NAEVIUS AND THE METELLI

The imprisonment of the poet Naevius has important bearings on the Roman law of libel and the history of the Roman stage.¹ The evidence is not, however, entirely satisfactory. The traditional story is almost too circumstantial. Were the details of such events likely to be remembered accurately from as early as 206 B.C.? Though modern scholars accordingly tend to criticise minor points, they accept the main story as authentic. Recently, however, Marmorale has argued powerfully against the very basis of the anecdote, though without questioning its essential truth.² I believe that there is reason for going further. The story itself requires most rigorous criticism. Have the facts been correctly interpreted in our ancient sources? How early and reliable, moreover, are the ultimate authorities for each element in the anecdote? Before I turn to this enquiry, I would offer a resumé of the anecdote in its final form, as a basis for the whole discussion.

Naevius was imprisoned by the tresviri capitales in 206 B.C., on the instance of the Metelli, one of whom was then consul. The reason for his arrest was the intemperate free speech of his plays, which recalled Attic Old Comedy. Though many nobles suffered from Naevius's attacks, the Metelli were his bitterest victims, and they had replied to his taunt;

"Fato Metelli Romae fiunt consules",
with the threatening Saturnian;

"Dabunt malum Metelli Naevio poetae". Repenting at leisure in prison, Naevius wrote two plays which in some mysterious manner atoned for his offences, and the tribunes then released him. Whilst still in prison, he was sympathetically handled by Plautus in III.2.11–2 of the Miles Gloriosus;

'Nam os columnatum poetae esse inaudivi barbaro,
quoi bini custodes semper totis horis accubant.'

After his release, Naevius found life in Rome difficult and retired to Utica, where he died in 201 B.C. or shortly afterwards. It was the Metelli once more who drove him into this virtual exile.³


² W. Beare is perhaps the most sceptical modern. But despite damaging admissions (Roman Stage², 1955, pp. 30–1) — e.g. "even if we reject all the stories as mere gossip" — he accepts Naevius's imprisonment as a fact. E. V. Marmorale's view (Naevius Poeta², 1950, pp. 39–143) will be fully discussed later.

³ Gellius, III 3, 15 (imprisonment and release); Pseudo-Asconius (p. 215 St.) on Cic., I in Verrem, x, 29, and "Caesius Bassus", de metris (Keil, Gramm. Lat., VI, p. 266);
Most scholars agree that the line of Naevius is authentic and that it is a *senarius* from one of his comedies. The Metellan reply, however, is an undoubted Saturnian, and, despite Wissowa, generally held to be authentic also. It would be a pasquinade publicly posted in answer to the poet. But, for a Saturnian, the line is surprisingly smooth and easy to scan. It may then be a forgery by some literary fabricator, who was unable to write — or even scan — an authentically rough line.

Marmorale, indeed, has argued that the reply, which he considers genuine, should logically reproduce the metre of the challenge; accordingly he would assign *Fato Metelli* . . . to the *Bellum Punicum*. But he cannot deny that it is also a perfectly correct Latin *senarius*, and this admission undermines his argument. Though Marmorale is hardly convincing in his metrical views, he rightly recognised a grave difficulty in the accepted tradition of Naevius’s imprisonment, which has been too little considered. Through Augustine (*Civ. Dei*, II, 9) we learn that Cicero, in the fourth book of his *De Republica*, made Scipio Aemilianus contrast Greek and Roman Comedy in the matter of personal attacks on individuals. The Greeks, he concedes, though mistaken about the role of Comedy in society, were at least consistent in legalising scurrilous invective. Yet, while there was some excuse for this with a Cleon, should Pericles have had to suffer in the same way? Was it not as unseemly as if Plautus or Naevius had chosen to insult P. or Cn. Scipio? The Romans of old had disapproved of any allusion to living men in the theatre, whether praise or blame. They felt that the poet should not be allowed to usurp the functions of the censor or the magistrate, and that reputations should not be subjected to attack without legal right of defence. Accordingly,

Festus-Paulus (23 L.) s. v. barbari ("Plautus Naevium poetam Latinum barbarum dixit"); Jerome, ad ann. Abr. 1816 (202/1 B. C.).

Wissowa ("Naevius und die Metelli", Genethliakon für C. Robert, 1910, pp. 51 ff.) denied its authenticity, ascribing it to the post-Gracchan period; after Marx’s answer ("Naevius", Sitzb. Sächs. Ges., 1911, pp. 69 ff.) only Leo (Gesch. der röm. Lit., 1913, p. 73, n. 5) maintained Wissowa’s position. In 1905 Leo (Sat. Vers., p. 32) identified the line as a *senarius*, a view hardly challenged since.


See scepticism of Beare, op. cit., p. 31, and Wissowa, op. cit., p. 63. O. J. Todd, “Servius and the Saturnian metre”, Class. Rev., XXXIV (1940), pp. 135 ff., reveals the tangle of ancient views on this metre; “Caesius Bassus”, for whom the Metellan reply is the perfect Saturnian, could find few typical lines in Naevius himself! In moments of honesty the grammarians admit to not understanding a metre, which seemed to allow every kind of foot and obey no rule.

Op. cit., pp. 63-6; especially (p. 64) "La verità è che il verso è, se anche un trimetro giambico, . . . un saturnio e come saturnio fu scritto e considerato da Naevio" and (p. 66) "dopo aver dimostrato che il verso può senza difficoltà essere considerato un saturnio. . . ." O. Skutsch, Class. Rev., LXV (1951), pp. 174-6 (review of Naevius Poeta) mercilessly demolished Marmorale’s case.
libellous verse incurred the capital penalty under a clause of the Twelve Tables. Now, as even Augustine’s paraphrase demonstrates, nominatio was the point at issue, and this formed the very essence of libel in Roman law. Did Naevius ever indulge in this? The question may seem surprising, but should be frankly faced. Cicero’s view requires close study in its context without preconceptions. Did Cicero merely mean that personal attack by Naevius on the Scipios, those peers of Pericles, was unthinkable? Unlike Metelli and other lesser nobles, they were safe. This interpretation, I feel, can hardly stand. Would Aemilianus have regarded Metelli as worthy of no more respect than the base and vulgar Cleon? Moreover, he is clearly making a careful distinction between Greek and Roman custom in this passage. Would it not weaken his case considerably, if he knew that Naevius had actually been arrested for direct, Aristophanic attacks on individuals? If Naevius was a notorious exception, a non-conformist among Roman poets, why should Cicero’s Scipio casually introduce him, without at least pointing the moral of his fate? Now Horace, in a famous passage (Epist., II, 1, 145ff.), describes how the libel law effectively curbed personal satire from the stage even before the time of Livius Andronicus, without the slightest hint that Naevius rebelled against this taming of the comic poet. Horace is an important, early witness. Neither Cicero nor he would seem, from these passages, to have known of Naevius’s libels. This is a vital point for the

8 Whereas Greek law permitted “ut quod vellet comoedia de quo vellet nominatim diceret”, the Twelve Tables made it a capital offence “sive quis occentavisset sive carmen condidisset quod infamiam faceret flagitiumve alteri.” Spells and charms were effective and damaging (in ancient belief) only when directed against their victims by name. So it was too, clearly, with libellous verses. In the later private action for verbal iniuria, the case rested entirely on nominatio; see Rhet. ad Herennium, I, xiv, 24 and II, xiii, 19 (two libels by mimes).

9 The key passage is “Sed Periclem ... violari versibus, et eos agi in scena, non plus decuit quam si Plautus noster voluisset aut Naevius P. et Cn. Scipioni aut Caecilius M. Catoni maledicere.” Marmorale identifies these Scipios as the father and uncle of Africanus (op. cit., pp. 50–1), perhaps rightly. Noone has suggested that Plautus or Caecilius attacked by name Romans other than those specified; it was, Scipio implies, unthinkable for them to have breached the Roman custom in any way. Why is it impossible (see Skutsch, op. cit., p. 175) to make this inference for Naevius also?

10 After describing the savage libertas of Fescennine drama (felt by noble houses), Horace says;

\[
\begin{align*}
\text{quin etiam lex} \\
\text{poenaque lata malo quae nollet carmine quemquam} \\
\text{describi; verte re modum formidine fustis} \\
\text{ad bene dicendum delectandumque redacti.} \\
\text{Graecia capta serum victorem cepit et artes} \\
\text{intuit agresti Latio...}
\end{align*}
\]

The Saturnian gradually gave way to civilized verse; at leisure after Punica bella (surely a poetical plural) Rome turned to copying Greek tragedy and comedy. Horace is surely thinking of Magna Graecia and Sicily in Graecia capta and of Andronicus’s first play in 240 B.C. (Cic., Brut., xvii 71).
problem of his imprisonment, and I was encouraged to find that Marmorale had anticipated my reading of the Ciceronian evidence.\(^1\) The supposed attack on Africanus, noted by Gellius (VIII, 8, 5), did not constitute nominatio, and if Naevius’s political sallies were of this nature, he was hardly more audacious than Plautus, and, as Marmorale insists, should never have fallen foul of the law.\(^1\) The only firm evidence for nominatio appears to be the line Fato Metelli; for this insult, directed against a consul in office, Naevius might well have been liable for arrest and imprisonment pending execution. As Tenny Frank plausibly suggested in 1927, the clause dealing with incantation in the Twelve Tables was probably stretched by praetorian interpretation, in order to cover theatrical libel. But, whereas Frank thinks that this was specifically aimed at Naevius in 206 B. C., I would prefer to follow Horace in dating the change back to the middle of the third century.\(^1\) The line about the Metelli thus appears vital evidence, for in it, as normally understood, Naevius was openly breaking recognised law. Marmorale, believing that Naevius never attacked personally in comedy, must explain it in a novel way. Before discussing his view, however, I would examine the meaning that the line Fato Metelli... held for Cicero, our earliest authority. Did he know that it was libellous in Naevius’s day? This is normally assumed, and for this reason De Rep., IV, 10 must be explained otherwise than the passage would naturally suggest.

