The Poet Cn. Naevius, P. Cornelius Scipio and Q. Caecilius Metellus

INTRODUCTION

It was many years after the last premiere of a Terentian comedy that the first attempts to write the history of Latin poetry appeared.¹ Scholars had available little documentary material regarding the poets of the late third and early second centuries except the texts of poems, dates of performance of so-called carmina in priestly archives² and of so-called fabulae in magisterial archives,³ and inscriptions on tombstones. These poets were without exception slaves or non-Roman clients⁴ of the great aristocratic families and their persons were not well regarded in the community at large.⁵ Neither the attitude to poetry of Roman society nor the example of Greek historiography permitted the chroniclers of Roman public life to take account of them. The poets who wrote for the theatre of fifth-century Athens came for the most part from well-regarded citizen families and practised an honoured craft. Although those of them who wrote comedies had much to say about Athenian public life and although their prejudices tended to correspond with his own the great Thucydides had ignored them. Their first biographers found themselves as badly off for contemporary documentary material as Roman writers were to be and yet by the exercise of judgement and fancy in interpreting the extant texts succeeded in constructing extensive narratives.⁶ The Roman writers took over Greek methods here as in other areas. Only with Ennius was their task at all easy, for Ennius had written small poems directly about himself and his acquain-

¹ Nothing survives of these attempts except fragments of poems by Accius, by Porcius Licinus (apparently dependent for information on Accius [see Cic. Brut. 60, 72; Gell. xvi 21.45]) and Volcacius Sedigetius. Terence's last comedy was first performed in 160 (see Adelphi. didasc.) and Accius' first tragedy in 149 (see Cic. Brut. 229). One can only make guesses about the exact dates of Accius' scholarly writings.
² See Livy xxvii 37.7-11 (from the records of the decemviri for 207), xxxi 12.9-10 (from the records of the decemviri for 200). Cf. CIL vi 32323 (acta of the ludi sacrales of 17).
³ The aediles seem to have recorded some details of the festivals under their immediate control. Whether they always recorded the names of the Latin translators of Attic tragedies and comedies is not certain. Likewise uncertain is whether they recorded the details of ludi funebres and special ludi notiti held during their terms of office. Investigators may have had to consult a number of archives, private as well as public.
⁴ For the civil status of Naevius see below, p. 34.
⁵ They were ranked at best with scribae and histriones (see Festus, p. 446, s.v. scribas), at worst with grassium (see Cato, Mor. 2). The action of M. Fulvius Nobilius, consul of 189, in taking a poet on his staff to his province brought hostile criticism from traditionalists (see Cic. Tus. 13). Things had not changed so very much a century later, to judge by Cic. S. Rosc. 46, Sest. 119, Fls. 70-71.
⁶ In general see F. Leo, Die griechisch-römische Biographie nach ihrer literarischen Form (Leipzig, 1901), pp. 85ff.
The Poet Cn. Naevius, P. Cornelius Scipio and Q. Caecilius Metellus

stances. Most early Latin poetry, however, consisted of mythological or historical narratives and theatre scripts set in Greek, Oscan or municipal Latin communities. Where narrative poems reached events of living memory poets might mention their own part in such events. The conventions of the early theatre allowed the writer of a script to say something about his art or even his own person through the prologue and through actors’ asides. To judge by the prologues of Plautine and Terentian comedy, however, there were strict limits to this licence. The biographer of Livius Andronicus or Naevius or Plautus or Caecilius or even Terence could not get sufficient material from the texts to give any colour to his story. He needed, therefore, strong powers of fancy.

During the first century B.C. it was believed that, like Aristophanes at Athens, the poet Naevius had suffered police action of some kind for criticizing men of state. The several surviving anecdotes have been much discussed by literary historians and their authenticity often challenged but political historians continue confidently to make use of them in narrating events of the late third century. This article looks again at the sources of the individual anecdotes and at what they actually say. Support is given to the view that they contain elements of truth but belief in the possibility of combining and making a coherent narrative out of them is undermined.

