarnation as the Trojan Euphorbus, from whom Thales learned it.)⁵³⁷ The other fragments of the nine (!) books of *Didascalía* seem discursive and full of learning (< διδάσκω): Accius divides types of *poemata* for the addressee, Baebius; stage implements are listed; Euripides is chastised for his handling of the chorus; messengers for abbreviating their news.⁵³⁸

What we discover in the fragments of Lucilius and Accius are budding contests of wit between poets. Horace recalls Lucilius’ own raillery in defense of his own sport at Lucilius’ expense:

nil comis tragici mutat Lucilius Acci?
 non ridet uersus Enni gravitate minores
 cum de se loquitur non ut maiore repressis? (*S.* 1.10.53–5)

Does Lucilius not alter a bit of the tragedian Accius in a friendly way? Does he not chuckle at verses of Ennius lacking in solemnity, while speaking of himself as no greater than those rebuked?

Porphyrio, Horace’s commentator, adds here that Lucilius teased Accius most of all in Book 3 (*Iter Siculum*), as well as in Books 9 (spelling) and 10.⁵³⁹ Horace’s “comitragic” phraseology suggests Lucilius reworked some of Accius’ heavy scenes into funnier or bawdier ones. That is how he parodied Ennius at any rate. Servius says that Horace’s second comment refers to an instance when Ennius had described a battlefield as “bristling (*horret*) with spears,” to which

⁵³⁶ Gel. 3.11.4–5.

⁵³⁷ I owe this observation to Laura Marshall (2020).

⁵³⁸ *GRF* F 8, 7, 6, 5, respectively.

⁵³⁹ Porph. *S.* 1.10.53.

Lucilius appended *et alget* with the sense “[the battlefield] shudders and shivers” (trans. Warmington).⁵⁴⁰ Sander Goldberg proposes attractively that Lucilius assigns to Ennius the fault Greek grammarians identified as τὸ ψυχρόν, “coldness,” wherein a poet extends a metaphor *ad absurdum*, just as here the earth is personified with spear-hairs standing on end.⁵⁴¹ Generally Lucilius tackled poets in the meter he found them, epic poets in the first volume of hexameters, dramatic poets in the second of iambo-trochaics.⁵⁴² Few were spared. Gellius lists Lucilian targets as Ennius, Caecilius Statius, Terence, Pacuvius, and Accius, the whole canon up to Lucilius’ day in other words.⁵⁴³ Some Lucilian barbs have received special attention over the years, such as a fragment lampooning the excessively downtrodden tragic figures that began Pacuvian plays.⁵⁴⁴ Something was said about Accius’ looks and bearing as well.⁵⁴⁵ Bantering Lucilian interlocutors quipped from the *Iliad* and *Odyssey* by memory.⁵⁴⁶

Words of caution are required, however, before one presses every possible fragment as metaliterary. We often cannot tell whether it is Lucilius *poeta* or one of his *personae* who calls out rival poets. Moreover it is very precarious to posit intertexts between Lucilian lines and other second-century-BCE poets given the fragmentary states of their respective corpora; what are the chances that one line preserved from a lost work conveniently references another such line in yet

⁵⁴⁰ Serv. *A.* 11.601–2 = 1190 Marx.

⁵⁴¹ Goldberg 2018: 52.

⁵⁴² Plautus: 736 Marx = *Merc.* 397; 771 Marx = *Poen.* 351 (line end); 1094 Marx = *Mil.* 4 (book 30, hexameters of volume 2 of Lucilius, see below); Terence: 782 Marx = *Ad.* 543, *Ph.* 965 (line end); 843, 5 Marx (character Gnatho taken from *Eu.*); 950 Marx (character Pamphila taken from *An.* and *Hec.*).

⁵⁴³ *neque magno interuallo postea Q. Ennius et iuxta Caecilius et Terentius et subinde et Pacuuius et Pacuuius iam sene Accius clariorque tunc in poematis eorum obtrectandis Lucilius fuit* (Gel. 17.21.49), “not long after [sc. Plautus] there was Quintus Ennius and next Caecilius and Terence and then both Pacuvius and Accius, when Pacuvius was an old man, and then Lucilius, rather dignified in disparaging them all.”

⁵⁴⁴ *uerum tristis contorto aliquo ex Pacuuiano exordio* (875 Marx), “but a sad figure from the convoluted start to a Pacuvian play.”

⁵⁴⁵ *quare pro facie, pro statura Accius* (794 M).

⁵⁴⁶ e.g. 231, 490–1 Marx.

another work? A conservative approach therefore is demanded when identifying connections between Lucilius, Accius, and Pacuvius.⁵⁴⁷ In addition, frequently it is impossible to recover the direction of many plausible intertexts, i.e. who is alluding to whom, as the relative timing of Gracchan-era works cannot always be hammered down. Therefore one is best served by relying on ancient readers of second-century-BCE literature as guides rather than modern intuitions about the fragments and their allusions. And the ancient authorities speak unequivocally of the lively, engaged, and competitive intellectual atmosphere during the Gracchan period.

4.3.1 *Lexis Compostae*: The Stakes of Greek Technical Vocabulary

Case studies from Lucilius' *Satires* will illustrate how far the technical vocabulary of Greek literary critics had suffused Roman elite discourse in the late second-century-BCE Rome. For we find the longstanding argument over the distinction between poetic form (*poema*) and content (*poesis*) in the *Satires* of Lucilius of all places.⁵⁴⁸ A brief history of the debate will be required to appreciate the sophistication of Lucilius' sojourn into the topic.⁵⁴⁹ The Aristotelian line of inquiry in the *Poetics* had encouraged the partitioning of poetry (*poiētikē*), which the grammarian Neoptolemus of Parium (third century BCE) refashioned into the tripartite division: poet (*poiētēs*), form (*poēma*), and content (*poēsis*). Horatian scholars, C. O. Brink foremost, have tried to impose Neoptolemus' structure on Horace's meandering *Ars Poetica* with appeals to the

⁵⁴⁷ A provisional list follows. Intertext with Pacuvius' *Antiopa*: 597 Marx); Pacuvius' *Chryses*: 653 Marx ≈ Pacuvius 112 Rib.³, 876 Marx.

⁵⁴⁸ Throughout this discussion I will use the Latin transliterations *poesis* and *poema* for Greek ποιήσις and ποίημα, respectively.

⁵⁴⁹ Fuller ancient testimonia are gathered in Marx 1904: 2.129–31.

commentator Porphyrius's account that Horace "compiled Neoptolemus' principle teachings" for his own *Ars*.⁵⁵⁰

What becomes readily apparent, however, is that formalist debates over the *poema/poesis* dyad had arrived in Rome at a much earlier date. Posidonius, the Roman-aligned Stoic and polymath, defined *poema* in *Peri Lexeōs* as "wording in meter (*lexis emmetros/enrhythmos*) which by design avoids the patterns of everyday speech (*to logoeidos*)."⁵⁵¹ He elaborated that *poiesis* was a subset of *poema*, a "*poēma* with symbolism/meaning (*sēmantikon poiēma*), which presents a representation (*mimēsis*) of Gods and humans." Essentially, Posidonius removed *poetēs* from the confines of their craft of *poiētikē*, the same modification to Neoptolemus' scheme which is proposed by Philodemus, who even considered redefining *poiēma* literally as "word works" (*erga*) following its deverbilization—i.e. noun formations in *-ma*—and *poēsis* as something like a textual fabric (*hyphē*, "weaving") that brings together different strands of a larger story.⁵⁵²

Outside of Aristotle and Neoptolemus themselves, the earliest witness to the Greek *poema/poesis* tradition surprisingly is Lucilius. The passage is one of the fullest in Lucilius' corpus, the longest in a series of Lucilian quotations in Nonius Marcellus' fifth book *De Differentia Similium Significationum* "On the Difference between Similar Words in Meaning."

One must excavate its linguistic strata *in situ*:

POESIS ET POEMA hanc habent distantiam. poesis est textus scribtorum; poema inuentio parua quae paucis uersibus expeditur.

⁵⁵⁰ *In quem librum congegit praecepta Neoptolemi τοῦ Παριανοῦ de arte poetica, non quidem omnia, sed eminentissima* (Porph. *Ars* pr. 1). Brink 1963: 55–74 is germane to the arguments here.

⁵⁵¹ Ποίημα δέ ἐστιν, ὡς ὁ Ποσειδώνιος φησιν ἐν τῇ Περί λέξεως εἰσαγωγῇ, λέξις ἔμμετρος ἢ ἔνρυθμος μετὰ σκευῆς τὸ λογοειδὲς ἐκβεβηκυῖα· τὸ ἔνρυθμον δ' εἶναι τὸ 'γαῖα μεγίστη καὶ Διὸς αἰθῆρ.' ποίησις δέ ἐστι σημαντικὸν ποίημα, μίμησιν περιέχον θεῶν καὶ ἀνθρωπείων. (D.L. 7.60).

⁵⁵² Compare Gk. ῥαψῳδός, "oral poet," < ῥάπτω, "to stitch," by popular etymology.

Lucilius *Satyrarum* lib. VIII:

non haec quid ualeat, quidue hoc intersiet illud,
cognoscis. primum hoc, quod dicimus esse poema.
pars est parua poema [...]

‘– √ epistula item quaeuis non magna poema est.
illa poesis opus totum, (tota[que] Il[i]as u[n]a
est, una ut θέσις *Annales* Enni) atque [opus] unum
est, maius multo est quam quod dixi ante poema.
qua propter dico: nemo qui culpat Homerum,
perpetuo culpat, neque quod dixi ante poesi[n]:
uersum unum culpat, uerbum, entymema, [locum unum].’ (Here I print 338–47 Marx.)⁵⁵³

Varro *Parmenone*:

poema est lexis enrhythmos, id est, uerba plura metricae in quandam coniecta formam.
itaque etiam distichon, epigrammation uocant poema. poesis est perpetuum argumentum
ex rhythmis, ut *Ilias* Homeri et *Annalis* Enni. poetice est ars earum rerum. (Non. 428M)

POËSIS AND POËMA have the following distinction. *Poësis* is the writers’ fabric;
poëma is a little novelty which runs its course in a few lines.

Lucilius, in Book 9 of *Satires*:

‘You do not know what these words mean, how the one differs from the other. The first is
what I have called *poëma*. *Poëma* is a small piece.

Likewise any epistle counts as a not very big *poëma*. *Poësis*, on the contrary, is a whole
work—just as the whole *Iliad* and the *Annales* of Ennius are one setting—and it is a
single work, one much greater than what I have just called a *poëma*. For this reason I say:
there is nobody who finds fault with Homer and finds fault with him all the time for his
poësis, as I just defined it; they find fault with a single line, a word, a poetic device, a
lone passage.’

Varro, in *Parmeno*:

‘*Poëma* is prosodic wording, that is, many words connected into some mold by meter. So
too do they call a little two-line epigram a *poëma*. *Poësis* is a continuous plot in meter,
like the *Iliad* of Homer and the *Annales* of Ennius. *Poëtikē* is the craft of these things.’

⁵⁵³ Warmington’s conjectures for his fr. 401–10 are not convincing.

Varro’s account seems to respond to both Lucilius and Posidonius, two thinkers of the prior generation who had a profound impact on Roman philology. He recycles the Posidonian definition of *poēma* verbatim (= *lexis enrythmos*) in addition to Lucilius’ citation of the *Iliad* and *Annales* as *poēseis*—and in that order. Oddly, some scholars have suggested that the Roman grammatical authorities, Lucilius and Varro (and Nonius too for that matter), shifted the semantics of *poēsis* from “unity of composition” to a criterion of “length.” This is no neologism, but Aristotelian originalism: “in my view, tragedy consists of the representation of a complete and whole action which has some magnitude (*megethos*); for nothing is whole unless it has magnitude.”⁵⁵⁴ Lucilius or his interlocutor no doubt does blend Latin and Greek metaphors with the analogy based on size, *parua: poēma:: maius: poēsis*. For *paruus* and *maius* are also imbued with the moral connotations in Latin of “worthless” (e.g. *parui pretii*, “of little value”) and “austere” (e.g. *maiores*, “the ancestors”), respectively. In that way, *maior poēsis* performs an admirable sociological translation of the lofty *megethos* of the Greek epo-tragic genres to the heroes of Roman history enshrined in Ennius’ *Annales*.⁵⁵⁵ Poetry too swollen, however, still risked violence to Callimachus’ aphorism that a big book equates to a big evil (μέγα βιβλίον, μέγα κακόν), and Lucilius was not one to withhold his opinion when Ennius waxed too great.⁵⁵⁶

In another episode of the *Satires*, Lucilius restaged poetic shoptalk as the litigants Scaevola and Albucius in a *repetendarum* case verbally jostled with one another. Scaevola took a shot at the eloquence of his Greekling prosecutor:

‘quam lepide lexis compo[st]ae ut tesserulae omnes
arte pauimento atque emblemate uermiculato.’ (84–5 Marx)

⁵⁵⁴ Arist. *Po.* 1450b.

⁵⁵⁵ *Mega* and *maius* are of course cognate, < PIE **meg(h₂)*.

⁵⁵⁶ See Pfeiffer 1968: 465 for discussion of Callimachus’ view.

How finely was you diction put together!—like all the tiles set skillfully in flooring and snaked in a mosaic.

Scaevola’s own words are pregnant with philological references. Chronologically, the next extant usage of *lepidus* would come in the dedication of Catullus’ *libellus*, which renders *lēptos*, the Hellenistic aesthetic term for the learned, refined style (lit. “husked”).⁵⁵⁷ The phrase *lexis com + pos(i)tae* meanwhile is a calque on Gr. *syn + tithēmi* (lit. “placing together”). Again Lucilian Satire seems to retread Aristotle’s seminal codifications: “I define *lexis* itself as the composition (*synthesis*) of metrical units” (my emphasis).⁵⁵⁸ The Latin–Greek gamesmanship carries through Scaevola’s simile. While the terms *emblēma* and *lexis* remain essentially Greek loanwords, a Latinate suffix has been grafted onto *tesser-ula*, and “wormy,” *uermiculatus*, offends Hellenic ears on its opening sound /w/. Scaevola makes sure to end his rebuke with a Latin punchline: Albus is a worm, a snake skinned in Greek refinements.

For Lucilius, specialized vocabulary is a weapon deployed in the lawcourt, and most often marks unsavory politicians. Elemental physics, for instance, appears in Lucilius’ punning description of Lentulus Lupus, a one-time *de repetundis* defendant himself, who was ready to destroy his legal opponents on an atomic level (*ἀρχαῖς... stoichiis*; cf. Lucretius’ use of *principia*). In a universe composed of four elements—fire, water, earth, and air—Lupus could deny someone accused *in absentia* access to fire and water, the legal formulation for exile being *igni cum et aqua interdicere*; or at a full trial Lupus could deny all four *stoicheia*, adding body and spirit, by securing a conviction and execution.⁵⁵⁹ These particular standing courts, the

⁵⁵⁷ Catul. 1.1.

⁵⁵⁸ λέγω δὲ λέξι μὲν αὐτὴν τὴν τῶν μέτρων σύνθεσιν (Arist. *Po.* 1449b).

⁵⁵⁹ *hoc cum feceris, | cum ceteris reus una tradetur Lupo. | non aderit: ἀρχαῖς hominem et stoichiis simul | priuabit, igni cum et aqua interdixerit. | duo habet stoechia, adfuerit anima et corpore | (γῆ corpus, anima est πνεῦμα): posterioribus | stoichiis, si id maluerit, priuabit tamen* (784–90 Marx), “when you do this, you will hand the

quaestiones, formed exclusive clubs indeed and consisted exclusively of jurors belonging to the equestrian and senatorial orders. As such *quaestiones* were the perfect display venue for aristocrats to weaponize their intellect against rivals among their peers. And for the banter to land, one had to use technical jargon correctly. Like a stenographer, Lucilius took care to reproduce the climate of the Gracchan courtroom accurately.

4.4 The *Garland of Meleager* and Rome

More than just Hellenistic technical manuals were transported to Italy, but also major works of literature. One of the most important vehicles of Hellenistic literature was the *Garland of Meleager*, and its arrival at Rome marked a landmark event for Latin poetry. Traditionally the date of the *Garland*'s composition has been sandwiched between the floruits of Archias and the philosopher-poet Philodemus, as the former is the youngest known epigrammatist whom Meleager included in the anthology, whereas Meleager did not include poems from Philodemus even though they were countrymen. (Surely Meleager would have featured Philodemus' poems, if available, goes the rationale.) Helpfully, Kilian Fleischer has revised the career dates of Philodemus, who studied in Alexandria ca. 90–85 BCE, and Athens 85–75 BCE, once that city had recovered from its role in the Mithridatic War. It seems improbable that Philodemus could have escaped the notice of Meleager by the 80s BCE, which leaves a rough figure for the *Garland* of 102 BCE (arrival of Archias at Rome) to ca. 90 BCE.⁵⁶⁰ The Roman epigrammatist

defendant and the rest of them over to Lupus. If the accused does not show up, [Lupus] will strip him of his principal elements; he will exile him [lit. 'prohibit him from fire and water']. He has two elements left; he will show up in body and soul (gē is body, and pneuma is soul). If Lupus wants to, nevertheless he will strip him of these last elements [i.e. execute the convict]."

⁵⁶⁰ Fleischer 2018.

Lutatius Catulus died in 87 BCE, and he was a keen reader of the *Garland*, so that date remains the hard *ante quem*.

Aulus Gellius gives the key testimony to the quality of Roman epigram that the *Garland* inspired. Gellius had been invited to a symposium hosted by an equestrian from the province of Asia, where the attendees were doing their best impression of the *Symposium* by quoting love poetry of Anacreon and Sappho in honor of the god/-dess Love (Gel. 19.9).⁵⁶¹ Quickly talk devolved into an East-West contest, with the poets of Asia coming out on top. Everybody degraded Latin poets meanwhile, even Catullus and other “neoterics” like Calvus, until a Spanish rhetorician, Antoninus Julianus, responded with an assortment of love poems from an even older generation of Latin epigrammatists, Porcius Licinus, Valerius Aedituus, and Lutatius Catulus (cos. 102 BCE).⁵⁶² Gellius himself concurred with Julianus, who mused: “I think nothing in Greek or Latin can be found that is more elegant, charming, polished, and pure.”⁵⁶³ Though Gellius and Julianus were removed from these authors by some three centuries, most modern scholars trust the Antonine scholars’ sketch of the development of Roman epigram during the Gracchan period. Amiel Vardi has even revitalized the prospect that an anthology of Republican epigram modeled after the *Garland* was in circulation.⁵⁶⁴ At any rate philologists have been able

⁵⁶¹ The *Phaedrus* fits even more neatly as a model. Julianus in fact begs forgiveness for imitating Socrates in the *Phaedrus*: *permittite mihi, quaeso, operire pallio caput, quod in quadam parum pudica oratione Socraten fecisse aiunt*, “Allow me, I beg you, to cover my head with a cloak, what they say Socrates did in some rather embarrassing speech” (Gel. 19.9.9). This is just what Socrates does before expatiating on love (Pl. *Phdr.* 237a). What is more, Socrates cites the same combination of poets, Anacreon and Sappho, as the authorities on love at *Phdr.* 235c.

⁵⁶² Criticism of the neoterics and their generation: Gel. 19.9.7 (Catullus, Laevius, Hortensius, Helvius Cinna, and Memmius implicated). Certainly Julianus’ opinion belongs in spirit to other imperial revivals that preferred older Republican poets to the *recentiores* (cf. Mart. 11.90; Quint. *Inst.* 10.1.93; Tac. *Dial.* 23.1–3).

⁵⁶³ *quibus mundius, uenustius, limatius, tersius, Graecum Latinumue nihil quicquam reperiri puto* (Gel. 19.9.10). Julianus borrowed Catullus’ invocation of Love, da, Venus, consilium, as a closing flourish to the performance.

⁵⁶⁴ Vardi 2000. Apuleius lists the same trio as writers of *ludicri et amatorii uersus*, and in the same order as they are found in Gellius (Apul. *Apol.* 9).

to provide models from the *Garland* for several lines “translated” by the Gellian triad. The *Garland* materials are now housed in Book 12 of the *Palatine Anthology*, “Strato’s ‘Boyish Muse’ [*Mousa Paidikē*],” and can be matched to the Roman fragments as follows:⁵⁶⁵

1) quid faculam praefers, Phileros, qua est nil opus nobis?
ibimus sic, lucet pectore flamma satis (Aedituus fr. 2.1–2 Courtney)

Why do you carry a little torch, Loverboy, when we don’t need one? We will go like this; the flame is shining from our breast.

... ὦ βραχὺ φέγγος
λάμπαν ἐμοὶ μέγα πῦρ, Φανίον, ἐν κραδίᾳ (Meleager, *AP* 12.82.6)

O little torch, Phanion (= lit. “little torch”), you light a great fire in me, in my soul.

2) quaeritis ignem? ite huc; <totus hic> ignis homost.
si digito attigero, incendam siluam simul omnem
omne pecus; flammast omnia qua uideo (Licinus fr.)

You’re looking for fire? Go here. This guy is fire entire. If I touch him with a finger I’ll burn down the whole forest as well as the animals. Everywhere I look is fire.

φεύγετε, μὴ πρήσω τοὺς πέλας ἀψάμενος (Anonymous, *AP* 12.79.4)

Run away lest I burn everyone close by whom I touch.

3) aufugit mi animus; credo, ut solet, ad Theotimum
deuenit (Catulus fr. 1 Courtney)

My soul runs off—I think, as it usually does, it has arrived at Theotimus.

ἥμισύ μευ ψυχῆς ἔτι τὸ πνέον, ἥμισυ δ’ οὐκ οἶδ’
εἶτ’ Ἔρος εἶτ’ Αἰδης ἥρπασε, πλὴν ἀφανές.
ἢ ῥά τιν’ ἐς παίδων ὄχρετο; (Callimachus, *AP* 12.73.1–3 = 4 G-P)

Half of my soul still breathes; whether Eros or Hades has snatched the other half is unclear. Which one of the boys has it gone to?

⁵⁶⁵ Cameron dates Strato to the reign of Hadrian (1993: 69). We should not doubt that much of his selection comes from Meleager’s *Garland*. Poems 76–78 of Strato’s collection are found sequentially already in *P. Berol.* 10571 (1st cent. CE), which seems to be another anthology of homoerotic poems. See *BKT* V.1.75–76; Hutchinson 2008: 110.

The Roman responses to the *Garland* were sophisticated. Aedituus puns on the name of Meleager’s crush, Phanion (diminutive of φανός, “bright”), to whom he alludes with the etymology of *facula*, “a little torch” (< *fax*, “torch”)—though situated in the *pectore* rather than the *corde* (for καρδιά).⁵⁶⁶ Meanwhile Aedituus’ own eromenos receives the overboard name Phileros, “Love Loverboy.” Edward Courtney likewise notes the emotional one-upsmanship of Catullus’ Callimachean reception: “Catullus’ whole *animus*, not just half of it, is gone.”⁵⁶⁷

The poetry of Sappho was another deep wellspring for Gracchan-era poets. While many have recognized Catullus’ *Carmen* 51 as an adaptation of Sappho 31, the poem opening famously φαίνεται μοι (“He seems to me...”), we can see the influence of the last stanza of Sappho 31 already in one of Aedituus’ epigrams from the late second century BCE. Gellius and Julianus again are responsible for transmitting Aedituus’ epigram, which fits its Sapphic predecessor below:

ἴεκαδε μ’ ἴδρωσ ψῦχρος κακχέεται†, τρόμος δὲ
παῖσαν ἄγρει, χλωροτέρα δὲ ποίας
ἔμμι, τεθνάκην δ’ ὀλίγω ’πιδεύης
φαίνομ’ †αι
ἀλλὰ πᾶν τόλματον ἐπεὶ †καὶ πένητα† (Sappho fr. 31.13 L-P)

Then a cold sweat pours over me, and shaking seizes all of me, I’m paler than grass, and faint I seem to be on death’s doorstep—but I must dare all then, even what a poor man would.

per pectus manat subito [subido] mihi sudor;
sic tacitus, subidus, dum pudeo, pereo (Aedituus fr. 1. Courtney)

I’m soaked; sweat suddenly pours over my chest; so I die quietly, soaked, while I am ashamed.

⁵⁶⁶ I am not certain to whom I owe the recognition of this pun.

⁵⁶⁷ Courtney 1993: 76.

Courtney finds the alliteration and assonance clumsy, but such repetitions were an affectation of the age and a holdover of an Italic poetic heritage. One could just as easily construe the sibilant sounds in Aedituus' epigram as artfully connoting breathlessness or the winding course of sweat down a lover's body, but the quality of the Roman rendition is not really at issue.

For it is the grip of the *mousa paidikē* on Roman aristocrat men that has so astonished scholars, especially its hold on Catulus, a *consularis*. Catulus, all the same, had no qualms about role-playing in the *seruitio amoris*. In the piece quoted above, Catulus calls his Greek lover Theotimus the seat of his soul, which he compares to a safehouse for a runaway slave:

perfugium illud habet. qui, si non interdixem, ne illunc fugituum
mitteret ad se intro, sed magis eiceret?

It [= my soul] has that safehouse [= Theotimus]. If I had not forbidden him to take that fugitive slave inside him, would he have cast it out instead?

Theotimus in fact may have been Catulus' slave, and we do not know whether Catulus had a sexual relationship with Daphnis, his slave grammarian later manumitted, but he may have.⁵⁶⁸ In the other extant fragment of Catulan epigram, he professes his love for the actor Roscius with another nod to Sappho 31:

φαίνεται μοι κῆνος ἴσος θεοῖσιν | ἔμμεν' ὄνηρ. (Sappho fr. 31.1 L-P)

That man seems to me to be equal to the gods.

constiteram exorientem Auroram forte salutans
cum subito a laeua Roscius exoritur,
pace mihi liceat, caelestes, dicere uestra,
mortalis uisus pulchrior esse deo (Cic. *N. D.* 1.79 = Catulus fr. 2 Courtney)

⁵⁶⁸ Suet. *Gram.* 3. Daphnis was mocked as the “Darling of Pan,” Πανὸς ἀγάπημα, a play on the name he shared with the bucolic hero. Catulus probably was the “Pan” in question. Pliny (*NH* 7.128) confirms that Daphnis' first owner Aemilius Scaurus bought him at the ridiculous sum of 700,000 HS and then later sold Daphnis to Catulus at the same price (Suet. l.c.). See Kaster 1995: *ad loc.* Usually such high prices were reserved for *eromenoi*, which once had occasioned Cato the Elder's comment, in paraphrase, that it was a sure sign of moral decline when *eromenoi* cost more than farms (D.S. 31.24). He levied taxes against such exorbitant sales (Liv. 39.44).

By chance I was standing greeting the rising Dawn when suddenly Roscius got up from my left—forgive me for speaking on your affairs, heaven dwellers, but that mortal man seems to me to be more beautiful than a god.

Catulus turns Sapphic frustration into a successful liaison and a sunrise shared in bed.

Greek epigram clearly had made a deep imprint on the Roman elite class and drew its members into the orbit of Greek poets and professionals, like Roscius. Even cultural nativists like Mark Antony’s grandfather succumbed to the enticements of occasional poetry, if not intimacy with the poets themselves. In *De Oratore*, it is Antonius who paints his peer Catulus as a fan of the epigrammatist Antipater of Sidon.⁵⁶⁹ Throughout the dialogue Antonius meanwhile behaves as a Hellenophobe of the Catonian stripe, sharing a similar hypocritical attitude toward Greek culture: Antonius urges others to write technical manuals on oratory while disparaging the dense style of Greek philosophical treatises.⁵⁷⁰ What a surprise then excavators at Corinth unearthed during the 1926 field season when they found an epigram on a limestone block that the real Antonius had composed!⁵⁷¹

quod neque conatus quisquamst neque [adhuc meditatus]
noscite rem ut fama facta feramus uirei.
auspicio An[t]o[ni] Ma[rci] proconsule, classis

⁵⁶⁹ *Antipater ille Sidonius, quem tu probe, Catule, meministi* (Cic. *De Orat.* 3.194), “Antipater of Sidon, whom you remember fondly, Catulus.” The topic is the sprinkling of *clausulae* into oratory, which should not be so difficult, Antonius claims, if one considers the mastery of improvisation which Antipater acquired.

⁵⁷⁰ On the exhortation to write guides to oratory, see Cic. *De Orat.* 96. Sulpicius interjects, *sed ne te quidem, Antoni, multum scriptitasse arbitror* (Cic. *De Orat.* 2.97), “I don’t think you yourself, Antonius, have been accustomed to write all that much.” Later, however, Antonius claims to consult a work of his own making on the topic: *inueni tandem quem negaram in eo quem scripsi libello me inuenisse eloquentem* (Cic. *De Orat.* 3.189). On incomprehensible Greek philosophical texts, Antonius says: *haec dumtaxat in Graecis intellego, quae ipsi, qui scripserunt, uoluerunt uulgo intellegi. In philosophos uestros si quando incidi, deceptus indicibus librorum, quod sunt fere inscripti de rebus notis et illustribus, de uirtute, de iustitia, de uoluptate, uerbum prorsus nullum intellego: ita sunt angustis et concisis disputationibus illigati*, “I understand Greek literature in so far as the authors intended for it to be understood by common folks. If on the off chance I come across your philosophers, once thrown off by the titles of the books which cover familiar and important affairs—e.g. *On Virtue, On Justice, On Pleasure*—I don’t understand a word more. In such a way has their literature been constricted by narrow and esoteric arguments” (Cic. *De Orat.* 2.61).

⁵⁷¹ *CIL* I² 2662. For the discovery details, see Taylor and West 1928: 9–11.

Isthmum traductast missaque per pelagus.
iipse **i**ter **e**ire profectus Sidam, classem Hirrus Atheneis (5)
 pro praetore anni e tempore constituit.
 lucibus haec **p**aucis **p**aruo **p**erfecta tumulta
 magna [ac qu]om ratione atque salut[e simul]
 q[u]ei probus est lauda[t] quei contra est inu[idet illum]
 inu[ide]ant dum q[uos cond]eçet id u[ideant] (*CIL* I² 2662) (10)

Know what no one has attempted nor even thought of before, so that we may relay the deeds of a hero in fame. Under the command of the proconsul, Marcus Antonius, the fleet was carried across the Isthmus and sent across the sea. I myself left to travel to Side; Hirrus kept a fleet at Athens as propraetor owing to the weather at that time of the year. In just a few days, a small amount of time, these disturbances were ended—mindfully, as well as soundly. Whoever is good praises [Antonius]; whoever is not envies him. Let them be envious provided they are the type of person who is fit to view this [monument].

The block had been spoliated from a monument or temple nearby and still bore an older Greek inscription of ca. fourth century BCE on what had become its top side.⁵⁷² From the dimensions of the stone in its Antonian orientation, we can surmise that it cannot have supported anything substantial; it functioned as a stele, a display piece. The epigram's first editors, Lily Ross Taylor and Alan West, made its assignation to Antonius, whose name someone had attempted to chisel out half-heartedly once his triumvir grandson earned the family the demerit of *damnatio memoriae*.⁵⁷³ Letter shapes, orthography, and the character of the poetry all are consistent with a date around the turn of the first century BCE. The clinching evidence for authorship comes from line 5 of the epigram which reports the fleet's mooring at Athens, whence Antonius continued

⁵⁷² All that survives of the Greek inscription are the end-lines: -ονας ὅστις | vac -εχει (Taylor and West 1928: 9). With a *vacat* of unknown length, one resorts to guesswork, though a law/prohibition seems likeliest. Rather than supply [ιερομνάμ]ονας, I would prefer a threat like: και τας τούτων των ἀγαμάτων **εἰκόνας** και τιμὰς **ὅστις** ἢ καθέλοι ἢ μετακε<ι>νοίη, τούτω μήτε γῆν καρπὸν φέρειν μήτε θάλασσαν πλωτὴν εἶναι, κακῶς τε ἀπολέσθαι αὐτοὺς και γένος (*IG* II² 13194); in which case, Antonius' inscription flagrantly ignored this ritual prohibition *and* advertised that fact. (The top might be legible still to viewers of moderate stature, in other words.) He no doubt committed some kind of sacrilege in re-use.