In I In Verrem, x, 29 Cicero retails Verres’s boast that Q. Metellus Creticus (cos. 69 B. C.) owed the consulate to him, and not like other Metelli to the workings of Fate. He clearly alludes to the famous line. Its point, for his audience, was the inevitability of Metellan consulates. They had no need of personal effort or merit.\(^1\) Now could Naevius have possibly said that of the...
consul of 206 B.C., who was only the second consul in his family? Fabius Maximus and Claudius Marcellus had individually won the consulate five times for their families. The line must surely have acquired new currency long enough before 70 B.C., for the sense given by Cicero to become proverbial. As Wissowa acutely recognised, there is one period of Roman history when this version was almost literally true. The amazing series of Metellan consulates from 123 to 109 B.C. was unprecedented and remained a record for a single family. The line now had a really vicious sting, and political enemies must have made excellent use of it. So far, I believe, Wissowa was right. The orthodox view is, however, consistent with this result. The line would have been libellous in another sense in Naevius's day. Scholars have spent great ingenuity in seeking this out. Marmorale agrees basically with this approach, but his novel view merits special attention.

Convinced that Naevius never attacked any Roman by name on the stage, he assigns Fato Metelli... on dubious metrical grounds to the Bellum Punicum. There the line referred to L. Metellus, the consul of 251 and 247 B.C., for whom...

---

15 For these two see Broughton, Magistrates of the Roman Republic, I, pp. 224–32, 254–90. L. Metellus, the first Metellan consul (251 and 247 B.C.), was the father of Q. Metellus (cos. 206 B.C.); see R. E., III, 1203–4, for his career.

16 Wissowa, op. cit., p. 55. Q. Metellus Macedonicus, father of four consuls (one triumphalis and censorius at his death), became a byword for success; Cic., De Finibus V, xxvii, 82; Vell. Pat., I, 11, 7; Val. Max., VII, I, 1. In 15 years the Metelli gained 6 consulates. Marius broke the record in his own person (6 consulates in 8 years), but this was hardly comparable to a family monopoly. For both see Broughton, op. cit., pp. 512 ff.

17 Wissowa (op. cit., pp. 55–7) suggested that the line was written either by Lucilius against Metellus Numidicus or by an anonymous author of that age; some grammarian between Cicero and Nero ascribed it to Naevius. Marmorale (op. cit., pp. 61–2) marshalls the strong objections to this view. Orators after Gracchus, on the other hand, certainly adapted verses from drama for political purposes; see Scaurus's use of two lines of Caecilius, Cic., De Orat., II, ixiv, 257. Marmorale (op. cit., p. 78) rightly discriminates between the sense given to fato in Cicero's allusion and the line's meaning in 207–6 B.C., but fails to see that Cicero cannot have invented this new sense himself. Rather (see n. 14) he substituted opera sua for the merito which would normally be tacitly understood.

18 Fato is regularly understood in a double sense; a) as a dative, "to Rome's misfortune" (echoed by the malum promised by the Metelli) and b) as an ablative, "by the workings of Fate", "as foretold by oracles" (Marx, op. cit., pp. 61 ff.; Marmorale, op. cit., 78–9 and 83–4) or "by chance" (Tenny Frank, Amer. Journ. Phil., XLVIII, p. 106 and Rowell, op. cit., p. 25 and n. 32).
Naevius had the very deepest respect. Metellan consulates, the reader was reminded, had a happy and fateful issue for Rome. But the poem was hardly published when opponents of Q. Metellus adroitly turned the line against his carefully contrived election in 207 B. C. Metellus, however, took no action as consul, but, after Naevius assailed Scipio in the following year, he arbitrarily exercised his power as dictator comitiis habendis to silence this inconvenient criticism of his party-leader. Friendly tribunes, however, soon released the poet from prison. There is much in this reconstruction to arouse suspicion. Few scholars certainly would accept the line as a Saturnian, and Marmorale’s whole case rests on this. We could, however, emend his view by assuming that Fato Metelli had originally stood in a comedy and was intended as praise of L. Metellus; it was then maliciously reused in 207/6 B. C. The action against Naevius, as Marmorale insists, would be an exercise of arbitrary coercitio, with no legal basis in the Roman code. Unfortunately this is not borne out by the tradition, which implies strongly that Naevius was punished for iniuria verbis. Does this invalidate Marmorale’s basic thesis? I do not think so. Is the tradition really so ancient and sound as scholars believe?

Understandably, Varro has been presented as the final authority. Both Rowell and Marmorale, for instance, would trace almost all the details of the Metellan anecdote back to him. This, if true, would render a vital part of the story immune from radical treatment, such as Wissowa suggested. But what is the proof? Rowell argues that both “Caesius Bassus” and Pseudo-Asconius derived their knowledge of the Saturnian line dabunt malum from Varro, and that Pseudo-Asconius drew on the biographical notice of Naevius in the De Poetis. Bassus certainly derived many of his genuine Saturnian examples from Varro,
but we cannot assert that none came from other sources. Moreover, Bassus's account of the Saturnian scansion (to which dabunt malum perfectly answers) is not Varro’s, and Rowell frankly admits this awkward fact. Pseudo-Asconius, it is true, does represent Varro’s definition, but this could have passed through many writers before he read it or be a memory of his schooling. At most we have a possibility that dabunt malum stood somewhere in Varro, but no sound evidence that its historical explanation was also Varronian. Both writers are curiously vague. Pseudo-Asconius apparently knew that a consul Metellus personally replied to Naevius’s taunt; but this could be reasonably inferred from the two lines themselves. Bassus, of Neronian-Flavian date, talks of a series of attacks on the Metelli, as though unaware of the exact occasion, but is precise about the Metellan reply. They publicly posted it as a pasquinade. Marmorale (op. cit., p. 87) compares Bibulus in 59 B.C. publicly posting his “Archilochnian” edicts. Q. Metellus similarly in 206 B.C. would have blended official edict and personal lampoon. A better analogy perhaps fell in Bassus’s own time. We are told by Cassius Dio (LXV, 17) that Vespasian used to post up publicly his satirical answers to the pasquinades appearing against him in the streets of Rome. May not Bassus then have filled out the tradition, in accordance with this contemporary practise? The detail would then be no guarantee of a good, Varronian source. I would not, however, argue with Wissowa (op. cit., p. 63) that Bassus invented the Metellan reply. But it is very possible through the De Poetis, not (as Rowell) through a work on metres. “Bassus” appears in Gramm. Lat. (Keil VI, 265/6; Pseudo-Asconius passage is p. 215 St. Leo (Sat. Vers., p. 10) and Wissowa (op. cit., p. 59) held that, apart from inventing lines, Bassus took most from Varro. Rowell insists that malum dabunt is genuine and from Varro; it is “an integral part” of the section in which Varronian examples occur. Op. cit., p. 28. Rowell stresses that Bassus uses a Varronian verse as the basis for his non-Varronian scansion; but this could come from memory, not necessarily from Varro’s work open before him as he wrote. The variation in the Metellan reply (malum dabunt, Bassus; dabunt malum, Pseudo-Asconius), dismissed by Rowell as “a copyist’s error (op. cit., p. 25) perhaps reveals that one author was quoting from memory! Even if Varro did record the verse, we need not assume that he held it authentic; he records the epitaph of Plautus (in the De Poetis; Gellius, I, 24, 1), which is patently false (Marmorale, op. cit., p. 138). Moreover, only in the De Poetis is he likely to have given any historical explanation of the line; now Rowell shows that if Bassus drew from Varro it was from a book on metre, and his argument for Pseudo-Asconius’s source (op. cit., pp. 29ff.) really points the same way (a Varronian scansion; only such facts as could be guessed from Naevius’s line and the reply!).

Pseudo-Asconius writes: “Dictum facete et contumeliose in Metellos antiquum Naevii est. . . . . . . cui tunc Metellus consul iratus versu responderat senario hypercataleco, qui et Saturnius dicitur. . . . . . . ” Bassus; I assume that the auctor incertus de metris (Keil, Gramm. Lat., VI, 265–6) even if not Bassus himself, preserves genuine material from Bassus’s work (for Bassus’s date see R. E. III, 1312; Caesius, no. 16.). He says “optimus (saturnius) est quem Metelli propuserunt de Naevio, aliquotiens ab eo versus lacessiti. . . . . . . . ” For the view that this was a pasquinade see scholars quoted in n. 5.
that someone invented it between the Gracchan period and Bassus's day. Such invention is readily accepted for the Saturnian epitaph handed down as Naevius's own; few would quarrel with a date c. 100 B.C. for that production.  

Now I do not think that the close parallel between the second line of that epitaph and \textit{dabunt malum} can be entirely coincidental. They are linked both verbally and rhythmically. Does
\texttt{plerent divae Camenae Naevium poetam}

\texttt{dabunt malum Metelli Naevio poetae},

or is the reverse true? The poet's proud claim would then be effectively thrown back at him in a mocking parody. Naturally, if this holds, we must recognise the forger's hand.  

So far there is no certain trace of Varro in the tradition. But there is other important evidence.  