Some Facts and Suppositions

The first biographers of the Latin poets seem to have thought that translations and imitations of Attic tragedy and comedy did not appear at Roman festivals until after the conclusion of the second war with Carthage. Some scholars, however, adopted the scientific method of Aristotle’s literary enquiries and investigated the records of the magistrates who supervised the festivals for which these plays were written. Their findings were first given popular currency by Varro’s liber de poetis some time during Caesar’s dictatorship. From statements based on Varro’s book we know that Naevius was designated as a migrant from Capua and that his first play

8 See Varro ap. Gell. xvi 21. 43, 45.
9 Cf. the aside about the actor Pellio at Plaut. Bacch. 214-15.
10 Contrast the prologue of a mime performed during Caesar’s dictatorship which Macrobius records at Sat. ii 7.1-5.
11 The most recent general account of any pretension, that by W. Beare, The Roman Stage (London, 1955), pp. 23 ff., is vaguely sceptical.
13 See Cic. Brut. 60, 72-3; Gell. xvi 21.42-5. Two passages of Livy, xxxiv 54.3 and xxxvi 36.5, suggest that the early annalistic tradition was equally astray. W. Hupperth, Horaz über die scenicae origines der Römer (Diss. Köln, 1961), pp. 5 ff., and H. Dahlmann, Abh. Ak. d. Wiss. u. d. Lit. Mainz, Geistes- u. Sozialw. Kl., Jahrg. 1962, 581 ff., however, try to limit severely the error of Accius and the early biographers. H. B. Mattingly, CQ n.s. vii (1957), 159 ff., tries to argue that Accius was not in error at all.
14 For the date of the liber de poetis see Dahlmann, op. cit. 653 ff.
15 See Gell. i 24.2 and for the interpretation H. T. Rowell, Mem. Amer. Ac. in Rome xix (1949), 17 ff.

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was performed in Rome in 235 and his last in 204. References to and quotations from over forty scripts survive, most of these being translations of Attic comedies. One script bore the title *Clastidium* and it is reasonable to think that this was a *tragœdia praetexta* dealing with the capture of the *spolia opima* from the Gallic chieftain Virdumarus by M. Claudius Marcellus and written for performance either at funeral games for the latter in 208 or at the dedication of the temple of Virtus vowed by him before the battle of Clastidium and dedicated by his son in 205. Naevius would have been a client of the Marcelli.

The extant anecdotes about Naevius associate him with attacks on the *principes civitatis*, on the younger P. Cornelius Scipio, consul of 205, and on Q. Caecilius Metellus, consul of 206. Such anecdotes obviously could not have been invented by writers who dated the beginning of serious dramatic poetry at Rome to after the second Punic War. Furthermore since the elder Marcellus and the elder Scipio belonged to bitterly opposed political factions there are no general grounds for doubting the authenticity of the anecdotes. On the other hand the view that Naevius’ attacks were part of a political activity of his own has no justification. As a migrant from Capua he had the private rights of Roman citizenship but where public life was concerned even his right to vote was circumscribed, if it existed at all. He could do no more than versify the back-biting gossip of the rich and powerful men who gave him employment.

**Plautus, MIL. 210-12 AND Paulus, EXC. FEST. 32**

It seems to be universally thought that Plautus alluded to an imprisonment of Naevius in the *Miles gloriōsus* and that ancient scholars recognized the allusion. This play was a version of an Attic comedy about the deception of a soldier in Ephesus by an old man and a slave. Vv. 200-14 may as a whole represent a monologue by the old man of the Attic play describing