⁵⁷³ And, as they note, this indeed is what happened to Marcus Antonius senior on the consular rolls of the *Fasti* for 97 BCE. (His subsequent censorship too was expunged.)

onwards to Side.⁵⁷⁴ In *De Oratore*, Antonius recounts this very moment on his proconsular command against piracy in Cilicia (102 BCE), and the stopover at Athens, he claims, is when he first “approached Greek literature.”⁵⁷⁵ We have now the fruits of that encounter, which he left in Greece. Moreover the timing of Antonius’ poetic foray falls neatly within a period of literary experimentation, with 102 BCE forming an *annus mirabilis* for Roman epigram: when Antonius was proconsul, Catulus consul, and Archias was on his way to Rome, where he would associate eventually with both men.⁵⁷⁶

Though Antonius’ poetry has provoked some derision, its plainness is owed in part to the fact that the politician-poet is dabbling simultaneously in traditional and new forms of epinician. Admittedly its prosody leaves something to be desired. Two of the five pentameters exhibit structural irregularities: In line 6, the principal dieresis divides constituents of a prepositional phrase; in 8, elision blocks the dieresis altogether.⁵⁷⁷ As in the fragment of Aedituus’ epigram, we find alliterative strings throughout (bolded and underlined), a poetic device which appeals in different measures to different tastes. But Antonius also hedges by advertising both the novelty of his deed and its commemorative epigram with the opening hemistich *quod neque conatus quisquamst*, “something nobody has tried before.” This wording especially recalls Duilius’ victory monument for Mylae, Rome’s first naval first, and Romans, as a rule, were self-

⁵⁷⁴ *ipse iter eire profectus Sidam, classem Hirrus Athenais | pro praetore anni e tempore constituit* (5).

⁵⁷⁵ *namque egomet, qui sero ac leuiter Graecas litteras attigissem cum pro consule in Ciliciam proficiscens uenissem Athenas, compluris tum ibi dies sum propter nauigandi difficultatem commoratus...* (Cic. De Orat. 1.82) “For I who approached Greek literature late and casually, nevertheless, when I set off for Cilicia as proconsul and came to Athens, was delayed there for several days due to navigational difficulties.” Like Cato the Elder, Cicero’s Antonius elides his Greek escapades; Antonius and Crassus had studied under the philosopher Charmadas at Athens at an earlier date.

⁵⁷⁶ Cic. *Arch.* 5–6.

⁵⁷⁷ Courtney 1995: 232.

conscious about their deficiencies at sea and in verse.⁵⁷⁸ As its editors remind us, however, Antonius' epigram adorns a military accomplishment that is not actually unprecedented; it was not the first time a fleet had traversed the *diolkos*.⁵⁷⁹ The poetry then is the true innovation.

It is telling that Antonius did not compose his piece in Saturnian verse. As analogues, we possess several earlier specimens of *tabulae triumphales* in Saturnians or pseudo-Saturnians.⁵⁸⁰ Additionally, Angelo Mercado has analyzed Mummius Achaicus' dedication of the temple of Hercules Victor (144 BCE) after the sack of Corinth as a potential Saturnian—e.g. *Achaia capt[a] || Corint[h]o deleto*.⁵⁸¹ Whatever the case, it is clear that the production of Saturnians was becoming increasingly sparse and atypical by the mid- to late second century BCE and that epigram had generally replaced the old Italic verse form. For the transition from Saturnians to elegiacs we observe in the victory poems follows the same trend we see in the funerary epigrams. One of the latest Saturnian epitaphs belongs to a Marcus Caecilius, who probably lived in the second half of the second century BCE.⁵⁸² And the *Elogia Scipionum* show a stylistic progression with one of the latest, Cn. Cornelius Cn. f. Scipio Hispanus' (*RE* 347, pr. 139 BCE),

⁵⁷⁸ Compare: *enque eodem mac[istrat]ud bene] | [r]em nauebos marid consol primos c[eset copiasque] [c]lasesque nauales primos ornauet pa[ra]uetque* (*ILS* 65, 5–7), “During the same command, as consul, and for the first time ever, he earned success at sea on ships; he outfitted and prepared sailors and fleets for the first time ever.”

⁵⁷⁹ Taylor and West 1928: 20.

⁵⁸⁰ I follow the classifications of Mercado 2012, without having formed any positive or negative assessment of Mercado's syllabo-tonic scansion of Saturnians. Saturnians: *Acilii Glabrionis Tabula* (ps.-Bassus 6.265 *GLK*); *Tabulae Triumphales Incertae* (Atilius Fortunatianus 6.294 *GLK*, ps.-Censorinus 6.615 *GLK*); ps.-Saturnians: *Aemilii Regilli Tabula* (Liv. 40.52.5–7, ps.-Bassus 6.265 *GLK*; naval victory over Antiochus, 190 BCE, commemorated 179 BCE; first line cited as Saturnian by ps.-Bassus; discussed Mercado 2012: 223–6); *Sempronii Tuditani Tabula* (*CIL* I² 652; victories over Celtic and Adriatic peoples, 129 BCE; suspected due to poetic diction and word order; discussed Mercado 2012: 215–219). See also Goldberg 1995: 77–9. Ps.-Bassus (6.265 *GLK*) and Atilius (6.293 *GLK*) both associate Saturnian verse with the plaques triumphing generals affixed to the Capitolium.

⁵⁸¹ The text is *CIL* I² 626. See Mercado 2012: 200–2.

⁵⁸² *CIL* I² 1202 (loosely dated on letter forms and orthography).

forming the sole elegiac example against the four others in Saturnians.⁵⁸³ An epitaph for a Clodia Pulcher in iambic senarii drew directly on an epigram from the *Garland*; it too probably dates to this period.⁵⁸⁴ Clodia’s poem includes the same clever etymologizing substantiated elsewhere, *sepulcher* as if *se-* (“without”) + *pulcher*: *heic est sepulcrum hau pulcrum pulcrae feminae* (l. 2), “here is an unpretty tomb for a beautiful woman [named Clodia the ‘beautiful’].” From such cases we can extrapolate that aristocrats were experimenting with new forms of memorialization.

Inscriptions written by and for professionals show the same pattern when arranged diachronically. The series of verse epitaphs Gellius cites from Varro’s *De Poetis* runs: Naevius’ elegium (Saturnians), Plautus’ (hexameters), Pacuvius’ (iambic senarii). In the interim period is the dedication of the Faliscan Cooks (ca. 150–100 BCE), which stands at the interstices of elegiacs and Saturnians. Its even lines are indented like pentameters in epigram, while the content groups nicely into couplets coinciding with syntactic units.⁵⁸⁵ While the meter of the Faliscan Cooks’ inscription is by no means clear, its versification no less appears to be a kind of hypermetric homage to the Saturnian. In another epitaph, the dactylic hexameters written for the Greek mime Protogenes, slave of Cloelius, can be construed with some success also as a Saturnian.⁵⁸⁶ One notes generally that *carmina epigraphica* are less metrically restrictive than

⁵⁸³ *CIL* I² 15. Cf. Mercado 2012: 29–30. It is somewhat surprising that Hispanus receives this “foreign” mode of commemoration given that he outlawed Jews and Chaldeans from the city (see Introduction). He is another example of the inconsistent nativist streak among the Roman upper classes.

⁵⁸⁴ *Gnatos duos creavit, horunc alterum | in terra linquit, alium sub terra locat* (*CIL* I² 1211, 5–6), “She gave life to two sons. One of the two she left on earth; the other she placed under it.” The precursor: *δισσὰ δ’ ὁμοῦ τίκτουσα τὸ μὲν λίπον ἀνδρὶ ποδηγόν | γήρωσ, ἐν δ’ ἀπάγω μναμόσυνον πόσιος* (*AP* 7.465), “I had two children. One I left as a crutch for my husband in old age, and the other one I led away as a reminder of my husband.” The Latin inscription is now lost. On dating, Bücheler opined that it was “*carmen simplici breuitate conspicuum aetatis fere Gracchanae.*”

⁵⁸⁵ Courtney 1995: 207; Mercado 2012: 196–9.

⁵⁸⁶ *CIL* I² 1861. See Mercado 2012: 200 for the necessary modifications for a Saturnian scansion. cf. Mercado’s efforts for the epitaph of C. Quinctius Prothymus (*CIL* I² 1547; there in the order *Quinctius Gaius Prothymus*) at *ibid.* 219–20.

“literary” ones.⁵⁸⁷ Moreover, ancient metricians who later tried to analyze the Saturnian corpus quantitatively were frustrated by its variations.⁵⁸⁸ Benjamin Fortson has observed that the examples we and the metricians lump together singularly with the term “Saturnian” in fact may reflect different forms and genres.⁵⁸⁹ And even if Gracchan-era epigram compositions were not truly hybrid elegiac-Saturnians, superficially they match the epilogue to Horace’s memorable pronouncement *Graecia capta ferum uictorem cepit...*:

...sic horridus ille
 defluxit numerus Saturnius et grave virus
 munditiae pepulere; sed in longum tamen aevum
 manserunt hodieque manent vestigia ruris.

And so that shaggy meter, the Saturnian, flowed away, and cleanliness drove off the heavy, pungent juices; but for a long period it remained and today still the footprints of the countryside remain.

Saturnian filth had some staying power, and the influx of Greek poetry from overseas did not wash it all clean.

In many ways, the rehoming of Greek epigram in Italy is the simplest of the Gracchan-era literary translations. We were able to pinpoint dates of special significance, e.g. 102 BCE, along with peoples and materials transmitted to the highest echelons of the Roman social ladder, and

⁵⁸⁷ Courtney 1995: 22.

⁵⁸⁸ *nostrī autem antiqui, ut uere dicam quod apparet, usi sunt eo non obseruata lege nec uno genere custodito ut inter se consentiant uersus, sed praeterquam quod durissimos fecerunt, etiam alios breuiiores, alios longiores inseruerunt, ut uix inuenerim apud Naeuium quos pro exemplo ponerem* (ps.-Bassus *GLK* 6.265), “but our ancestors—if I am to report how it seems—used [the Saturnian] with no rule observed or single model kept in order for the verses to harmonize with one another, with the end result that I scarcely would find verses from Naevius to offer as examples”; *et hic uersus obscurus quibusdam uidetur, quia passim et sine cura eo homines utebantur* (Atilius Fortunatianus *GLK* 6.294), “and this verse form seems unintelligible to some because people used it sparsely and carelessly.” These interrelated testimonies light upon *malum dabunt Metelli Naeuio poetae* as the best Saturnian available.

⁵⁸⁹ Fortson 2011: 94. Mercado’s analysis (2012: 33) of the *sortes* (*CIL* I² 2173–89; “*aetatis fere Ciceronianaee*,” Mommsen) is helpful. There are many other metrical inscriptions that depart from norms of prosody. Courtney cites, *inter alia*, the apparent struggles to memorialize an imperial *tibicen* in hexameters and one bad pentameter (*CIL* 10.4915; see Courtney 1995: 325).

finally we could trace how poets negotiated between new and old poetic forms, with the new mostly winning out.

4.5 Fragments of Roman Tragic Translation

On the other hand, with the Roman tragedians we are essentially lost at sea. Sometimes we can try to anchor their fragments to plot points assumed from the play titles or to variants of Greek myth we possess, but editorial arrangements are just that, educated guesses.⁵⁹⁰ Despite the fact that so many of our quotations of Accius and Pacuvius are owed to Nonius, Lindsay's law remains next to useless for editors (see Chapter 3). There simply is no safe method for organizing fragments within their plays. The fragments and testimonia leave us with impression that the influence of Euripides was felt heavily by the Gracchan-era tragedians, but most of the Euripidean models specialists have proposed are numbered among his lost plays too.⁵⁹¹ This is most of what can and should be said on those points. Only after scrutinizing the language and transmission of the fragments more fully than they have been before will I make the case that the Roman tragic translations were as sophisticated as the *palliatae* of previous generations. Admittedly, it is also an argument from probability: Why should this one genre have lagged far behind its peer genres?

Historically nonetheless scholars have taken a dim view of Republican tragedy, mostly on stylistic grounds. For instance, awkward neologisms in Gracchan-era tragedies have been

⁵⁹⁰ Cf. Manuwald 2011: 188.

⁵⁹¹ For a recent and succinct review, see Nervegna 2014: 177–87. An important testimony comes from the *Liber Glossarum: tragoedias autem Ennius fere omnes ex Graecis transtulit, plurimas Euripidis, nonnullas Aristarchi* (CGL V 250). Varro (*L.* 7.82) explicitly claims that Ennius drew on Euripide's *Andromache*, and Cicero (*Opt. Gen.* 18) apparently too, but see also Jocelyn 1967: 236ff.

frequently emphasized over the technical skill of the playwrights;⁵⁹² theirs is not the banter of Alexandrian virtuosos thoughtfully reweaving Homeric *hapax legomena* into verse, but the clumsy wordsmithing of abstract nouns. Leading scholars have given very odd pronouncements indeed on the diction of Accius, Pacuvius, as well even as Lucilius, and, more importantly, such misapprehensions have obscured the testimonies of the ancients who actually read these poets and appreciated their craft. So, Edward Courtney, following Friedrich Leo: “Accius and Pacuvius were fond of creating heavy abstract nouns in *-tas* and *-tudo*.”⁵⁹³ On similar grounds, Paolo Poccetti concludes that Lucilian innovation primarily stood on lexical invention, and not “morphological and syntactic variation,” a notion which is disproven by Poccetti’s preceding statement: “the distribution of the Lucilian sources just sketched reveals that the satirist’s language attracted more interest for lexicographical reasons, both in terms of form and semantics, than it did for its morpho-syntax.”⁵⁹⁴ When the fragments of Accius, Pacuvius, and Lucilius are conveyed primarily within a dictionary of old-timey miscellanies, they are bound to look odd.⁵⁹⁵ In most instances, a negative control for Nonius’ selections is absent.

We do possess the Plautine corpus as a benchmark, nevertheless, and by the standards of the Plautine stage Accian and Pacuvian vocabulary innovates in predictable ways. (Terence, famously conservative, is the outlier.) In particular, we can track how Nonius Marcellus relays the aforementioned *-tas/-tudo* noun formations. Is it really the case that Accius and Pacuvius coined new words of this type so unpopular that they were never accepted more broadly? One

⁵⁹² Manuwald (2011: 212) claims the ancients felt this way too: “they ridiculed, for instance, [Pacuvius’] long and complex compounds and neologisms.” Not one of the stylistic comments cited refers to complex compounds or neologisms in Pacuvius—or Accius, when the two are grouped together (Cic. *Brut.* 258; Mart. 11.90.5–6; Pers. 1.76–8; Tac. *Dial.* 20.5, 21.7).

⁵⁹³ Courtney 1993: 62.

⁵⁹⁴ Poccetti 2018: 85.

⁵⁹⁵ Compare Conte 1993: 108; von Albrecht 1997: 1.149.

might conceive of such neologisms as “super *hapax legomena*,” and these would be exactly the kinds of rare words that we would expect Nonius’ antiquarian dictionary to preserve. To start with, we should note that between three different volumes of Accian drama Nonius possessed a total of about 30 plays (± 1 or 2), compared to his set of the same 21 Plautine plays that we enjoy today. Nonius’ access to Pacuvius was more limited, 4–6 plays most probably, but up to 10. These proportions should be kept in mind when assessing the relative frequencies of the abstract nouns under study. I have confirmed that there are 5 *-tudo* nouns that are used in Plautus and nowhere else in Archaic or Classical Latin: *albitudo*, *macritudo*, *partitudo*, *saeuitudo*, and *sorditudo*. Nonius was thorough; he found every one of these on his first readthrough of his Plautus MSS (Plautus i) and made them headwords in his dictionary.⁵⁹⁶ In the fragments of Accius, we find 9 words in *-tudo* that are first attested there and then never again in Archaic or Classical Latin. Nonius preserves all of these words as headwords, and, as we noted before, he owned about a 3:2 ratio of Accian tragedies to Plautine comedies, so the prevalence of his unpopularly coined *-tudo* nouns is in line with Plautus’. Pacuvius might have been slightly more bold with *-tudo*, but within the realm of reason, with 4 such words attested in all his fragments: *desertitudo*, *gemitudo*, *paenitudo*, *proxilitudo*. *Desertitudo*, however, is preserved only by a Statian scholiast, and attributed to Pacuvius without a play identification. Therefore, *desertitudo* may not belong to a play Nonius had at hand, and *paenitudo* from Pacuvius’ *Teucer* certainly did not, as Nonius lifted it from a glossary. In summary, this study suggests that Accius and Pacuvius were just as creative in *-tudo* as Plautus. Sometimes their neologisms were picked up, sometimes not. Pacuvius, for example, gives the first extant instance of *similitudo*, which came

⁵⁹⁶ *albitudo* (*Trin.* 874; Non. 73M, Plautus i); *macritudo* (*Capt.* 135; Non. 136M, Plautus i); *partitudo* (*Aul.* 75, 276; Non. 217M, Plautus i); *saeuitudo* (*Bac.* 2; Non. 172M, Plautus i); *sorditudo* (*Poen.* 970, Non. 173M, Plautus i).

into common use, though we must be careful to draw a firm attribution to him for its invention. There simply is nothing here however that suggests that the language of Accius or Pacuvius was stilted. Analysis of *-tas* nouns, on the other hand, is complicated by the fact that Nonius does not seem to have been registered them regularly as worthy items for his dictionary—at least this is the impression the Plautine (super) *hapax legomena* give.⁵⁹⁷ Nevertheless my preliminary analysis of new Accian and Pacuvian *-tas* nouns yields the same conclusions I have made for the *-tudo* set.⁵⁹⁸

Abstract nouns would not have made for good popular entertainment. Ancient authorities meanwhile held Pacuvius and Accius in high repute, and their evaluations should be trusted. Cicero could consider Pacuvius in lofty company, with Ennius as the best epic poet, Caecilius Statius the best comic, and Pacuvius the best tragedian.⁵⁹⁹ In *Orator*, Cicero uses an art simile to illustrate what he means when he says that Pacuvius and Accius are *elaborati* and *ornati* in comparison to Ennius, the tragedian. The later tragedians contrast as “bright, fun, colorful” paintings.⁶⁰⁰ Horace says Pacuvius earned his reputation for learnedness (*doctus*), Accius for his

⁵⁹⁷ *amabilitas* (*Poen.* 1174, St. 741); *atritas* (*Poen.* 1290); *confirmitas* (*Mil.* 189); *cruciabilitas* (*Cis.* 205); *insatietas* (*Aul.* 487); *opimitas* (*As.* 282, Capt. 769; Non. 146M, Plautus i; Gel. 6.17.12 quotes *As.*). These are the *-tas* nouns used only in Plautus and nowhere else. Nonius only registers the last as worthy for the dictionary.

⁵⁹⁸ Once we pare down the Nonian citations to those from MSS of Accius and Pacuvius (i.e. not glossaries), we find the following. Accius: *magnitas* (248 Rib.³), *nitidas* (254 Rib.³), *uicissitas* (586 Rib.³); Pacuvius: *concorditas* (188 Rib.³) *discorditas* (178 Rib.³). These are words apparently coined in Accius and Pacuvius but never used elsewhere (compare the Plautine example in the preceding note).

⁵⁹⁹ Cic. *Opt. Gen.* 2.

⁶⁰⁰ *Ennio delector, ait quispiam, quod non discedit a communi more uerborum. Pacuio, inquit alius; omnes apud hunc ornati elaboratique sunt uersus, multa apud alterum neglegentius. fac alium Accio...in picturis alios horrida inculta opaca, contra alios nitida laeta collustrata delectant* (Cic. *Orat.* 36), “‘I love Ennius,’ one says, ‘because he does not stray from normal language.’ ‘I love Pacuvius,’ says another. For all his lines are well-ordered and well-wrought, but many of [Ennius] are made carelessly. Somebody else loves Accius...In paintings, some find rough, freehand, drab ones pleasing, others like the bright, fun, colorful ones.” Cf. Varro’s characterization of Pacuvian *ubertas* (Gel. 6.14.6).

elevated style (*altus*).⁶⁰¹ The ancients thus reach a positive consensus on the Gracchan-era tragedians.

And though most of the Greek plays that inspired Accius and Pacuvius are no longer extant, some survive and allow us to appreciate the richness of their Roman adaptations. One of the most compelling examples comes from Accius' rendition of Euripides' *Bacchae*:⁶⁰²

laetum in Parnaso inter pinos tripudiantem in circulis
ludere...atque taedis fulgere. (Rib.³ 249–50)

[you will see?] him happily playing and dancing the three-step dance in circles among the pines on Parnassus, and shining with his headbands.

ἔτ' αὐτὸν ὄψῃ κάπῃ Δελφίσι πετραις
πηδῶντα σὺν πεύκαισι δικόρυφον πλάκα,
πάλλοντα καὶ σείοντα βακχεῖον κλάδον,
μέγαν τ' ἀν' Ἑλλάδα (Eur. *Ba.* 306–9)

yet will you see him on the rocks of Delphi among the pines, leaping over the two-headed plateau, and waving and shaking his Bacchic branch, a great figure through Hellas.

Accius retains the *p*-alliteration with *in Parnaso inter pinos tripudiantem* for *πέτραις πηδῶντα σὺν πεύκαισι δικόρυφον πλάκα*. Numerology is transposed to the feet, the three-measure rhythm of the dance versus “double-crested” Parnassus, while Dionysus' own head(bands) are focalized next. The participle *tripudiantem* of course resembles *πηδῶντα* formally, but it also is a translation in religious terms, as the *tripudium* was the ritual dance of the Salian priests, or the sacred chickens for that matter.⁶⁰³ Catullus later “translated” Attis' frenetic dancing for Cybele as the *tripudium*, which linked Roman orthopraxy and eastern ecstatic cult.⁶⁰⁴ In Accius' *Bacchae*,

⁶⁰¹ Hor. *Ep.* 2.1.56. Cf. Quint. *Inst.* 10.1.97.

⁶⁰² Many fragments of Accius' *Phoenissae* (581–601 Rib.³) also can be matched to lines of Euripides' play of the same name.

⁶⁰³ Liv. 1.20.4.

⁶⁰⁴ *ubi suevit illa diuae uolitare uaga cohors | quo nos decet citatis celerare tripudiis* (Catul. 63.25–6), “where that wandering band of the goddess was accustomed to flit about, whither it is fitting for us to hasten with quickened

we can expect Rome by proxy became the Hellas (or Thebes) that is Dionysius' destination. Pacuvius too produced a *Pentheus* with a plot like the *Bacchae*.⁶⁰⁵ These Bacchic translations would have heralded the arrival of the god of tragedy at Rome.

4.6 The Grammarians' Lucilius

As with Accius and Pacuvius, our entire view of Lucilian language has been skewed by his transmission through grammatical sources. Satire after all requires much lost sociohistorical context for parsing. Nonius, for instance, bungles lines like, *contra flagitium nescire bello uinci a barbaro | Viriato, Annibale*, "on the contrary, to not know the shame of being conquered in war by a barbarian, a Viriathus, a Hannibal" (186 M = Marx 615–6). Forgetting the Lusitanian rebel altogether, Nonius postulates a participle **uiriatus* (< *uires*) and thus a "very manly" Hannibal. Despite Nonius' fickle stewardship of the *Satires*, a better picture of Lucilius' poetics has started to come into view. Giuseppe Pezzini's analysis of Lucilian iambo-trochaics deserves special praise since it has demonstrated that Lucilian prosody follows the metrical rules and patterns that have been established for Plautus and Terence.⁶⁰⁶ Mechanically, the Lucilian hexameter follows Ennius, e.g. treatment of final -s, homodyne line endings.⁶⁰⁷ But as in the case of the fragmentary Republican dramatists, diction remains a pitfall in Lucilian studies also because our sample of his vocabulary has been cherry-picked to suit the ends of grammarians. Even when the quotations are given in *ipsa uerba*, grammatical excerpts cannot be an accurate guide to the style, register, and generic variation of Lucilian poetry. For this reason it is easy to overstate Lucilius'

three-step dances." I owe this observation to Basil Dufallo (p.c.). Since Phrygian Attis is a Roman ancestor of sorts from the Troad it is less a translation than a transplantation.

⁶⁰⁵ Serv. Auct. *A.* 4.469.

⁶⁰⁶ Pezzini 2018: 168–74.

⁶⁰⁷ On sigmatic ecthipsis, see Skutsch 1985: 56, Pezzini 2018: 164–5. On homodyne endings, see esp. the chart on Mercado 2018: 199.

eccentricity. Below I push an analysis of the Lucilian lexicon as far as I deem prudent given the state of his poetry. My findings demonstrate that the fragments of Lucilius read like a grammar precisely because our version of Lucilius' *Satires* depends so heavily on grammarians.⁶⁰⁸ This result only proves how far ancient accounts of Lucilian stylistics surpass what can be performed today. For we will see that Lucilius was remembered very differently in antiquity by non-grammarians, who on the other hand recalled Lucilius as a spirited, sometimes too spirited prosecutor of Roman elite misconduct. Some readers no doubt viewed his *Satires* as prolix, but their bitter content was their legacy.

Pezzini has provided the fullest accounting of Lucilius' diction in the iambo-trochaic books (26–29), which constitute an important subset of Lucilian poetry because their language can be controlled against the dramatists, especially Plautus and Terence, who wrote in the same meter. Books 26–30 also form a natural unit for analysis because nearly all their fragments (over 96%) share the same source, Nonius, whose lexicographic methods have been studied closely and who possessed these five books in a separate volume (= Lucilius ii).⁶⁰⁹ (Book 30 comprises hexameters, 29 mixed iambo-trochaics and hexameters.) Unfortunately, Pezzini's otherwise excellent study concludes erroneously that our current picture of Lucilius' diction remains faithful despite its transmission through Nonius. Pezzini's own data refute the claim.⁶¹⁰ Pezzini has been misled by a class of apparent coinages by Lucilius that were taken up by later authors and that are often preserved only incidentally by Nonius' dictionary. Nonius defined just under half of such words as *lemmata*, which is no wonder since his *Dictionary of Republican Latin* was

⁶⁰⁸ Refer also to Chapter 3, Tab. 1.

⁶⁰⁹ See n. supra.

⁶¹⁰ "However, it is unlikely that the picture is significantly blurred...since most of Lucilius' *hapax legomena* are found in fragments that are quoted as illustrations for a different word" (Pezzini 2018: 175–6).

designed for obsolescent language and these words had been popularized.⁶¹¹ Naturally, the story is very different for genuine (super) *hapax legomena*—i.e. ones first witnessed in Lucilius and never again. As with Plautus, Accius, and Pacuvius, Nonius identifies the majority of such words as headwords in the dictionary; they fit the billing of his quirky lexicon.⁶¹² Once more, nevertheless, Nonius’ pick of Lucilian vocabulary cannot be taken as normative.

Moreover, Nonius only consulted Books 26–30 at a late stage in the compilation of the *Dictionary of Republican Latin*, which introduces a selection bias that scholars have not yet appreciated. According to Lindsay’s list of Nonian sources, the lexicographer mined his second collection of Lucilius (“Lucilius ii”) only after he had already checked through a glossary of Republican dramatists (Source 1) and his full manuscripts of Accius, Pacuvius, Ennius (tragedies), Plautus, and Turpilius—in other words, the entire lot of Lucilius’ poetic predecessors and near-contemporaries available to him. The late position of Lucilius ii is a happy accident for the modern philologist. Were Nonius exhaustive, his tastes immutable—neither strictly true—

⁶¹¹ Pezzini 2018: 176–7. Pezzini notes that given our knowledge of archaic Latin, we cannot know for certain that Lucilius invented such words. The list: *adspirare, centenarius, concupiscere, confector, consortio, discrimen, dissociatus, eburnus, eluuius, exactor, exterminare, folliculus, ignobilitas, ignominia, inusitatus, mortifer, redundare, scriptor*. The final two examples should be removed since the dating of Lucilius ii is highly suspect, and I intend to publish on this at a later date (though see p. 130–1); Gaius Gracchus’ *redundat* (*ORF* fr. 61; probably Ennian, see Introduction) and Porcius Licinus’ *scriptor* (fr. 4.1 Courtney; attribution to “Licinus” could be a mistake for “Lucilius”) will be contemporaneous or near contemporaneous with the Lucilian use. 7 of the 16 remaining are listed as headwords in Nonius’ dictionary: *confector, consortio, discrimen, eluuius, folliculus, exterminare, ignominia*.

⁶¹² The list is given in Pezzini 2018: 125–6, which I suggest should be treated as follows. In two fragments, Lucilius puns with long, alliterative strings of analogical formations (*hapax legomena* bolded): *deargentare, depocularare, decalauticare, despeculare* (682–3 Marx); *inluvies, inperfundities, inbalties, incuria* (600 Marx). In both cases, Nonius enters the respective line under the lemmata for the first items in the series (*deargentare; illuuius*), a sensible solution that avoids multiple re-quotations of the same line. Pezzini also notes that these “alliterative accumulations” are a humorous device in Plautus too (*ibid.* 177). Apart from these exceptions, Nonius *does* recognize the 9 of the 11 other *hapax legomena* as headwords: *cibicidas, contemnificus, deletio, elinere, internundinum, mando, monstificabile, nefantia/-da, scripturarius*.

then every lemma in any part of the dictionary dependent on Lucilius ii could be reckoned as a likely Lucilian neologism, since Nonius had not caught another example in his earlier sources.

And yet if we examine stretches of the dictionary that are dependent on Lucilius ii, we observe that Lucilian vocabulary resembles that of the whole works of second-century-BCE Roman literature. In other words, even Lucilius' most bizarre is not so very bizarre. Let us take the long run of Lucilian entries in the first book of the dictionary, *De Proprietate Sermonum* (35–38M), or “Words Used in the Etymological Sense” (tr. Lindsay). One can regroup these into semantic categories of interest to Nonius. We find some medical words: *angina* (“disease of the throat”), *arquatus* (“rainbow disease” = jaundice), *aqua intercus* (“fluid retention”); and others corporeal by extension: *depilatus* (“plucked”, of hair), *discerniculum* (“hair parter”), *maltas* (“soft,” of body), *monogrammus* (“an outline,” metaphorically “someone who looks a shell of himself”). Nonius often forms Greek associations with these words on medical (medical = Greek) or moralizing (Greek = “soft”) grounds.⁶¹³ Another batch of headwords is legal/commercial: *capital*, (i.e. a “capital crime”), *pensum* (“weight,” therefore “worth”), *portorium* (“import tax,” “duty”), *priuus* (for *priuatus*, as in “private property”), *scripturarius* (“collector of pasturage fees”).⁶¹⁴ The interpretation of these semantic categories remains somewhat ambiguous, however: is this combination of *medicina* and *iudicium* the body and law we find displayed in the *palliatae*, or is Lucilius' register entirely new, elite, and “satiric”? Pezzini has argued convincingly that Lucilius' use of Greek, technical (e.g. for food, farming), and Greek technical words mirrored Plautus' and Cato's, with the exception of some of the

⁶¹³ Nonius glosses *angina* as συνάγχη and *aqua intercus* as ὕδρωψ, while equating *malt(h)a* (< Gr. μαλθακός) to *mollis*, which appears to be the intent behind the Lucilian model quoted: *insanum uocant quem maltam ac feminam dici uident*, “anyone they see called ‘soft’ or a ‘woman’ they call ‘unwell.’” *Monogrammus* patently is a borrowing.