Gellius's account of Naevius's imprisonment (III, 3, 15) has suspicious features, familiar to students of Hellenistic biography; but this has not seriously impaired his credit with modern scholars. If there is good reason for claiming Varronian origin, it must be treated with the greatest respect. In Gellius's chapter it follows a story of how Plautus restored his fortunes by working in a mill; for this Varro, among others, is quoted as authority. When Gellius proceeds, however, without quoting any source, \textit{sicuti de Naevio accepimus}, should we not be prepared to recognise this as a piece of non-literary tradition? It seems to me unsound critically to assume that this too must derive from Varro. Surely Gellius was capable of combining material from two sources in a single chapter, however brief and cohesive. The persistent, slanderous attacks on the nobility, which Gellius gives as the reason for imprisonment, were not necessarily well attested. This may be mere generalisation from the story of

\begin{itemize}
\item \textbf{29} See bibliography in Marmorale, op. cit., pp. 138–40; E. Fraenkel, R.E., Suppl. VI, 624.
\item \textbf{30} The forger would have believed Naevius's epitaph genuine and known to some (including enemies) in Naevius's lifetime. His date may be any time between Cicero and Nero.
\item \textbf{31} Leo (Hermes, XXIV, 1889, p. 69, n. 1; Plaut. Forsch., pp. 77ff.) held that the story of Naevius's release grew from allusions to prison in the Hariolus. Fraenkel (R.E., I. c. 625) and Marmorale (op. cit., pp. 126–7) accept Leo's view, quoting Hellenistic parallels, but retain the rest of Gellius's narrative.
\item \textbf{32} Rowell (op. cit., p. 21) writes "Gellius states expressly that he has been using Varro's De Comoediis Plautinis in this chapter, and it is generally assumed . . . . that the information concerning Naevius comes from the same source." But on p. 30 he argues that Varro must have treated the imprisonment more fully in the De Poetis. Why then should Gellius not have drawn on two Varronian treatises in one chapter, or indeed on two authors? Rowell has a similar argument on p. 17: "No reasonable doubt can be raised that all three epitaphs, coming together in the same small chapter, in which only a single source appropriate to all of them is mentioned, go back to the same Varronian treatise." Marmorale (op. cit., p. 16), taking the same view about the epitaphs, says "e la cosa è per noi di grande importanza". It is therefore all the more important to back these assertions about Gellius's method with solid argument!
\end{itemize}
the Metelli. Only they had cause for legal action apparently, though it would be natural to imagine other nobles supporting them from resentment of allusions of a less direct kind. The tribunes’ release of Naevius may be invention, or perhaps rather inference. There were evidently two respectable traditions of Naevius death. Varro thought that he survived several years after 204 B.C., the orthodox date. Now while it was clear, if only from Varro’s view, that the threatened execution was avoided, it would have been hard to imagine Naevius imprisoned for a long term of years; this was quite contrary to Roman penal practice. Did he then escape death by exile? There was a tradition-conceivably Varronian-that he died at Utica. But the very existence of this theory made exile unlikely in 204 B.C. For, if Utica became his new home, Naevius could not have gone there in that year or at any time before peace with Carthage. Unless then he reached Utica only after years of wandering, Naevius must have been rescued from prison by the natural champions of the unfortunate. After a decent interval he will have emigrated, voluntarily or under fresh pressure, to Africa.

Varro then is probably not Gellius’s source. But the story of Naevius’s imprisonment is apparently buttressed by the contemporary witness of Plautus. There are, however, three serious objections to this common view of Miles Gloriosus, 211–2. The first is that we cannot be sure that the poeta barbarus is Naevius; secondly, the allusion may not mean public imprisonment, or indeed prison in any form; thirdly, there is no independent evidence for dating the

33 See ns. 12 and 23; Gellius’s language implies nominatio, but only one case (the Metelli) is anywhere recorded.

34 Cic., Brutus, xv, 60; “His enim consulibus (Cethegus and Tuditanus), ut in veteribus commentariis scriptum est, Naevius moritur; quamquam Varro noster...putat in hoc erratum vitamque Naevii producit longius.”

35 See R.E., III (Carcer), 1578; Mommsen, Staatsrecht, I, pp. 153 ff.; and III, 1192; Strafrecht pp. 35–54. Marmorale deduces from Mommsen that coercitio had no time-limit, so that Naevius could have remained in prison for years, had no magistrate specifically intervened. (op. cit., p. 112, n. 29). Even if theoretically possible, this fate never befell cives; Q. Pleminius died in prison during his trial in 204 B.C. (Livy, XXIX, 22), not in 194 B.C. (ibid., and XXXIV, 44). When Caesar proposed indefinite prison for the Catilinarian leaders, Cicero was able to stigmatise this as unprecedented and crueler than immediate execution! See Sallust, Catil., li–ii; Cic., In Cat., IV, iv and v, 10.

36 Jerome, ad ann. Abr., 1816 (202/1 B.C.); “Naevius comicus Uticae moritur, pulsus Roma factione nobilium et praecipue Metelli”. Marmorale (op. cit., pp. 132–3) denies that this comes from Varro; but his emendation moratur removes the discrepancy with Varro’s indefinite date of death (see n. 34). Retaining moritur, we can believe with Rowell (op. cit., p. 23) that Jerome deduced the year from Suetonius’s version of Varro. Helm (‘Hieronymus’ Zusätze in Eusebius’ Chronik,” Philol., Suppl. XXI, 1929, 2, pp. 13 ff.) showed that Varro would urge the impossibility of settling in an enemy city, while the war raged. Jerome’s pulsus Roma (pace Marmorale, op. cit., pp. 133–4, who makes it mean voluntary withdrawal) implies exile, described in Imperial terms. Marx (op. cit., p. 79) constructed from Jerome a second legal process in 202/1 B.C.!
Miles precisely to 206–4 B.C. The identification of the poeta barbarus appears in Festus-Paulus (s. v. barbari, 23 L.) and is possibly derived from a Plautine glossary. As Rowell frankly admits (op. cit., p. 34, n. 52), we cannot hope to identify the authority. Marmorale, however, (op. cit., p. 113), confidently ascribes the gloss to Verrius Flaccus, "uno dei più profondi eruditi Romani". Even this would take us back no further than the middle of Augustus's reign. The gloss more probably is due to some grammarian between Verrius and the "archaisers" of the mid-second century. It is someone's guess, and a guess influenced by the tradition of the poet's quarrel with the Metelli and their reply. It may be wrong. If the poeta is not Naevius, he could be some other contemporary of Plautus, who was imprisoned, but not publicly nor for libel. We might imagine him, financially embarrassed like his fellow poets, handed over in debt-bondage to his creditors after judgement. But is the allusion to imprisonment at all? Let us first examine its context in the play. Palaestrio, the soldier's slave, is racking his brains for a means of outwitting his fellow-slave Sceledrus. The old gentleman, Periplecomenos, gives the audience (ll. 200ff.) a graphic running commentary on this exercise. Suddenly Palaestrio, sitting down, rests his head on his hand, and this suggests a metaphor:

Ecce autem aedificat; columnam mento suffigit suo. Apage! non placet profecto mihi illaec aedificatio; nam os columnatum poetae esse indaudivi barbaro, quoi bini custodes semper totis horis accubant.

It is easy and natural to think of the poet as a prisoner, watched over by two warders, his head resting on hand or propped on a kind of pillory. But custodes need not mean "warders" or "gaolors". They can be attached to a man for his protection or to do him honour! For instance, we might think of the military watch kept at an officer's or a general's quarters, or posted for his cohors amicorum. A poeta barbarus, Ennius, came to Rome in 204 or 197 B.C. in Cato's

37 For Verrius see Schanz-Hosius, II, pp. 361 ff. Plautus must have been coming back into fashion well before Fronto, Gellius and Sulpicius Apollinaris. For them see Schanz-Hosius, III, pp. 96 ff., 178 ff., 160 ff.

38 The Metelli threatened malum-surely prison, exile or death. The Plautine passage suggested rigorous confinement before execution. The identification of the poeta barbarus was perhaps further helped by Miles, 605 and Naevius, Agitatoria, fr. 3, which Herrmann (Latomus, I, 1937 p. 28) tentatively refers to Naevius's arrest.

39 Plautus once sank, through heavy financial losses, to working in a mill; Gellius, III, 3, 15 (from Varro). Ennius's paupertas was noted even in his later years of fame and protection; Cic., De Senect., v, 14 and Jerome, ad ann. Abr., 1777. This austerity was perhaps bred of early struggles as much as by philosophy. For debt-imprisonment see Plautine use of nervus and addictus (Lex. Plaut.); it still clearly survived.

40 Marmorale (op. cit., pp. 113–6) summarises the main modern variations on this theme. His own assertion that bini custodes are fetters, not warders is hardly convincing. Why should not Naevius have been guarded by two public slaves, taking turns two at a time?

41 For the military custodia see Thes. Ling. Lat., IV, 1555 ff. With accubant (or occupant) compare excubiae and vigiliae, two regular army terms.
entourage, as later he was accompany Nobilior to the Aetolian War. Plautus several times satirises Ennius, and he could be expected to resent such honour shown to his rival. For the moment I would leave this alternative explanation, which may seem hardly convincing at first view. It at least springs from an attempt to study the lines as Latin, without preconceptions. Other possibilities might well emerge from this. My third objection forms the real gravamen of the case against a Naevian reference. Why is the Miles dated to 206–4 B.C.? Scholars assure us that it must be an early play because of the rarity of cantica and on similar stylistic grounds. The newly-found didascalia to Aeschylus's Supplices, however, should perhaps warn us against stylistic dogmatism; it appears to bring the play's date down from the 490s to the late 460s. At best, stylistic criteria alone could yield a date correct only within five years. We need more precision than that. The historical allusions to events of c. 205 B.C., which scholars find in the play, are not very cogent, and most of this argument presupposes that Naevius dates the play! L. Herrmann, however, in a fruitful reversal of method, found historical reasons for boldly redating the play to 197 B.C. Why was Cato in Sardinia in 204 B.C.? It was a strange return-route from Africa! For Ennius and Nobilior see Cic., Tusc., I, 1, 2.