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16 See Gell. xvii 21.45. Cicero (ap. Aug. Ciu. ii 9) speaks of him as a contemporary of Plautus and as producing plays in the time of Cn. and P. Cornelius Scipio, the consuls of 222 and 218 respectively.
17 Those who put Naevius’ death in this year (see Cic. Brut. 60) could have been able to find no mention of him in the festival records of later years. Varro either found in the *Bellum Punicum* a reference to a visit to Africa after the end of hostilities in 201 or was guessing on the basis of an imagined exact contemporaneity of Naevius and Plautus. See below, p. 42.
18 See Varro, *Ling.* vii 107, ix 78. It is possible that the anonymous *Marcellus* referred to by Diomedes (Gramm. Lat. i 490) is the same play.
19 See M. Haupt, *Philo logos* i (1846), 375-6 (= Opusc. i, p. 191).
20 See Livy xxvii 27.13 on the *laudatio* pronounced by the young Marcellus.
21 See Livy xxvii 25.6-10, xxix 11.13.
22 Marcellus’ colleague in the Gallic campaign of 222 was the elder Publius’ brother Gnaeus. It is interesting to observe how Polybius, the client of the Scipios, plays down the part of Marcellus and magnifies that of Gnaeus Scipio (ii 34-5 ~ Plut. *Marcell. 6-7*).
25 See v. 86.
the physical gestures accompanying the slave’s silent thoughts about the problems facing them both. When, kneeling on his left knee, the slave rests his right elbow on his right knee and cups his chin in his right hand, the old man exclaims:

ecce autem aedificant: columnam mento suffigit suo.

He thus compares the slave with a house constructor putting up a support column for the roof. The form of the comparison is a common one in Plautine comedy\(^{28}\) and the old man could have gone straight on to the slave’s next action:

eugae! euschemone hercle astitit et dulice et comoedice.

However he interjects a joke about some contemporary event of notoriety:

apage non placet profecto mihi illae aedificatio;
nam os columnatum poetae esse indauduii barbaro,
quoi bini custodes semper totis horis occupant.

In his epitome of Pompeius Festus’ epitome of Verrius Flaccus’ *De significatu verborum libri* the ninth-century scholar Paulus writes under the lemma *barbari*:

dicuntur antiquitus omnes gentes exceptis Graecis; unde Plautus Naeium poetam Latinum barbarum dixit.

The first person to associate the passage of the *Miles* with Paulus’ article seems to have been G. J. Vossius.\(^{27}\) There is no reason at all to doubt\(^{28}\) that Paulus’ article goes back to the Augustan scholar Verrius Flaccus but a small doubt is permissible as to whether Verrius had the *Miles* in mind. Verrius and the lexicographers upon whom he drew\(^{29}\) possessed many more Plautine comedies than the select twenty-one *fabulae Varrianae*\(^{30}\) and directly after the *barbari* article there is one attributing to Plautus a word, *bellule*, which is not transmitted anywhere in our text of the twenty-one.

Commentators on the *Miles* since the sixteenth century\(^{31}\) have identified the *poeta barbarus* of v. 211 as Naevius and the incident referred to as the one described by Aulus Gellius at *Not. Att.* iii 3.14. There is nothing intrinsically improbable about the identification. Plautus often introduced into his translations references to the Roman *tresuiri capitales*\(^{32}\) and the career they

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\(^{30}\) See R. Reitzenstein, *Verrianiische Forschungen* (Breslau, 1887); L. Strzelecki, *Quaestiones Verrianae* (Warsaw, 1932).

\(^{31}\) E.g. Artemo, Astraba, Carbonaria, Condalium, Dyscolus, Faeneraatrix, Fruelaria, Hortulus, Nervolaria, Parasitus piger, Saturia, Sitellergus.

\(^{32}\) E.g. D. Laminus (Paris, 1576) ad loc.

\(^{33}\) See *Amph.* 155-62, *Asin.* 131-2, *Aul.* 416-17, *Persa* 68-74. None of these passages is likely to have been based on a reference to οἱ ἄδεικα in the Attic original.
managed. He made his Greek characters use the word group barbarus, barbare, barbaricus, barbaria sometimes in the way that his Attic originals used βῆδᾶβασος but more often to make references to Italian persons and things quite absent from Attic drama. It is impossible to imagine non-Greek-speaking poets being imprisoned in Greek cities for offences connected with their craft or Attic poets referring to such men. Sotades met a grim fate for insulting the Alexandrian royal family but was no βῆδᾶβασος. The words bini custodes semper totois horis occupant can only imply that one of Plautus’ fellow poets was in close detention at the time the Miles was performed. Several opinions, on the other hand, are permissible about os columnatum. Scholars have thought of the pained attitude of the poet suffering, the pensive attitude of him composing, indecent sexual assault, and instruments of penal confinement. It is possible, however, that Plautus is no longer alluding to the physical attitude referred to in v. 209 but simply playing with the word columna. In any case the meaning of os should be regarded more closely than it has been hitherto. Elsewhere Plautus uses os either of the mouth or of the area of the face around the mouth; the latter use is generally accompanied by a suggestion of insolence. It is likely therefore that something the poet said caused his detention. The analogy of other formations in -lus and -atus, particularly the commonplace togatus, praetextatus, palliatus etc. and the comic ferratus, should be regarded in interpreting columna: the poet’s lips have been dressed, so to speak, with a columna. Plautus had in mind either the columna Maenia which stood near the career Mamertinus and was closely associated in the popular mind with the activities of the tresuiri capitales or a vertical roof-support in one of the cells of the prison itself; accordingly he meant either that the poet was in the hands of the tresuiri and could no longer speak freely or that he was actually bound face against a roof support and thus unable even to open his mouth. The Romans habitually sought vengeance in ways reflecting the