⁶¹⁴ Perhaps also *sedulo*, glossed as *sine dolo*; if this interpretation is correct it would recall *sine dolo malo*.

Satires highfalutin episodes (e.g. Greek philosophical discussions), which would have been less at home in the plays or a farming manual.⁶¹⁵ After the present small-scale analysis, I agree with Pezzini in principle, as Nonius here and there will miss a Plautine or Catonian precursor to a Lucilius ii headword.⁶¹⁶ There remains the *a priori* problem that the Plautine and Catonian corpora together comprise most of our sample of second-century-BCE Latin, but it is significant that Lucilius, like Plautus and Cato, does not appear to share in Terence’s aversion to specialized language.

We reproduce these findings if we review another long string of Lucilius ii entries, for instance, the “c-” series of Lucilian lemmata found in the second book of Nonius’ dictionary, *De Honestis sed Noue Veterum Dictis*, “Concerning Words of Old Texts that are used in Respectable but Strange Senses.”⁶¹⁷ If anywhere, one expects to find even “stranger” Lucilian selections in a section of the lexicon so titled. The book has been alphabetized, and from that process or the textual transmission thereafter two intrusions—one from Pacuvius, and one from Plautus—interrupt what is otherwise a series of Lucilian headwords: *cluēt-cibicidas-contenturum-canicas-cribrum-contemnificum-cordi est* (bis). Not all of these word usages and formations are striking. *Cluere* is commonplace in the sense “to be called,” *pace* Nonius who cites the Lucilian line for *cluere* as an equivalent to *nominari*.⁶¹⁸ In the plays of Plautus and Terence, the phrase *cordi est* can render something that “sits on one’s mind” (Nonius), and therefore is “pleasing” or “dear.”⁶¹⁹

⁶¹⁵ Pezzini 2018: 178–9.

⁶¹⁶ Some examples: Nonius does not cite any author other than Lucilius for *priuus* despite Pl. *Ps.* 865 or Cato *Agr.* 3.6; nor for *collare* despite Pl. *Capt.* 357 and Var. *R.* 2.9.15; nor for *portorium* despite Caecilius Statius (Rib.³ 92), Pl. *As.* 159, *Trin.* 1107; nor for *clandestino* despite Pl. *Am.* 1034 and *Mil.* 956.

⁶¹⁷ Non. 87–88 M.

⁶¹⁸ Based on Lindsay’s identification of the sources, Nonius eventually would include supporting quotations to *cluēt* from Ennius’ *Ambracia*, Pacuvius’ *Iliona*, and Varro’s *Menippean Satires* once he reached source 27, a separate alphabetized wordlist (1905: 441). Plautus regularly uses *cluere* this way: *Am.* 647, *Epid.* 189, 523, *Men.* 854.

⁶¹⁹ OLD 5b. Some examples: Pl. *Cist.* 109 Ter. *An.* 328; *Ph.* 800.

Canicae and *cribrum* are household items: *canicae* is a type of bran for dog food;⁶²⁰ a *cribrum* was a catch-all for different kinds of “sieve.”⁶²¹ I myself cannot discern what interested Nonius in *contenturum*, used in a normal future active infinitive construction. The compound *contemnificus* is more peculiar (a *hapex legomenon*), but *-ficus* was a productive suffix among the dramatists.⁶²² *Cibicida*, a “meal-murderer,” has the ring of a clever insult.⁶²³

4.7 The Satirist’s Lucilius

Word choice in the extant fragments of the second volume of Lucilian poetry is about as innovative as in the works of Plautus and Cato. For both content and stylistics, philologists are better served by ancient commentators, who we hope read Lucilius with care or read a third party who did. He was known to Varro not for *nouitas*, but *gracilitas*, an elegant “simplicity.”⁶²⁴ He enjoyed a reputation for his learning, a discerning “nose” for style, and *urbanitas* (“sophistication”).⁶²⁵ With his wit came sharp rebukes.⁶²⁶ Later Romans painted Lucilius as a policeman of morals. According to Horace, he reserved this rough treatment for the high and

⁶²⁰ Paul. *Fest.* 46 M.

⁶²¹ Cato *Agr.* 18, 25, 48, 76, 107, 151; Pl. *Mos.* 55, *Poen.* 513, *Ps.* 102, *Rud.* 102; none are cited by Nonius. Under the lemma for *paxillus* (153 M) in the same book of the dictionary, Nonius gives a quotation from Varro’s *Menippean Satires* that included a *cribrum*, but it is not relisted here.

⁶²² Accius: #*ingratificus* (364 Rib.³). Pacuvius: *largificus* (414 Rib.³; used once by Cicero and Lucretius each). Plautus: *delenificus* (*Mil.* 192; used twice by Turpilius), #*falsificus* (*Mil.* 191), *furtificus* (*Epid.* 12; *Per.* 226; *Ps.* 887; found only Plautus) #*spurcificus* (*Trin.* 826). Hashes mark *hapax legomena*.

⁶²³ Restricted to family member + *cida* (e.g. *parenticida* at Pl. *Epid.* 349).

⁶²⁴ Var. *apud* Gel. 6.14.6.

⁶²⁵ *et doctus et perurbanus*, “both learned and thoroughly sophisticated” (Cic. *De Orat.* 1.72); *comis et urbanus...limatior*, “chummy and sophisticated...rather refined” (Hor. *S.* 1.10.64); *facetus, emunctae naris*, “elegant, the kind of person with a wiped nose” (ibid. 1.4.6); *Luciliana urbanitate usus*, “[Horace] borrowed Lucilian sophistication” (Porph. *ad* Hor. *S.* 1.3.40); *primus condidit stili nasum*, “he first created a nose for style” (Plin. *Nat.* pr. 7).

⁶²⁶ *nam eruditio in eo mira, et libertas, atque inde acerbitas et abunde salis*, “for there was remarkable learning in [Lucilius], and independence, and from there bitterness and wit overflowing” (Quint. *Inst.* 10.1.94); cf. *acer et uiolentus poeta*, “a bitter and violent poet” (Macr. 3.16).

mighty, whom he turned inside out.⁶²⁷ Cicero likewise avows that he channeled Lucilius' wounding words (*laedere*) when he composed *uersicula* against an enemy.⁶²⁸ Juvenal claims that Lucilian abuse sent white-collar criminals into a cold sweat:

ense velut stricto quotiens Lucilius ardens
infremuit, rubet auditor cui frigida mens est
criminibus, tacita sudant praecordia culpa.

“Just as all those times when Lucilius thundered, sword drawn, in a heat, the listener flushes, their mind grows cold, and their thoughts sweat with quiet guilt.”

Infremuit lends an mock-epic or mock-tragic tone to the whole affair.⁶²⁹ Satire nonetheless had a serious political and social dimension. The satirist Persius, a Lucilian devotee, relays how his predecessor's *Satires* took on men of consular rank with no holds barred: “Lucilius carved up the city—that means you Lupus, and you Mucius, he even broke his molar on those men.”⁶³⁰

The Lucilian brand of invective was indebted to Greek models, though it came to tackle far larger social problems than they ever had. Callimachus' *Iambi* particularly served as a paradigm for how to antagonize other poets.⁶³¹ Horace, however, believed that Lucilian politics followed Old Comedy most of all, which performed an important censure of public figures:

Eupolis atque Cratinus Aristophanesque poetae
atque alii, quorum comoedia prisca uirorum est
siquis erat dignus describi, quod malus ac fur,
quod moechus foret aut sicarius aut alioqui

⁶²⁷ *quid? cum est Lucilius ausus | primus in hunc operis componere carmina morem, | detrudere et pellem, nitidus qua quisque per ora | cederet, introrsum turpis...atqui | primores populi arripuit populumque tributim* (Hor. S. 2.1.58–65, 68–9), “Why, when Lucilius has dared first to compose poems for this type of work, and to strip away the shiny skin which each projected on the outside, though they were foul on the inside...and he attacked leaders of the people and the people tribe by tribe.”

⁶²⁸ Cic. *Fam.* 12.16.3 (poems probably aimed at Antony). Persius used Lucilian precedent to justify lampooning Nero (*Vit. Pers.*).

⁶²⁹ Cf. Enn. 179 Skutsch, 344 Rib.³

⁶³⁰ *secuit Lucilius urbem, | te Lupe, te Muci, et genuinum fregit in illis* (Pers. 1.114–5), “Lucilius carved up the city—that means you Lupus, and you Mucius, he even broke his molar on those men.”

⁶³¹ See Puelma Piwonka 1949, esp. 310–367; Scodel 1987. One Lucilian fragment (698 Marx) cryptically references Archilochus too, but it is precarious to say more about it.

famosus, multa cum libertate notabant.
hinc omnis pendet Lucilius, hosce secutus,
mutatis tantum pedibus numerisque (Hor. *S.* 1.4.1–7)

“Eupolis and Cratinus and Aristophanes and the rest of the poets to whom Old Comedy belongs, if anybody was worthy of being written down, because they were a bad person or a thief, an adulterer or a murderer or infamous for another reason, [the poets] had the license to mark them off. Lucilius hangs entirely from this principle, having followed these men with only the meter changed.”

In Horace’s mind, Lucilian Satire is a loose “translation” of Old Comedy into hexameters. And yet scholars have challenged the fit of Horace’s genealogy of Roman Satire.⁶³² For one matter, Old Comedy was performed, so nobody’s name was “written down” (*describi*) in quite the way Horace says. More properly that would happen during an ostracism, where citizens would inscribe the name of politicians on a potsherd or have it done for them. Aristophanic parabases instead are signaled by Horace, particularly Aristophanes’ quarrels with the politician Cleon, though we should modify the Lucilius-Aristophanes comparison slightly since Aristophanes claimed that it was Cleon who “flayed” him for audience laughs rather than vice versa.⁶³³ Nevertheless the *Satires* did offer a performative form of justice. It has long been perceived that Horace’s Lucilius roleplays the Roman censor, who struck men off the roll of the senate whose characters had been impeached. The censors marked these names ignominiously with a *nota* (cf. *notabant* above).⁶³⁴ That public disgrace perhaps does resemble Old Comedy’s propensity for ὀνομαστὶ κωμωδεῖν “calling out people on stage by name.” And yet *notare* also alludes to the role of textual scholars, who would judge lines of poetry with diacritics (*notae*), e.g. the asterisk for athetization, and, as we noted earlier, Lucilius’ own texts received some of the first critical

⁶³² Freudenburg 2001: 17–18.

⁶³³ κῆθ’ ὅτ’ ἀπεδειρόμην, | οὐκτὸς ἐγέλων μέγα κεκραγότα θεώμενοι (Ar. *V.* 1286–7), “and then when I was flayed, the outside onlookers laughed at me as I made a great scream.”

⁶³⁴ E.g. Freudenburg 2001: 17.

attention of any Latin poet. Horace's testimony thus agrees with the others that Lucilius was a harsh judge who scrutinized his victims closely, dissecting them with a scholar's attention.

Much of the *Satires* will have resembled the court of public opinion, if not an actual lawcourt. One live performance in the vein of old Roman satire survives to us, and by this I mean Cicero's attack against Clodia Pulcher in the *Pro Caelio*. Though the orator will go on to spare his client Caelius from the *ensoria gravitas* (§35) of Appius Claudius Caecus, no such quarter is given to his one-time paramour:

sed tamen ex ipsa quaeram prius utrum me secum seuere et grauitet et prisce agere malit an remisse et leniter et urbane. si illo austero more ac modo, aliquis mihi ab inferis excitandus est ex barbatis illis non hac barbula, qua ista delectatur, sed illa horrida, quam in statuis antiquis atque imaginibus uidemus, qui obiurget mulierem et pro me loquatur, ne mihi ista forte suscenseat. existat igitur ex hac ipsa familia aliquis ac potissimum Caecus ille; minimum enim dolorem capiet, qui istam non uidebit. qui profecto, si exstiterit, sic aget ac sic loquetur... (Cic. *Cael.* 33.4)

But nevertheless I would ask her first whether she would prefer for me to treat her sternly and somberly and in the old way, or to let up and treat her gently and politely. If in that severe way and means, I must summon up someone from the dead that belongs to that bearded crowd—not someone with the peach fuzz that this woman prefers, but the bristling kind which we see on old statues and busts. This man would scold her and speak in my stead lest perhaps she get angry at me. There exists then, from this very family, the very best person for this, that famous Caecus; for he will take the least sadness since he will not be able to see her. Indeed this man, if he were alive, would do and say as follows...

Cicero goes on to castigate Clodia for dishonoring her husband and family. Caecus of course was one of Clodia's ancestors, whose *imago* Cicero has dragged off the family mantle—figuratively, we hope—to don in court. This sideshow allows the defense lawyer to allude to a laundry-list of her public and private indiscretions, and not without jabs at her vexing brother, Clodius, too.

When looking for a censorial and—as I am arguing—satiric visage, Cicero conjures up the frightening death mask of a bearded, wrinkled paterfamilias to accompany his verbal dressing-

down of Clodia. He does so in a courtroom, in front of 50 men jurors.⁶³⁵ The next chapter will explore this litigious apparatus that Cato the Elder had bequeathed to the Roman elite.

Roman law pervaded Lucilian satire. Pliny reports that Cicero, in the now lost opening of *De Republica*, called upon Lucilius as a legal expert in order to evade judgment from his own critics: *M. Tullius...per aduocatum defenditur* [quote from Lucilius] “Marcus Tullius is represented by the lawyer, Lucilius...”⁶³⁶ Apparently, at the start of *De Finibus* Cicero is referencing the same *recusatio*, where Lucilius admitted his own fear of the *iudicium* of Persius (the scholar), Scipio Aemilianus, and Rutilius Rufus.⁶³⁷ In addition, we know that Lucilius’ poetic rivalries landed him in court. In the Old Comic tradition, some stage performer “had abused [Lucilius] on stage by name” (*Lucilium poetam in scaena nominatim laeserat*).⁶³⁸ Unlike Accius in the same position, Lucilius lost his slander case, perhaps, one wonders, because he had subjected so many others to libel.⁶³⁹ The aristocratic arbitrator was unsympathetic to his cause in any case.

Indeed Lucilius restaged a number of infamous court cases in the *Saturae*, and the title itself alluded to a second-century-BCE legislative practice, the *lex satura*, or “pork legislation.”⁶⁴⁰ After rehearsing familiar derivations of *Saturae* from “combo platters,” “food

⁶³⁵ See *RS 1 (lex Repetendarum)*, ll. 26–7. Caelius’ case was a *quaestio de ui*. By the time of the *Pro Caelio*, the judicial meddling of Sulla (e.g. enrolling senators as the jurors in *quaestiones*) had been undone. The *lex Aurelia iudiciaria* of 70 BCE split the jury pool between senators, equestrians, and the *tribuni aerarii*. The details of the *lex Aurelia* are transmitted via Ciceronian exegesis (e.g. Schol. Bob. p.94 Stangl).

⁶³⁶ Plin. *Nat. pr.* 7.

⁶³⁷ *nec uero ut noster Lucilius, recusabo, quominus omnes mea legant! utinam esset ille Persius! Scipio uero et Rutilius multo etiam magis: quorum ille iudicium reformidans Tarentinis ait se et Consentinis et Siculis scribere* (Cic. *Fin.* 1.7), “But I shall not, as Lucilius did, refuse anyone the opportunity to read my works! Oh that the famous Persius were alive! And Scipio and Rutilius much more so still! For it is fearing their judgment that Lucilius says he writes for the people of Tarentum, Bruttium, and Sicily.”

⁶³⁸ *Rhet. Her.* 2.13.19. cf. *ibid.* 1.14.24.

⁶³⁹ Accius’ detractor, a mime himself, argued that the playwright should be fair game, given that the play was produced already under his name. Accius, like Lucilius, pursued damages for the *iniuriae* (see n. *supra*).

⁶⁴⁰ The arguments here were delivered as Faulkner 2019.

stuffings,” and the like, the fourth-century-CE grammarian Diomedes lands on the omnibus bill (*lex satura*), citing Lucilius as the authority.⁶⁴¹

alii autem dictam putant a lege satura quae uno rogatu multa simul comprehendat, quod scilicet et satura carmine multa simul poemata comprehenduntur. cuius saturae legis Lucilius meminit in primo, ‘per saturam aedilem factum qui legibus soluat’ [= 48 Marx]

Still others think [“satire” derives] from the *lex satura*, which contains many provisions all at once in a single bill, since many different poems are contained all at once in a *carmen satura*. Lucilius mentions this *lex satura* in his first book: “[the people? the senate?] who releases a makeshift [*per saturam*] aedile-elect from the laws.”⁶⁴²

Festus references the same debate over satire’s origin in law.⁶⁴³ Some very late sources corroborate it further.⁶⁴⁴ This raises the question as to why Diomedes and Festus sourced satire from a type of bill that was of dubious validity and that had been defunct since the passing of the *Lex Caecidia Didia* in 98 BCE which prohibited the practice.⁶⁴⁵ On a principle analogous to the

⁶⁴¹ Diomedes *GLK* 1.486.

⁶⁴² My translation of the Lucilian line depends on the correspondences with the phrasing in the *Periochae* of Livy’s history, where Aemilianus was “released” from a legal requirement in order to stand for the consulship. See n. 647 and also Marx 1904: 2.23–4. Benjamin Fortson has pointed out to me (p.c) that the aedile-elect could stand grammatically as the antecedent of *qui*, since Diomedes is quoting by line, which may or may not preserve the sense. In the other cases of this idiom (*legibus soluere*), however, it is the magistrate who is released from the laws rather than exempting somebody else, though possibly some magistrates possessed this ability (see e.g. Asc. p. 47–8 Stangl; more likely the senate). Aediles are less likely than their superior officers to have wielded such power.

⁶⁴³ *satura et cibi genus ex uariis conferta rebus conditum est, et lex <mul>tis alis legibus, itaque in sanctione legum adscribitur: neue per saturam abrogato aut derogato. T. Annii Luscus in ea {quam} quam dixit aduersus Ti. Gracchum, ‘imperium quod plebes per saturam dederat, id abrogatum est [= ORF F 5],’ et C. Laelius in ea quam pro se dixit ‘dein postero die quasi per saturam sententiis exquisitis in deditionem accipitur’ [= Sall. *Iug.* loc. cit.] (Fest. 314M), “A satura is both a type of food which is stuffed with a variety of things, and the name for a law which is comprised of many other laws, and so in the closing of laws there is inserted: ‘let no one repeal this law or modify any subsection herein through an illegal procedure [*per saturam*].’ T. Annii Luscus in the speech which he wrote against Tiberius Gracchus says, ‘the imperium which the plebs formerly gave through an illegal procedure [*per saturam*] has been repealed,’ and C. Laelius in the speech which he wrote in defense of himself says, ‘and then on the day after, just as if opinions were sought out en bloc [*per saturam*], his surrender was accepted.’” Diomedes offers the very same quote from the *Bellum Iugurthinum* —and attributes it rightly to Sallust, not Laelius.*

⁶⁴⁴ *Satura* is defined as a *lex satura* in the bilingual glossaries of ps.-Cyrillus and ps.-Philoxenus: νόμος πολλὰ περιέχων : *lex per saturam* (*CGL* 2.376); *satura* : νόμος πολλὰ περιέχων (*CGL* 2.179). Lydus alludes to the derivation: Πέρσιος δὲ τὸν ποιητὴν Σώφρονα μιμήσασθαι θέλων τὸ Λυκόφρονος παρήλθεν ἀμαυρόν. Τοῦρνος δὲ καὶ Ἰουβενάλιος καὶ Πετρώνιος, αὐτόθεν ταῖς λιοδορίαις ἐπέξελθόντες, τὸν σατυρικὸν νόμον παρέτρωσαν (*De Mag.* 1.41), “While Persius wished to imitate the poet Sophron, in so doing he surpassed the opacity of Lycophron. Turnus and Juvenal and Petronius too, when they took abuse to its limits thereafter, visited violence upon the law of satire.”

⁶⁴⁵ Cic. *Dom.* 41–2, 53; *Phil.* 5.7.

lectio difficilior, it is very improbable that later grammarians would have contrived satire’s affinities with an outdated legal procedure. References to *satura* legislation in fact are confined to the Republican sources adduced by these grammarians—Lucilius, Annius Luscus (against Gaius Gracchus), and Sallust (of the hurried “surrender” of Jugurtha to Calpurnius Bestia, cos. 111 BCE)—as well as a lone provision in the *lex Acilia de repetundis* (123 BCE), which did not recognize deliberations over *leges saturae* as a legitimate ground to halt proceedings and excuse jurors in cases for extortion.⁶⁴⁶ Second-century-BCE Romans thus would have read the label “*Saturae*” first and foremost in the sense of “pork legislation” since it was a current issue. Moreover, Lucilius’ nod to the *lex satura* is the only internal reference to *saturae* of any kind within his fragments, and with its placement in Book 1, it is likely an important, programmatic statement. Traditionally, the aedile-elect who was given a legal exemption *per saturam* has been identified as Scipio Aemilianus, who stood for the consulship directly after only holding an aedileship. Livy’s *periochae* and the author of the *Rhetorica ad Herennium* describe Aemilianus’ election in nearly the same wording as Lucilius’.⁶⁴⁷ If this identification is correct, Lucilius’ *Saturae* started with the premise that the elite did not play by the rules that everybody else did.

⁶⁴⁶ ...*neive*] auocarier iubeto *neive* abducito *neive* abducier iubeto *neive* facito quo quis eorum minus ad id iudicium adesse poss[it, *neive* facito quo minus iudic]i uerba audeire, in consilium eire, iudicare liceat, *neive* dimitere iubeto, nisi quom senatu[s, ioure uocabitur...aut nisei quom centuriae aut] tribus intro uocabuntur, extra quam sei quid in saturam feretur. (RS 1, *lex Acilia de repetundis*, ll. 71–2, = CIL I² 583), “No [magistrate or promagistrate] shall order any juror to be summoned away, nor lead them off, nor order them to be led off, nor impede any of them from being present, nor prevent them from being permitted to hear arguments, enter into judgement, or render a judgement; no [magistrate or promagistrate] shall order them to dismiss unless at such a time as when the senate is called together lawfully or when an assembly is held by centuries or tribes—provided that its subject is not a matter carried in an illegal procedure [in saturam].”

⁶⁴⁷ *P. Scipio Aemilianus cum aedilitatem peteret, consul a populo dictus. quoniam per annos consuli fieri non licebat, cum magno certamine suffragantis plebis et repugnantibus ei aliquamdiu patribus, legibus solutus et consul creatus...Carthago...capta est, primum a Mancino legato, deinde a Scipione cos., cui extra sortem Africa prouincia data est* (Liv. *Per.* 50, 51), “P. Scipio Aemilianus, though he canvassed for the aedileship, was acclaimed consul by the people. Since he did not meet the age requirement for the consulship, he was released from the laws and made consul—but only after the plebs voted and the senators fought back against them for some time in a great contest... Carthage was captured, first by Mancinus as legate, then Scipio as consul, to whom Africa was given as his province

In the first books of his work, Lucilius structured individual satires around show trials where the defendants had gotten off scot-free, particularly on charges *de repetundis* (extortion). Such cases served as an organizational and thematic scaffold of the *Satires*. As an elite man domiciled in and around Rome, conceivably Lucilius may have been summoned for jury duty in one or another of these cases. He and his audience certainly could have watched them willingly or inadvertently from the forum.⁶⁴⁸ The first book of the *Saturae* appears to have consisted of a single satire—compare Juvenal *Satire* 6—centered around the retrial of Lucius Cornelius Lentulus Lupus (cos. 156 BCE). Servius says it was an inspiration for the *concilium deorum* of Book 10 of the *Aeneid*:⁶⁴⁹

totus hic locus de primo Lucilii translatus est, ubi inducuntur dii habere concilium et agere primo de interitu Lupi cuiusdam ducis in republica, postea sententias dicere. (Serv. A. 10.104)
iudicis Masvicius

This entire passage is lifted from the first book of Lucilius, where the gods are made to hold a meeting and deal with the death of Lupus, some leader/judge in the state, and afterwards they pronounce their judgments.

Elsewhere, we learn that Lupus had earned notoriety because he rose to the censorship of 147 BCE despite the fact that he had faced *de repetundis* accusations concerning the conduct of his consulship.⁶⁵⁰ Who was Lupus to judge anybody else? That irony would be reflected in Maaswyck’s conjecture *iudex*. The Lucilian gods, however, gave the dead Lupus the justice he had escaped in the Roman courtroom. Modern editors of Lucilius have plausibly fashioned the

without a lottery.” *partim propter aliquam extraneam causam ueniunt in deliberationem et consultationem, ut si deliberet senatus {bello Italico}, soluatne legibus Scipionem ut eum liceat ante tempus consulem fieri (Rhet. Her. 3.2.2), “Sometimes matters come into deliberation and council due to outside considerations, as if the Senate were debating whether to release Scipio from the laws so that it would be permitted for him to be made consul before the legal age.” Cic. Man. 62 probably references the same event.*

⁶⁴⁸ Frier 1985: 235–6.

⁶⁴⁹ Serv. A. 10.104.

⁶⁵⁰ Valerius Maximus cites Lupus’ career as an example of *casuum uarietas* (V. Max. 6.9.10).

inventories of expensive clothing, coverlets, furniture, and table vessels cited from Book 1 into evidence for the prosecution, i.e. the stolen goods or fineries purchased with embezzled funds.⁶⁵¹ Lupus' taste for fine cuisine (fish) appears to have done him in.⁶⁵² At some point, one of the divine litigators comments on the failure of Roman censors. A god/-dess (perhaps Juppiter?) ponders over Lupus' ill-fated censorship, "how would it have been possible to save the people and city of Rome and [make them] greater [*amplius*]?" "If not greater [*amplius*] he would have put this off for another *lustrum* [= five-year period inaugurated by the censors]"), answers the other god.⁶⁵³ The reference of the exchange cannot have been lost on readers: as censor, Scipio Aemilianus had struck *amplius* from the lustral proclamation, *di immortales ut populi Romani res meliores amplioresque facerent!* ("May the immortal gods make the state/wealth of the Roman people better and greater!"), since Rome was already big and bloated enough (*satis*).⁶⁵⁴ It is doubtful nonetheless that Lucilius wholeheartedly endorsed Aemilianus as the satirist-censor, the anti-Lupus.⁶⁵⁵ After all, he rejected Scipio as a reader, highlighting meanwhile his extralegal (*per saturam*) political rise. Scipionic behavior was subject material. The gods presided.

Book 2 continued the theme with the *de repetundis* trial of Mucius Scaevola for his praetorship in Asia (120 BCE), prosecuted by Albucius one year later. It was remembered for its verbal fireworks. For Cicero, Scaevola's polemic was a playbook on how to Hellenize an opponent—a likely model in fact for the *Verrines*, with the *de repetundis* prosecution and defense teams flipped. In his apology for writing *De Finibus* in Latin, Cicero recycles Lucilius'

⁶⁵¹ Esp. 10–17 Marx.

⁶⁵² *occidunt, Lupe, saperdae te et iura siluri!* (54 Marx), "O Bass, juices of the shabar-fish and the Nile-perch are the death of you" (trans. Warmington, with a pun on Lupus' wolf/fish name).

⁶⁵³ 5–7 Marx.

⁶⁵⁴ V. Max. 4.1.10.

⁶⁵⁵ In Book 11, Lucilius reproduced the complaint of Claudius Asellus that Aemilianus' own censorship was *infelix*, "ill-omened" (394–5 Marx cf. Cic. *De Orat.* 2.268).

version of Scaevola's attack on Albucius in response to those who think "it's always better in the Greek:"

Graecum te, Albuci, quam Romanum atque Sabinum
municipem Ponti, Tritani, centurionum,
praeclarorum hominum ac primorum signiferumque,
maluisti dici. Graece ergo praetor Athenis,
id quod maluisti te, cum ad me accedis, saluto:
'chaere' inquam 'Tite.' Lictores, turma omnis chorusque:
'chaere Tite.' Hinc hostis mi Albucius, hinc inimicus! (Cic. *Fin.* 1.9 = 88–94 Marx)

[Scaevola]: You, a Greek, Albucius, rather than a Roman or a Sabine, a townsman of Pontius, Tritanus, of the centurions, of distinguished men and the standard-bearers in the front lines—that's what you prefer to be called! Therefore, when I was in Athens as a praetor I greeted you in Greek, as you preferred, when you approached me. "*Bonjour!*," I said, "Titus." My lictors, the whole band and chorus, said, "*Bonjour, Titus!*" This is why you are arrayed against me, Albucius, this is why you are my enemy!

Although the code-switching of the address (*chaere*) has stimulated much commentary, what makes the encounter more cruel is that Scaevola enlisted his six lictors on the practical joke and that he repeated its recollection in court. The scenery of Athens, drama's home, inspired a choral number that poked fun at a Roman who had assimilated a little too well.

In *De Oratore*, however, Cicero makes it plain that Lucilius hardly sided with Scaevola in this contest of egos.⁶⁵⁶ Persius also clarifies that Lucilius portrayed Scaevola in an unenviable light, for he was numbered among the victims Persius says Lucilius chewed up and spit out.⁶⁵⁷ Juvenal agrees in tone.⁶⁵⁸ Moreover, Persius' ordering matches the progression of the offenders in the *Satires*, Lupus (Book 1), then Mucius (Book 2), setting up an undesirable comparison

⁶⁵⁶ Crassus, in passing, on the relationship of his father-in-law Scaevola and Lucilius: *ut solebat C. Lucilius saepe dicere, homo tibi subiratus, mihi propter eam ipsam causam minus, quam volebat, familiaris*, "as Gaius Lucilius often used to say, a man who was not your biggest fan, and for that reason was on less friendly terms with me than he wished to be" (Cic. *De Orat.* 1.72). cf. *ibid.* 3.171.

⁶⁵⁷ *secuit Lucilius urbem, | te Lupe, te Muci, et genuinum fregit in illis* (Pers. 1.114–5), "Lucilius carved up the city—that means you Lupus, and you Mucius, he even broke his molar on those men."