The Bacchides (especially 11.925ff) evidently parodies Ennius's Andromache at certain points; see Frank, Anatolian Studies etc., pp. 85–6. In the Amphitryo, apart from parody of the Ambraecia (ll. 203ff), scholars suspect other satire of Ennius and Nobilior; see H. Janne, Rev. Belg., XII (1933), pp. 515–31 and L. Herrmann, L'Ant. Class., XVII (1948), pp. 319–21. Frank (p. 86) suspects that the Homeronides of Trucul., 405 (false reporter of battles) may be Ennius.

I hope elsewhere to examine possible renderings in more detail and to reinterpret the Miles as a whole, with reference to a revised chronology for Plautus.


A. J. West ("On a patriotic passage in the Miles Gloriosus of Plautus", Amer. Journ. Phil., VIII (1887), pp. 15–33) referred lines 219–31 to Scipio's proposed African invasion; Marmorale (op. cit., pp. 122–3) follows him. West's case is built on the allusion to Naevius (ll. 211–2), whose imprisonment he first carefully dates to 205 B.C. Marmorale applies frequens senatus (l. 594) and ll. 911ff. (naval preparations) to events of 207–5 B.C. (op. cit., pp. 120–1) but these references are far too general to be independent evidence of date. Buck (op. cit., pp. 16 and 84) connects the seven repetitions of the ludi plebeii in 205 B.C. with the Miles (so popular later), but, though Sedgwick approves this (Amer. Journ. Phil., LXX (1949), p. 376), it is a pure guess and cannot be treated as confirmatory evidence.
Though some of his arguments have been justly criticised, his attempt was suggestive and critically sound. The whole exotic and Asiatic colour of the Miles surely does suggest the atmosphere in Rome during the 190s. Plautus, knowing his public, would give them the kind of play for which they were psychologically ready. Moreover, it includes two famous Bacchalian references, both implying that men might also take part in the rites. Are we sure that this really fits 205 B.C. and need cause no surprise? It would seem intrinsically more suitable between 190 and 186 B.C. Certainly the Bacchic cults of Campania and South Italy were well known to the Romans at the earlier date, but why should Plautus twice drag in allusions to something by no means topical then, but destined to be the central feature of the Bacchalian scandal in 186 B.C.? I would suggest that there is cumulative evidence for dating the Miles to c. 190-186 B.C. Ennius was then in Nobilior's camp, an honoured contubernalis, and actively engaged in poetically glorifying his patron. Miles, 210-2 could suitably be seen as a hostile allusion to this breach of the mos maiorum, if the interpretation given above has any validity. But it is unnecessary, for my present purpose, to insist on drastic redating. It would be possible to make a more acceptable case for a date soon after 200 B.C., when the intrigues of Philip and Antiochus first drew Roman eyes to

49 Marmorale (op. cit., pp. 119-24) examines them fully and fairly, as does K. H. E. Schutter, Diss. Gronov., 1952. Skutsch's impatience (Class. Rev., LXV (1951) p. 175) is unwarranted. It was time that the Miles was examined without preconceptions. If Herrmann's dating produces an "impossible" date for Naevius's imprisonment, the fault may lie with this tradition. Herrmann accepts it (p. 28f.), but in fact abandons any Metellan links. This, I believe, amounts to destroying its whole basis.
50 Plautus, of course, reflects his original. But why did he choose this particular play and mise-en-scène? Presumably for the reason suggested.
51 Miles, 857ff. and 1015/6. In the first passage Paleastrio says (of Lurcio and Sceledrus);

Abi, abi intro iam. vos in cella vinaria
bacchanal facitis. iam hercle illum adducam a foro.

We may compare the phrases "sacra in quolotd ne quisquam fecisse velet" and "neiquis eorum bacanal habuisse velet" of the S.C. de Bacchan. of 186 B.C. (C. I. L., 19, 2, no. 581). In the second passage, Palaestrio, "socium tuorum conciliorum et participem consiliorum" 1. 1013), assures the slave-girl Milphidippa;

Infidos celas: ego sum tibi firme fidus, and gets the answer;
Cedo signum, si harunc Baccharum es.

They are in fact engaged in a "conspiracy" (coniuratio) against the Miles, like the Bacchanalian. Livy (XXXIX, 13) knew that a Campanian priestess had opened the Roman Bacchanalia to men only a few years before 186 B.C. For the South Italian cults and male participation in them see F. Altheim, History of Roman Religion (1938), pp. 293f., 310f.
52 Cato (Cic., Tusc., I, 1, 2) severely taxed Nobilior with taking poets in his entourage. Despite Nepos, Ennius perhaps served under Cato as a socius, rather than ranking as one of his cohors amicorum (see n. 42). Plautus, so Catonian in many ways, might well echo Cato's disapproval. Ennius perhaps wrote his poem (Ambracia; perhaps a minor epic on the war) actually on campaign, in the general's quarters, under the eyes of the alternating
Asia Minor. In that period even there could be no reference to the Metellan quarrel in 206 B.C. or the imprisonment, its supposed consequence.53

I must now sum up this slightly intricate discussion. Varro can nowhere be shown with certainty to be the authority for any part of the anecdote. In Vespasian’s reign Caesius Bassus knew that the Metelli threatened retribution for Naevius’s attacks; but he possibly did not know exactly what form it took. There was current, it seems, an alternative “exile” tradition, which Jerome found in Suetonius. Suetonius himself doubtless preferred the account based on the *poeta barbarus* passage of the *Miles*.54 Was there then no hint of Naevius’s imprisonment in Varro’s *De Poetis*? How could the story have grown up otherwise? I would suggest that Varro included only the salient facts in his biography, inevitably leaving gaps for later ingenuity to fill. Scholars of the Empire, backed by Plautus’s authority, might argue that Varro had deliberately omitted a painful, discreditable and short episode of the poet’s life. They may have detected hints of the truth in his language about Naevius’s later years.

We have really only one piece of good evidence for Varro’s account of Naevius in old age. Though they disagreed on the date of Naevius’s death (*Brutus*, xv, 60), Cicero apparently followed Varro closely for the early poets.55 A passage in the *De Senectute* (xiv, 50) implies that Naevius enjoyed a happy and creative old age, since Cato cites him with Plautus as a poet contentedly absorbed in his craft to the end. This is surely the considered view of two good scholars.56 Now, if Cicero knew that Naevius suffered disgrace and prison in 206 B.C. and lived henceforth under this shadow, it is surely odd that his Cato brings Naevius’s name into a discourse on the pleasures and compensations of watch. The picture, suggested by Palaestrio’s absorption, would then resemble this from W. B. Yeat’s ‘Long-legged Fly’:

Our master Caesar is in his tent
Where the maps are spread,
His eyes fixed upon nothing,
A hand under his head.
Like a long-legged fly on the stream
His mind moves upon silence.

53 On Rome and Antiochus in 202/1 B.C. see M. Holleaux, in *Camb. Anc. Hist.*, VIII, ch. VI, pp. 155–61. Marx (op. cit., p. 79) dated the Miles to 202/1 B.C., postulating a second, capital process against Naevius in this year; but Marmorale (op. cit., pp. 100 ff. and 114–6) has effectively disposed of this theory.

54 The *Vita Terenti* which heads Donatus’s commentary, shows how Suetonius dealt with variant traditions. He recorded even the unlikely or worthless-with significant comment. Jerome may not have noted sufficiently Suetonius’s verdict, in quarrying his facts.

55 For Cicero, Varro is diligentissimus investigator antiquitatis (l.c.). Atticus, Cicero’s main immediate source in his later dialogues, drew his literary chronology from Varro; see Münzer, “Atticus als Geschichtsschreiber”, *Hermes*, XL (1905), pp. 50 ff.

56 The context assures this sense: ‘mori videbamus in studio dimetiendi paene caeli atque terrae C. Gallum (xiii, 49) ... Quam gaudebat bello suo Punico Naevius!... Atque hos omnes... his studiis flagrantes senes vidimus; M. vero Cethegum ... quanto studio
old age! The composition of the *Bellum Punicum* may indeed be linked with enforced retirement from the theatre, but this argument has no cogency. This passage by itself would seem to indicate that Varro and Cicero knew nothing of Naevius's *calamitas*. Did it ever occur?

Somehow the tradition must be explained. How else can the line *Fato Metelli* be understood, if not as a broadside against the family? The preceding attack on the sources was an indispensable attempt to clear the ground for a new theory. Wissowa foreshadowed it long ago, and his view was abandoned precisely because of the apparent weight of tradition opposed to him. I believe that Naevius's line was not originally libellous, but became so during the period of Metellan consulates. Then, in a revival performance, it would have created a furore. We can find several later analogies for such political use of old plays on the stage. At the ludi Apollinares of 59 B. C. a tragic actor adroitly turned many of his lines against Pompey, and the performance became a demonstration against the triumvirate. Two years later the consul, Lentulus Spinther, deliberately staged Accius's *Eurysaces*, to give the people the chance of showing support for Cicero's recall. Finally, in 44 B. C., Bratus shrewdly revived Accius's *Tereus* at his ludi Apollinares, to embarrass Antony, and was delighted with the play's tumultuous reception. Such tactics really stung their victims, as we know from Clodius's fury in 57 B. C., when the actors pointed lines of Afranius's *Simulans* as personal allusions. The audiences of Cicero's day were expert at finding topical point even without prompting from the actor (*pro Sestio*, iv, 118), and this suggests a long tradition of "political" theatre. Pointed revival was Rome's substitute for Aristophanic satire. It could be nearly as effective. Cicero significantly comments on the revival in 58 B. C.; "nam et eiusmodi sunt ei versus ut in tempus ab inimico Pompeii scripti esse videantur." I believe that the story of Naevius's personal attack on contemporary Metelli is basically due to such a political use of Naevian revival. Perhaps the play contained other chances of contemporary satire, which was soon forgotten. This jibe rankled so much, that years later Cicero (*I in Verrem*, x, 29) could embarrass both Verres and Metellus Creticus by a malicious reminder.