33 Cf. Bacc. 121, 123 (to a slave with the name Lydus), Rud. 583 (to a ‘Siculus, Agrigentinus’) ~ Menander, Georg. 56, Sicyon. 393, frs 349, 385.
35 See Athenaeus xiv 13.
36 Cf. Curt. 76 anus hic soloct cubitare custos ianitrix.
38 Cf. Laminus ad loc.
39 Cf. Laminus ad loc. (reporting another view).
41 The common view (cf. W. Ramsay ad Most. 620 [London, 1869]) that it is sometimes used of the caput in comedy will not stand up to examination. Plautus cannot, therefore, at Mil. 211 be referring either to the furca or to any kind of stocks.
42 Cf. Plautus, Mil. 189; Ter. Eur. 597, 807, 838.
43 On these see M. Leumann, Lateinische Laut- und Formenlehre (Munich, 1926), p. 227.
44 Cf. Bacc. 781 ferratusque in pistrino acetem conteras.
45 Cf. Cic. Cluent. 39 (of Q. Manius III) de eam columnam ad quam multorum saepe comiciis perductus est tum sufragiiis populi peruenarat, Div. in Cas. 50 ubis tanta inopia reorum est ut mihi causam praeripeorem mini potius quam aliquos ad columnam Maeniam uestrorum quos reperias; Pseud. Ascon. ad loc. ustrae defendens condignos uelut fures et seruos nequiam qui aput triumuros capitales ad columnam Maeniam puniri solent.
character of the offence; arsonists were burnt alive,\textsuperscript{46} crop stealers hung on infertile trees,\textsuperscript{47} adulterers castrated.\textsuperscript{48}

The date of the first performance of the \textit{Miles gloriosus} is not known and there is nothing in the text to permit more than idle guessing.\textsuperscript{49} However vv. 210-12 provide good evidence, when closely interpreted, that during the late third and early second centuries at Rome prison was a place in which a free-speaking poet might well find himself. Two centuries earlier slanderous verse had been thought deserving of death\textsuperscript{50} and a century later was classed along with crimes of personal violence.\textsuperscript{61} It can also be deduced from vv. 210-12 that the \textit{carcer Mamertinus} was not a place where plays could be written.

\textbf{Aulus Gellius, \textit{Noct. Att.} III 3.15}

After relating from Varro’s \textit{liber de comoediis Plautini} a story about Plautus’ spell of labour in a flour-mill\textsuperscript{52} Gellius goes on with

\begin{quote}
De Naeuio quoque accepimus fabulas eum in carcere duas scripsisse, Hariatolum et Leontem, cum ob assiduam maledicentiam et probraba in principes ciuitatis de Graecorum poetarum more dicta in uincula Romae a triumviris coniectus esset. unde post a tribunis plebis exemptus est, cum in his quas supra dixi fabulis delicata sua et petulantias dictorum quibus multos ante laecerat diluisset.
\end{quote}