⁶⁵⁸ *quid refert dictis ignoscat Mucius an non* (Juv. 1.154), "Who cares whether Mucius forgives my words or not?"

between the two. To that end, Ian Goh has proposed that Lucilius would not have refrained from exploiting the delicious irony that Scaevola and Albucius were both dedicated students of Greek philosophy (Scaevola a Stoic, Albucius an Epicurean).⁶⁵⁹ And even if Mucius Scaevola *Augur* (agnomen) had legal expertise on his side—the likely owner of a Book 2 epithet *ut iure peritus*⁶⁶⁰—still Lucilius seems to have repeated many of Albucius’ calumnies about the accused. Editors have refashioned Albucius’ string of allegations around the consumption of sex, food, and luxury goods.⁶⁶¹ (Lupus’ opponents, one recalls, did the same just one book earlier.) The *praeco Granius* was remembered for delivering the *coup de grace* to Scaevola after his lucky escape. Given Granius’ central role in the *Satires*, it was most likely Lucilius who preserved Granius’ condemnation for posterity. Granius had scolded Scaevola’s quaestor Albius, who, celebrating the acquittal, failed to realize that his superior officer had only escaped conviction because Albius’ own account books were cooked so badly that Albucius could not enter their damning contents into evidence.⁶⁶² Consequently, Scaevola was saved only by the ineptitude of his staff in the cover-up. As always, it would be tempting to attach Granius’ views to the satiric narrator, if indeed they figured in Lucilius’ retelling. It belongs to satire’s general distrust of authority, most famously in Juvenal’s *quis custodiet ipsos | custodes?*⁶⁶³ We can be certain that it was not an accident that Scaevola Augur, a renowned jurist, made off badly in the satiric courtroom.⁶⁶⁴

⁶⁵⁹ See Goh 2018.

⁶⁶⁰ 81 Marx. See Marx 1904 *ad loc.* on the identification of Mucius Augur as the one “expert in law.”

⁶⁶¹ 66, 69–80 Marx.

⁶⁶² Cic. *De Orat.* 2.281; Cf. *MRR* 1.524.

⁶⁶³ Juv. 6.347–8.

⁶⁶⁴ Cicero, after speaking of the *cena Granii* (see below), notes that no Mucii Scaevolae ever held the censorship (Cic. *Brut.* 161).

A reference in Book 20 to the seminal *Lex Calpurnia (Pisoniana) de Repetundis* (149 BCE) bookends the first volume of Lucilius' works, an organizational choice that again props satire up as an alternative means of holding the Roman office-holding class accountable when the legal system failed. In the fragment, an aristocrat convicts (cf. *reprehensio*) part or all of the *Lex Calpurnia* rather than the other way around:⁶⁶⁵

Calpurni saeuam legem Pisonis repreti
eduxique animam in primoribus naribus. (Non. 427M = 573–4 Marx; text of Lindsay 1903)
saeva lege in Pisonis reprehendi codd.

I convicted the savage law of Calpurnius Piso, and I puffed at the tip of my nostrils. Marx and the other Lucilian editors have situated the “snorter” among the diners at the *cena Granii*, which they also place in Book 20 on strong circumstantial grounds—i.e. the dating of the book and the content of other securely attributed fragments.⁶⁶⁶ Lucilius' *cena* made its impression on readers; Horace's *Sermo* 2.8 and the *cena Trimalchionis* are its most famous satiric reflexes.⁶⁶⁷ Cicero even utilized the convivial chatter to reconstruct the career of the orator Crassus, who was in attendance.⁶⁶⁸ Political discussions surely then formed part of the chatter at Granius' table. As we have noted *passim*, Granius had a reputation for rebuking the elite. It would be fitting therefore if he subjected his guests to the censure they had avoided from their

⁶⁶⁵ The Nonian *paradosis* is corrupt, but Lindsay's is the most sensible reconstruction of the line. The sense, however, is *luce clarius*. The transmitted *in primoribus naribus* best matches the other supporting quotations of *in digitos primoresque...unguis* (Lucilius *Satires* 8), *digitulis primoribus* (Turpilius *Demetrius*), *naribus primoribus* (Afranius *Vopiscus*), *pace* the supplements of Mueller, Marx, and Warmington. (Nonius has collected instances of *primores* as the tips of various bodily appendages.)

⁶⁶⁶ So Marx: *atque si quaerimus quo in libro illa cena fuerit descripta, nihil est probabilius quam e libro XX seruata nobis esse fragmenta cenae* (1904: 1.XLIX).

⁶⁶⁷ See Marx 1904: 211–2 for verbal parallels in the dinner clean-up.

⁶⁶⁸ *sed ita tacitus tribunatus ut, nisi in eo magistratu cenauisset apud praeconem Granium idque nobis {bis} narrauisset Lucilius, tribunum plebis nesciremus fuisse* (Cic. *Brut.* 161), “but [Crassus'] tribunate passed so unremarkably that if he had not dined at the house of the praeco Granius while he was in that office, and Lucilius had not told the story to us, we would not know that he once was a tribune of the plebs.” Bis has long been suspected as diplography.

peers, though perhaps not the gods (Book 1). The *Satires* gave windows into aristocratic life, like the leisurely retreat of the *Iter Siculum* and the spectacle of a gladiator show (Book 4). How better to end than a party?

In conclusion, I have argued that Books 1–20 of Lucilius’ *Satires* were titled and structured around a soft kind of justice, the keenly aimed barbs of the censor-satirist narrator. This is the only Lucilius whom anybody knew, save Nonius Marcellus, Verrius Flaccus, and a few other grammarians. Therefore, a few final words on the reception and transmission of the *Luciliana* would be timely.⁶⁶⁹ Lucilius’ poems circulated in multiple volumes, two of which we know something about: Volume 1) Books 1–20 (hexameters); Volume 2) Books 26–30 (mixed meters). These collections match the two sources Lindsay has identified on Nonius’ bookshelf, *Lucilius i* and *Lucilius ii*, respectively. Varro likewise possessed Volume 1, as did Aulus Gellius.⁶⁷⁰ There is no proof that anything other than the hexameters of Volume 1 influenced subsequent Roman poets. Their exegetical traditions draw only on Lucilian hexameters, and never cite Volume 2 or use iambo-trochaics. This is true of the commentary traditions of

⁶⁶⁹ I intend to publish on this separately; the argument here is necessarily condensed.

⁶⁷⁰ Var. *L.* 5.17. On Gellius’ knowledge of the *Satires*, which was limited to Books 1–20, see Marx 1904: 1.xxix.

Vergil,⁶⁷¹ Horace,⁶⁷² Juvenal,⁶⁷³ and Persius.⁶⁷⁴ So too, Macrobius: Book 6 of the *Saturnalia* lists Vergilian intertexts with the *Satires* that come exclusively from Books 1–20.⁶⁷⁵ Finally, the grammarians name Volume 1 the *Satires* without fail, but they leave Volume 2 title-less.⁶⁷⁶ For most readers therefore Lucilius was synonymous with his new brand of hexameter *Satires*. Volume 1 had an internal structure, divided into long narrative blocks—books 1 and 2 trials, book 3 the *Iter Siculum*, book 16 the “Collyra,” book 20 *cena Granii* (most probably).⁶⁷⁷ Its

⁶⁷¹ Full lists are given in this and the subsequent footnotes. Fragments are sorted by source and given with Marx’s numeration. Exceptions are marked with asterisks; otherwise, assume that a hexameter is quoted (sometimes also with a book identification). *Interpres Veron.*: 1112, 1171; ps.-Probus: 102–4, 126, 784–90*; Serv.: 4, 469, 950–1*, 957–8*, 1131, 1190, 1290, 1350, 1364–5; Serv. Auct.: 30, 125, 127, 138, 158, 166–7, 201, 215, 225, 235, 427, 452 (*bis*), 466, 966*, 1106, 1271, 1319–20; *Schol. Verg.*: 5, 193; *Schol. Veron.*: 55, 206; *Schol. Vatic.* 1054, 1206. The exceptions are explained thus. The ps.-Probus quote (ad *Ecl.* 6.31 = 784–90 Marx) is part of the large cosmological commentary on *Ecl.* 6.31 (mentioned above) and as such bears only a distant relationship to the Vergilian line which occasioned the excursus. In Servius’ commentary at *A.* 1.181 (= 950–1 Marx), the point is to show the oddity of using what appears to be an indefinite pronoun beside an expressed referent (*Anthea si quem*). Servius quotes a Lucilian parallel as “*ecquem Pamphilum quaeris?*,” but the usage was original to Terence (cf. *hospitem ecquem Pamphilum hic habes?*; *Hec.* 804); based on this commentary alone, we certainly should not assume Vergil was intimate with the Lucilian parody of the line, or even that he had the Terentian original in mind. The final Servian example (ad *A.* 10.564 = 957–8) gives different aetiologies for why Amyclae was “silent.” One is a Lucilian boy-who-cried-wolf story. (The town passed an edict against falsely announcing enemy incursions; predictably, the town is taken by storm when no one speaks up during a real attack.) There is no other reason to suppose that Vergil picked Lucilius’ version of the story or that he could not have gotten the “silent Amyclae” formula elsewhere. The iambo-trochaic line provided by Servius Auctus (ad *A.* 6.1 = 966 Marx) is repurposed for an eccentric etymology of *classis* (< *cala*, “plank” and *calones*, “army servants” who carry the *cala*; cf. ad *A.* 1.39; Non. 62 M; Paul 62 M). In sum, all of the exceptions are found to be the digressive, recherché indulgences of the Vergilian commentators.

⁶⁷² ps.-Acro: 47, 134–5, 307, 1210; Porphyrio: 10, 134–5, 222, 228–9, 231–2, 254–5, 306, 307, 1124, 1125, 1158–9, 1164, 1183, 1203–4, 1207, 1225–6, 1248, 1267, 1291, 1316, 1348.

⁶⁷³ *Schol. Iuven.*: 121–2, 1119–20, 1145, 1183, 1264–5.

⁶⁷⁴ *Pers.*: 9; *Schol. Pers.*: 139, 1344–6.

⁶⁷⁵ *Macrob. Sat.* 6.1.35 (Book 5 of *Satires* cited), 6.1.43 (Book 17), 6.4.2 (Book 14), 6.4.17 (Book 1). Skutsch (1985: 31–3) demonstrates that at least these first two examples derive from a grammarian’s *Furta Vergilii* (“Vergilian Thefts”) that documented intertexts in the sequences they were found and culled from the source texts. Long series of ordered Ennian and Lucretian quotations prove the case.

⁶⁷⁶ There are only three exceptions. Nonius, or more likely his copyists are responsible for two. The first instance is a diplography where a book 27 quote followed a Lucilius i headword and borrowed its *Satyrarum* (Non. 21 M). In The same fragment in fact is requoted at 200.21–2 M without *Satyrarum*. On 210 M (= 584 Marx), the Lucilian citation depends on a glossary and the book of Nonius is alphabetized; during its many transformations this quotation could have been brought near a Lucilius i series (e.g. the one on 208 M), suffering a similar misattribution to the above. That too is the explanation behind ps.-Probus’ *Lucilius in XXVIII satyrarum*, shortly after *Lucilius in tertio satyrarum* (Hagen and Thilo 1902: 3.326). Marx hangs the entire nomenclature of Volume 2 on this slender ps.-Proban footing: *quod posterius testimonium si non extaret, dubitaret aliquis, num libros XXVI–XXX reuera saturarum nomine credendum sit fuisse antiquitus praeditos* (Marx 1904: 1.lxxiv–lxxv).

⁶⁷⁷ Porphyrio is the source for the *Collyra*: *sicut scilicet liber Lucili XVI Collyra inscribitur eo quod de Collyra amica scriptus est*, “just as one knows Book 16 of Lucilius is titled ‘Collyra’ because it was written about his

ferocity was indelible.

girlfriend Collyra” (Porph. ad Hor. *C.* 1.22.10). Arnobius also knew of Lucilius’ *Fornix*, “the brothel”; whether a poem or satire is unstated (Arn. *Adu. Nat.* 2.6).

Chapter 5 The Greek Politics of Tiberius Gracchus

The last chapter ended with Lucilius, the censor-satirist, and this one begins anachronistically with Cato, the satiric-censor. For Cato's naming and shaming of his peers was foundational to self-policing among the upper crust of Roman society. Indeed throughout the fragments of Cato's speeches we find attacks on aristocratic excess. Plutarch preserves a Catonian attack on an *equus*: "How," he said, "could such a body prove useful to the state, whose whole middle, from brains to balls, is occupied by their stomach?"⁶⁷⁸ The gibe apparently belongs to a speech where Cato professed his view that any knight who was too large to ride horseback on their *equus publicus* deserved public *ignominia*.⁶⁷⁹ Cato even used *leges cibariae* ("food laws") as a synonym for *leges sumptuariae*, more than one of which he authored himself.⁶⁸⁰ The elite needed to tighten their belts. Elsewhere, Cato claimed that the censorship had been instituted in order to punish *nobiles* who failed to tend their farms, orchards, and vineyards, and to mark down the name of any knight whose horse did not pass muster with the censor's *nota* for '*inpolitia*,' "uncleanliness."⁶⁸¹

A nosy and judgmental guardian of private morals besides, Cato *Censorinus* also opened the conduct of Roman magistrates to public scrutiny. In the field commanders with *imperium*

⁶⁷⁸ 'ποῦ δ' ἄν,' ἔφη, 'τῆ πόλει σῶμα τοιοῦτο γένοιτο χρήσιμον, οὗ τὸ μεταξύ λαιμοῦ καὶ βουβώνων ἅπαν ὑπὸ τῆς γαστρὸς κατέχεται;' (Plu. *Cat. Ma.* 9.6).

⁶⁷⁹ Gel. 6.22.1–3.

⁶⁸⁰ *ORF* F 143.

⁶⁸¹ Gel. 6.4.1–3.

wielded absolute power over coin and life alike. On a number of occasions Cato exposed the misdeeds of executive officers, as with the scathing tricolon *ascendens* aimed at Minucius

Thermus (cos. 193) and his war crimes in Liguria:

decem funera facis, decem capita libera interficis, decem hominibus uitam eripis, indicta causa, iniudicatis, incondemnatis. (Gel. 13.25.13)

You have made ten funerals, you have executed the death penalty on ten free men, you have stolen the life away from ten human beings, with the charge unspoken, with no trial, and without a conviction.

One can read Cato's reproach in tandem with his decision to strip his histories of references to Roman commanders by name—an honor, apparently, which he had no qualms in granting Antiochus' elephant, Surus the one-toothed.⁶⁸² We will observe that Cato was willing to challenge the traditional chain of command even as a junior officer. Increasingly he would demand documentation for withdrawals and deposits of funds at the *aerarium*. In his generation, ex-commanders would be expected to “give an account” (*rationem reddere*) to their peers for their public expenses and actions undertaken in the name of the state. Such accountability was non-existent up until that point. Elite responses to oversight varied, but over time Cato won the day. Cato himself modeled a new kind of literary self-preservation, the published speech, while others redacted war-time logs into commentaries, and hence Roman autobiography was born.

A core motivation for record keeping was to pre-empt charges of misappropriation of funds, since Cato had helped formalize a process for prosecuting maladministration, the *quaestio de repetundis*, which also happened to be Rome's first standing court. It was meant to be an institutional check that made ex-officers answerable to the office-holding class, if not the *populus*. Per Polybius, however, the *quaestio* review mechanism was indebted to the Greek

⁶⁸² Plin. *Nat.* 8.11 = *HRR* F 88.

democratic practice of *euthunai*, which required that magistrates settle accounts before special tribunals when their appointments expired. There of course is the twist that Cato of all people introduced a Hellenic form of political vetting to Rome.

While the *quaestio de repetundis* amounted to a landmark constitutional reform and a fitting end to Cato's career of remonstrating with his peers, it did not arise *e nihilo*. So Gruen writes:⁶⁸³

Rome's first permanent criminal court saw the light of day in 149 B.C. The year may be taken as opening an epoch in Roman legal history. Criminal procedures had not been unknown before that date, but they had been manifold and unsystematic.

The Gracchan period would come to be distinguished by "progressive" legislation of this type, e.g. the *leges tabellariae*, that codified the operation of Roman democracy. Abutting Cato and the Gracchi in fact yields interesting insights given their unexpectedly *compatible* views on elite corruption, the safe handling of public funds, and the need for checks and balances in Roman government. These shared ideas were owed in part to the reception of Hellenistic political thought, which encouraged Romans to re-examine their inherited institutions. Successive generations of Romans would interrogate political traditions and norms, such as Tiberius Gracchus and his sons Tiberius (junior) and Gaius. We will see that the younger Gracchi were less outstanding for the populist content of their messaging than its vehicle packaged for mass consumption. For the brothers' rhetoric remolded public discourse around central questions that had simmered since Cato's youth: What should the people expect the Roman government to do for them, and what constituted the *res publicae* if it was not the *res populi*, i.e. the property of the people?

⁶⁸³ Gruen 1968: 8.

There is no wonder therefore if the Gracchan land distribution project was allowed to continue under a new set of commissioners even after Tiberius' death. The measure was one solution conservatives and progressives could agree upon. What was dangerous and explosive was Tiberius' mass mobilization of the populace. In other words, once the people logically extended Greek democratic ideals beyond the bounds the elite had set, policing authorities responded violently in order to curb them. It was the elite monopoly over culture, politics, and wealth that was principally at issue, and foreign professionals were primary movers in the culture war. For proof we need look no further than the climax of this chapter, the aftermath of Tiberius Gracchus' death, when a special commission was convened and arrested Blossius of Cumae, a Campanian noble and philosopher, on the suspicion that he and Tiberius together had plotted the conflagration of the Capitolium. Diophanes, the rhetorician who had taught Tiberius speechcraft, was captured and executed at that time.

5.1 Cato's Early Career, Insubordination, and Principles

A younger, maybe cleaner-shaven Tusculan made a splash by ratting out his superior officer Scipio Africanus for wasting public funds on the very eve of the invasion of Africa at the end of the Second Punic War. Tribunes were dispatched to Sicily, the site of the preparations for the African campaign, with orders to arraign Scipio and bring him back to Rome to answer for his expenditures, but Scipio convinced the tribunes to relent. So goes the version Plutarch has dramatized anyway.⁶⁸⁴ As quaestor, Cato's job was to facilitate rather than block the acting

⁶⁸⁴ Plut. *Cat. Ma.* 3.7–8. Astin (1978: 13–6) notes that Livy (29.8–9, 16–22) leaves out any disagreement between Cato and Scipio, suggesting instead that Plutarch has misunderstood or invented the “outrageous conduct” of a quaestor openly defying a consul. (He is right to note that is odd that other sources do not preserve such a memorable part of their quarrel, should it have actually occurred.) Astin's contention is that Cato mostly kept quiet as a quaestor, offering a mere show of resistance at the time, only later to drudge up Scipio's excesses in Sicily as

consul's access to the *aerarium*, so he was flaunting the prescribed duty of his office.⁶⁸⁵ But this episode is hardly a passing moment of insubordination in Cato's career. After the Syrian War, Cato expediently sold out his ex-consul Manius Acilius Glabrio, with whom he now contended for the censorship of 189 BCE. At Glabrio's trial, timed calculatedly ahead of the vote, Cato gave testimony that two years prior as a military tribune he had witnessed the defendant embezzling spoils taken from the royal camp of Antiochus.⁶⁸⁶ From the electoral losses of both candidates we may deduce that the quarrel tarnished the luster of Cato and Glabrio alike.

Meanwhile Cato had tried his best to take credit from Glabrio for the smashing victory at Thermopylae, where Cato's contingent had flanked the Seleucid forces. He knew his Herodotus better than Antiochus;⁶⁸⁷ he had surpassed Leonidas;⁶⁸⁸ now was his moment in the sun.⁶⁸⁹

Cato, who was ever rather generous, it would seem, in his own praises, and did not hesitate to follow up his great achievements with boastings equally great, is very pompous in his account of this exploit. He says that those who saw him at that time pursuing the enemy and hewing them down, felt convinced that Cato owed less to Rome than Rome to Cato; also that the consul Manius himself, flushed with victory, threw his arms about him, still flushed with his own victory, and embraced him for a long time, crying out for joy that neither he himself nor the whole Roman people could fittingly requite Cato for his benefactions. (trans. Perrin)

Cato assuredly had a very high opinion of Cato. By most standards, however, and for a junior senator no less, Cato's conduct was quite bad. These episodes constitute some of the ugliest breaks in the chain of command until Sulla upstaged Marius during the capture of Jugurtha.⁶⁹⁰

character evidence at the trial of the Scipiones. Cato's revision is self-serving. He wanted to appear as though he had stuck up to Scipio in 205 BCE, as he did in 195 and 187.

⁶⁸⁵ Plb. 12.8.

⁶⁸⁶ Liv. 37.57.

⁶⁸⁷ I owe this observation to David Potter.

⁶⁸⁸ In the *Origines*, Cato claimed a military tribune named Caedicius had accomplished a similar feat to himself and Leonidas during the first Punic War (*Leonides Laco, qui simile apud Thermopylae fecit*, Gel. 3.7.19 = HRR F 83).

⁶⁸⁹ Plu. *Cat. Ma.* 14.2–3. See his Herodotean-colored exploits in *ibid.* 13.

⁶⁹⁰ Plutarch says that Sulla's handling of the surrender of Jugurtha wounded Marius' pride and sowed the seeds of the future civil war between the two men (Plu. *Mar.* 10.2–6; *Sull.* 3.2–4.2). Cato shares this dubious distinction with

Cato would pursue personal grudges further in the trial of the Scipiones in 187 BCE. His whole public figure became embroiled in haranguing other *nobiles*, which Livy says was the main stimulus for his proliferation of speeches and other literary works.⁶⁹¹

Though his campaign for the censorship of 189 BCE had failed in no small part due to his grating personality, Cato would gain his desire in 184 BCE. The rest was history—and a history increasingly written by him as the decades passed. His exceptionally long life gave Cato an opportunity to rework early missteps, for which he asked charity: “[Cato] made a memorable comment, that it was hard, having lived amongst one age of men, to then defend oneself among another.”⁶⁹² In the end, the picture of the elder Cato came to supplant that of the green upstart, the *novus homo*, and the anti-establishment politician.⁶⁹³

In order to set the record straight Cato took an innovative step when he included some of his speeches in the last books of his history of Italy, the *Origines*.⁶⁹⁴ At least two such speeches, “On Behalf of the Rhodians” and “Against Galba,” are securely attributed to the *Origines*, but others may have also made the cut. By Malcovati’s count we possess fragments of 79 other

his future political opponent, Servius Sulpicius Galba, who turned on Aemilius Paulus after serving as his military tribune in the War with Perseus. See p. 216.

⁶⁹¹ *uiuuit immo uigetque eloquentia eius sacrata scriptis omnis generis. orationes et pro se multae et pro aliis et in alios: nam non solum accusando sed etiam causam dicendo fatigauit inimicos. simultates nimio plures et exercuerunt eum et ipse exercuit eas; nec facile dixeris, utrum magis presserit eum nobilitas, an ille agitauerit nobilitatem* (Liv. 39.40.7–9), “Cato still lives and his eloquence thrives since it has been monumentalized in his writings of every type. Many of his orations exist, both on behalf of himself and clients and against others. For he wore down his enemies not only with with accusations but also with defenses. Too many grudges were occupied with him, but he was occupied by grudges too. Nor could you easily say whether the nobility pursued him more or whether he harassed the nobility.”

⁶⁹² τὸ μνημονευόμενον εἶπεν, ὡς χαλεπὸν ἐστὶν ἐν ἄλλοις βεβιωκότα ἀνθρώποις ἐν ἄλλοις ἀπολογεῖσθαι (Plu. *Cat. Ma.* 15.4). He was compared, probably by himself, to Nestor, a man who was active over the span of three generations of peers (ibid. 5).

⁶⁹³ Cato lumped himself in with the people and popular politicians (reproduced *hoi dēmotikoi* in Plutarch’s Greek) against nobles like Africanus (Plu. *Cat. Ma.* 11.2).

⁶⁹⁴ The first book apparently summarized all of Roman history down to the Punic Wars. Books 2 and 3 gave the origin stories of Italian communities. Books 4 and 5 covered the period of the Punic Wars down to at least 167 BCE, but even this section was brief in comparison to parallels in later histories (*atque haec omnia capitulatim sunt dicta*; Nep. *Ca.* 3). Books 6 and 7 were more granular, covering only the years 167–149 BCE.

named speeches of Cato, and Cicero knew of over 150 Catonian speeches, a figure that renders him the most dominant figure in Roman oratory before Cicero.⁶⁹⁵ Cicero's own testimony in the *Brutus* says as much. To paraphrase: mere scraps of mid-Republican oratory had survived—e.g. Appius Claudius Caecus' "Against the Peace with Pyrrhus"—but these examples had long been subject to the whims of later poets and historiographers; Roman speechwriting, as far as Cicero was concerned, began with Cato.⁶⁹⁶ Not all of Cato's published speeches could have hailed from the *Origines*, space not permitting. They must have circulated separately and may even have been reperformed in his later years.⁶⁹⁷

It is a fact of interest that many of Cato's preserved speeches seem to date to the early portion of his career, a period in which almost no one else, as far as we can tell, was publishing their own. Rather than suppose that Cato alone published speeches, serially and over a period of several decades, it is most likely that he began compiling his oratorical *oeuvre* in his late years as a means of organizing and promoting his life of public service. Cicero has an elderly Cato mouth just this: "Book 7 of the *Origines* is at hand; I am collecting all the records of antiquity [*antiquitatis monumenta*]; to the best of my ability I am putting together the speeches of all the prominent cases I argued."⁶⁹⁸ Publishing bare speeches was still a new and perilous experiment nonetheless, and so the censor hedged his bets, tucking two of his most important speeches into his history, the *Origines*, which was published ca. 150 BCE. (He died in 149 BCE.) Cato's

⁶⁹⁵ Cic. *Brut.* 65. Cf. Astin 1978: 134ff.

⁶⁹⁶ See esp. Cic. *Brut.* 61–2.

⁶⁹⁷ A possible comparandum: To support his own marriage legislation, Augustus had Metellus Macedonicus' *De Prole Augenda* recited over 100 years after its delivery (Suet. *Aug.* 89).

⁶⁹⁸ Cic. *Sen.* 38. Cf. Plu. *Cat. Ma.* 24.8–25.1. Livy says that Cato delivered and published a defense speech *pro se* in his 86th year, which means sometime ca. 153 BCE, given that he believed Cato to have reached 90 years of age (Liv. 39.40). By no means does this prove that this was the first time Cato had disseminated a speech, but it may support the idea that his late career was one of intense revision and publication.

redundant commemorations would influence politicians to come, i.e. autobiographical speeches in one's histories and autobiography in one's speeches.

Other Republican speechmakers only began to disseminate speech scripts after Cato, whose publication timeline we reconstructed ca. the 150s BCE. Lone exceptions referenced by our sources were forensic speeches from the famous trial of the Scipiones (187 BCE) and paired orations of Aemilius Paulus and Servius Sulpicius Galba (167 BCE).⁶⁹⁹ On the other hand, the rest of the Galban fragments date to the 140s and 130s.⁷⁰⁰ Of particular import are the three speeches Galba gave in 149 BCE to defend his conduct in Lusitania where, it was alleged, he had treacherously entrapped and murdered the locals under the pretense of a peace settlement.⁷⁰¹ It was the trial of the century. Despite declining health, Cato came to the popular assembly in order to deliver one final speech for the prosecution.⁷⁰² This was the *In Galbam* that was *coda* to Cato's career, life, and the *Origines*. But its success was mixed. Galba after all was acquitted, while under Cato's auspices the *lex Calpurnia de repetundis* passed, which established a court (*quaestio*) to hold future offenders of Galba's ilk to public account.⁷⁰³ Nonetheless in order to understand Cato's final oratorical and legislative pushes, we must first examine the aristocratic attitudes he was trying to correct.

⁶⁹⁹ On the trial of the Scipiones, see below. Galba, later to become the foremost orator of his day, had challenged his former commander's grounds for a triumph after the War with Perseus (Liv. 45.35–9; Plu. *Aem.* 30.3–31.6).

⁷⁰⁰ *ORF* F 12–16.

⁷⁰¹ Liv. *Per.* 49 = *ORF* F 12, 15.

⁷⁰² Livy gives Cato an active role in the proceedings: *nonagesimo anno Ser. Galbam ad populi adduxerit iudicium* (39.40). cf. Gell. 13.25 for the opening of the speech, Cic. *Brut.* 89.

⁷⁰³ I have wondered if Galba, having narrowly escaped, published his own speeches in response to Cato's version of the trial in the *Origines*.

5.2 Balancing Accounts; The Expectation of Fiscal Transparency

Even if *De Agri Cultura* makes for dull reading, Cato always has enjoyed a reputation as a good accountant. It made him especially well-suited to the office of censor. For one of the primary preoccupations of the censor was to let contracts.⁷⁰⁴ Another was to take *professiones*, formal declarations of property, in order to sort families into different ranks.⁷⁰⁵ In turn these literal evaluations underpinned a social value system, *existimatio*, that gave censors like Cato the latitude to relegate disgraced members of the aristocracy.⁷⁰⁶ A gnomic statement attributed to the Silician dramatist Epicharmus encapsulates this shared elite ideology well:

ὁ βίος ἀνθρώποις λογισμοῦ κἀριθμοῦ δεῖται πάνυ·
ζῶμεν ἀριθμῶι καὶ λογισμῶι· ταῦτα γὰρ σώιζει βροτούς (ps.-Epich. fr. 255 Kaibel)

Human life requires a lot of reckoning and accounting. We live by accounting and reckoning; for these things save men.

A Latin version of this sentiment, the *ratio uitae*, was a favorite in Cicero's forensic speeches.⁷⁰⁷

Romans also possessed an idiom *rationem reddere*, "to render one's account."⁷⁰⁸

And yet the sole person exempt from *ratio* had been the Roman magistrate. Over the course of Cato's career, however, calls for fiscal accountability within the executive would

⁷⁰⁴ On Cato's censorship: et uectigalia summis pretiis, ultro tributa infimis locauerunt. quas locationes cum senatus precibus et lacrimis uictus publicanorum induci et de integro locari iussisset, censores, edicto summotis ab hasta qui ludificati priorem locationem erant, omnia eadem paulum imminutis pretiis locauerunt. nobilis censura fuit simulatatumque plena, quae M. Porcium, cui acerbitas ea adsignabatur, per omnem uitam exercuerunt (Liv. 39.44.8–9), "And [the censors] let the contracts for tax-farming at the highest bids while they took the lowest bids on building contracts. Afterwards the senate was persuaded by the prostration and tears of the tax-collectors and ordered that new contracts be made. The censors lowered the prices a little bit but removed from the auction those who had made a mockery of the previous bidding on the contracts. It was a noble censorship that Marcus Porcius conducted and full of the feuding which he had participated in through his whole life; he was a man to whom bitterness was apportioned."

⁷⁰⁵ RS 24 (*Tabula Heracleensis*), ll.143–58.

⁷⁰⁶ See Introduction.

⁷⁰⁷ Cic. *Quinct.* 92.

⁷⁰⁸ This is the Plautine usage (fittingly, in the *Trinummus* at l.515; cf. ll. 402ff.) and legal usage (RS 15, Tarentum frag., l.24).

mount. In 187 BCE, Cato had been a primary organizer of the special investigation into the financial management of the Scipio brothers during their campaign against Antiochus.⁷⁰⁹

Discrepancies between the reported figure of spoils and the records of the *aerarium* needed to be settled. Livy outlines the anti-Scipionic position thus:

alii neminem unum ciuem tantum eminere debere, ut legibus interrogari non possit; nihil tam aequandae libertatis esse quam potentissimum quemque posse dicere causam. quid autem tuto cuiquam, nedum summam rem publicam, permitti, si ratio non sit reddenda? (Liv. 38.50)

Others claimed that no one citizen should become so pre-eminent that he could not be questioned under the laws, that nothing was of greater value to fairness and liberty than for the most powerful person to be able to see his day in court. For what—if anything, let alone the foremost republic—could safely be entrusted to anyone unless they had to render account for it?