The Metellan retaliation, I believe, followed swiftly. The revival would best be placed in 115 B. C. M. Metellus was then consul, and C. Metellus was certain exerceri in dicendo videbam us etiam senem!" Beare, however, writes (op. cit., p. 30), "Possibly all that Cicero means is that Naevius derived pleasure in his old age from rereading his poem". Marmorale is equally evasive (op. cit., pp. 35–6 and 70–1) in arguing that Naevius wrote his poem "in old age" c. 210/7 B. C.!

57 Marmorale even moves towards this position (which is incompatible with his theory of *Fato Metelli*.) on pp. 132 and 135 of his book. He suggests a revision (or second edition) of the poem after 204 B. C., and that Naevius visited Sicily and Africa partly for this purpose.


59 Cic., ad Att., II, 19, 3 (59 B. C.); *pro Sestio*, lv–lvi, 117 ff. (57 B. C.); *Phil.*, I, xv, 36 with ad Att., XVI, 2, 3 (44 B. C.).

60 *Pro Sestio*, IV, 118.
to make a fifth Metellan consul in two more years. He was the fourth son of Macedonicus, and earlier had shown so little ability that he drew from Scipio Aemilianus the crushing remark; "si quintum pareret mater eius, asinum fuisse paritum". He kept a reputation for boorishness right up to his praetorship.61 When Macedonicus died in 115 B.C., the Metelli gave splendid funeral games in his honour, and the people must have been surfeited with talk of the family glories.62 They will have been only too ready for audacious sallies against the dynasty. At this point, I believe, came the Naevian revival. Unfortunately one of the Metelli had just been elected censor, with a friendly colleague.63 These censors' drastic conduct of their office may represent the dynasty's revenge. They expelled the unprecedented number of thirty-two Senators, including doubtless many political opponents.64 They then further banned all theatrical performances except a few simple, traditional forms of musical drama. This would have been the most effective way of punishing the actors and manager involved in the revival and of discouraging future abuse of the stage for contemporary criticism. Their ban was probably short-lived, but on its removal a few years later there may well have been a thorough revision of the regulations governing the theatrical profession, in an attempt to discipline it effectively.65

61 Scipio's view (Cic., De Orat., II, lxvi, 267) was shared by Lucilius and his circle. As Marx and Cichorius saw, Lucilius 210/1 and 1130 probably refer to Caparius's election as praetor (Chiorius, Untersuchungen zu Lucilius (1908), p. 87 and 277/9). The jibe in 1130; ....Cecilius pretor ne rusticus fiat, suggests, as Chiorius acutely observes, that this Metellus was too boorish to fill the functions of a praetor urbanus. He was a candidate for the consulate already in 115 B.C. (Vell. Pat., I, 11, 7); Velleius's comment "quem honorem adeptus est!", tells against Chiorius's suggestion that he suffered a repulsa at the elections in this year. Rather, Caparius was opening his campaign for 113 B.C. in good time, like Cicero later (ad Att., I, 1, 1; August, 65 B.C.). The contrast fato...merito would suit this inevitable Metellan consul admirably.

62 Velleius, I, 11, 5-7, suggests the pomp of the funeral and the laudatio; Cic., De Fin., V, xxvii, 82 and Val. Max., VII, 1, 1 reproduce its tenour. Lucilius 676/7 apparently refer to a munus Metellorum; leaving Rome to avoid these games, Lucilius meets a friend and they discuss critically (678-86) Macedonicus's famous pronouncement on marriage. See Chiorius, op. cit., pp. 137-42, who thinks that the satire must predate 115 B.C. and therefore refers it to Calvus's funeral games. This seems unnecessary; if the marriage satire belongs here, what better occasion could we imagine for it than a poem inspired by the laudatio of Macedonicus?

63 Probably Delmaticus (L., f.), though Broughton (op. cit. I, pp. 532 f.) prefers Diadematus with Degrassi (Fasti Antiates give Q. f. Q. n. for the censor's filiation). He cannot quite explain away Cic., De Fin., V, xxvii, 82 and Post Red. ad Quir., iii, 6, which seem to exclude Diadematus. The other censor, Cn. Domitius Ahenobarbus, had two sons who were on intimate terms with Q. Metellius Numidicus, see Gellius, XV, 13, 6.

64 Livy, Epit., LXIII. In 70/69 B.C. the censors, both Pompeian in sympathy, expelled sixty-four members of Sulla's enlarged Senate, many certainly for political reasons; see Livy, Epit., XCIII, and R. E., IV (Cornelius, no. 216), 1380f. for the censors' politics.

65 Cassiodorus, Chronic., "His consulisbus (115 B.C. L) Metellus et Cn. Domitius cen-
sores artem ludicram ex urbe removerunt praeter Latinum tibicinem cum cantore et
Confused memories of this Metellan feud with the stage will have later moulded the traditional story about Naevius.\textsuperscript{64} If both libel and revenge date to the period of Metellan predominance, how can we explain the line of Naevius in its original setting? I cannot believe, with Marmorale, that it was once laudatory, for it would be dangerously ambiguous on the stage and we know from Cicero that even praise of living men was normally avoided.\textsuperscript{65} The line then underwent more than a change of personal reference.\textsuperscript{66} We have a possible clue in Cicero’s account (\textit{ad. Att.}, II, 19, 3) of how the tragic actor, Diphilus, audaciously attacked Pompey in 59 B.C. Not content with pointing such lines as;

“Eamdem virtutem istam veniet tempus quum graviter gemes

“Nostra miseria tu es Magnus”,

and was repeatedly encored. Obviously the original read magnus as an adjective, and so Diphilus was safely within the law. There are some three passages in which scholars have suspected Plautus himself of a similar covert allusion to proper names, and in other lines the chance could hardly have been missed in revival.\textsuperscript{67} Now Festus (132 L) records an archaic adjective metellus, observing that the cognomen was popularly derived from it. Perhaps then Naevius’s original line had the adjective metelli and had no reference at all to the family?

This would be virtually ruled out, of course, if the cognomen were in official ludum talarium.” For the ludus talarium (Mommsen’s probable emendation) see R. E., IV A, 2061 ff. Censorial action, a manifestation of auctoritas, was liable to revision at the next iustrum; Cic., \textit{pro Cluentio}, xliii, 122. I would tentatively suggest that the ignominia of actors (except Atellani) was firmly and finally established by the censors of 109 or 108 B.C. (see Broughton, \textit{op. cit.}, I, pp. 545 ff.); with this went compulsion to unmask on the stage (when required by authority)? The second rule was well designed to expose audacious individuals to trouble! On both see Livy, V, 2; Cic., \textit{De Rep.}, IV, 10 and Festus, s. v. personata (238 L.).

\textsuperscript{67} Cicero showed (\textit{De Rep.}, IV, 11) “veteribus displicuisse Romanis vel laudari quemquam in scaena vivum hominem vel vituperari.” Fato (see n. 17), even in Naevius’s day, might too easily mean “fateful” or “fatal”.

\textsuperscript{68} Men., 404 (“quasi supplex pellionis”)—see Tenny Frank, \textit{Amer. Journ. Phil.}, LIII (1932), p. 249; \textit{Asin.}, 123/4 (“hunc scipionem contuiri”)—see Buck, \textit{Chronology of Plautus} (1940), p. 32; \textit{Amph.}, 304/5 (“Quintus fiam e Sosia.”)—see L. Herrmann. L’\textit{Ant. Class.}, XVII (1948), p. 320. In a revival, Miles, 1036/7 was surely used against Claudii Pulchri! The frequent Plautine use of lepidus (see \textit{Lexicon Plautinum}) would give other chances.
use at the time. What is the evidence for it? I would urge that it may be a comparatively late development. Few noble cognomina can be as old as the Fasti and late Republican historians pretend. Some are demonstrably late in origin, as Flamininus, Maximus, Salinator and possibly Nobilior. Others, such as Scaevola and Trigeminus, belong to the period when the first annalists were working over the mass of family and popular legend. We can assert the same of Laenas, unless this cognomen is really a decayed Etruscan gentile name. Conceivably then the name Metellus became attached to its first bearer, the consul of 251 B.C., in the same period, with reference to some episode of his career. The family would have adopted it officially c. 160 B.C., and even its unofficial use might not go back further than twenty years earlier. There was after all one good reason for prominent Roman families adopting cognomina in the second century, that had not operated seriously before. Rome and her representatives were intervening increasingly in the Hellenistic East, where the complex of Roman family relationships must have been a baffling mystery. The various stirpes must somehow be distinguished, if confusion were to be avoided. It is indeed Greek documents of the early second century which first record Roman cognomina, whereas they become common on the Roman coinage only from c. 140 B.C., rarely appear on Latin inscriptions before 120 B.C., and are hardly used on Roman official documents before Sulla. Some leading

70 Flamininus; the cos. 198 B.C. is never so styled on Greek inscriptions, even as late as c. 140 B.C. (Syll. II, 674). Did his family’s cognomen (recorded by Livy for 216 B.C.; XXII, 33) originate before his public career? At most it was a generation old. Maximus; Polybius’s express testimony that Fabius Cunctator won this name (III, 87, 6) should surely outweigh the Livian tradition which carried it back to Rullianus, censor in 304 B.C. (IX, 46). Salinator; Livy (XXIX, 37) connects it with the salt-tax levied in Livius’s censura, 204 B.C. Nobilior; though the consul of 254 B.C. is assigned this name in the Fasti (C. I. L., I, p. 24), Cato’s pun on Nobilior-mobilior (Cic., De Orat., II, ixiii, 256), probably made after 178 B.C. (see Festus, 356 L.), suggests that it was personal to M. Fulvius, cos. 189 B.C., and then new-minted!