This story has no real relevance to the preceding discussion and must be presumed to come from another source, perhaps Varro’s \textit{liber de poetis}.\textsuperscript{53} It has been criticized\textsuperscript{54} and defended\textsuperscript{55} but neither its surface fatuity nor its possible inner significance has been fully appreciated. That Naevius could have written plays while confined in the \textit{carcer Mamertinus} is incredible (this, it should be emphasized, is what the story asserts, not that he was placed in \textit{libera custodia}). The author of the story’s knowledge of gaols would have been derived from literary sources like Plato’s \textit{Phaedo} rather than from an acquaintance with what went on in third-century Rome. That Naevius should have been released after and because he offered a persuasive defence

\textsuperscript{46} See Gaius, \textit{Dig.} xlvii 9.9.
\textsuperscript{47} See Pliny, \textit{Nat.} xvii 12.
\textsuperscript{48} See Val. Max. vi 1.13.
\textsuperscript{49} For an account of the guessing see K. H. E. Schutter, \textit{Quibus annis comoediae Plautinae primum actae sint quaeritur} (Diss. Groningen, 1952), pp. 94 ff.
\textsuperscript{51} Two prosecutions are known; see Anon. \textit{Heron.} i 24, ii 19.
\textsuperscript{52} ii 3.14.
\textsuperscript{53} This work is named at i 24.3 and xvii 21.43, 45.
\textsuperscript{54} First in detail by F. Leo, \textit{Hermes} xxiv (1889), 67 n. 2 (= \textit{Ausg. kl. Schr.} i, p. 283 n. 2), \textit{Plautinische Forschungen} (Berlin, 1912), 77 ff. (for an important methodological argument see E. Fraenkel, \textit{RE} Suppl. vi (1935), 625). H. B. Mattingly, \textit{Historia} ix (1960), 421 ff., strikes a sceptical pose but does not further the argument.
of his behaviour is the imagining of a person extremely naive about the
working of legal systems where politically loaded accusations are concerned.
If the tresuri arrested Naevius they did it to please the powerful men who
felt themselves insulted; if the tribuni plebis released him they did it for
personal reasons or on the prompting of other powerful men, not for the
sake of abstract justice or through sympathy for underdogs. Leo’s view that
the author of the story had nothing to go on except the scripts of the Hariolus
and the Leo is unshakeable. Slaves were frequently in comedy bound in unicus
as a result of offences against their masters; speeches describing their
plight or pleading for release in such a way as to provide the basis of the
story of Naevius’ imprisonment and release must have been common. In
the absence of the scripts of the Leo and the Hariolus we cannot see whether
the absurd details of the narrative cover an element of truth. However it is
of importance to note first that the author of the story could not say exactly
how and when and who of the principes civilis Naevius had insulted and
second that what he took to be Naevius’ defence of himself seemed a plausible
one. No one could have been openly named and directly abused from the
stage at a festival; if insults there had been they were of the type reported
by Gellius at vii 8.5.

Cicero, DE ORAT. II 249

In sections 217-290 of the second book of Cicero’s dialogue De oratore the
place of wit in oratory is discussed. Many examples are given of pointed
insult and smart repartee from eminent Roman men of state. One of Cicero’s
sources was the collection of ἀποθέγματα made by the elder Cato in his old
age. Oral tradition would have preserved such stories with varying degrees
of verbal accuracy. At 249 Cicero’s dialogist illustrates his argument that
the one source can provide both serious and jocular remarks with

‘Quid hoc Naevio ignauius?’ seure Scipio; at in male olentem ‘uideo
me a te circumueniri’ subridicule Philippus. At utrumque genus
continet uerbi ad litteram immutati similitudo.