The gerundives seem to unmask the real rhetorician, Cato, of *Karthago delenda est* fame, and the financial idiom *rationem reddere* exposes his line of attack: Cato wanted to follow the money.

Africanus' response was to tear up his account books in front of his fellow senators:

They say that an accounting of so great a sum [*tantae summae rationem*; sc. HS 400,000] was sought from Publius Scipio himself in a meeting of the senate, and that when his brother Lucius produced his account book [*librumque rationis*; i.e. Publius'] [Africanus] himself, with the senate onlooking, had torn the book to shreds with his own hands, indignant that while he had brought HS 2,00,000,00 into the treasury an accounting [*ratio*] of HS 400,000 was demanded of him. (Liv. 38.55.)

Africanus' refusal to give any *rationale* for his conduct demonstrates how recalcitrant and reactionary the traditional aristocracy was to attempts to make it beholden to the public. Scipio had in effect given the same reply to Cato several decades earlier when Cato proved an uncooperative quaestor during the last campaign of the Second Punic War: "Scipio said to Cato that he had no need of an overly penny-pinching (λίαν ἀκριβοῦς) quaestor when he was heading

⁷⁰⁹ Livy makes it seem as though Cato waited until after the death of Africanus to take aim at Lucius (38.50–4), but Plutarch's account makes it clear that Cato devised the attacks on both men from the very start (*Cat. Ma.* 15.1–2).

full steam ahead for war; for he owed the city an account of deeds [πράξεων...λόγον; = *rerum gestarum rationem?*], not an itemized receipt [χρημάτων...λόγον].”⁷¹⁰

The trial of 187 became so contentious and chaotic that it was very difficult for later historians to establish some of its principle facts, even, for instance, who led the prosecution team. Livy breaks his narrative to note the confusion in the record:

nec inter scriptores rerum discrepat solum, sed orationes quoque, si modo ipsorum sunt quae feruntur, P. Scipionis et Ti. Gracchi abhorrent inter se. index orationis P. Scipionis nomen M. Naeuii tribuni plebis habet, ipsa oratio sine nomine est accusatoris; modo nebulonem, modo nugatorem appellat. ne Gracchi quidem oratio aut Petilliorum accusatorum Africani aut diei dictae Africano ullam mentionem habet. (Liv. 38.56)

Not only are there differences amongst the writers of these events, but also the orations of Publius Scipio and Tiberius Gracchus are inconsistent—if they even belong to the people they are supposed to. The incipit of the oration of Publius Scipio has the name of the [prosecuting] tribune as a Marcus Naeuius, whereas the speech itself has no mention of the prosecutor; sometimes he refers to the man as a scoundrel, at other times as a clown. Not even the speech of Gracchus has any mention either of the Petillii as accusers of Africanus or of Africanus’ court date.

Once more we note the haphazard survival of speeches prior to Cato’s *Origines*. Scipio felt the need neither to produce his own account books in court nor to promulgate a polished version of his defense to the wider public. In fact, the inconsistencies Livy notes in the speech transcripts may suggest that it was younger family members, such as the Sempronii Gracchi, who later published them to defend the legacy of the Scipiones.

The rules of the game were quite different for Scipio’s grandchildren. Account-keeping features prominently in the story of Tiberius Gracchus’ first setback in Roman politics. As a novice politician, Tiberius would be forced to defend his role as Mancinus’ quaestor in the striking of a shameful treaty with the Numantines (138 BCE). Tiberius pleaded that his

⁷¹⁰ Plu. *Cat. Mai.* 3.6, with liberal translation.

arrangements were sensible since they secured the safe return of 20,000 men in the Spanish legions caught in an untenable position and at the mercy of the enemy. His political opponents, however, latched onto rumors of impropriety, primarily that Tiberius had negotiated alone with Numantine leaders at a lavish dinner party. It was only natural to assume that some exchange of bribes had occurred, as had happened in years prior under Pompeius. In response to these new allegations Tiberius invented a truly remarkable excuse: he had left his account books behind with the military equipment in the city; on discovering the loss, he had asked the Numantines to deliver back his precious ledgers lest he ever become the subject of a future audit; the overenthusiastic Numantines not only indulged his request but invited him to dinner—and it would be impolite to refuse!⁷¹¹ Outrageous though this lie may be, Tiberius and his audience of peers clearly set a great deal of store by the books quaestors kept on campaign. And Tiberius actually did escape punishment. He had learned from the mistakes of his maternal grandfather.

Between Scipio and Tiberius sat Cato. Two speeches show Cato's commitment to financial transparency. One is cited by Fronto as *De Sumptu Suo*, "on his personal expenses."⁷¹² A lengthy fragment features a comic exchange between Cato and a clerk whom he constantly interrupts:

iussi caudicem proferri, ubi mea oratio scripta erat de ea re, quod sponsionem feceram cum M. Cornelio. tabulae prolatae: maiorum benefacta perlecta: deinde quae ego pro republica fecissem leguntur. ubi id utrumque perlectum est, deinde scriptum erat in oratione: "numquam ego pecuniam neque meam neque sociorum per ambitionem dilargitus sum." "attat, noli noli scribere," inquam "istud"; nolunt audire. deinde recitavit:" numquam ego praefectos per sociorum uestrorum oppida imposiui, qui eorum bona [coniuges] liberos diriperent." "istud quoque dele; nolunt audire: recita porro." "numquam ego praedam neque quod de hostibus captum esset neque manubias inter pauculos amicos meos diuisi, ut illis eriperem qui cepissent." istuc quoque dele: nihil eo minus volunt dici; non opus est recitato... (*ORF* F 173)

⁷¹¹ Plu. *TG* 6.

⁷¹² *ORF* F 173–5.

“I ordered the codex to be brought forth wherein my speech had been written on the matter for which I wagered with M. Cornelius [i.e. the procedure of *legis actio*]. The tablets were brought out, the good deeds of my ancestors were read over, then whatever I had done on behalf of the republic was read. When both these sections were read, next came what had been written in my speech:

Clerk: Never have I distributed my own money or that of the allies in bribes.

Cato: Hush, don’t—don’t write that. They don’t want to hear it.

Clerk: Never have I imposed prefects over the towns of your allies to steal their livelihoods, wives, and children.

Cato: Scratch that. They don’t want to hear it. Keep reading.

Clerk: Never have I divided *praeda*, whether it had been taken from the enemies or *ex manubiis*, amongst a small group of my friends so that I could deprive those who had won it [sc. the soldiers].

Cato: Scratch that too. It’s the thing they want to hear the least. No need then—keep going...

The dramatic performance goes on, but so much will suffice. Fronto cites this song and dance as a favorite and original use of the rhetorical device *paraleipsis* (= Lat. *praeteritio*).⁷¹³

De Consulatu Suo, “On his Consulship” was another masterpiece of Catonian propaganda. Years after his consular commission in Spain (195 BCE), Cato was forced into court to defend his previous actions in the field; perhaps his more recent activity in the Syrian War occasioned a review of his earlier military career.⁷¹⁴ To judge from the fragments of the speech, Cato went into painstaking detail. I beg the reader’s forgiveness for reproducing examples here:

interea ad socios nostros sedulo dispertieram, alio frumentum, alio legatos, alio litteras, alio praesidium usquaque (*ORF F 34*)

⁷¹³ haec forma παραλείψεως nova, nec ab ullo alio, quod ego sciam, usurpata est. iubet enim legi tabulas, et quod lectum sit iubet praeteriri (Fro. Ant. 1.2.12).

⁷¹⁴ Entitled *Dierum Dictarum de Consulatu Suo* in 7 Charisian quotations—though plainly *De Consulatu Suo* in another two. On date: Cato mentions his later exploits at Thermopylae (191 BCE) in the same speech (*ORF F 49*).

In short order, I split up the work among our allies: the grain, legate duty, letters, and help wherever needed.

postquam auspicaui atque exercitum adduxi pone castra hostium (ibid. 36)

Afterwards I took the auspices and I lead the army against the camps of the enemy.

itaque porro in Turtam proficiscor seruatum illos
inde pergo porro ire in Turtam (ibid. 40 + 41)⁷¹⁵

So I set off to Turta to save the men there.

Then I went onwards to Turta.

In *De Consulatu Suo*, one recognizes the bare prose style that would become commonplace in *commentarii*. The fuller title Charisius uses [*Ratio? Oratio?*] *Dierum Dictarum de Consulatu Suo* is opaque but suggests that Cato read directly from diaries he had kept in Spain.⁷¹⁶ This too is the probable source of his account in the *Origines*, which retread the same events in Book 5.⁷¹⁷ So when legal recourse failed Cato, he turned to literary ones; implicitly and explicitly, the *Origines* and the published version of *de Consulatu Suo* set his own successful Spanish command beside the failings of Galba (Book 7 of the *Origines*), and in play-by-play fashion.

Cato set himself apart from the misconduct of his peers. In the original delivery of *De Consulatu Suo*, he stressed his distance from the prosecutors: “I led my life differently than these men.”⁷¹⁸ Like Cicero, Cato returned to the course of his consulship often as a point of pride. In particular, Cato highlighted his abstention: he had refused gifted wine (*uinum congiarium*);⁷¹⁹

⁷¹⁵ Charisius cites the fragments sequentially (*GLK* 1.213).

⁷¹⁶ The first use of *diarium* in extant Latin literature is from the histories of Sempronius Asellio, where he equates a *diarium* with Gk. *ephemeris* (*HRR* F 1). Asellio dismisses annalistic histories by likening them to such diaries, whereas he prefers *historiae* that explain the conduct of Roman leaders, their thinking process, etc. See below.

⁷¹⁷ E.g. *HRR* F 99.

⁷¹⁸ *secus aetatem agerem quam illi egissent* (*ORF* F 25) Cf. *uidetote quanto secus ego fecerim* (*ORF* F 26), “look how differently I have behaved.”

⁷¹⁹ Plin. *Nat.* 14.91.

left his horse in Spain to relieve the state from the cost of its care;⁷²⁰ refused provisions from army suppliers;⁷²¹ and donated his share of the war spoils to the army.⁷²² When Cato discovered that one of the public slaves on his staff had bought three boys from a slave auction of the war prisoners, Cato had the boys sold again and returned the money as a fine to the treasury.⁷²³ Even Plutarch wonders if Cato took itemizing to an extreme.⁷²⁴

Cato's refrain is about the treatment of public funds. In a speech on the proper division of war booty, Cato speaks directly to the rampant abuses of the public trust by Roman officials:⁷²⁵

M. Cato in oratione, quam de praeda militibus diuidenda scripsit, uehementibus et inlustribus uerbis de inpunitate peculatus atque licentia conqueritur... 'fures,' inquit 'priuatorum furtorum in neruo atque in compedibus aetatem agunt, fures publici in auro atque in purpura.' (Gel. 11.18.18 = *ORF* F 24)

Marcus Cato, in the speech which he wrote about divvying up war booty to soldiers, complains with strong and dignified language about the lack of punishment for embezzlement and the boldness of its perpetrators... "Thieves," he says, "spend their lives in cuffs and chains if they steal from private citizens; if they steal public money they live in gold and in purple."

Cato, I think, would approve of Cicero's idealized republic in *De Legibus* wherein no candidate or magistrate could give or accept gifts, and every ex-magistrate would leave an official report of their tenure (*acta*) with the censors—nor with indemnity for charges related to their term in office.⁷²⁶ In a similar spirit, Cato's had opened the *Origines* with the statement that the

⁷²⁰ Plu. *Cat. Ma.* 5.7. Cf. Isid. *Orig.* 20.3.8 = *ORF* F 132.

⁷²¹ Liv. 34.9.12. The report of Cato's refusal may come from the *Origines*, the speech, or both.

⁷²² Plu. *Cat. Ma.* 10.4.

⁷²³ Plu. *Cat. Ma.* 10.5. The public slave committed suicide rather than face Cato's punishment.

⁷²⁴ ταῦτα μὲν οὖν εἴτε μεγαλοφυχίας εἴτε μικρολογίας θετέον, ἔξεστι τῷ πείθοντι χρῆσθαι λογισμῷ, (Plu. *Cat. Ma.* 5.6), "whether we should chalk these actions up to the greatness of his soul or penny-pinching, someone who trusts accounting can decide."

⁷²⁵ He seems to have captured at least one such moment from his Spanish campaign, simply: *praeda quae capta est uiritim diuisa* (Fest. 378 M = *HRR* F 133), "the booty that was captured was distributed to each man."

⁷²⁶ *donum ne capiunto neue danto neue petenda neue gerenda neue gesta potestate. quod quis earum rerum migrassit noxiae poena par esto. censoris fidem legum custodiunto; priuati ad eos acta referunto nec eo magis lege liberi sunt* (Cic. *Leg.* 3.11), "Let those who are about to seek office or take office or those who have already taken office refrain from taking or giving gifts. Let the penalty be in proportion to the crime for whoever violates any of

accomplishments of the state (*res gestae*) belonged to the people, and not the military leaders they appointed: *si quos homines sunt, quos delectat populi Romani gesta describere*, “if there are any people whom it pleases to have the accomplishments of the Roman people written down.”⁷²⁷ One well-documented feature of the *Origines* was Cato’s decision to suppress the names of commanders.⁷²⁸

We will see that Cato’s conception of the treasury as the property of the Roman people prefigures the Gracchan reforms in important ways. The *lex Calpurnia de repetundis*, Cato’s project in design though not in name, introduced a grievance process against ex-magistrates with Rome’s first ever standing court, the *quaestio de repetundis*. The gist of the *repetundae* procedure was that provincials could sue governors for damages incurred, usually through a *patronus*, another member of the Roman elite acting as a legal representative. Though we do not possess the text of the *lex Calpurnia*, we are fortunate to have an inscribed copy of the *Lex Acilia*, the *lex de repetundis* passed during the tribuneship of Gaius Gracchus (123 BCE), and due to the traditional nature of Roman law, we can expect it draws heavily on its progenitor. The stipulation that former *de repetundis* defendants—not just convicts—could not sit on juries of the *quaestio* (1.23) is likely a vestige of the original *lex Calpurnia*, as is the ability to prosecute not only magistrates but the sons of magistrates, who, by nepotism, often served formally or informally as *attachés* to their fathers.⁷²⁹ Many of the Gracchan provisions in this law regard the

these conditions. Let the censors guard the laws; once they become private citizens, let ex-magistrates hand over an official account of their actions in office to [the censors], and let them not be free from legal repercussions.”

⁷²⁷ *HRR* F 1.

⁷²⁸ See above.

⁷²⁹ Crawford fails to examine the full repercussions of his (correct) supplement to the clause *quod h(ac) l(ege) nomen [delatum sie]t* (*RS* p. 1.101), even after making the following *proviso*: “Although *nomen deferre* means literally ‘to register the name (of someone),’ we translate the phrase as ‘to prosecute,’ because that is what is meant” (*ibid.* 85). However that may be, “to prosecute” does not mean “to convict!”

selection of the jury pool (1.16; repeated at 1.22) and demonstrate a simple, but telling legal principle: ex-magistrates were not to be empaneled on the jury for *de repetundis* cases of fellow ex-magistrates. Indeed the language describing ineligible jurors matches exactly the lowest magistracies subject to this *quaestio*: tribune of the plebs, quaestor, *Illvir capitalis*, *Illvir agris adsignandis*, and certain military tribunes. In reality, nobody prosecuted holders of these minor offices for extortion, but the vetting criteria of the *lex Acilia* effectively disqualified most senators and those who were to be adlected into the senate at the beginning of the next *lustrum*, since many of these positions would have either required senatorial rank or bestowed it at the next review by the censors. In theory, however, the *lex Acilia* made every Roman official accountable for their administration of office, down to the tribunes and Gracchan commissioners themselves.⁷³⁰

In a sense the Gracchan addenda were an outgrowth of Cato's original vision; the *lex Acilia* aimed serious blows at the culture of enablement within the office-holding class. For comparable reasons a series of *leges iudicariae* were passed, which had switched the *quaestiones* back and forth between senatorial and equestrian control in the decades after the *Lex Calpurnia*.⁷³¹ Shifting generational attitudes are personified in the trend we have examined thus far: (Scipio) magistrates need no oversight; (Cato) magistrates could be peer-reviewed; (Gaius Gracchus) magistrates should be audited by non-office-holding members of the elite.

Remarkably, Cato's novel *quaestio* system appears to originate from Greek constitutional thought. It figures prominently in Polybius' reckoning of the Roman constitution in Book 6 of

⁷³⁰ Compare "[I]t is reasonable to suppose that our legislator might have wished to emphasise that Gracchan magistrates were being treated no differently from any others" (*RS* p. 1.101).

⁷³¹ Rotondi (1912: 104–5) lists 7 *leges iudicariae* from just 133–91 BCE.

his *Histories*. For Polybius, the most natural comparison was the Greek procedure of *euthunai*, a mandatory “exit interview”.⁷³²

τοῦ γε μὴν δήμου στοχάζεσθαι καὶ λίαν αὐτοῖς ἀναγκαῖόν ἐστι, κἂν ὄλως ἀπὸ τῆς οἰκείας τύχῳσι πολὺν τόπον ἀφεστῶτες· ὁ γὰρ τὰς διαλύσεις καὶ συνθήκας ἀκύρους καὶ κυρίας ποιῶν, ὡς ἐπάνω προεῖπον, οὗτός ἐστιν. τὸ δὲ μέγιστον ἀποτιθεμένους τὴν ἀρχὴν ἐν τούτῳ δεῖ τὰς εὐθύνας ὑπέχειν τῶν πεπραγμένων. ὥστε κατὰ μηδένα τρόπον ἀσφαλὲς εἶναι τοῖς στρατηγοῖς ὀλιγωρεῖν μήτε τῆς συγκλήτου μήτε τῆς τοῦ πλήθους εὐνοίας.

It is quite necessary for [Roman generals] to seek the favor of the people, even if they happen to be a great distance from home. For the people make armistices and treaties binding; these sorts of things, as I said before, belong to the people. Most important of all, it is necessary for those setting down their office to offer an account of their actions, with the result that it is by no means safe for generals to make light of the good will of the senate and the people.

Polybius does not reference *euthunai* proceedings anywhere else in his *Histories* for the very reason, I propose, that its Roman counterpart was a soft, extra-legal “requirement” performed by speeches and memoirs unless injured provincials initiated a formal *quaestio*. Polybius cannot be translating a Latin term one-for-one—since there was no such term—but rather is setting up a provocative picture of the democratic elements of the Roman constitution. In his analysis, Roman magistrates *are* directly answerable to the people.

Quem ad finem? Sarah Lane has recently underscored the importance of the practice of *euthunai* in Athenian constitutional thought.⁷³³ As Lane argues, Athenian magistrates were only legitimate if they were bound to such review, and hence officials not under oath to submit to *euthunai* proceedings, such as token archons appointed by the Thirty, could be retroactively repudiated, their acts annulled, their years in office even rebranded as ones of *anarchia*. Thus

⁷³² Plb. 6.15.9–11.

⁷³³ Lane 2017.

Polybius' analogy hints that though Romans lacked an official review process like *euthunai*, Greek democratic principles nonetheless had infiltrated the structures of the Roman Republic.

5.3 Defensive Roman Historiography

The legacy of the *lex Calpurnia de repetundis* would be felt especially in the historiographic tradition, the one genre that had remained the sole purview of the *nobiles*. Cato himself had modeled how autobiography could forestall future accusations of misconduct and self-promote in equal measures. For instance, Cato's boast that the number of cities he captured outnumbered the grand total of days he spent in Spain hypothetically could be verified upon perusal of *De Consulatu Suo* and *Origines*;⁷³⁴ in addition, there was a paper trial and bevy of ex-subordinates to corroborate his claims to extreme moderation should anyone be inclined to do so. These lessons were not to be lost on Caesar, Sulla, and Augustus.

More immediately, the Catonian *exemplum* informed the autobiographies of the Gracchan-era politicians Aemilius Scaurus and Rutilius Rufus. Rufus, like Cato, was eager to demonstrate his own political capacity.⁷³⁵ One motivation was to justify bold (perhaps even reckless) actions he had undertaken as military tribune to Scipio Aemilianus in the Numantine War.⁷³⁶ Rufus was able to spin his time in Spain as a positive, nonetheless, by riding Aemilianus' coat-tails. The single substantive fragment of Rufus' *De Vita Sua* advertises how the officer corps restored flagging discipline in the ranks.⁷³⁷ Rufus certainly played up his own Stoic self-control in order to combat *de repetundis* charges much later (93/92 BCE) which stemmed from a

⁷³⁴ αὐτὸς δὲ φησιν ὁ Κάτων πλείονας εἰληφέναι πόλεις ὢν διήγαγεν ἡμερῶν ἐν Ἰβηρίᾳ: καὶ τοῦτο κόμπος οὐκ ἔστιν, εἴπερ ὡς ἀληθῶς τετρακόσαιο τὸ πλῆθος ἦσαν (Plut. *Cat. Ma.* 10.3).

⁷³⁵ On the other hand, both Marius (Plu. *Mar.* 28.5; election fraud) and Pompeius Strabo (Plu. *Pomp.* 37.3; bad moral character) were critiqued in Rutilius' historical writings.

⁷³⁶ App. *Hisp.* 88.

⁷³⁷ Isid. *Orig.* 20.11.4 = Rutilius Rufus *HRR* F 13; Cf. App. *Hisp.* 85.

tour in Asia under Mucius Scaevola.⁷³⁸ Whether or not the charges featured in *De Vita Sua*, a groundwork had been laid for his defense. Almost as little is known about the autobiography of Aemilius Scaurus, but it too seems to have been designed to address *de repetundis* charges leveled by Marcus Brutus.⁷³⁹ The first book opened with the humble origins of Scaurus.⁷⁴⁰ Later he claimed that his men showed such restraint on campaign that they did not dare touch an apple tree inside the walls of the camp though it was laden with fruit; when they moved camp not an apple had been taken.⁷⁴¹ And in another fragment it is Scaurus who holds his men back from a disadvantageous engagement.⁷⁴²

The impact of Cato on turn-of-the-century historiography was great. Sempronius Asellio, another historian of this age, made the case for eye-witness history over universal history, that is, *Historiae* over *Annales*:⁷⁴³

Annales libri tantummodo, quod factum quoque anno gestum sit, ea demonstrabant, id est quasi qui diarium scribunt, quam Graeci ephemerida uocant. nobis non modo satis esse uideo, quod factum esset, id pronuntiare, sed etiam, quo consilio quaque ratione gesta essent, demonstrare

Books of *Annales* only show what happened and in which year, which is rather like people who write a diary (*diarium*), which the Greeks call a daily log (*ephemeris*). I do

⁷³⁸ On Rufus' Stoicism: *P. Rutilius Rufus, homo doctus et philosophiae deditus* (Cic. *De Orat.* 1.227). He is compared to Socrates at Quint. *Inst.* 11.1.12. He was also a student of Panaetius (Cic. *Brut.* 113–4; *Off.* 3.10). See *HRR* 1.CCLV for references on Rufus' trial.

⁷³⁹ Charisius knew a speech of Scaurus titled *Contra M. Brutum de Pecuniis Repetundis* (Charis. *GL* 1.129, 2.210). Likely it was incorporated into the *De Vita Sua* following Cato's precedent in the *Origines*.

⁷⁴⁰ V. Max. 4.4.11 = Aemilius Scaurus *HRR* F 1. He claimed that his father's estate (*totum censum*) amounted to a mere HS 35,000.

⁷⁴¹ Ps.-Frontin. *Strat.* 4.3.13.

⁷⁴² *GLK* 1.374 = *HRR* F 3.

⁷⁴³ Discussed Elliott 2013: 30–8. The entry in Verrius' *De Significatu Verborum*, the intermediary source, will have come under the lemma *Annales*. His opinion was as follows: “*historiam*” ab “*annalibus*” quidam differre eo putant, quod, cum utrumque sit rerum gestarum narratio, earum tamen proprie rerum sit “*historia*,” quibus rebus gerendis interfuerit is, qui narret; eamque esse opinionem quorundam Verrius Flaccus refert in libro de significatu uerborum quarto (Gel. 5.18.1–2), “Some think that *historia* differs from *annales* for the following reason, because [*annales*] is the recounting of deeds, but *history* more specifically deals with those things for which the narrator was present; Verrius Flaccus gives this opinion in the fourth book of *On The Meanings of Words*.”

not think it is enough for us to only to announce what has happened, but also to show under what consideration and rationale [*ratio*] actions were taken.

In this fragment comes the first extant mention of a *diarium* in Latin literature, though we must also recall Cato's speech titled *Dierum Dictarum De Consulatu Suo* (discussed above). The reading public not only wanted access to military documents but real and honest answers to why certain courses had been chosen in the field—analytic, Thucydidean history, if you will. Rutilius Rufus, in addition to his *De Vita Sua* also published *Historiae*, which perhaps were the first Roman historical work to bear that name, and if not, they were only shortly preceded by Asellio's own experiment in the genre.⁷⁴⁴ Here again we can discern the imprints of Cato and the last books of the *Origines* which covered recent history. We know in fact that Galba's trial in 149 BCE featured in Rufus' writings, where the latter recalled, in less than glowing terms, Galba's pathetic appeal to the people for leniency, how he had paraded his family to secure an acquittal.⁷⁴⁵

Aristocrats were learning how much could be gained by controlling the narrative of their exploits *in writing*. Gaius Fannius had to toe a fine partisan line in his *Annales*, where he needed to square his earlier associations with Tiberius and Gaius Gracchus with his later abandonment of the younger brother under mounting pressure from the Senate.⁷⁴⁶ For Lutatius Catulus, there was a desire to correct the record on the Battle of Vercellae, since in his view Marius and Sulla had stolen credit for the victory. He published a redacted form of his military commentaries in

⁷⁴⁴ The genre was resumptive; a historian of each generation would pick up where his predecessor had left off. A lineage of Latin *historiae* runs: Asellio > Sisenna > Sallust > Asinius Pollio > Tacitus.

⁷⁴⁵ Cic. *De Orat.* 1.227; cf. Cic. *Brut.* 86–90.

⁷⁴⁶ Tiberius and Fannius were mess-mates in the first company to scale the walls of Carthage (Plu. *TG* 4 = Fannius *HRR* F 4). Fannius later would win the consulship of 122 BCE with the backing of Gaius (Plu. *CG* 8.1), but betrayed him and the cause (ibid. 8.3, 12.1–2; cf. Cic. *Brut.* 99).

his *De Vita Sua* which, together with Sulla's own testimony, seems to have informed the more balanced version of the events of the Cimbrian War that is found in Plutarch.⁷⁴⁷

The rise of published speeches, autobiographies, and eye-witness histories thus corresponded to the needs of an aristocracy that had placed itself under increased surveillance. On this subject, several studies of Latin literature have missed the point. Assuredly, Latin prose was articulated in ways that were tasteful to conservative elements of the Roman aristocracy because among other things it was voiced *by them*. The laconic prose style that characterizes the commentary genre is proof enough of this inclination. That being said, developments in second-century-BCE historiography cannot be sufficiently explained by vague appeals to archaic elogia or the festive *coniuualia carmina* Cato imputes to the *maiores*, even less so other unnamed constituents of an oral tradition.⁷⁴⁸ Romans had been writing histories after all for the better part of a century before our period, and in Greek.⁷⁴⁹ A simple fact has become obfuscated: Latin prose was born in the mid-second century BCE out of the paranoia of the ruling class and its desire for self-preservation. After Cato, “transparency” was demanded, feigned or otherwise.⁷⁵⁰ And the *quaestiones*, the newly established sitting courts, would become *the* new arena for elite infighting. As we noted in Chapters 2 and 4, the dockets of Republican courts would be packed with *de repetundis* cases; about a third of the known public trials during the Gracchan period involved one form of maladministration or another. Already we have traced the forensic bent of

⁷⁴⁷ Plu. *Mar.* 23.5, 25.4–6.

⁷⁴⁸ Cic. *Tusc.* 4.2.3.

⁷⁴⁹ A fatal criticism I think to Sciarrino 2011: 113ff.. Sciarrino's work is heavily influenced by Habinek's.

⁷⁵⁰ Such “transparency” may also explain his switch to the vernacular for the *Origines*, probably the first history in Latin.

satire, another genre dominated by aristocrats and their litigation, and so too did Roman law courts determine the trajectory of prose genres.

5.4 Roman Populism before the Gracchi

As I have argued, the late decades of Cato's career ushered in a new era of public accountability. But it is still no small step to extrapolate from general oversight of elected officials to the radical populist movements of the Gracchi a decade and a half later, and it is the aim of this section to sketch out some interstitial developments. It is not my purpose here to relitigate the *minutiae* of the Gracchan political agenda, judge the historicity of their grievances, or offer any grand appraisal of their success in righting them (see Introduction), but rather to tackle some of the underlying intellectual currents that buoyed their movement. The core issue at stake in Gracchan politics was the role of the people within the Roman constitution, and their representative, the tribune of the plebs, the position that the Gracchi would manipulate to such great effect. As a preliminary to this discussion, we should note that holding a tribuneship was not unusual at all for an aspiring aristocrat of the mid-second century BCE, but in fact it was a very normal and pedestrian appointment. Starting in this period too, tribunes were automatically enrolled in the senate upon exiting office.⁷⁵¹ Since ten tribunes were elected per year and the office was not repeatable—in practice, if not in law, until the second tribuneship of Tiberius—

⁷⁵¹ Gel. 14.8.2, citing a *lex Atinia*, though the promulgator is unknown. Saturninus was surely a senator, which would give an *ante quem* of 102 BCE for the law (Rotondi 1912: 330–1). It is tempting to relate the law to the activity of an C. Atinius Labeo, tribune of the plebs ca. 130 BCE, who took aim at Metellus Macedonicus for striking him from the rolls of the senate (Cic. *Dom.* 123; Liv. *Per.* 59; Plin. *Nat.* 7.143). Another tribune had to save Macedonicus from being thrown from the Tarpeian Rock by Atinius and his angry mob. Macedonicus' wealth was confiscated nonetheless. Other Atinii were active tribunes in the earlier part of the century, so the identification is far from certain (Cic. *Ver.* 2.1.109; Gel. 17.7.1; Liv. 32.29). Roszbach's (1910) emendation of the Oxyrhynchus Epitome of Livy Book 50 would give a date of 149 for the *lex Atinia*, but its basis is insecure, merely the string *lat...l..qt.*

the math is not so difficult: although it was an optional rung in the *cursus honorum*, many members of the senate will have held the office.

The entire conception of the tribuneship would be thrown into flux over the Gracchan period, however. For background, here goes the traditional story: Originally, the tribunes were conceived as bulwarks against the patricians during the social conflict of the Early Republic, the so-called “Struggle of the Orders.” The First Secession of the Plebs was ended with the creation of an officer to represent them, the tribune of the plebs, whose main weapons were the *intercessio*, a “veto” or cessation of public business, and *auxilium*, the ability to protect private citizens from active magistrates. The initial compromise that formed the tribuneship did not solve all of the problems between the classes, and vigorous clashes ensued. Plebeians were to be barred from the consulship, priesthoods, and even intermarriage with the patricians, but over the course of the fourth century much of the discriminatory legislation against plebeians was repealed under reform efforts, such as the Sexto-Licinian rogations of 367 BCE. The Struggle of the Orders is thought to conclude with *lex Hortensia* of 287 BCE, which granted plebiscites the status of law. As a result for the first time in Rome’s history tribunes of the plebs could introduce bills that, once ratified, would be legally binding on the community.