71 Scaevola; see R. E., XVI, 416 ff. (Mucius-Porsena legend). Trigeminus (Curati) ; see R. E., IV, 1830 (Horatii and Curati) and Sydenham, Coins of the Roman Republic (1951), no. 436 (denarius of c. 135 B.C.). Laenas; Cicero (Brut., xiv, 56) explains the name by an annalistic narrative concerning the consul of 359 B.C.; but Volkmann (R. E., XXII, 59) holds it Etruscan.

72 Metellus is first found in the 140s; Syll. II, 680 and S. E. G., III, 414. The minor stirps of the Dentres were active in the Senate from the 190s (Livy, XXXIX, 56 and XLII, 6). Q. Metellus, cos. 206 B.C., became well known to the Greek East through his famous embassy in 185/4 B.C., when he adjudicated between Philip, Eumenes and the interested Greek cities (see Livy, XXXIX, 24-9 and 33).

73 Scipio and Lepidus appear on inscriptions of c. 190-80 B.C.; Syll. I, 588 and 607, and 585 (1. 102) respectively. Also S. E. G., I, 147 (Lepidus). For the coinage see Sydenham, op. cit., pp. 42 f., 45 f. Consular milestones c. 130 B.C. bear cognomina (C. I. L., I, 2, nos. 654, 657, 661), as do some Gracchan boundary-stones (ibid., nos. 640, 643/4). The cognomina in the S. C. de colleg. Graec. of II2 B.C. (Syll. II, 705) may reflect Greek practice; there are none in the S. C. de Pergamen. (consilium of the peregrine praetor; I. G. R. R.,
families had no cognomina even at that date.\textsuperscript{74} In view of this evidence that cognomina were by no means universal and that for long the old fashion persisted officially even for families with the three names, we may legitimately ask whether *Metellus* was used as early as c. 200 B.C. In the absence of positive proof, the alternative hypothesis must not arbitrarily be ruled out.

Festus (\textit{l. c.}) glosses the adjective *metellus* as \textit{quasi mercenarius}. Explaining its occurrence in a lex militaris, he naturally quotes a parallel military usage from Accius’s \textit{Annales}. Accius’s line, however, rules out the meaning “mercenary soldier”, since he classes *metelli* with *calones, famuli* and *caculae*.\textsuperscript{75} *Calo* was the technical term for the servile member of the legion’s baggage-train, and the other two words probably cover the personal slaves and attendants of the soldiers.\textsuperscript{76} Beside the *calones*, there were also free labourers attached loosely to the *impedimenta*, forming part of the heterogenous body of *lixae*, and these hired men survived into the Imperial army. Were these then the *metelli* of Accius?\textsuperscript{77} The word was probably also applicable to civilian life, exactly as *calo* and even *cacula*\textsuperscript{78}, and its extension may have been as wide as that of *mercenarius* in Classical Latin. What then could it mean in the line *Fato metelli Romae fiunt consules*? May not *metelli* be used generically as the name of a class of humble citizens, mainly wage-earners, craftsmen or small shopkeepers? It would parallel the Greek use of \textit{θητές} and \textit{θητούχων}, though without the specific sense given those terms at Athens. Perhaps it may be significant that Arrian uses \textit{θητούχων} of the legion’s force of hired labour and that Dionysius of IV, 262), just as with Pompeius Strabo’s edict of 89 B.C. (C. I. L., I\textsuperscript{2}, 2, no. 700). In the Sententia Minuciorum (117 B.C.), on the other hand, we find “Q. M. Minucieis Q. f. Rufes”; this was a semi-public document set up near Genoa (C. I. L. I\textsuperscript{2}, 2, 584). The S. C. de Asclepiade (ibid., no. 588; 78 B.C.) and the Lex Antonia de Termessibus (ibid., no. 589; 72 B.C.) are the first official documents from the capital to show cognomina.

\textsuperscript{74} e.g. Antonii (R. E., I, 2577 ff.), Fannii (R. E., VI, 1991-5), Gabinii (ibid., VIII, 423 ff.), Hortensii (ibid., 2465 ff.).

\textsuperscript{75} “Metelli dicitur in lege militari (‘re militari,” Paulus) quasi mercenarii. Accius Annali XXVII(?);

“Calones famulique metellique caculateaque’...”.

Was the lex militaris C. Gracchus’s law of 123 B.C. (Plut., C. Gracch., v; Diodorus, XXXV, 25) regulating the service?

\textsuperscript{76} For calones see R. E., III, 1362. Soldiers’ slaves; Sall., Bell. Jug., xiv, 2 and Val. Max., II. 7. 2.

\textsuperscript{77} Joseph., Bell. Jud., III, 125 and V, ii, 49; Arrian, Tact., ii, 1. They were stationed with the impedimenta, like the calones, and some of them will have travelled on the vehicula. Could L. Metellus, cos. 251 B.C., have been given his name from this class of men? When Vesta’s temple caught fire, he had personally rescued the Palladium and carried it to safety, like a porter shouldering his load; as a reward he was permitted to travel to the Senate House by wagon, while all others went on foot! For this tradition see R. E., III, 1204.

\textsuperscript{78} Calo can mean “menial servant”, “drudge”; Thes. Ling. Lat., III, p. 179. In Plautus, Trin., 721, cacula is qualified by the adjective militaris, which suggests that it did not carry this sense intrinsically.
Halicarnassus calls Roman wage-earners \( θητερα\). We could then translate the line thus; "It is fateful for Rome when humble plebeians reach the consulship."

At this point it may be worth attempting an apparently hopeless task. Can we make a reasonable guess at the play in which this line came? So far it has naturally been assigned to comedy. But if it was not originally satirical, what prevents us from looking elsewhere? Naevius's production included, as is well known, a tragoedia praetexta on the exploits of the great M. Claudius Marcellus. Its alternative title, Clastidium, suggests that the Gallic War of 222 B.C. was the main subject; in this Marcellus won the spolia opima by personally slaying the Gallic king. Such a national subject inevitably gave scope for political reflections, and this remained the tradition of the praetexta as long as it was written. I hope soon to show that this particular reflection would have a very special point in the Clastidium, but meanwhile would develop the hypothesis in relation to the postulated revival in 115 B.C. The Clastidium fits this theory well.

After its first performance, the play presumably remained the property of the Marcelli and may have been regularly performed as part of the funeral laudatio over members of the family. It would also be available for the aedilician games of any Marcellus. Now, after the Marcellus ter. cos., who died c. 150 B.C., the Marcelli found their access to the consulate completely barred, and they would naturally be bitter towards the successful and grandiloquent Metelli. Marius's legate in the Cimbrian War, M. Marcellus (who was himself thwarted later of the consulate) could well have been aedile in 115 B.C. and staged the revival. It is worth noting that in 70 B.C., when Cicero used the taunting line against Verres and Metellus Creticus, the Marcelli were ranged as a body in defence of the Sicilians, while the Metelli massed on the other side.

---

79 Arrian, Tact., ii, 1; Dion. Hal., Ant. XVII–XVIII, 4, 3
80 Marmorale (op. cit., p. 153) discusses the evidence for this praetexta; Marcellus is Diomedes's title, Clastidium Varro's.
81 Livy, Ep., XX; Val. Max., III, 2, 5; Cic., Tusc., IV, xxii, 49; Plut., Marcell., iv–v; Pol., II, 34.
82 See Accius's Aeneadae sive Decius and Brutus (Schanz-Hosius, I, p. 133f.; Brutus was revived politically in 57 B.C.-see Cicero, pro Sest, lviii, 123); the Octavia of "Seneca"; the Domitius and Cato of Curiatius Maternus (dangerously topical; Tac., Dial., ii).
83 For Marcellus, cos. III, see R.E., III, 2758. His first consulate was in 166 B.C.; thus there was already a virtual gap of 50 years in family tenure of the office by 115 B.C. No Marcellus won the consulate again till 51 B.C. The proud Marcellan boast, tres Marcelli novies coss. (Ascon., In Pis., II), was sadly eclipsed by the Metellan achievement recorded in Vell. Pat., II, xi, 3!
84 Career in R.E., III, 2760. As legate in 102 B.C. (Plut., Mar., xx–xxii), he was presumably praetorius. He was perhaps just qualified for the consulate (praetor in 107–5 B.C.), when Marius's run of office blocked able men like C. Billienus (Cic., Brut., xxxvi, 136), and cost even Catulus his second and third repulsa (Cic., pro Planc., v, 12).
85 See, for the Marcelli, Cic., Div. in Caec., iv, 13; II in Verrem, III, xviii, 45; more
The Marcelli thus appear most suitable authors of the revival, and this may perhaps strengthen the case for *Clastidium* being the play revived. Can we establish anything more about the attitude which the line appears to represent? In his sixth book Livy devotes much space to the Licinian-Sextian rogations and the struggle to open the consulate to plebeians. Patrician opposition is summed up in the speech given to Appius Claudius Crassus (ch. 40–2). This contains one very significant phrase, put into the mouth of the proposer of the law; “et (hoc portenti non fiat in urbe Romana!) uti L. Sextium illum atque hunc C. Licinium consules, quod indignaris, quod abominaris, videas, aut omnia accipe aut nihil fero.” The bracketed phrase (presumably an aside by Claudius!) and *quod abominaris* come very close to the meaning which I shall soon develop for *Fato metelli*. . ., especially in view of Claudius’s further remark; “Quis est hodie in civitate tam humilis, cui non via ad consulatum facilior per istius legis occasionem quam nobis ac liberis nostris fiat?” Claudius proceeds to raise the religious objections against plebeian consuls, the danger of impairing the *pax deorum*; the next demand will be for plebeians to have the auspices and fill all the priesthoods. The humblest Roman may become *Flamen Dialis*. The same arguments, according to Livy (IX, 6 7), were employed against the Ogulnian rogation in 300 B. C. The patricians professed fears that the gods, angry at the proposed “desecration” of their rites, might visit Rome with some calamity. As Decius Mus argued (ch. 8) the record of plebeians in office spoke strongly against such bogies. Now Livy’s narratives of these events are undoubtedly much coloured by later experience and controversy. Talk of the low-born upstart bringing on Rome the anger of heaven would have been mere rhetoric in 367 or 300 B. C.; but in the Hannibalic War this was a live political issue!