It has long been recognized that much of the narrative of the Struggle of the Orders, especially the ongoing strife among tribunes of the plebs and patrician magistrates, has been retrojected in the terms of the mid- and late Republic, if not manufactured wholesale.⁷⁵² These echoes are owed to writers in the Annalistic tradition of ca. 150 BCE onwards who inserted the political drama of their own times into their historiography of the early Republic.⁷⁵³ They had

⁷⁵² See esp. Forsythe 1994: 296–310.

⁷⁵³ See especially Oakley 1997: 1.88, which cites the case study of Spurius Cassius, who is discussed below.

plenty of recent material to work with. Twice, once in 151 and again in 138 BCE, tribunes of the plebs had arrested consuls because they refused to honor exemptions from military service when enrolling their new armies.⁷⁵⁴ The reactions of these tribune cohorts left a near intractable predicament: as the top executive officers of the Republic consuls and praetors were invested with complete authority to raise troops, whereas tribunes of the plebs on the other hand could wield the *auxilium* on behalf of any of their constituents.⁷⁵⁵ Astoundingly, on both occasions the consuls were forced to yield to the demands of the tribunes of the plebs and so brought the crises to a close.

In a seminal article Lily Ross Taylor details a flurry of political activity around 150 BCE that gives necessary context to the Gracchan program.⁷⁵⁶ This will have been around the time the *leges Aelia et Fufia* were passed, laws which Cicero viewed as crucial to the well-being of the republic and an important check against the tribunes.⁷⁵⁷ Though the content of the laws is not fully known, it is likely that they both imposed limits on the timing of *comitia*—i.e. to *dies comitiales*, with meeting times announced weeks ahead—and allowed other Roman magistrates to invalidate or dissolve assemblies by means of the *obnuntatio*, an announcement of bad omens.⁷⁵⁸ Cicero equated these abilities with the *intercessio*, thus for all intents and purposes

⁷⁵⁴ 151 BCE: Liv. *Per.* 48.16; 138 BCE: Cic. *Leg.* 3.20; Liv. *Per.* 55.1. Each tribune, it seems, was given an opportunity to spare one friend from the draft: *tribuni pleb(ei) quia non inpetrarent ut sibi denos quos uellent milites eximere liceret, consules in carcerem duci iusserunt* (Liv. *Per.* 55.3). See also Drogula 2015: 102.

⁷⁵⁵ Cicero touches on this problem in the *De Legibus*. He notes that the tribunes, alone of all magistrates, were not answerable to the consuls, and their power of *auxilium* could, in theory, even extend to other magistrates or private citizens acting in defiance of the consuls: [sc. *tribunus plebis*] *attulit auxilium reliquis non modo magistratibus, sed etiam priuatis consuli non parentibus* (Cic. *Leg.* 3.16), “the tribune of the plebs used *auxilium* non only for other magistrates, but also for private citizens in defiance of the consul.”

⁷⁵⁶ Taylor 1962.

⁷⁵⁷ See esp. Cic. *Pis.* 9–10. The following arguments are heavily indebted to Ross Taylor 1962: 22ff.

⁷⁵⁸ Taylor 1962: 22–4.

giving other magistrates the veto power that had belonged exclusively to the tribunes;⁷⁵⁹ both sides now were armed. Taylor also draws attention to the careers of Laelius and Scipio, who both had played off the divisions between people and Senate in the 140s.⁷⁶⁰ Finally, we must remember that 149 BCE marked the passing of the *Lex Calpurnia de Repetundis* under Piso Frugi's lead in his position as tribune.

Tensions had run hot for some time before Tiberius Gracchus' tribunate, and the *nobiles* had taken symbolic steps against populists. The censors of 158 BCE had an ancient statue of Ceres which stood in front of the temple of Tellus burnt in full view of the Roman citizenry. Its dedicator, Spurius Cassius, was labeled a would-be tyrant.⁷⁶¹ According to Livy, Cassius' ploy was to win the favor of the masses by passing the first ever agrarian law in the fifth century BCE, but he was executed before he could achieve his end.⁷⁶² Though Livy's version of Cassius is infused with anachronistic, Gracchan overtones, there really must have been a positive precursor of Livy's Cassius to which the censors of 158 BCE had responded.⁷⁶³ Cassius was one of Rome's first consuls and a plebeian to boot, and he had stood in office while terms were reached

⁷⁵⁹ *lata lex est, ne auspicia ualerent, ne quis obnuntiaret, ne quis legi intercederet, ut omnibus fastis diebus legem ferri liceret, ut lex Aelia, lex Fufia ne ualeret* (Cic. *Sest.* 33–4), “a law was passed that the auspices were not valid, that no body could make an obnuntatio or intercessio, that a law could be passed on holidays, that the *lex Aelia* and *lex Fufia* were not valid”; repeated near verbatim in *Red. Sen.* 11. Cf. *una cum auspiciis, cum intercessionibus, cum omni iure publico* (Vat. 18).

⁷⁶⁰ Laelius was the promulgator of a land bill, which he later retracted the delight of his fellow senators, who conferred the honorific cognomen *sapiens* upon him (Plu. *TG* 8.4). Scipio's own irregular (and illegal) appointments in the popular assemblies were discussed in Chapter 4.

⁷⁶¹ *eam uero, quam apud aedem Telluris statuisset sibi Sp. Cassius, qui regnum adfectauerat, etiam conflata a censoribus* (Plin. *Nat.* 34.30 = *HRR* Piso F 37).

⁷⁶² Liv. 2.41.

⁷⁶³ Cassius Hemina is suspect for his family connection. Livy records that the statue bore the message *ex Cassia familia datum* (Liv. 2.41). The relation is unclear between this Cassius Longinus and the L. Cassius Longinus Ravilla (Münzer *RE* Cassius 72) who as tribune passed the controversial *lex tabellaria* against the opposition of leading senators (Cic. *Sest.* 103). He too will have had an interest in the reputation of Spurius Cassius. In 126 BCE, a year after Ravilla's consulship, a member of the family minted denarii that featured a voting urn on the obverse, with *Libertas* (!) driving a quadriga on the reverse (*RRC* 266). The issue was a momento of the *lex Cassia tabellaria* of a decade prior. Given this activity, it is not wholly improper to ascribe “*popularis*” leanings to the family.

to settle the First Secession of the Plebs.⁷⁶⁴ Consequently, he would have made a strong exemplum of plebeian autonomy and wherewithal. No doubt Gaius Cassius Longinus had his ancestor in mind when, as a censor of 154 BCE, he began construction of the first stone theater in Rome, only to have his project torn down by none other than Scipio Nasica Corculum, the very ex-censor who had destroyed Spurius Cassius' statue four years earlier.⁷⁶⁵ It is only natural to read the back-and-forth shots of these two censorial cohorts as a struggle over populist iconography, in one case reified in the icon of Ceres, in another a permanent theater. Indeed Piso Frugi viewed the censors' rivalry in just this way in his *Annales*. Piso fastened on 154 BCE, the year when construction began on the aborted theater, as the date when Rome lost its moral compass, its *pudicitia*:⁷⁶⁶

Wonder to behold, on the Capitolium, in the temple of Jove, during the war with Perseus, a palm tree sprouted and foretold victory and triumphs. After this [tree] was toppled by storms, in that very spot a fig tree sprouted during the *lustrum* of the censors M. Messala and C. Cassius, and from that moment onwards Piso, a serious author, says that *pudicitia* was uprooted.

The appearance of a luxurious fig in the temple of Juppiter Optimus Maximus—under the watch of a Cassius!—showed that Rome had rotted to the core.⁷⁶⁷ Frugi, evidenced by the cognomen, was a mouthpiece for conservatism.⁷⁶⁸

⁷⁶⁴ Livy makes the connection transparent: *per secessionem plebis Sp. Cassius et Postumius Cominius consulatum inierunt* (2.33).

⁷⁶⁵ App. *BC* 1.125; Aug. *CD* 1.30–1; Liv. *Per.* 48.25; Oros. 4.21.4; V. Max. 2.4.2; Vell. 1.15.3. See Taylor 1990: 124–5 n. 44.

⁷⁶⁶ *nec non et in Capitolio in ara Iouis bello Persei enata palma uictoriam triumphosque portendit. hac tempestatibus prostrata eodem loco ficus enata est M. Messalae C. Cassi censorum lustrum, a quo tempore pudicitiam subuersam Piso grauis auctor prodidit* (Plin. Nat. 17.244 = Piso HRR F 38).

⁷⁶⁷ Censor. *DDN* 17.1 = HRR F 39, cited alongside Cassius Hemina. See also Introduction. Cato had once used a massive fig from Carthage as proof that the prosperous city could not be let stand (*Cat. Ma.* 27.1).

⁷⁶⁸ Piso Frugi served as a praetor to Popillius Laenas in the First Servile War (Oros. 5.9.6; Cic. *Ver.* 4.112), who probably is the dedicator of a marker bragging about a victory in that conflict: *et eidem praetor in | Sicilia fugiteiuos Italicorum | conquaeisiuei redideique | homines DCCCCXVII eidemque | primus fecei ut de agro poplico | aratoribus cederent paastores | forum aedisque poplicas heic fecei* (CIL X 6950), “And likewise as praetor in Sicily I pursued runaway slaves that belonged to Italians, and I was the first to bring it about that shepherds yielded public

Populist and conservative personas would be passed down generation to generation within families. Two brief case studies will illustrate how such precedent conditioned elite responses to the distribution of grain to the people. For though Rome would not begin the grain dole until Gaius Gracchus' tribunate in 123 BCE, the idea was in the air already in the years before his brother's tribunate in 133 BCE. In these circumstances, familial pressure determined the course of the Scipio Nasica who later engineered the massacre of Tiberius Gracchus and his followers. He had inherited his anti-populist position from his father, the Cornelius Nasica Corculum who had torn down the theater of Cassius. Already during his consulship (138 BCE), Corculum's son had been hauled into a *contio* by Gaius Curiatus, tribune of the plebs, to explain why the executive had not sought stronger measures to quell a pressing grain shortage. Nasica's response was remembered for its arrogance: "Quiet, sons of Quirinus! I know better than you what is good for the republic."⁷⁶⁹ And yet we are told that this line landed.

Following the resolution of Nasica's grain crisis, the Minucii Augurini likewise rekindled the conservative legacy of their homonymous ancestor who had thwarted the proto-grain dole of Maelius, an early Republican avatar for the troublemaker populist. Two brothers in this family issued denarii in successive years (135–4 BCE) with reverses that depict a dramatic scene where Minicius Augurinus, augur staff in hand, confronts Maelius, who stands on a modius of wheat and outstretches a loaf of bread; a head of wheat stands on either side of the *columna Minuciana* which separates the two men.⁷⁷⁰ Viewed altogether, the reverse of the coin depicts the monument

land to farmers, and here I built a forum and public buildings." Note the careful massaging in this document of public vs. private, enemies of the state vs. legitimate public officials.

⁷⁶⁹ 'Tacete, quaeso, Quirites,' inquit, 'plus ego enim quam uos quid rei publicae expediat intellego' (V. Max. 3.7.3 = ORF F 1).

⁷⁷⁰ RRC 242–3.

to the *Minucii* suspiciously less like a *columna* and more like a scale weighing the causes of the two men.

Figure 3 Reverse of Denarius of C. [Minucius] Aug[urinus], 135 BCE (RRC 242)

(left) Spurius Maelius; (right) Lucius Minucius Augurinus; Source:
<http://numismatics.org/collection/1941.131.65?lang=en>



Fissures had been forming for awhile within the ruling classes and between the electorate and office-holders before 133 BCE, the fateful year for Tiberius Gracchus, but matters had not yet reached a breaking point. Cicero puts it bluntly, “the death of Tiberius Gracchus and the entire conduct of his tribuneship before that point divided the single *populus* into two parts.”⁷⁷¹ The advent of Hellenic modeled constitutionalism to Roman popular discourse only sharpened the divisions.

5.5 Constitutionalism in Second-Century-BCE Rome

Of course our fullest evaluation of the second century BCE Roman government comes in Book 6 of Polybius’ *Histories*. Polybius comes from a tradition of Greek constitutional thinkers, and the shadow of Aristotle’ *Politics* is seen everywhere in the tensions Polybius sets up between the popular, aristocratic, and executive components of the Roman state.⁷⁷² Book 6 nevertheless writes a pretty accurate, if unofficial “constitution” for second-century-BCE Rome.⁷⁷³ Polybius’ conception of the role of the *populus* in Roman politics overlaps neatly with Livy’s as deduced from the third and fourth decades of the *AUC* (i.e. 201–166 BCE). There is a risk here of circularity, for Polybius was a primary source of Livy in precisely this range of the *AUC*, but the danger is somewhat mitigated since it is unlikely that either historian has invented political episodes involving the tribunes—motivations, perhaps—and the basic facts are all that are

⁷⁷¹ *mors Tiberii Gracchi et iam ante tota illius ratio tribunatus diuisit populum unum in duas partis* (Cic. *Rep.* 1.31).

⁷⁷² The transmission of that text is a fickle one. Newman’s commentary is still useful (see esp. 1887: 2.i–xvi). The *Politics* were likely part of the jumble of school texts from the Lyceum that made their way to the Troad, whence they were recovered by Apellicon, brought to Rome by Sulla, and finally reached the hands of an editor, Tyrannio. The title *akroasis* suggests that they were lecture notes which Theophrastus may have had a hand in copying and editing. It is not of great importance for our purposes whether Polybius accessed Aristotle’s *Politics* directly or, more likely, via a peripatetic teacher steeped in the same ideology.

⁷⁷³ Lintott 1999: 16.

required for our purposes.⁷⁷⁴ Livy also made use of a robust group of Latin historians covering this span, which renders it unlikely that he would have let any serious disagreements in his sources pass unnoticed.

When Polybius' theory is set against second-century *realia* his analysis of the popular element of the Roman constitution becomes rather convincing. Polybius begins his discussion of the powers of the people by noting that they have the “weightiest” responsibility, for they alone are in charge of dispensing honor (*timē*) and punishment (*timōria*) alike.⁷⁷⁵ *Timē* does double duty here in the sense of “magistracy” (= Lat. *honor*), and in this way Polybius references the jurisdiction of the people both over elections and the conferral of triumphs.⁷⁷⁶ They had a negative check on the executive as well. Their appointed representatives, the tribunes, could try Roman magistrates before the people on an assortment of charges, from those carrying simple fines to capital cases. Perhaps most importantly of all, decisions of war and peace lay in the hands of the popular assemblies.⁷⁷⁷

These precepts align with patterns of tribunician behavior found in Books 31–45 of Livy, which fall into some discrete categories: decisions of war and peace and troop recruitment,⁷⁷⁸ referenda on grants of triumph,⁷⁷⁹ and trials of magistrates.⁷⁸⁰ Livy also notes an array of

⁷⁷⁴ See esp. Briscoe 2013.

⁷⁷⁵ Plb. 6.14.3–4. The equivalent Latin pairing of *officia* and *supplicia* has a nice jingle to it too.

⁷⁷⁶ This point is elaborated later in the phrasing καὶ μὴν τὰς ἀρχὰς ὁ δῆμος δίδωσι τοῖς ἀξίοις (Plb. 6.14.9).

⁷⁷⁷ ἔχει δὲ τὴν κυρίαν καὶ περὶ τῆς τῶν νόμων δοκιμασίας, καὶ τὸ μέγιστον, ὑπὲρ εἰρήνης οὗτος βουλευέται καὶ πολέμου (Plb. 6.16.10).

⁷⁷⁸ Liv. 31.6 (objection to Second Macedonian War); 32.27 (objection to Macedonia as consular province); 33.25 (objection to Macedonia as consular province); 34.56 (objection to levies to face Ligurian threat); 36.3 (objection to raising fleet); 39.38 (dispute over replacement levies for Spain); 42.21 (objection that consuls had not left for their provinces); 42.32–5 (defense of centurions re-enrolled for fresh tour in demoted role); 45.21 (tribunes' veto of war with Rhodes).

⁷⁷⁹ Liv. 31.20; 32.7; 32.22–23; 35.8; 36.39; 39.4–5; 45.35–40. Cf. *38.47; Manlius reflects on the fact that he is obstructed not by tribunes—as was typical—but commissioners.

⁷⁸⁰ Liv. 37.57 (tribunes' prosecution of Glabrio for extortion at Cato's behest); 38.50–53 (prosecution of the brothers Scipiones); 38.54 (another investigation into money from Syrian campaign after Africanus' death); 38.58 (Nasica's

constitutional questions that are brought to or by the tribunes, almost all of which regard irregular electoral matters.⁷⁸¹ Anecdotes like the following voting grant (188 BCE) show the *ad hoc* and confused nature of these proceedings:

de Formianis Fundanisque municipibus et Arpinatibus C. Valerius Tappo tribunus plebis promulgavit, ut iis suffragii latio—nam antea sine suffragio habuerant ciuitatem—esset. huic rogationi quattuor tribuni plebis, quia non ex auctoritate senatus ferretur, cum intercederent, edocti, populi esse, non senatus ius suffragium, quibus uelit, impertire, destiterunt incepto. (Liv. 38.36.9)

Gaius Valerius Tappo, a tribune of the plebs, introduced a law that the right of voting be given to the *municipia* of Formiae, Fundi, and Arpinum, for previously they had possessed citizenship without the vote. When four tribunes of the plebs exercised their veto of this proposal on the grounds that it was not backed by the authority of the senate, they were instructed that it rested with the people, not the senate, to confer the vote upon whomever they wished, and so the tribunes desisted from their undertaking.

Some authority—amateur jurists, perhaps—had to inform the tribunes that they had no grounds to interpose their veto and defer to the senate since the matter was entirely their own problem. Scholars have noted a broader tendency for antagonistic tribunes to withdraw their vetoes after consultation with senators, and the explanation is that social strictures kept tribunes in line since they belonged to one and the same class as their soon-to-be peers in the Senate.⁷⁸² Similarly the tribunician college would obstruct triumphal awards to unpopular commanders in order to help the *patres* close rank against one of their own.

appeal to tribunes on behalf of L. Scipio); 38.60 (final decision on L. Scipio); 41.6–7 (tribunes' attempted recall of Manlius after Histrian affair, questioning of his colleague); 42.21 (call for investigation into treatment of Ligurians); 43.4 (prosecution of consul Hortensius and his praetor Lucretius for conduct in Greece); 43.16 (prosecution of censors for their handling of contracts, with retribution against the tribune in 44.16).

⁷⁸¹ Liv. 31.49 (aedile-elects unable to take oaths in required timeframe); 32.7 (Flaminius' candidacy for consul, despite only holding quaestorship); 32.22 (ruling that separate consideration for a triumph be given to each individual commander); 37.51 (Pontifex Maximus' prohibition of flamen, now praetor-elect, from going abroad); 38.56–7 (Gracchus' opposition to the prosecution of Scipio); 39.32 (debate over current consul's canvassing for brother); 39.39 (debate over whether an aedile-elect could run for praetorian vacancy); 45.15 (denial of an extension of term to the censors).

⁷⁸² See esp. Badian 1972: 690–712.

Constitutional matters were up for debate and serious reconsideration in the Gracchan era. It is not without reason that Cicero’s *De Republica* is dramatically staged in 129 BCE as a dialogue between Scipio Aemilianus, Laelius, and a younger generation of nobles which included Q. Aelius Tubero, Aemilianus’ nephew. Cicero imagines this conversation as a rehash of ones decades prior with Polybius and Panaetius, with whom Aemilianus had often met to discuss such subjects.⁷⁸³ On this occasion, Aemilianus leads the way, and after a lengthy Stoic digression on the merits of monarchy settles on a mixed, “Polybian” constitution.⁷⁸⁴ In the course of this digression, Aemilianus parrots his populist rivals: “but if the people were to keep their right, they say that nothing would be more outstanding, free, and pleasant, since they are in charge of the laws [*domini...legum...etc.*], courts, war, peace, treaties, the fate of each and every person, and expenditure.”⁷⁸⁵ We cannot know how much of Cicero’s characterization is owed to Polybius himself—most is merely a factual representation of governmental process, anyway—but Cicero had scruples enough to get the tenor of second-century-BCE populism correct.

Tiberius Gracchus’ deposition of his colleague Octavius is pivotal since he argues on constitutional grounds that his fellow tribune should be recalled. This oratorical move is meant to distract from the potential shock of his proposition. Many scholars believe that Plutarch’s Greek version of Tiberius’ speech at the assembly is a translation nearly of the *ipsa uerba*:⁷⁸⁶

ἔφη γὰρ ἱερὸν τὸν δήμαρχον εἶναι καὶ ἄσυλον, ὅτι τῷ δήμῳ καθωσίωται καὶ τοῦ δήμου προέστηκεν· ἂν οὖν μεταβαλόμενος τὸν δήμον ἀδικῆ καὶ τὴν ἰσχὺν κολούῃ καὶ παραιρῆται τὴν ψῆφον, αὐτὸς ἑαυτὸν ἀπεστέρηκε· τῆς τιμῆς ἐφ’ οἷς ἔλαβεν οὐ ποιῶν ἐπεὶ καὶ τὸ Καπετώλιον κατασκάπτοντα καὶ τὸ νεώριον ἐμπιπράντα δήμαρχον ἐὰν

⁷⁸³ Cic. *Rep.* 1.33–4.

⁷⁸⁴ *regio autem ipsi praestabit id, quod erit aequatum et temperatum ex tribus optimis rerum publicarum modis* (Cic. *Rep.* 1.69; cf. *ibid.* 2.66), “but monarchy itself will be outstripped by that form of government which would be balanced and moderated from the three kinds of best states.”

⁷⁸⁵ *si uero ius suum populi teneant, negant quicquam esse praestantius, liberius, beatius, quippe qui domini sint legum, iudiciorum, belli, pacis, foederum, capitis unius cuiusque, pecuniae* (Cic. *Rep.* 1.48).

⁷⁸⁶ On the reliability of Appian/Plutarch see, e.g., Erskine 2011: 166.

δεήσει, καὶ ταῦτα μὲν ποιῶν δήμαρχός ἐστι πονηρός: ἐὰν δὲ καταλύῃ τὸν δῆμον, οὐ δήμαρχός ἐστι· πῶς οὖν οὐ δεινόν εἰ τὸν μὲν ὕπατον ὁ δήμαρχός ἄξει, τὸν δὲ δήμαρχον οὐκ ἀφαιρήσεται τὴν ἐξουσίαν ὁ δῆμος ὅταν αὐτῇ κατὰ τοῦ δεδωκότος χρῆται; καὶ γὰρ ὕπατον καὶ δήμαρχον ὁμοίως ὁ δῆμος αἰρεῖται... οὐκ οὐδὲ δήμαρχός ἀδικῶν τὸν δῆμον ἔχειν τὴν διὰ τὸν δῆμον ἀσυλίαν δίκαιόν ἐστιν ἢ γὰρ ἰσχύει δυνάμει, ταύτην ἀναιρεῖ, καὶ μὴν εἰ δικαίως ἔλαβε τὴν δημαρχίαν, τῶν πλείστων φυλῶν ψηφισαμένων, πῶς οὐχὶ καὶ ἀφαιρεθεῖη δικαιότερον πασῶν ἀποψηφισαμένων; (Plu. *TG* 15.2–3, 5)

For [Tiberius] said that the tribune of the plebs was sacred and inviolable, since he is ordained by the people and represents the people. If he then changes his course and wrongs the people by curtailing their power and depriving them of the vote, he has stripped himself of office since he is not acting in accordance with the conditions on which he took office. For it is necessary even to allow a tribune to tear down the *Capitolium* and to burn the fleet—if he does these things he is a bad tribune. But if he undermines the people, he is no tribune of the plebs. How terrible is it then if a tribune can arrest a consul but the people cannot vote out a tribune when he has wielded his position against the body which gave it to him? For the people elects both consul and tribune alike... it is not right therefore for a tribune who is wronging the people to enjoy the sacrosanctity which he enjoys on account of the people, for he removes the power which underpins this privilege, and if he rightfully took the tribuneship with the majority of votes, how would it not be even more right for him to be removed from office when the vote against him is unanimous?

Tiberius argues that the power of the tribunes derives from the people. So long as a tribune is acting in good faith he is granted a broad range of operations, even the ability to jail the consuls, which is a lawful act, Tiberius reasons, because both magistracies are elected by the people. A tribune who contravenes the rights of the people, however, has effectively cut the legs out from under himself since the people are his sanctioning authority. Effectively this is a stronger formulation of Polybius' view of the duty of the tribunes: "the tribunes of the plebs must always perform the will of the people and look after its desire as much as possible."⁷⁸⁷

These were more than hypothetical musings. Tiberius did have Octavius removed from the college of tribunes. Tribunes had arrested consuls on at least two recent occasions.

⁷⁸⁷ ὀφείλουσι δ' αἰεὶ ποιεῖν οἱ δήμαρχοι τὸ δοκοῦν τῷ δήμῳ καὶ μάλιστα στοχάζεσθαι τῆς τούτου βουλήσεως (Plb. 6.16.5).

Investigating this threat of arson on the Capitoline Hill would become central in the senatorial inquisition of Gracchan supporters after the death of Tiberius. This (oddly) specific concern will merit more discussion, but it is worth mentioning that it would eventually happen: half a century later the *Capitolium* did burn in the midst of another moment of civil unrest, Sulla's second march on Rome.⁷⁸⁸

Of course it is natural to question how sincere the convictions of the Gracchi were, and how much of their “constitutionalism” we should chalk up to political exigency. Even skeptical readers, however, will have to admit that there is a certain cohesion to their rhetoric. If by “belief” we mean something other than an altruistic crusade, then it is safe to say that the Gracchi “believed” in their talking points in so far as they were willing to follow through on a course of action despite its attendant perils. More to the point at hand, their arguments can only have been persuasive in a political environment where the constitutional nature of Rome was open to question, reflected in various debates over what is and is not lawful within the bounds of the Roman “constitution.” Note the prevalence of the derivatives of Gr. *dikē* (“justice”) in Plutarch's rendition of Tiberius' speech: δίκαιόν... δικάίως...δικαιότερον. Clearly δίκαιόν is meant to signify more than just a sense of what is morally “right” to do under these extraordinary circumstances, and one suspects that in Tiberius' original Latin lies *ius* or one of its relations, e.g. *iure* or *iustum*. But what then would it mean to be the “more lawful” course—**iustius*, then unattested—of the available options?⁷⁸⁹ The Greek comparative δικαιότερος, on the other hand, is a Homeric *hapax* and was regularly used by historians, philosophers, and rhetoricians of the

⁷⁸⁸ Plu. *Sull.* 27.5. The fire was set during the *Ludi Apollinares* (June 6th), likely to protest Sulla, since his ancestor had inaugurated those games in 212 (Liv. 27.22; cf. 25.12).

⁷⁸⁹ The comparative of *iustus/iure* is not found until Cicero, perhaps due to the intellectual gymnastics necessary to construe the form.

Classical period.⁷⁹⁰ One can only make heads or tails of Tiberius' position within the confines of a society with a weak but developing sense of constitutionalism based on Greek theory. Roman institutions were being questioned in a new language, and the answers were not ready. Senators would look to Scipio Aemilian for reassurance that Tiberius Gracchus “seemed to have been justly/lawfully slain” (*iure caesum*), because it was more comfortable to reframe sectarian violence as an abstract question over legalities.⁷⁹¹

5.6 Tiberii Gracchi

Tiberius Gracchus took his constitutional hard-lining from an unappreciated source, his homonymous father, so it is beneficial to examine their careers in tandem. In 187 BCE, Tiberius Sempronius Gracchus Maior had defied the rest of the tribunician college to defend the Scipiones brothers from Cato and his insider lackeys.⁷⁹² A rumor flew that Africanus, in the forum no less, had assaulted his brother's arresting officer and committed violence against the tribunes themselves.⁷⁹³ Tiberius (1) was in a bind as a fellow tribune yet also someone sympathetic to the cause of a national hero:

haec enim ipsa Ti. Gracchus queritur dissolutam esse a priuato tribuniciam potestatem, et ad postremum, cum auxilium L. Scipioni pollicetur, adicit tolerabilioris exempli esse a tribuno plebis potius quam a priuato uictam uideri et tribuniciam potestatem et rem publicam esse (Liv. 38.56)

For Tiberius Gracchus complains about these very things—i.e. that the authority of the tribunes had been undone by a private citizen—and at the end [of his complaint], after promising protection to Lucius Scipio, he adds that it is a more tolerable example for posterity that the authority of the tribunes and the state seem to be vanquished by a tribune of the plebs than by a private citizen.

⁷⁹⁰ Hom. *Il.* 19.181.

⁷⁹¹ Reported at Cic. *Mil.* 8.6, *De Orat.* 2.106. The phrase must have been **mihi iure caesus [esse] uidetur*—perhaps *uideatur*, if we grant him that familiar clausula. It did not go over well. Plutarch says Aemilianus was shouted down (*TG* 21.5). See also Introduction.

⁷⁹² Tiberius (1) for the duration of this section, in order to avoid confusion with his like-named son (2).

⁷⁹³ It is hard to imagine Africanus doing much damage at this age.

In the mind of Tiberius (1) it was better to have a dissenting tribune than for violence against that office to go ignored and for Scipio Africanus to live outside the law. His retroactive support of Africanus cast the incident as a dispute between tribunes, thereby helping to mollify a potentially explosive situation. Indeed Tiberius (2) may have justified his challenge to his colleague Octavius with his father's exemplum. When later a verdict was reached against Lucius Scipio, Tiberius (1) alone of the tribunes refused to sign his name to it and threatened to intercede again if they should try to punish Lucius beyond a simple fine of the sum in question.⁷⁹⁴ A marriage pledge to Cornelia appeased the masses, who approved of how Tiberius (1) had handled himself.⁷⁹⁵

In Livy's account, Tiberius (1) offers cogent self-justifications; he takes no pleasure in falling out with his colleagues, but uses the threat of his veto to settle a constitutional mess wherein the tribunes were acting as agents of private citizens, some for Cato, himself for Africanus. It made a poor image moreover for the tribunes to prosecute Africanus, a man who was widely regarded as a champion of the people. Indeed Tiberius (1) took a similar stand on behalf of another grandee, M. Fulvius Nobilior, later that year when the tribune Albutius tried to block his triumph due to a grudge. Tiberius (1) reproached the tribune as follows:

while Albutius remembered what Marcus Aemilius had entrusted to him in private, still he had forgotten that his tribuneship had been entrusted to him by the Roman people, and that it had been entrusted for the protection and freedom of private citizens, not for the free reign of a consul. He said that Albutius did not even understand the fact that it would be passed down to record and posterity that one of the tribunes of the plebs from the same college had set aside his person enmities for the sake of the republic, while the other had adopted somebody else's at their bidding. (Liv. 39.5)

⁷⁹⁴ Liv. 38.60; cf. V. Max. 4.8.

⁷⁹⁵ V. Max. 4.2.3.