Though the *Clastidium* was set in 222 B. C., Naevius could refer forward dramatically to later events. Indeed he could hardly avoid some contrast between Marcellus and his predecessor in the Gallic command, C. Flaminius, which would naturally lead to foreshadowing their respective fortunes in the Hannibalic War. Some elements in the tradition about these two may well derive from this play. Flaminius was the typical *novus homo*, disdainful of generally, II in Verrem, II, xiv, 35 and xlix, 122. For the Metelli: I in Verr., x, 26. Perhaps there is covert allusion to the taunt in II in Verr. (praise of C. Marcellus, governor in 78 B. C.); Sicily would have been ruined “nisi C. Marcellus quasi aliquo fato venisset, ut bis ex eadem familia salus Siciliae constituereatur”. The fate-sent Marcelli were Sicily’s salvation; Fate sent Metellan consuls to the misfortune of Rome!  

---

86 “...cuilibet apicem Dialem, dummodo homo sit, imponamus.”

87 Polybius (II, 33 and III, 80/1 and 84) already has a hostile account of Flaminius’s strategy in Gaul and of his blustering incompetence in 217 B. C. This clearly rests on the aristocratic version of Fabius Pictor (see H. H. Scullard, Roman Politics, 220–150 B. C. (1951), pp. 45/6 and 53 for this bias), but Naevius and the laudatio filii (Marcelli)—quoted by Livy (XXVII, 27)—may have helped form Polybius’s judgement. As earlier sources, they would impress him more. According to Livy (XXII, 6), Flaminius was killed by an Insuber (cruel irony of Fate), avenging his triumph in 223 B. C. Did Livy find this (and  

---

28 Historia IX, 4
conventions. Though possibly not of low origin, he appears even in Polybius as the overconfident demagogue (III, 80–2), and Livy preserves a picture of his mean, plebeian soul. He skulked away from Rome in 217 B.C. with no consular insignia or ceremony, like any camp-follower. We hear further of the vast crowd of camp-followers who haunted Flaminius’s army (Pol., III, 82), as an ever-present reminder of the common people whose interests and demands he was bound to satisfy. Flaminius is thus a “man of the people” in the tradition, with the mean and mercenary qualities of his kind. His successor in office and disaster, C. Terentius Varro, was of base, not merely humble birth, if we are to believe Livy. Son of a practising butcher, he worked like any slave in his father’s business. Here we have the true plebeian consul, as a supporter proudly claimed. Like the Athenian Cleon, Varro was probably an employer of hired labour on a large scale; but just as Cleon in Aristophanes is a Paphlagonian tanner, reeking of his vile trade, so Varro, heir to a sordid fortune, appears in the hostile tradition working like a slave or hired man himself. Conceivably, some early annalist, by using the term mercenarius (or metellus) of Varro, gave later writers the excuse for their elaborate and implausible story. I would indeed suggest that the word metelli was used as an insulting name for rich men like Flaminius and Varro in the political strife of the period, with little more relevance to its true meaning than the use of “Whig” and “Tory” in seventeenth century England.

The line Fato metelli... would stress the fateful consequences of electing the man’s name) in Naevius? Plutarch’s Marcellus may draw from the Clastidium in chs. iv–v (see Marmorale, op. cit., pp. 153/4), and both he and Livy perhaps derive many vivid incidental touches from this source.

Münzer (R. E., VI, 2496 ff.) denies that Flaminius was strictly novus; the Fasti know his grandfather’s name, and the father may have been a Senator (Cic., De Inv., II, xvii, 52). Flaminius, however, was the first to gain any distinction. His scorn for forms is stressed in Pol., II, 33 f. and Livy, XXI, 63 and XXII, 1.

Livy, XXI, 63 (lixae morc). As Scullard rightly points out (op. cit., p. 44 f., n. 3). Pol., III, 77, 1 shows that this is annalistic invention.

Livy, XXII, 25 (his father employed him “in servilia eius artis ministeria”); ibid., 34 (no peace for Rome” ante... quam consulem vere plebeium... fecissent”).

For Cleon see R. E., XI, 714 f. and Aristophanes, Equites (especially 11. 125 ff.). Münzer (R. E., VI A, 680 ff.) questions the “baseness” of Varro’s birth. Perhaps his father and he engaged in ranching to supply the city market or the armies, as Scullard (op. cit., p. 52) suggests. In Val. Max., III, 3, 4 Varro is described as “sordidissimae mercis quasi-turis alto”.

For “Whig” and “Tory” see Oxford English Dictionary, (1926, X, ii, p. 43 and X, i, p. 171 (Scottish rebel and Irish desperado!). Perhaps Livy, XXIV, 18 is relevant here. In 214 B. C. many knights and centurions refused state pay “for the duration”, stigmatising as mercenarii (originally metelli?) those unwilling or unable to make this sacrifice. Among these perhaps were non-noble, ambitious rising men of wealth. This, with the mercenary reputation of Varro, might have occasioned the extension of the term to a whole class.
such men consuls. This was the lesson impressed by Fabius Maximus at the
consular elections of 214 B.C. (Livy, XXIV, 8); “Lacus Trasumenus et Cannae
tristia ad recordationem exempla, sed ad praeavendas similes clades utilia
documento sunt.” These fateful proofs of the gods’ anger were foreshadowed
by the most disquieting omens, when Flamininus assembled his army and again
on the eve of Cannae. Trasumene, as Fabius had once argued (Livy, XXII, 9),
was mainly due to Flamininus’s neglect of ceremonies and auspices, just as
Cannae resulted from Juno’s anger at Varro’s earlier misconduct of the ludi
Romani. It was Marcellus, augur optimus (Cic., De Div., xxxvi, 77), whom
Heaven permitted to save the State. In Naevius’s line, fatum may have a
special nuance, which closely corresponds with the usage in Bacchides, 953 ff.
Fatum can be the fateful event or sign accompanied by prodigies and other
modes of divine warning, but itself the most signal omen of all. This undoub-
tedly early usage fits the Naevian context excellently.

It was then the religious ignorance, as much as the rash inexperience, of
the novi homines, which might cause Rome’s ruin. Even with one consulate
patrician, Cannae had not been avoided; if both places might legally go to
plebeians, two lowborn, unblessed consuls might finally destroy Rome! In 215
B.C. the gods “spoke” decisively on this issue, and Marcellus, the second
plebeian elected, abdicated promptly, when the augurs reported adversely on
the thunder which greeted his entry on office. Marcellus, a leader of the plebeian
nobility, was by no means a representative of the humbler folk at Rome. But
his loyal acceptance of this decision showed that he recognised and shared the
underlying prejudice, even though it operated to his temporary disadvantage.

93 Livy, XXI, 63; XXII, 3; Val. Max., I, 6, 6; Cic., De Div., I, xxxvi, 77/8 (from Coe-
lius); Ovid, Fasti, VI, 703–8 (Trasumene). Livy, XXII, 36; Pol., III, 11 (Cannae).
94 Val. Max., I, 1, 16 (as curule aedile); a moral tale to illustrate plebeian religious igno-
rance. Marcellus took over Varro’s army (Livy, XXII, 57) and restored the situation. His
career thus invited reflections on both novi homines, whom he had succeeded in command.
95 “Ilio tria fuisse audivi fata, quae illi forent exitio
signum ex arce si periisset; alterum etiam Troili mors;
tertium, quom portae Phrygiae limen superum scinderetur.”
For this shade of fatum see Thes. Ling. Lat., VI, 356/7, and compare, for Naevius, Livy,
VI, 40, “hoc portenti non fiat in urbe Romana” (election of a plebeian consul) and “quod
abominarius”, and XXVIII, 27, “hoc est portentum quod nullis hostis...sine sanguine
eorum...expiari possit” (Scipio of two gregarii milites who assumed the fasces during a
mutiny). Cicero appears to echo these old concepts in In Pis., iv, 9, 9, where Clodius is called
“fatale portentum prodigiumque reipublicae”, and De Prov. Cons., i, 2, ”...Gabinium et
Pisonem, duo reipublicae portenta ac paene funera”. Naevius’s fato (dative) compares very
closely in meaning with portento; the ablative sense (“by fate”) first emerged, I believe,
in the post-Gracchan age.
96 Livy, XXIII, 31; the Senate declared, “quod tum primum duo plebeii consules facti
essent, id deis cordi non esse”. Marcellus was himself an augur; Cic., De Div., II, xxxvi, 77.
Scullard, op. cit., p. 58 suggests that Fabius and Marcellus perhaps acted in collusion
throughout.
Throughout his later career indeed Marcellus was a staunch supporter of Fabius Maximus and the inheritor of his policy.97 Thus, in the *Clastidium*, a play enshrining Marcellus's memory, we need feel no surprise at the Fabian sentiments of the line *Fato metelli...* They were assuredly shared by Naevius also, who, as a Capuan, had a full measure of Campanian aristocratic pride.98