He thus raises the question on whose directive and orders (*mandata*) Albutius was acting—and if Aemilius’, was he not then suborning the duties of public office to the pursuit of private quarrels?⁷⁹⁶ Aemilius and Fulvius Nobilior would only put in end to mutual hostilities in 179 BC during a joint censorship which was widely remembered as a triumphant reconciliation between the two great men of their generation.⁷⁹⁷ Tiberius (1) even showed his magnanimity a decade later by selecting Lepidus as *princeps senatus* for the third consecutive *lustrum*.⁷⁹⁸

From these episodes it is clear that Tiberius (1) served as a model for his son’s principled defense of the public good. The careers of the father and son overlap beyond their tribuneships, however. Tiberius (2) no doubt was dispatched to Numantia because of his father’s success there in the Celtiberian Wars;⁷⁹⁹ and, on a more charitable interpretation than I gave earlier, Tiberius (1)’s suspicious coziness with local nobles may actually have been the product of an effort to restoke his father’s connections there.⁸⁰⁰ More intriguing still is Appian’s report of Tiberius (1)’s land grants to poor Celtiberians to ensure their continued loyalty, an act which Appian doubtlessly phrased to presage the agrarian platform of his son.⁸⁰¹ And later as censor, Tiberius

⁷⁹⁶ The effects are more poignant in the Latin: *et quid priuatim M. Aemilius mandauerit, meminisse, tribunatum sibi a populo Romano mandatum obliuisci, et mandatum pro auxilio ac libertate priuatorum, non pro consulari regno. ne hoc quidem cernere eum, fore ut memoriae ac posteritati mandetur eiusdem collegii alterum e duobus tribunis plebis suas inimicitias remisisse rei publicae, alterum alienas et mandatas exercuisse* (Liv. 39.5.)

⁷⁹⁷ *inter hos uiros nobiles inimicitiae erant, saepe multis et in senatu et ad populum atrocibus celebratae certaminibus* (Liv. 40.45). The censors-elect relitigated their old grievances (Liv. 40.46; cf. 28.35), but ultimately followed the advice of Caecilius Metellus and buried the hatchet. Already Pontifex Maximus, Lepidus used the censorship to designate himself *princeps senatus* as well (Liv. 40.51). In concert, the two powerful censors were able to accomplish much, including the construction of the *Basilica Aemilia/Fulvia* (ibid. 51–52).

⁷⁹⁸ Liv. 43.15.

⁷⁹⁹ For which he received a triumph (Liv. 41.7.1–3). Livy calls lasting peace (40.50); cf. App. *Hisp.* 43.

⁸⁰⁰ Tiberius (1) used personal diplomacy to great effect in the first Celtiberian War to divide-and-conquer various factions. In Liv. 40.47, he takes Celtiberian nobles into his military retinue as quasi-hostages. Two sections later, Livy recounts how Tiberius (1) turned another Celtiberian leader, Thurrus, by taking his family members hostages. Appian adds that “he struck narrowly crafted treaties with all [the Celtiberians] on terms that they would be friends of the Roman people, and that he gave and received oaths from them, agreements that many times would be yearned for in the wars to come” (App. *Hisp.* 43).

⁸⁰¹ τοὺς δὲ ἀπόρους συνώκιζε, καὶ γῆν αὐτοῖς διέμετρεῖ (App. *Hisp.* 43). Tiberius (1) had also served in 183 BCE as a colonial commissioner in the founding of Saturnia in Etruscan territory outside of Vulci (Liv. 39.55). The *virittane*

(1) had a dust-up with the tribune Rutilius when he ordered one of his clients to remove a structure that had been built illegally on *ager publicus*, an argument proleptic of the campaign of Tiberius (2) to end appropriations of public lands by wealthy individuals.⁸⁰²

Given these patrilineal echoes, it may seem surprising that none of our sources, outside of an odd dream sequence reported in Cicero's *De Divinatione*, make explicit connections between the careers of the Gracchi brothers and their father.⁸⁰³ Through the *periochae* one can surmise Livy's negative pronouncement on the younger Gracchan program, which stands in stark contrast to the admirable portrait of the family patriarch witnessed in the late third and early fourth decades of the *AUC*.⁸⁰⁴ The explanation for these unequal treatments is not so elusive, however: Cassius Hemina and Cato himself had already enshrined Tiberius (1) in Roman historiography as a positive *exemplum* before Tiberius (2) had started his career.⁸⁰⁵ The *nobiles* who were hostile to the younger Gracchi and who wrote annals thereafter had every incentive to downplay genuine similarities between the two generations of Sempronii. That the family aligned ideologically with Cato was an extra awkwardness too great to be confronted.

If these historiographic biases are kept in mind, Livy's portrayal of Tiberius (1) can reveal much about the mindset he instilled in Tiberius (2). Tiberius (1) had personal experience

allotments for the new colonists were substantial (10 iugera/each), and perhaps inform the later claim in the pamphlet of Tiberius (2) that Etruria had become deserted (Plu. *TG* 8.7). Gaius made sure to circulate this information during his time on the land commission, which was the brain-child of his brother.

⁸⁰² Liv. 43.16.

⁸⁰³ Cic. *Div.* 1.36, 2.62. Cicero is probably also responsible for the version of the story in Plutarch's *Life of Tiberius* (1.2); Cicero is explicitly named as Plutarch's source at *CG* 1.6.

⁸⁰⁴ *Seditiones a triumviris Fulvio Flacco et C. Graccho et C. Papirio Carbone agro diuidendo creatis excitatae... defuncto eo [sc. Aemiliano] acrius seditiones triumvirales exarserunt* (*Per.* 59.15,19); *C. Gracchus, Tiberi frater, trib. plebis...perniciosas aliquot leges tulit* (*ibid.* 60.7); *C. Gracchus seditioso tribunatu acto* (*ibid.* 61.4). It's worth noting that the same bifurcation exists in Valerius Maximus (*passim*); Tiberius (1) is cited exclusively for positive *exempla*, his sons for negative ones.

⁸⁰⁵ The scope of Hemina's history spanned to 146 BCE (*HRR* F 39), Cato's to his final days in 149 BCE.

with the vicissitudes of the “failing troop supply” when he took his praetorian commission in Spain. Many of the legionaires under Q. Fulvius Flaccus were mutinous after a tour in that province and, with the prospect of a second looming, refused to await a new commander and insisted instead that they be given leave to come home. Fresh recruits had to be raised for Tiberius (1) to replace the bulk of Fulvius’ legions. Likewise, when censor, Tiberius conducted an audit of the army rosters to impress deserters and draft-dodgers into military service—of which there were many.⁸⁰⁶ It is little wonder then where Tiberius (2) got the notion that there was a manpower shortage in Italy. That is not to say that there was any actual deficiency of able-bodied men in Roman tributaries, merely that non-compliance was high and a great inconvenience to the ambitions of Roman commanders. Moreover there was a politicized dimension to the problem; as earlier noted, blocking troop levies was a tribunician staple in the first half of the second century BCE.⁸⁰⁷

Simply put, the behavior of the Gracchi family is not aberrant at all; they were hardly outliers as active and at times combative tribunes. In 173 BCE a tribune of the plebs, M. Lucretius, carried a bill charging the censors to re-let the *ager publicus* in Capua to save it from the predations of Campanian nobles.⁸⁰⁸ In 167 BCE tribunes moved to block an upstart *praetor*

⁸⁰⁶ Tiberius (1) and his colleague, C. Claudius Pulcher, may have won some lasting reforms in this arena. Livy says that, “the censors, in order to help things [i.e. in recruitment for the Second Macedonian War], decreed in a *contio* that they would make a law for the taking of the census beyond the common oath of all citizens everyone swear to the following: ‘you are less than 46 years of age and have presented for the draft according to the edict of the censors Gaius Claudius and Tiberius Sempronius, and however often there is a draft while these censors are in office, if you are not in active service, you will present yourself for the draft’” (43.14). Census returns show a significant uptick thereafter, from an average of ~262,000 men over the prior three *lustra* to nearly 313,000 in 169 BCE. The figure remains around this mark for the seven following *lustra* ($\pm 8\%$). The meticulous accounting methods of these censors rubbed equites the wrong way, however, and led to retributive measures when many were expelled from that order (ibid. 43.16.). Generally, demographers and other historians working from the census figures have not considered the policies and personalities of censorial cohorts, but perhaps they should, especially when Livy mentions these very factors at work.

⁸⁰⁷ See n. 778.

⁸⁰⁸ Roselaar 2008: 581 n. 37.

peregrinus, M. Iuventius Thalna, who put a declaration of war directly before the people in hopes that he himself would lead an expedition against Rhodes to punish that state for its former sympathies towards Perseus in the recently concluded Macedonian War. Thalna's proposal was an unprecedented breach of protocol because though final decisions on matters of war and peace belonged to the popular assemblies they had always waited upon the judgment of the *patres* first, even if it was non-binding. On those very grounds two tribunes of the plebs immediately asserted their vetoes before any public debate could start. Livy finds fault in both parties: "it was a contest between the praetors and tribunes of acting out of turn."⁸⁰⁹ For Livy, the tribunes were just as at fault for failing to reach a unanimous decision within the college, a goal more easily achieved when the arguments for and against a proposition could be heard in full.

What then was "new" about the Gracchi? As we have seen, constitutional problems and questions of legal precedent plagued Roman politics throughout the second century BCE. Without the written constitution of a modern democracy, Roman elites had typically addressed these matters through social pressures and rewarded consensus-seeking approaches. This meant that the college of tribunes, a group of young nobles, had to reach decisions collectively, decisions that were often aided by consultation with older members of the senate. Execution of their various duties also frequently forced the tribunes to work in concert with the censors, the most aged and well-respected members of their order.⁸¹⁰ Nonetheless the *status quo* gave way, in starts and fits, to new behaviors and ways of thinking. Dissension among tribunes was still limited to major questions of "constitutionality," but these questions were being more frequently

⁸⁰⁹ *tum inter praetorem tribunosque omnia intempestive agendi certamen erat* (Liv. 45.21). The matter was only settled when Cato gave his famous defense of the Rhodians (Liv. 45.25).

⁸¹⁰ See esp. Cic. *Leg.* 3.7 for a list of censorial business.

and more poignantly posed. What nobody could foresee was how rhetoric and political philosophy could inspire a mass mobilization of the populace. These tools originated overseas.

5.7 Greek Fire in Rome

We end with the perceived danger of Tiberius' movement that they would do some kind of lasting damage to the state in order to make a political statement. Before an assembly of the people Tiberius Gracchus had declared the burning of the Capitol or the fleet as an immoral, nonetheless legal course of action for a tribune. Standing at the religious center of the city, the Capitolium indeed would have made for a soft target with great symbolic value, and it was on this very site that a rabble of senators led by Nasica killed Tiberius Gracchus.⁸¹¹ And yet tribunes had convened assemblies in this space several times in the past half century, so the worry cannot have been for the venue alone, but rather for the unique combination of opportunity and violence that might arise on the occasion of Tiberius' controversial second bid for the tribunate.⁸¹²

From the outcome it is clear that Nasica et al. took Gracchus' fiery threat seriously and branded him and his followers as domestic terrorists.⁸¹³ Nasica, his fellow senators, and their attendants bludgeoned Gracchus and his supporters to death with clubs and whatever makeshift weapons they could find. After Tiberius' death a senatorial commission was convened and Nasica questioned one of Tiberius' associates, Blossius of Cumae:⁸¹⁴

εἰπόντος δὲ τοῦ Νασικᾶ πρὸς αὐτόν, 'τί οὖν, εἴ σε Τιβέριος ἐκέλευσεν ἐμπρῆσαι τὸ Καπετώλιον;' τὸ μὲν πρῶτον ἀντέλεγεν ὡς οὐκ ἂν τοῦτο Τιβερίου κελεύσαντος:

⁸¹¹ App. *BC* 1.16; Plu. *TG* 19.3–5.

⁸¹² Liv. 33.25; 34.1; 34.53; 43.16; 45.36.

⁸¹³ Arson continued to be a fear in popular uprisings of the late Republic. Cf. Cic. *Dom.* 89 (Clodius and company); Sall. *BC passim* (Catiline's plot). Nasica would not have forgotten his own experience of being hauled to jail by the tribunes of the plebs as consul of 138 BCE (Liv. *Per.* 55).

⁸¹⁴ Compare Cic. *Amic.* 37; V. Max. 4.7.1. In these sources, Laelius is the interviewer, and it is conducted in private. Gruen (1968: 61) proposes that Laelius may have given a pre-interview in the senate chambers before the tribunal was held officially.

πολλάκις δὲ καὶ πολλῶν τὸ αὐτὸ πυνθανομένων, ‘ἀλλ’ ἐκείνου γε προστάσσοντος,’ ἔφη, ‘κάμοι τοῦτο πράξει καλῶς εἶχεν: οὐ γὰρ ἂν Τιβέριος τοῦτο προσέταξεν, εἰ μὴ τῷ δήμῳ συνέφερον,’ οὗτος μὲν οὖν διαφυγὼν ὕστερον ᾤχετο πρὸς Ἀριστόνικον εἰς Ἀσίαν, καὶ τῶν ἐκείνου πραγμάτων διαφθαρέντων ἑαυτὸν ἀνεῖλεν. (Plu. *TG* 20.4)

When Nasica put it to him [Blossius], “what if Tiberius had commanded you to set fire to the *Capitolium*?,” he responded that Tiberius would not have given that order. After many had cross-examined him, asking him the same thing over and over, he said, “well, if that man ordered it, it would have been the right thing for me to do. For Tiberius would not have ordered it unless it were in the interest of the people.” Indeed this man went off to side with Aristonicus in Asia once he was acquitted, and killed himself when Aristonicus’ plot was ruined.

An anti-Gracchan vein of the historiographic tradition wanted to smear his followers as desperados, dissidents, and *provocateurs*. Hence the way they portrayed the epilogue for Blossius, who evaded authorities in Italy only later to join the anti-Roman rebellion of Aristonicus in the new province of Asia where he met an inglorious end. It is impossible to assess the veracity of this story, but Blossius was clearly treated as a ringleader of the popular movement. Plutarch earlier had introduced Blossius alongside Diophanes of Mytilene, a rhetor, as Tiberius’ cadre of intellectuals:

ὁ Τιβέριος δὲ δήμαρχος ἀποδειχθεὶς εὐθὺς ἐπ’ αὐτὴν ὥρμησε τὴν πράξιν, ὡς μὲν οἱ πλείστοι λέγουσι, Διοφάνους τοῦ ῥήτορος καὶ Βλοσσίου τοῦ φιλοσόφου παρορμησάντων αὐτόν, ὃν ὁ μὲν Διοφάνης φυγὰς ἦν Μιτυληναῖος, ὁ δὲ αὐτόθεν ἐξ Ἰταλίας Κυμαῖος, Ἀντιπάτρου τοῦ Ταρσέως γεγονῶς ἐν ἄστει συνήθης καὶ τετιμημένος ὑπ’ αὐτοῦ προσφωνήσῃσι γραμμάτων φιλοσόφων. (Plu. *TG* 8.4–5)

Tiberius, once he had become tribune of the plebs, straightaway dove into the same issue [i.e. land distribution], as most say, because Diophanes the rhetor and Blossius the philosopher put him up to it. Diophanes was in exile from Mytilene, the other was a native of Italy, a citizen of Cumae, who became a member of Antipater of Tarsus’ school when he lived in Rome, and was honored by him with the dedications of philosophical books.

And at the critical juncture in *The Life of Tiberius Gracchus*, it is Blossius who reminds his wavering companion of the mission and hardens his resolve. Tiberius then took his fateful steps

towards the Capitoline.⁸¹⁵ The opponents of Tiberius tarred the rhetorician and philosopher together as the evil masterminds who had poisoned Tiberius' mind with the conception of the land bill. Consequently Tiberius' friends were rounded up in the aftermath of the crisis, and Diophanes was summarily executed without trial.⁸¹⁶

Despite their juxtaposition in the *Life*, Blossius and Diophanes held very different social positions, even if they were both *amici minores* to Tiberius Gracchus. Blossius likely escaped Diophanes' fate because he hailed from a very prominent Campanian family who happened to be guest-friends of the Mucii Scaevolae.⁸¹⁷ Cicero later would make the Blossii archetypes of the famed "Campanian snobbery and regal airs."⁸¹⁸ Indeed the record of Blossii holding local office in Campania runs interrupted from the time of the First Punic War through the Gracchan period.⁸¹⁹ From Livy we receive the shocking rumor that during the Second Punic War members of the Blossii planned to burn Fulvius Flaccus and his troops alive for pillaging Capua and dispossessing its leading citizens of their land.⁸²⁰ It cannot be proven whether this arsonist pedigree is the real basis for Nasica's line of questioning, or whether it is a fabrication retrojected by the hostile annalistic tradition, but the anecdote is suspicious all the same. As for Blossius' Stoicism, we are in the dark outside of Plutarch's reference. The relevant column of *PHerc.* 1018, col. 53 which lists the disciples of Antipater of Tarsus is badly damaged. Blossius'

⁸¹⁵ Supposedly, Blossius egged on Tiberius when he was cowed by bad omens on the way to the Capitoline (Plu. *TG* 17.4).

⁸¹⁶ Plu. *TG* 20.3.

⁸¹⁷ *C. Blossius Cumanus, hospes familiae vestrae, Scaevola* (Cic. *Amic.* 37).

⁸¹⁸ *Campano supercilio ac regio spiritu* (Cic. *Agr.* 2.94)

⁸¹⁹ Minius Blossius as *meddix tuticus* at Capua, 300–250 BCE (ST Cp 24, iovilas inscription; see *ImagIt* 1.29 for date); Marius Blossius as *meddix tuticus* at Capua (Liv. 23.7.8); Gaius Blossius as *Ilvir* at Puteoli (*CIL* X 1781; 105 BCE). At Cumae, a *Blossia C.f.* was the subject of a first century BCE *defixio*, along with a freedman of the family, C. Blossius (*CIL* I² 3129). We also find a freedman of a C. Blossius in a religious college near Capua (*CIL* I² 682; 94 BCE; cf. *CIL* I² 688).

⁸²⁰ Liv. 27.3.1–6.

background is significant to our understanding of Tiberius' ideology, nevertheless, because it shows that some of the Campanian elite held their philosophical convictions deeply. Tiberius after all had grown up in the Bay of Naples, where the two likely met and could have been tutored together. Cornelia had seen to it that the boys were surrounded by Diophanes of Mytilene, Menelaus of Marathon (another rhetorician), and other teachers now unknown.⁸²¹

Andrew Erskine has advocated brilliantly in *The Hellenistic Stoa* that through Blossius Tiberius Gracchus' rhetoric drew inspiration from period Stoic doctrine around the distribution of state property.⁸²² One strain of Stoicism had already left its mark on populist movements in Hellenistic Sparta, where the successive efforts of kings Cleomenes and Agis (mid- to late second century BCE) had redistributed wealth and land to Spartan citizens on a massive scale, in addition to block grants of citizenship to the *perioikoi*. Obviously that sounds much like the Gracchan reforms, and the Spartans even receive their own Blossius-figure in the guise of the Stoic philosopher Sphaerus. Erskine, however, asserts that Plutarch did not contrive these similarities between the Gracchi and the Spartan Kings, despite the double pairings of the four lives.⁸²³ Erskine instead remaps the Gracchan conflict upon factions in Stoic dogma. The absolute provisions of the early Stoics against slavery and for equality, the indifference to wealth, empire, and the like, all to be shared in common, began to give way to a moral relativism contingent on the practices of the contemporary Hellenistic world. A schism between orthodoxy and praxis would arise. When the radical egalitarianism of the Stoics failed in Sparta—e.g. equal

⁸²¹ Cic. *Brut.* 100.

⁸²² This section is deeply indebted to Erskine 2011, esp. 150–80.

⁸²³ Indeed several times in the comparison Plutarch labels the Gracchi as watered-down versions of their Spartan counterparts Esp. Plut. *Comp. Ag. Gracch.* 2.1–3. cf. *ibid.* 5.3: ὅτι δὲ τοῖς Κλεομένους πολιτεύμασι καινοτομία καὶ παρανομία μείζονες ἔνεισι, δεδήλωται, “it is clear that the political acts of Cleomenes held greater novelties and criminalities [than those of Agis? the Gracchi?].” Perrin, in her translation, interprets the Gracchi as *comparandi*, but all three other figures may be implicated.

klēroi, land allotments, for every citizen—there was a reckoning within the school. On the side of praxis Panaetius, himself a noble of Rhodes and a friend of Scipio Aemilianus, could concede that the concept of private property (vs. public) was a social construct, while simultaneously emphasizing the state’s responsibility to protect the interest of private landholders.⁸²⁴ That brand of Stoicism had obvious appeal to the Roman *nobiles*.

It is not consequential to my argument whether or not Tiberius Gracchus “believed” in a hardline Stoic vision of *isotēs*—“equity” of outcome, rather than equality under law—nor for that matter whether his associate Blossius really was a philosopher first, or if he was a Campanian aristocrat invested in Stoic philosophy. What is striking is that Roman political messaging was presented to the public within Greek intellectual frameworks. Recall for instance the thought experiment of burning the Capitolium *or destroying the dockyards* to prove the point that the republic and its capital belonged to the people. It is doubtful to me that Gracchus and his supporters were considering a march upon Ostia Antica. The topographical referents have been transposed from the Athenian acropolis and the Piraeus, the former burned by the Persians, the latter by Lysander.⁸²⁵ An Athenian Rome could be envisioned.

The fact that Roman and Greek populisms could be equated doomed Tiberius Gracchus. We must recall that the flames of Eunus’ slave rebellion in Sicily were still raging at the time of Tiberius’ death in 133 BCE, and would be quenched a year later by the Roman consuls with violence. Either at the tail end of that war or just after Rome sent religious officials, the *XVviri sacris faciendis*, to Sicily to honor Demeter at Enna and Zeus at Aetna.⁸²⁶ John Dillon has made

⁸²⁴ Cic. *Off.* 1.21; 3.73, 78–9.

⁸²⁵ Plu. *Lys.* 15.4; cf. X. *HG* 2.2.23.

⁸²⁶ Cic. *Ver.* 2.4.108; Lact. *Div. Inst.* 2.4.29; V. Max. 1.1.1.

a strong case that the mission was meant not only for the expiation of the First Servile War but also for the murder of Tiberius Gracchus.⁸²⁷ Eunus and Tiberius blur together easily. Like Tiberius, Eunus had played up associations with Demeter (vs. Ceres), who was the patron of Enna, which claimed to be the site of Hades' Rape of Persephone. Eunus had coins issued under his title "King Antiochus" with Demeter on the obverse and an ear of wheat on the reverse.⁸²⁸ Similarly at Rome a rumor flew that Eudemus of Pergamum, one of the deliverers of Attalus' testament, gave Tiberius a crown on the grounds that "he was about to be king of Rome."⁸²⁹ Finally, Eunus is supposed to have described his position at Enna as the "acropolis" of the island of Sicily.⁸³⁰ Enna then would resemble the Capitolium as an elevated, defensible religious locale. The correspondences between Eunus and Tiberius should not be dismissed as only historiographic massaging of a populist "disturber" type character. That comparison must have been conspicuous to contemporaries.

For the *patres* had responded to popular uprisings in Greece in recent memory. One was the "tulmult" (σύγχυσις) at Dyme that arose in the charged atmosphere following Mummius' sack of Corinth. We possess the edict which the governor Q. Fabius Maximus sent to the people of Dyme in 144 BCE. It recounts the revolution in broad strokes:⁸³¹ A local malcontent, Sosus, led a rabble who burned the public archives including the local repository of laws. Thereafter, the document states, he "drafted [new] laws contrary to the constitution which had been restored

⁸²⁷ Dillon 2013: 101–3.

⁸²⁸ See Robinson 1920.

⁸²⁹ καὶ Πομπήιος μὲν ἀναστὰς ἔφη γειτιῶν τῷ Τιβερίῳ καὶ διὰ τοῦτο γινώσκειν Εὐδήμιον αὐτῷ τὸν Περγαμητὸν τῶν βασιλικῶν διάδημα δεδωκότα καὶ πορφύραν, ὡς μέλλοντι βασιλεύειν ἐν Ῥώμῃ (Plu. *TG* 14.2), "And a Pompeius stood up and said that he was Tiberius' neighbor, and that's how he knew that Eudemus of Pergamum had given [Tiberius] the crown of the kings and a purple outfit, thinking that [Tiberius] was about to become king at Rome."

⁸³⁰ D. S. 34/35.24b.

⁸³¹ *RDGE* 43. It has been redated based on new discoveries about this Fabius Maximus' career; see Ferrary 2014: 189–90.

to the Achaeans by the Romans” (ll. 9–10). A competing faction in the city, “those of the party of Cyllanius” (ll. 4–5), presented themselves to Fabius Maximus, who on receipt of this information issued a decision from his seat at Patrae. Sosus’ life was to be forfeit as was that of a co-conspirator in the arson, a ...]miskos, while Timotheus son of Niceas was recommended for a lighter sentence since he apparently partaken only in the drafting of the new constitution.

Timotheus had sworn to Fabius Maximus that he would submit himself to further investigation by the *praetor peregrinus*. Much previous debate has centered around a broken phrase that some read as a reference to the “cancellation of debts” (χρε[ωκοπία?], l. 14), the watchword for populist revolutions. That would add another social dimension to the revolt at Dyme. It certainly is tempting to draw parallels between the Roman treatment of: Sosus (leader, arsonist; executed)-...]miskus (arsonist; executed)-Timotheus (constitution-drafter; spared) vs. Tiberius Gracchus (leader, arson-plotter; executed)-Diophanes (rhetorician, arson plotter; executed)-Blossius (“philosopher,” enabler; spared). When the *patres* saw Gracchus mobilize the people in Rome for change they thought they had a *stasis* on their hands.

5.8 Conclusions

The Romans decided in the late second century BCE that they should vote like a proper democratic *polis*. The popular assemblies asserted their sovereignty over state business, especially the *comitia tributa*. Voter reform laws were passed, the *leges tabellariae*, which kept the contents of cast ballots secret.⁸³² An obvious but seldom stated corollary is the voting procedure in Greek democracies. One cannot overstate the semiotic and practical value of private

⁸³² These are: the *lex Gabinia* of 139 BCE (secret ballots for elections), the *lex Cassia* of 137 (for trials other than those for treason), the *lex Papiria* of 130 (for legislation), and finally the *lex Caelia* of 107 (for all trials, including treason).

voting to Greek democracies; legal decrees, *psēphisma*, were defined by the voting pebble, the *psēphos*. Many facets of Roman government came into compliance with Greek norms apace. In *de repetundis* trials, for instance, the jurors were instructed to place their ballots into a concealed basket in view of the gathered crowd of spectators, who were to serve as poll watchers.⁸³³ Likewise, in the popular assemblies, the change was swift and permanent, witnessed fossilized in the voting system preserved on the *Tabula Hebana*.⁸³⁴ There was no architect or grand design at work here, but instead voting methods evolved incrementally until they reached the *comitia*, where the populist potential of the *Lex Hortensia* could finally play out in reality.

With this increased share in politics came the cognitive equivalence of *res publica* with *res populi*, the state as possession of the people.⁸³⁵ From these terms Tiberius Gracchus could argue that the royal treasury of Pergamum and huge swathes of state-owned *ager publicus* were at the dispensation of the Roman people.⁸³⁶ The former, as a foreign policy matter, normally would have been under the purview of the senate, while the latter had been managed by the censors. Now the distinction between state and *populus* had collapsed. The new semantics shine through in Appian's portrayal of the poor, who wished to safeguard Tiberius Gracchus' land program after his death: "they countered [Gracchus' opponents], detailing how many battles they

⁸³³ RS 1 (*lex Repetundarum*), ll. 52–4.

⁸³⁴ RS 37 (*Tabula Hebana*, ca. 5 CE), ll.16–24. These provisions are tralatitious in nature. The procedure also matches how Cicero has Atticus and Quintus vote upon the constitution of his ideal republic: *Lex recitata est. discedere et tabellam iubebo dari* (Cic. *Rep.* 3.11).

⁸³⁵ Brunt 1988: 2. The two are constantly interchanged in the first book of the *De Re Publica*: *Est igitur, inquit Africanus, res publica res populi, populus autem non omnis hominum coetus quoquo modo congregatus, sed coetus multitudinis iuris consensu et utilitatis communione sociatus* (Cic. *Rep.* 1.39; restated in *ibid.* 41, 43, 48).

⁸³⁶ Plu. *TG* 14.

had fought to gain this land, and they were becoming infuriated at the prospect of being deprived of the state wealth (*ta koina*).”⁸³⁷

This is the essence of the Gracchan legacy; more so than their actions, it is the way in which they articulated new political ideas and organized the electorate that made them revolutionaries. They had weaponized the disaffection of the urban proletariat whom tribunes of previous decades had tried to protect from food insecurity and grueling military tours with only mixed success. Whether these city-dwellers in Rome really had been driven off small ancestral plots in the Italian countryside is a moot question. The idea of a lost heritage was enough to stoke the flames of discontent. This dissertation has argued instead that one can examine the Gracchan movement as multiple cultural revolutions rather than search only for a univariate, “legitimate” *casus belli* between the Roman classes, such as growing wealth inequality, which doubtlessly happened and had been happening for some time. Once *res publica* had been rendered for *ta dēmosia/ta koina*, a whole language of Greek populist rhetoric could be translated. The Roman “Acropolis” became the seat of political violence for the first time in a new kind of urban warfare.⁸³⁸

Other *patres* responded in kind to the threat of violence within the bounds of the city. Gruen has suggested that the senate looked to formalize the use of force to suppress the populism of Gaius Gracchus since he in fact had removed other forms of recourse from senatorial control, including the controversial circuit of *quaestiones* (court tribunals): “The elimination of senatorial

⁸³⁷ στρατείας τε ὅσας στρατεύσαιντο τὴν γῆν τήνδε περιποιούμενοι, κατέλεγον καὶ ἡγανάκτου, εἰ τῶν κοινῶν ἀποστερήσονται (App. *BC* 1.1.10).

⁸³⁸ Besides the example from Dyme, one might compare how the Romans handled the aftermath of the civil war in Thisbe (170 BCE) between pro- and anti-Roman factions (*RDGE* 2). Sherk suggests that the pro-Roman party was allowed to refortify the acropolis so that they could hold out until Roman reinforcements arrived if another insurrection were to take place (1969: 30–1).

quaestiones opened the way to the *senatus consultum ultimum* and presaged the demise of C. Gracchus himself.”⁸³⁹ The Scipionic, anti-Catonian tradition in favor of executive officers over and against other constitutional checks would reach its ultimate expression in the *senatus consultum ultimum*, which asserted the consul’s ability to execute radicals without trial. Essentially he could treat the city of Rome like a military camp on campaign. But note how the *senatus consultum ultimum* was worded,⁸⁴⁰

decreuit quondam senatus uti L. Opimius consul uideret ne quid res publica detrimenti caperet. (Cic. *Cat.* 1.1.4)

Once upon a time the senate declared that the consul L. Opimius [i.e. the killer of Gaius Gracchus and his followers] see to it that the republic take no loss.

which complements the definition of the crime *maiestas*,

maiestatem minuere est de dignitate aut amplitudine aut potestate populi aut eorum quibus populus potestatem dedit aliquid derogare” (Cic. *Inv.* 2.53)

maiestas is to take away from the dignity, the grandeur, or the power of the people or to repeal any measure of the officers to whom the people have given power.

The *patres* granted the basic points that the Gracchi and Cato had made about the sacrosanctity of the people’s role in the constitution, but countered that in a republic elected representatives chosen by the people should wield ultimate authority. Whoever obstructed the will of the people, as Tiberius had argued, degraded the very institutions of the republic, but Cicero retorts that the people’s choice was personified in its selection of magistrates. In short, after the cultural revolutions of the Gracchan era, the foundational principles of the Roman Republic were opened to debate driven by Greek ideologies and that posed a very big problem to the integrity of the state.

⁸³⁹ Gruen 1968: 84; cf. *ibid.* 97.

⁸⁴⁰ On the *senatus consultum ultimum*, see von Ungern-Sternberg 1970: 55–7.

FIN

Appendices

Appendix 1: A Study of *-tudo* Noun Formations in Gracchan-era Tragedy

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
Accius	<i>Pragmatica</i>		Non. 150M	<i>perperitudo</i>	None	Gloss. iii; headword is Accius on <i>perperus</i> , with <i>perperitudo</i> as a supporting quotation
	<i>Brutus</i>	20 Rib. ³	Cic. <i>Div.</i> 1.44	<i>pulc(h)ritudo</i>	Plautus; Terence; many later	
	<i>Myrmidones, Oenomaus</i>	16 Rib. ³ ; 501 Rib. ³	Non. 120M (bis)	<i>honestitudo</i>	None	Accius i headword, Accius iii supporting quotation
	<i>Alcmaeon, Bacchae</i>	61 Rib. ³ ; 259 Rib. ³	Non. 132M (bis)	<i>laetitudo</i>	None	Accius i headword (see Lindsay ad loc.), Accius ii supporting quotation
	<i>Alcmaeon</i>	69 Rib. ³	Non. 181M	<i>tarditudo</i>	Pl. <i>Poen.</i> 532	Gloss. v, supporting quotation to Plautus
	<i>Alphesiboea, Astyanax (bis)</i>	79 Rib. ³ ; 185,	Non. 136M; Non. 136, 485M	<i>miseritudo</i>	None	136M: Accius i headword at, Accius i supporting quotation

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
		187 Rib. ³				485M: <i>miseritudo</i> is incidental to <i>aspecti</i> (Plautus i headword, per Lindsay)
	<i>Amphitryo</i>	88 Rib. ³	Non. 116M	<i>gracilitudo</i>	None	Accius i headword
	<i>Amphitryo</i>	94 Rib. ³	Non. 146M	<i>orbitudo</i>	Pacuvius 135 Rib. ³ , Turpilius 211 Rib. ³	Accius i headword; supporting quotations are from Pacuvius' <i>Dulorestes</i> and Turpilius' <i>Thrasyleon</i>
	<i>Armorum Iudicium</i> , <i>Eurysaces</i>	154 Rib. ³ , 349 Rib. ³	Non. 72M	<i>anxitudo</i>	Pacuvius 164 Rib. ³ , Cicero, August. <i>Conf.</i> 8.6, 9.3.	Plautus i series on <i>-tudo</i> nouns with Accius intrusion from related note (headword); supporting quotations are from Accius i, Pacuvius' <i>Hermiona</i> , and a fragment of <i>De Republica</i> II (Lindsay)
	<i>Armorum Iudicium</i>	162 Rib. ³	Non. 143M	<i>noxitudo</i>	None	Accius i headword
	<i>Eurysaces</i>	340 Rib. ³	Non. 226M	<i>squalitudo</i>	None	Accius i headword

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
	<i>Eurysaces, Meleager, Telephus</i>	374 and 455 Rib. ³ , 614 Rib. ³	Non. 184, 136 M	<i>uastitudo</i>	Cat. Agr. 141.2, Pacuvius 313 Rib. ³ , Varro fr. 254 Astbury, Gel. 5.14.9	184M: <i>Eurysaces</i> (Accius i) and <i>Meleager</i> (Accius ii) cited as support for equivalence of <i>uastities</i> , <i>uastitudo</i> , <i>uastitas</i> , which is led by a Plautine quotation 136M: Accius i headword from <i>Telephus</i> , but to illustrate <i>maestitudo</i> , following Accius i headword for <i>miseritudo</i> , preceding an Accius i headword for <i>magnitas</i> (used in preference of <i>magnitudo</i>)—a series of abstracts!
	<i>Meleager</i>	456 Rib. ³	Non. 336M	<i>lassitudo</i>	Plautus (many), Pacuvius 246 Rib. ³ , Titinius 131 Rib. ³ , Classical prose authors	Accius ii headword is for <i>levare</i> (<i>lassitudo</i> is incidental); Other uses: Plautus (many), Terence (none), Pacuvius' <i>Niptra</i> (?) (246 Rib. ³), Titinius' <i>Setina</i> (131 Rib. ³)
	<i>Neoptolemus</i>	466 Rib. ³	Fest. 356M	<i>acritudo</i>		Apul. <i>Met.</i> 9.17; Vitr. 8.3.18–19; cf. Gel. 13.3.2, Non. 498M = 467 Rib. ³ (<i>acritas</i> vs.

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
						<i>acritudo</i> ; also from Neoptolemus)
	<i>Philoctetes</i>	556 Rib. ³	Non. 179M	<i>taetritudo</i>	None	Gloss. iv
	<i>Phoenissae</i>	585 Rib. ³	Non. 85M	<i>castitudo</i>	None	Accius i headword
	<i>Phoenissae, Tereus</i>	593 and 646 Rib. ³	Non. 174M	<i>sanctitudo</i>	Claudius Quadragarius, Turpilius 114 Rib. ³ , Afranius 326 Rib. ³ , Cicero, Gel. 17.2.19–20	Accius i headword and supporting quotation; Turpilius (<i>Leucadia</i>) and Cicero <i>De Republica</i> 4) are supporting quotations also from Non. 174M
	<i>Telephus</i>	616 Rib. ³	Non. 136 M	<i>maestitudo</i>	Pl. <i>Aul.</i> 732	Accius i headword, see also above; Plautus cited as supporting quotation by Nonius
Pacuvius						
	<i>Antiopa</i>	8 Rib. ³	Cic. Div. 2.133	<i>testudo</i>	Pl. <i>Aul.</i> 49, Lucil. 837 Marx, Classical authors	
	<i>Atalanta, Dulorestes</i>	60 and 128 Rib. ³	Non. 322, 13 M	<i>aegritudo</i>	many (Plautus, Terence, etc.)	322M: Gloss. i or Plautus i headword (?) for <i>insolens</i> 13M: Pacuvius supporting quotation for <i>crepera</i>
	<i>Atalanta</i>	61 Rib. ³	Non. 116M	<i>geminitudo</i>	None	Pacuvius headword
	<i>Dulorestes</i>	123 Rib. ³	Non. 184M	<i>uanitudo</i>	Pl. <i>Capt.</i> 569	Plautus i headword, supporting quotation from Pacuvius

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
	<i>Dulorestes</i>	124 Rib. ³	Non. 160 M	<i>prolixitudo</i>	None (Vegetius)	160M: Pacuvius headword; joined with previous by Lachmann
	<i>Dulorestes</i>	135 Rib. ³	Non. 146M	<i>orbitudo</i>	Accius 94 Rib.3, Turpilius 211 Rib. ³	See Accius, above
	<i>Dulorestes</i>	149 Rib. ³	Non. 181M	<i>temeritudo</i>	None	Gloss. v headword
	<i>Hermiona</i>	164 Rib. ³	Non. 72M	<i>anxitudo</i>	Accius 154, 349 Rib. ³ , Cicero, August. Conf. 8.6, 9.3.	See Accius, above; the source for the Pacuvian fragment unclear.
	<i>Hermiona</i>	174 Rib. ³	Non. 316M	<i>fortitudo</i>	Ter. Ph. 324, Afranius 65 Rib. ³ , ø Plautus, Classical authors	Pacuvius headword apparently, fronted by Vergilian quote
	<i>Medus</i>	240 Rib. ³	Non. 6M	<i>similitudo</i>	Classical authors	Pacuvius supporting quotation to <i>caluitur</i>
	<i>Niptra??</i>	246 Rib. ³	Gel. 2.26.13	<i>lassitudo</i>	Plautus	See Accius, above; It is interesting that Nonius did not find/use this as a supporting quotation; perhaps the <i>Niptra</i> was not in his collection?
	<i>Niptra??</i>	246 Rib. ³ , 247 Rib. ³	Gel. 2.26.13, Cic. Tusc. 5.46 (quoted by Non. 132M as Cicero, not Pacuvius)	<i>mollitudo</i>	Classical authors	Nonius quotation is a Turpilius headword (<i>lenitudo</i>), with Cicero as supporting quotation
	<i>Niptra??</i>	247 Rib. ³	Cic. Tusc. 5.46 (quoted by Non. 132M)	<i>lenitudo</i>	Turpilius 189 Rib. ³	See previous

Poet	Work	Edition	Quoter	Word	Other Uses	Lindsay source/notes
			as Cicero, not Pacuvius)			
	<i>Teucer</i>	313 Rib. ³	Non. 152, 169, 185, 243M	<i>paenitudo</i>	None	Via a Glossary
	<i>Teucer</i>	314 Rib. ³	Non. 152, 169, 185, 243M	<i>uastitudo</i>	Cat. <i>Agr.</i> 141.2, Accius 374, 455, 614 Rib. ³ , Varro fr. 254 Astbury, Gel. 5.14.9	See Accius above
	[Uncertain]	438 Rib.3	Σ Stat. Theb. 4.737	<i>desertitudo</i>	None	

Appendix 2: Foreign Professionals in Central Italy (ca. 149–91 BCE)

Below is a table of foreign professionals attested in Central Italy during the Gracchan period. It is not an exhaustive catalogue, but its data suggest vibrant cultural exchange between the Hellenistic Mediterranean and Rome (see especially Chapter 2). Some provisos for the use of this table: Dates for period inscriptions are imprecise and rely mainly on the palaeographic expertise of the scholars cited; Many times one has to rely on names alone for places and peoples of origin, but these are conservative elements of identity and often names intentionally signal such information as toponyms and ethnonyms;⁸⁴¹ Ethnic Greeks may hail from Magna Graecia vs. the “Greek East,” and this is a point that Christes (1979) makes repeatedly concerning the origins of the *grammatici Latini* of the second century BCE; Since I highlight Southern Italy and Sicily as an important buffer zone of Roman, Italian, and Greek cultures, Christes’ point entirely complements my own arguments. I have exercised some caution over ambiguous cases. I have not included Herennius Siculus for instance, the haruspex and associate of Gaius Gracchus whose name may indicate a Sicilian origin (if not vested business interest). He committed suicide while arraigned and on his way to a public execution as Opimius rounded up former Gracchan supporters.⁸⁴² There are tantalizing parallels here to the fates of Blossius of Cumae and Diophanes of Mytilene, the trusted friends of Tiberius Gracchus. I have also decided not to place the *magistres ludi* of Minturnae in the catalogue, though their records date to this

⁸⁴¹ Mullen (2013: 122–143) gives a balanced account of the issue of reconstructing Gallic–Greek identities from inscriptions, whereas MacDonald and Clackson (2020) are skeptical of the application of onomastics to population studies. Instead they emphasize the “onomastic choice” of artisans: “[A]rtists and craftsmen may have made complex decisions about how to present themselves to clients, including making decisions about what their names would be” (2020: 79). That statement is unobjectionable, whereas their corollary conception of “onomastic fallacy” does not apply to my study, however. No doubt artisans sometimes went by alternate names in languages local to where they worked in order to assimilate—multilingual inscriptions substantiate the practice—but this is an entirely different phenomenon which would actually suggest that many resident aliens named in existing inscriptions pass as locals and therefore are unnoticed by modern scholars. Conversely, I am lighting on names that flag their bearers as exogenous. By and large names were constrained culturally, ethnically, and socially in the ancient Mediterranean. Freedmen and slaves were forced by conventions to take the *nomina* and *praenomina* of their enslavers with their personal name appended as a *cognomen*. One expects *uernae* were named directly by enslavers and not by their parents. And even the upper classes of Rome were bound to a small pool of inherited *praenomina*, often just one or two. When we see Central Italian elites experiment with Greek cognomina, we therefore should not extrapolate this fad to all members of Roman society. We are far from today’s ubiquitous use, e.g., of Hebrew names among gentiles. Such extensive onomastic borrowing and freedom is by and large a modern phenomenon, and the exceptions to it in antiquity only prove the rule. Hamilcar “The Samnite,” a Carthaginian politician, is a striking case of mismatch between naming language and ethnicity, and the need was felt to mark it as such.

⁸⁴² V. Max. 9.12.6.

period.⁸⁴³ The leaders of these colleges of slaves, freedmen, and freedwomen put on local games and shows, but the professions of the members themselves are mostly unknown.

⁸⁴³ *ILLRP* 726–7.

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Cimber	actor		Rome	Gaul?	101 BCE? (Vercellae)	<i>Rhet. Her.</i> 3.34	Garton 1972 no. 65	Cimbrian? Author of <i>Rhet. Her.</i> associates Cimber with Aesopus at either a real or fictive production of an <i>Iphigenia</i>

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Claudius Aesopus	actor		Rome		fl. ca. 100–55 BCE (Garton 1972: 247)	See notes	Garton 1972 no. 67	Often paired with Roscius (e.g. Hor. <i>S.</i> 2.3.239–41); immensely wealthy (Macr. 3.14.13–4; Plin. <i>Nat.</i> 9.122, 10.142); his son inherited his extravagant taste and wealth (Hor. <i>S.</i> 2.3.239–41)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Eros	actor		Rome		fl. ca. 80/77 BCE (Garton 1972: 250); it is unclear, however, why Garton elects for a date much later than that of Panurgus', Roscius' other protégé	Cic. <i>Q. Rosc.</i> 30–1	Garton 1972 no. 81	Understudy of Roscius
Panurgus	actor		Rome		fl. ca. 93 BCE (Garton 1972: 258)	Cic. <i>Q. Rosc.</i> 27–30	Garton 1972 no. 118	Slave held in common between Roscius and Fannius Chaerea; understudy of Roscius; talents evaluated at HS 100,000; murdered by Flavius of Tarquinii

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Roscius	actor	L. Cornelius Sulla Felix (cos. 88 BCE), Q. Lutatius Catulus (cos. 102 BCE)	Rome	Solonium (near Lanuvium)	fl. ca. 102 BCE?	See notes	Garton 1972 no. 128	Possibly <i>uerna</i> ? (Cic. <i>Div.</i> 1.79; cf. Henry 1919: 345); often paired with Claudius Aesopus (e.g. Hor. <i>S.</i> 2.3.239–41); immensely wealthy (Cic. <i>Q. Rosc.</i> 8); Sulla honored Roscius with the privilege of wearing the golden ring of an equestrian (Macr. 3.14.13–4); love affair with Lutatius Catulus (fr. 2 Courtney); mentor to foreign actors Panurgus and Eros
Hermodorus of Salamis	architect	C. Caecilius Metellus (cos. 143 BCE)	Rome	Salamis	ca. 146 BCE	Plin. <i>Nat.</i> 34.64; Vell. 1.11.2–5; Vitruv. 3.2.5	Dufallo 2013: 7	Architect of Macedonicus' temple of Jupiter Stator
P. Buxurius P. f. Tracalo	architect		Castrum Truentinum, Italy		2nd century BCE?	<i>CIL</i> I ² 1916		Inscription indicates that Buxurius used a Greek personal name as a cognomen, Τράχαλος (“the neck”); he was a citizen of Castrum Truentinum
D. Segulius Alexs[ander]	aurifex		Vescovio /Forum Novum		Uncertain	<i>CIL</i> I ² 1840		

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
M. Vaccius M.l. Theophilus	cantor Graecus		Rome		First half of first century BCE (Giovagnoli 2014: 97)	<i>CIL I</i> ² 2519		A magister of the <i>societas/sunhodos cantorum Graecorum</i> along with Vibius Simus; their patron was a Maecenas
Q. Vibius Q. l. Simus	cantor Graecus		Rome		First half of first century BCE (Giovagnoli 2014: 97)	<i>CIL I</i> ² 2519		A magister of the <i>societas/sunhodos cantorum Graecorum</i> along with Vaccius Theophilus; their patron was a Maecenas
Sophe	cantrix		Rome		"Republican Period" (J.-L. Ferrary)	<i>AE</i> 1991: 123 (J.-L. Ferrary)		
M. Pompeius Heliodorus	cisiarius [carriage-maker]		Praeneste		100–71 BCE (David Nonnis, <i>EDR</i> 118884)	<i>CIL</i> 1 I ² 1446		<i>magister [collegii Cisiariorum]</i>
Asclepiades of Bithynia	doctor	M. Antonius (cos. 99 BCE), L. Licinius Crassus	Rome	Bithynia	Before 91 BCE (Rome; Rawson 1982)	<i>Cic. De Orat.</i> 1.62; <i>Plin. Nat. Nat.</i> 26.12–13	Rawson 1982	Courted by Mithridates, whom he refused (<i>Plin. Nat.</i> 7.124, 25.6)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
		(cos. 95 BCE)						
Octavia Auli l. Artemisia	doctor (medica)		Pisaurum		First century BCE (Fabiola Branchesi; <i>EDR</i> 16078)	<i>CIL</i> XI 6394		
D. Graec[] D. l. Prax[]	doctor (medicus)		Larinum	Greece	Uncertain	<i>ILLRP</i> 800		
L. Manneius Q. [s.or l.]	doctor (physikos oinodotēs)		Volcei	Tralles	100–71 BCE (Umberto Soldovieri, <i>EDR</i> 116164)	<i>CIL</i> I ² 1684; <i>IG</i> 14.666		Slave? freedman?; bilingual inscription; Greek name also listed as Menecrates, son of Demetrius
Bit(t)us	fistularius		Rome		First half of first century BCE (Cesca Dandrea, <i>EDR</i> 126052)	<i>CIL</i> I ² 1244		
Autrico	grammaticus (Latin)	Scipio Aemilianus		Spain (marginal note)	Late 2nd second century	Fro. <i>Aur.</i> 1.7.4	Christes 1979: 20–1	Slave? (use of Spanish ethnonym as personal name; so Christes 1979: 20–1)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
		(cos. 147, 134 BCE)		in Fronto MS)	BCE/early 1st century BCE			
C. Octavius Lampadio	grammaticus (Latin)				floruit ca. 130 BCE (Christes 1979: 167)		Christes 1979: 7–8	<i>Verna?</i> (Christes 1979: 8, based on name); divided Naevius' <i>Bellum Poenicum</i> and worked also on Ennius' <i>Annales</i>
Laelius Archelaus	grammaticus (Latin)	Lucilius (the poet)			b. 130–d.70 BCE (Christes 1979: 167)	Suet. <i>Gram.</i> 2.2	Christes 1979: 8–10	Friend of Lucilius; taught Pompeius Lenaeus; possibly the Q. Laelius who wrote a <i>De Vitiis Virtutibus Poematorum</i> (GLK 1.141)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Lutatus Daphnis	grammaticus (Latin)	M. Aemilius Scaurus (Cos. 115 BCE), Q. Lutatus Catulus (cos. 102 BCE)	Rome?	Pisaurum (born), Sicily? (family origin)	Late 2nd century BCE/early 1st century BCE	Suet. <i>Gram.</i> 3.5	Christes 1979: 12–15	<i>Verna</i> ; was sold at a record price for a <i>uerna</i> (HS 700,000) from an Accius of Pisaurum to Scaurus, and then was sold again to Catulus at the same price (Plin <i>Nat.</i> 7.128; Suet. <i>Gram.</i> 3.5); this Accius may not be the poet, but belonged to the same family (Christes 1979: 12–13); Christes (ibid. 13–14) does not make a convincing argument concerning Daphnis' hypothetical role as an aide to the autobiographies of Scaurus and Catulus, and Christes' date for Daphnis hinges on their careers; Daphnis' name may indicate a Sicilian origin

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
M. Antonius Gnipho	grammaticus (Latin)	Julius Caesar (cos. 59 BCE)	Rome (house of Julii Caesares), Alexandria? (schooling)	Gallia Narbonensis (Christes 1979: 21); Gallia Cisalpina Kaster 1995: 117)	fl. 95–85 BCE (taught Julius Caesar as a boy)	Suet. <i>Gram.</i> 7	Christes 1979: 21–5	Exposed as an infant, freed later; Suetonius doubts that Gnipho studied at Alexandria with Dionysius Scytobrachion, but he may have studied at Alexandria nonetheless; prolific, though the only securely known work is a <i>De Latino Sermone</i> in 2 books (probably quoted at Quint. 1.6.23 = <i>GRF</i> F 4; cf. Kaster 1995: 117); Gnipho probably wrote a commentary on Ennius' <i>Annales</i> (<i>Schol. Bern.</i> ad <i>Verg.</i> G. 2.119 = <i>GRF</i> F 1)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
M. Pompilius Andronicus	grammaticus (Latin)		Rome (taught briefly), Cumae (taught)	Syria	Contemporary of Antonius Gniphos (fl. 95–85 BCE; see above)	Suet. <i>Gram.</i> 8	Christes 1979: 25–7	Freedman (Christes 1979: 25), possibly an enfranchised <i>peregrinus</i> (Kaster 1995: 123, comparing the grammarian Curtius Nicias and the poet Archias); moved to Cumae due to competition for clientele with Antonius Gniphos; Epicurean (cf. Aurelius Opillus, Suet. <i>Gram.</i> 6.1); wrote a commentary on Ennius' <i>Annales</i> ; Orbilius, Horace's teacher, acquired some of Andronicus' books; wrote critically of and on Ennius' <i>Annales</i>
Sevius Nicanor	grammaticus (Latin)				fl. ca. 100 BCE (Kaster 1995: 107–8)	Suet. <i>Gram.</i> 5.1–2	Christes 1979: 15–17	Freedman; had two cognomina, though the second has been corrupted in transmission; the first <i>grammaticus</i> to achieve <i>dignitas</i> and <i>fama</i> , according to Suet.

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Vettius Philocomus	grammaticus (Latin)	Lucilius (the poet)	Central Italy (Etruria, "Sabine" country, Praeneste; Quint. <i>Instit.</i> 1.5.56))	Cyrene? (A common local name; Kaster 1995: 67; e.g. Carnea des' father may have been a Philocomus, <i>FGrH</i> 273 F 90)	b.130–d.70 BCE (Christes 1979: 167)	Suet. <i>Gram.</i> 2.2	Christes 1979: 8–10	Friend of Lucilius; taught Valerius Cato; probably the Vettius Lucilius chided for using rustic language (Quint. <i>Instit.</i> 1.5.56); perhaps connected with the Paelignian/Marsic Vettii who produced a Social War commander (Vettius Scato)
Priamus Marserus. s.	magister nauium		Uruinum Hortense		1st half of 1st cent. BCE (Enrico Zuddas; <i>EDR</i> 129019)	<i>CIL</i> 11.5183		Slave
C. Aetilius Serrani l. Euhodus	margaritarius (pearl-seller)	Atilii Serrani	Rome		Before the age of Caesar (F.	<i>CIL</i> I ² 1212		Freedman; epitaph is quasi-metrical (iambo-trochaics); self-described as pauper

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
						Buecheler, <i>CLE</i> 74)		
Euhodus	margaritarius (pearl-seller)		Rome		1st century BCE (Ilaria Grossi, <i>EDR</i> 72169)	<i>CIL</i> VI 37803		Relation to the other (or same?) Euhodus who was a <i>margaritarius</i> ?
Protogenes Cloul[i s.]	mime actor		Amiternum		Last quarter of 2nd century BCE (Kuznetsov 2013: 135)	<i>CIL</i> IX 4463 = <i>ILLRP</i> 84	Mercado 2012: 99–100; Kuznetsov 2013	Slave; The specifics of Kuznetsov's argument for the date are not convincing (formulation of slave name), but a late second century BCE date is plausible nonetheless; verse epitaph
L. Poblicius Bibuli l. Her[ma?]	nomenclator		Rome		100–50 BCE (Silvia Orlandi, <i>EDR</i> 127075)	<i>CIL</i> VI 9694		
Clitomachus	philosopher							
Hermocles	philosopher (Academic)		Neapolis	Alexandria, Egypt	2nd century BCE–1st	<i>IG</i> XIV 781	Haacke 2011	

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
					century AD			
Eukratidas	philosopher (Epicurean)		Brundisium	Rhodes	2nd century BCE–1st century BCE	<i>ILS</i> 7780 = Syll. ³ 1227	Haacke 2009: 52 n. 15	Bilingual Latin–Greek epitaph
Panaetius	philosophus (Stoic)	Scipio Aemilianus et al. (see esp. Astin 1967: 296)	Rome	Rhodes	Embassy with Aemilianus ca. 140 BCE	See notes	van Straaten 1946: 3–25	Priest on Rhodes (<i>ILind</i> 223); moved to Athens as a young man (<i>P. Herc.</i> 1018 col. LVI); split time between Rome and Athens after death of Aemilianus in 133 BCE (<i>P. Herc.</i> 1018 col. LXIII); see also p. 91.
Antipater of Sidon	poet	Q. Lutatius Catulus (cos. 102 BCE)	Rome?	Sidon	ca. 102 BCE?	Cic. <i>De Orat.</i> 3.194		Epigrammatist featured in <i>Garland</i> of Meleager

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Archias	poet	L. Licinius Lucullus (cos. 74 BCE); Q. Metellus Numidicus (cos. 109 BCE); Q. Caecilius Metellus Pius (cos. 80 BCE); M. Aemilius Scaurus (cos. 115 BCE); Q. Lutatius Catulus (cos. 102 BCE) and homonymous son; Livius Drusus (trib. 91 BCE); Octavii (including cos. 87	Rome, Heraclea, (honorary citizen of Tarentum , Rhegium, Neapolis, and probably Locri too; Cic. <i>Arch.</i> 5, 10)	Antioch	102 BCE (arrival at Rome)	Cic. <i>Arch.</i> esp. 4–11		Born to a noble family in Antioch (Cic. <i>Arch.</i> 4)

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
		BCE) Hortensii (including cos. 69); father of Cato the Younger; source is <i>Cic. Arch.</i> 6; see West (1995: ad loc.) for identificati ons						
Diophanes of Mytilene	rhetorician	Ti. Sempronius Gracchus	Rome, Misenum?	Mytilene	fl. 133 BCE	Plu. <i>TG</i> 8.4–5, 20.3 (cf. <i>Cic. Brut.</i> 104)		Tiberius Gracchus' advisor; exiled from Mytilene; killed without trial after Tiberius' own death
Menedemus	rhetorician	M. Antonius (cos. 99 BCE)	Athens, Rome		ca. 91 BCE (Rome)	<i>Cic. De Orat.</i> 1.85–8	Balsdon 1979: 55	Athenian <i>hospes</i> of Antonius; met during studies with Charmadas at Athens

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Menelaus of Marathos	rhetorician	C. Sempronius Gracchus	Rome, Misenum?	Amrit, Syria (= Marathos)	fl. 140s–120s BCE?	Cic. <i>Brut.</i> 100		Fannius accused Gaius Gracchus of using Menelaus' services in speechwriting
Isidoros, son of Num.	sculptor? check		Cumae	Paros, Greece	“Wohl noch aus vorkaiserlicher Zeit” (G. Lippold, <i>RE</i> Isidoros 31)	<i>IG</i> 14.861		Parian sculptor who created a statue for a Dec(i)mus [H/S]eius, son of Paccius, i.e. one of the prominent Campanian families of the Republic
Menop[h]ilus Alfianus	seruos publicus ex Basilica Opimia		Rome		post 121 BCE; “ <i>litteris valde antiquis</i> ” Mommsen	<i>CIL</i> I ² 1336		
Menop[h]ilus Lucretianus	seruos publicus ex Basilica Opimia		Rome		post 121 BCE; “ <i>litteris parvis antiquissimis</i> ” Mommsen	<i>CIL</i> I ² 1337		

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Hermodorus	shipwright? naval architect?	M. Antonius (cos. 99 BCE), L. Licinius Crassus (cos. 95 BCE)	Rome?		ca. 91 BCE (Rome)	Cic. <i>De Orat.</i> 1.62		It is unclear whether this Hermodorus was the same as the famous architect Hermodorus of Salamis
C. ...] C. I. Philargyrus	ung[u]entarius (perfumer)		Venusia		“ <i>litteris vetustis</i> ” (Mommson)	<i>CIL</i> I ² 1703		Commemorates the manumission of Philargyrus and family
L. Maecius Philotimus	vascularius (goldsmith)		Rome, Italy		Contemporary with Pacuvius?	<i>CIL</i> I ² 1209	Courtney 1995: 237	A patterned epitaph in <i>senarii</i> that could be adapted to the name of the honorand (cf. Pacuvius’ at Gel. 1.24.4)
Antiodemis	λυσιοδός	Roman elites?	Rome	Paphos? (Garton 1972: 243)	<i>Garland of Meleager</i> (ante 87 BCE); fl. 150/135 BCE (Garton 1972: 243)	<i>AP</i> 9.567 (Antipater of Sidon, but possibly Thessalonica)	Garton 1972 no. 46	Lysioidoi were musical performers who cross-dressed; the poet describes her art as a pacifying influence on Rome: Ἰταλίην ἤμειψεν, ἵνα πολέμοιο καὶ αἰχμῆς ἀμπαύσῃ Ῥώμην μαλθακίῃ χάριτι (1.7–8), “She moved to Italy in order to restrain Rome from war and the spear with her gentle grace.”

Name	Profession	Roman ties	Contact Location(s)	Place of Origin	Date	Primary Sources	Bibliography	Status/Notes
Metrobius	λυσιαφός	L. Cornelius Sulla Felix (cos. 88 BCE)	Rome		Companionship with Sulla ca. 120s/110s BCE	Plu. <i>Sull.</i> 2.4, 36.1	Garton 1972 no. 110	Love of Sulla when Sulla was a young man

Bibliography

Abbreviations

<i>BE</i>	<i>Bulletin Épigraphique</i>
<i>BKT</i>	<i>Berliner Klassikertexte</i>
<i>CGL</i>	G. Goetz (ed.) (1888–) <i>Corpus Glossariorum Latinorum</i> , Leipzig
<i>CIL</i>	<i>Corpus Inscriptionum Latinarum</i>
<i>Courtney</i>	E. Courtney (1993) <i>The Fragmentary Latin Poets</i> , Oxford
<i>FdD</i>	(1909–) <i>Fouilles de Delphes</i>
<i>FGrH</i>	F. Jacoby (1925–) <i>Die Fragmente der griechischen Historiker</i> , Berlin
<i>GLK</i>	H. Keil (1857) <i>Grammatici Latini</i> , Leipzig
<i>GRF</i>	G. Funaioli (1907) <i>Grammaticae Romanae Fragmenta</i> , Leipzig
<i>HRR</i>	H. Peter (1967) <i>Historicorum Romanorum Reliquiae</i> (2nd ed.), Stuttgart
<i>ID</i>	<i>Inscriptions de Délos</i>
<i>IG</i>	<i>Inscriptiones Graecae</i>
<i>ILind</i>	C. Blinkenberg (1941) <i>Lindos: Fouilles et recherches</i> , Berlin
<i>ImagIt</i>	M. Crawford et al. (eds.) (2011) <i>Imagines Italicae: A Corpus of Italic Inscriptions</i>
<i>ISmyrn</i>	G. Petzl (1982–) <i>Die Inschriften von Smyrna</i>
<i>ILS</i>	H. Dessau (1892–) <i>Inscriptiones Latinae Selectae</i> , Berlin
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- RDGE* R. K. Sherk (1969) *Roman Documents from the Greek East*, Baltimore
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- RE* *Realencyclopädie der classischen Altertumswissenschaft*
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- RS* M. Crawford (ed.) *Roman Statutes*, London
- SH* H. Lloyd-Jones and P. J. Parsons (eds.) (1983) *Supplementum Hellenisticum*, Berlin
- SIG*³ G. Dittenberger (1917) *Sylloge Inscriptionum Graecarum* (3rd ed.), Leipzig
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- TrRF* (2012–) *Tragicorum Romanorum Fragmenta*

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