The first production of the *Clastidium* is normally placed in 208 B.C., at Marcellus's funeral games.99 A better occasion would be the dedication of Marcellus's temple of *Honos et Virtus* in 205 B.C. We first definitely hear of plays at a funeral in 173 B.C., and since the temple was vowed for victory at Clastidium the play would be most topical on paying the vow.100 Indeed this may have been the date accepted for *Clastidium* in the Ciceronian age, and the basis for the theory that Naevius died in 204 B.C.101 Does this mean that it was the correct one? Despite a common belief that the Romans had fairly complete and reliable theatrical records, there is reason for doubt. The *veteres commentarii* mentioned by Cicero are surely grammarians' annotations on the play not the records of aediles or managers.102 Were they perhaps able to draw on such accurate records, and do these underly the two preserved *didascaliae* for Plautus? The very rarity of these notices before Terence is significant. I have, moreover, tried to show elsewhere that they are suspect.103 Even if these should genuinely preserve details for two plays, we cannot safely assert that the ancients knew when each Naevian or Plautine play was presented. Those connected with the poet's patron or friends would perhaps be more easily dateable than others, and this is perhaps the reason why Ennius's *Thyestes* was firmly placed in 169 B.C. This would apply equally to the *Clastidium*. But, unlike Ennius, whose death apparently must have occurred in 169 B.C.,104

97 His Fabian sympathies, assumed by Marmorale (op. cit., p. 129), are studied by Scullard, op. cit., pp. 57–9. Strangely, in the end Marcellus succumbed to the plebeian's besetting rashness; Livy, XXVII, 27 and Plut., Marc., xxix–xxx.

98 For Capuan origin see Rowell, op. cit., pp. 18–21, 30 ff.; Marmorale, op. cit., pp. 15–20; Fraenkel, R. E., Suppl. VI, 622.

99 As by Marmorale (op. cit., p. 130) and the authors cited there.

100 Temple; Livy, XXIX, 11. Ludi Funerebos; Livy, XLI, 28 (one day of plays added to three gladiatorial days at Flamininus's games).

101 Modern scholars assume that the last play was registered for 205 or 204 B.C.; see Fraenkel, R. E., l.c., 625. Even Marmorale (op. cit., p. 136) accepts a production in 204 B.C., though it hardly suits his theory on Naevius's end.

102 Brutus, xv, 60 and xviii, 72. Varro mentions *commentarii* on Naevius (?both late second-century) in De L. L., VII, 39. For aediles' lists see Leo, Plaut. Forsch., p. 69, and for managers' records (in his view the source for the *didascaliae*) see Sedgwick, Amer. Journ. Phil., LXX (1949), p. 380 f. If these survived complete, why was there dispute as to which were the first "scenic" *Megalesia*, 194 or 191 B.C.? See Livy, XXXVI, 36.


104 Cic., Brutus, xx, 78. The play, linked with Ennius's friend Sulpicius Gallus, was naturally connected with his ludi Apollinares, given as urban praetor in this year. Ennius,
Naevius and the Metelli

Naevius may have lived several years after the date assigned to his last play. This was certainly the view of that "careful scholar", Varro. Naevius's dramatic activity may have continued then past 204 B.C. Now, since Livy does not specify ludi scaenici at the dedication games of 205 B.C., we might reasonably guess that the Marcellan family had no firm documentary evidence. The Clastidium itself, in fact, could be assigned a later date. How long can we allow? Varro, as we saw (n. 105), was quite indefinite. Now in 197 B.C. Clastidium was again of topical interest at Rome. Surrendered by the Ligurians in revolt, it was burnt down in the course of subsequent fighting. The younger Marcellus then campaigned successfully in 196 B.C. against his father's old enemies, the Insubres and Comenses, and celebrated a deserved triumph. His victory was apparently regarded as the gods' full answer to the prayers for success and restoration offered after Trasumene in 217 B.C. The consuls of 195 B.C. were ordered by the pontifices to perform the ceremony of the ver sacrum, which had been one of the special measures vowed at the crisis. One of these consuls was Cato, the first novus homo to reach the consulate since Terentius Varro. Though he perhaps later claimed to be an admirer and pupil of Fabius in his early career, there are signs of personal conflict with the Fabian Marcellus. Cato failed to carry out the ver sacrum properly, and the consuls of 194 B.C. restored the pax deorum by an ingenious compromise. If we accept Heurgon's suggestive and acute analysis of this episode, we can believe that who wrote the twelfth book of his Annales at 67 (Gell., XVII, 21, 43; Varro.), was believed to have lived to exactly 70. His birth must be placed c. 240 B.C. according to the orthodox chronology of the older poets; see Cic., Brut., xviii, 72 and Gell., I. c.

105 Cic., Brut., xv, 60, "Varro noster...diligentissimus investigator antiquitatis".
106 As for the alternative 208 B.C., Livy does not even mention Marcellus's ludi funebres in the passages referring to his death; XXVII, 27-9, 33. At the ludi funebres of M. Aemilius Lepidus in 216 B.C., however, there were only the three days of gladiators; Livy, XXXIII, 30.

107 Livy, XXXII, 29-31 (Clastidium); XXXIII, 37 (triumph). The Fasti Triumphales (C. I. L., I. F., I, p. 174; de Insurbibus only) give the date as March 5th, 195 B.C.

108 Livy, XXII, 9-10 (vows; Fabius had been the prime mover); XXXIII, 44 (ver sacrum). Compare Livy's stress on the completeness of the Gallic victory (ibid., 36) with the formulae of the vow; "quod duellum p. R. cum Carthaginensi est quaeque duella cum Gallis sunt, qui cis Alpes sunt". It envisaged a final end to the Gallic, as well as the Punic warfare. See J. Heurgon, "Le ver sacrum romain de 217", Latomus, XV (1956), pp. 148/9, to whom I owe this point.


110 Following the scepticism of De Sanctis (Stor. Rom., III, ii, p. 507 n. 107), R. E. Smith has acutely criticised this tradition of the relationship between Fabius and Cato, which he regards as mainly later invention; see "The Cato Censorius of Plutarch", Class. Quart., XXXIV (1940), pp. 105ff. Scullard judiciously weighs the evidence (op. cit., pp. 110-3), concluding that Cato represented the Fabian "conservative" wing, the elder Marcellus (then Flamininus) the "liberal". For the younger Marcellus see Scullard, op. cit., pp. 104-6.
Marcellus intended to coerce Cato into a seriously unpopular course of action, or alternatively discredit him for some flaw in its performance. Subsequently the two men were competitors for the censorship of 189 B.C. The whole nobility, we are told, was then opposed to the election of a novus homo, but their main attack was diverted against Acilius Glabrio; in retiring from candidacy he struck a shrewd blow at Cato's chances. Cato's successful candidacy in 184 B.C. was again vigorously opposed by the nobility, so that we can guess that he had had perhaps almost more difficulty in securing the consulship, though no record of this struggle survives. Marcellus, as presiding consul, was in a position to make his course still more difficult. In several ways then, if my interpretation has any force, Marcellus's triumphal games in March, 195 B.C. were a suitable occasion for the Clastidium. Apart from coincidences between 222 and 197/6 B.C., there would be sharp topical point in such reflections as Fato metelli Romae fiunt consules. Naevius, I believe, wrote his play during the enthusiasm for Marcellus and in the election campaign, when the people were being pressed to elect another novus homo as consul. The two men elected would have to perform the ver sacrum, on the final extinction of the last sparks of the Punic-Gallic conflagration. Men's minds must have been powerfully influenced by unhappy and disquieting memories. In the Clastidium Naevius will have solemnly driven the moral home. In the atmosphere of memory and relief, with final expiation of the ira deorum, Naevius could count on a large and engaged audience for a play balancing praise of the nobility's dead hero with aweful warning of the dangers of the political upstart.

We have come a long way from the quarrel of Naevius and the Metelli. I do not believe that that should remain a cornerstone of Naevian and Plautine chronology. However speculative my own views may appear, I hope at least to have raised some serious doubts. This redating of the Clastidium can be harmonised with the Varronian view on Naevius's death, though I would not pretend that this is finally satisfying. Naevian chronology as a whole needs severe probing, for the ancient scholars had very little reliable material for their theories. This article is preliminary to wider enquiry into Naevius's life.

111 Livy, XXXIV, 44 (repetition in 194 B.C.). Marcellus was himself one of the pontifices, who had ordered its performance; Livy, XXXIII, 42 and 44. Heurgon, op. cit., pp. 149f. shows how reluctant Cato would have been to sacrifice the young cattle, how sympathetic to the view of countless small farmers; he concludes that the ver sacrum was not performed at all! On pp. 153ff. he adduces evidence for believing that in 194 B.C. the farmers were required to sacrifice only a certain number of lambs and a few pigs, by skilful religious manipulation.

112 Livy, XXXVII, 57.

113 Livy, XXXIX, 41; “hunc, sicut omni vita, tum presantem premebant nobilitas; coierantque praeter L. Flaccum... candidati omnes ad deiciendum honore eum, non solum quod... nec quia indignabantur novum hominem censorem videre...”. For 196 B.C. see Livy, XXXIII, 42.
and date. Taking one vital part of the Naevian tradition, I have tried to answer the basic question, which we possibly ask too rarely. How much is this "history" really worth? Is it better to cling to ancient combinations, hoping that they may be correct, or should we search behind the theories for the elusive facts? This search has obvious dangers. What I have attempted to establish here is the existence of enough early evidence to justify the risk with the tradition about Naevius.

University of Nottingham

HAROLD B. MATTINGLY

Postscript: Not until this paper was in proof did I manage to obtain E. Vetter's short article in Ηάκτωρ, Festgabe zur 25-jähr. Stiftungsj. des Vereins klass. Phil. (Wien 1924), pp. 48ff. He anticipated my view that Naevius wrote metelli, but did not radically attack the orthodox position.