Mommssen referred the first of the examples to the prosecution of the

64 Gellius’ diluisset is generally interpreted as if it were excusauisset (cf. Leo, Plaut. Forsch. ,
p. 77 and J. C. Rolfe’s 1927 translation of Gellius). This, however, would be a unique
use. The phrase delista sua . . . diluisset is paralleled by Ovid, Rem. 695 nec peccata refer ne
diluat, Sen. Thyest. 512-14 diluere possem cuncta, nisi talis fores. sed fateor Atreu fateor, admisti
omnia quae credidisti, Anon. Laus Pis. 45 seu capitale nefas operosa diluis arte and easily explicable
with the aid of Gell. xii 12.1 harc quoque disciplina rhetorica est callide et cum astu res criminosas
sitra periculum conuerti, ut, si obiectum sit turpe aliquid, quod negari non queat, responsione ioculari
eludas et sem facias risa magis dignam quam crimen. Sicat fecisse Ciceronem scriptum est, cum id,
quod infisarai non poterat, urbano facetoque dicto diluit.
65 The tresuri capitales were lowly officials concerned with crime among the servile and working
classes. See T. Mommssen, Römisches Staatsrecht ii (Leipzig, 1887), pp. 594 ff.; W. Kunkel,
Untersuchungen zur Entwicklung des römischen Kriminalverfahrens in vorsullanischer Zeit (Munich,
66 M. Claudius Marcellus was one of the tribuni plebis in 204.
68 Cf. the binding and release of the soldier caught in apparent adultery, Plaut. Mil. 1394-1437.
69 See Cic. De orat. ii 271, Off. i 104.
70 Hermes i (1866), 163, 191 n. 3 (= Röm. Forsch. ii, pp. 421, 466 n. 98).
The Poet Cn. Naevius, P. Cornelius Scipio and Q. Caecilius Metellus

elder P. Cornelius Scipio Africanus in 184 by the tribune M. Naevius. Some Italian scholars have referred it to a clash between Scipio and the poet Cn. Naevius. In the absence of real argument Mommsen’s authority has been allowed to settle the issue. A careful look, however, at the use of igneus and ignacia in Old Latin gives some slight support to the Italian view. The words are applied to property-owning citizens and their sons, to slaves, businessmen and craftsmen. Where the first category are concerned they indicate failure to live up to the class ethic through luxuriousness, cowardice, idleness or other vices. They are used of slaves and craftsmen who for some reason fail to perform their allotted tasks. They also occur as generalized terms of abuse, indicating the social unworthiness and comparative inutility of slaves, businessmen and craftsmen. The tribune who brought the prosecution against Scipio might have been accused of many things but scarcely of ignacia. The slanders of a poet on the other hand could fairly be said to show the ignacia of his class.

Aulus Gellius, NOCT. ATT. VII 8.5-6

After comparing the reputations of P. Cornelius Scipio and Alexander the Great for courteous treatment of captured women Gellius goes off, in a way common with him, at a tangent:

nos satis habebimus, quod ex historia est, id dicere: Scipionem istum, uerone an falso incertum, fama tamen, cum esset adulescens, haud sincera suisse et propemodum constisse, hosce uersus a Cn. Naeuio poeta in eum scriptos esse:
etiam qui res magnas manu taepe gessit gloriose,
cuius facta uia nunc uigent, qui apud gentes solus praestat,
eum suus pater cum pallio uno ab amica37 abduxit.

his ego uersibus credo adductum Valerium Antiatem aduersum ceteros omnis de Scipionis moribus sensisse et cam puellam captuam non reddatam patri scripsisse contra quam nos supra diximus, sed retentam a Scipione atque in deliciis amoribusque ab eo usurpatam.

It is likely that Gellius’ immediate source was the biographical writing of the eminent Augustan scholar Julius Hyginus and that Hyginus rather than the Sullan annalist Valerius Antias first brought the Naevian verses

63 See Gell. iv 18.3-6; Livy xxxviii 56.2, xxxix 52.3.
64 Cf. G. Curcio, RFIC xxvi (1898), 608-10; P. Fraccaro, Stud. stor. ant. class. iv (1911), 237 (= Opusc. i, p. 237).
65 Cf. Plaut. Cas. 240, 244, 534, Most. 137, Trin. 132, 165.
66 Cf. Plaut. Capt. 262, Most. 856, Trin. 926.
69 Cf. Plaut. Men. 924 (of doctor), Mil. 1045 (of professional soldier), Persa 950 (of harlot), Poen. 1282 (of procurer); Ter. Eun. 662 (of eunuch); Accius, Trag. 559 (of fire god in his capacity of smith).
70 In the dubiously authentic speech of defence reported by Livy (xxxviii 56) Scipio uses the terms nebulo and nugar of Naevius.
71 amica ūs: amico V
72 Gellius actually names Hyginus twice previously, i 14.1 and vi 1.2, on the latter occasion quoting from his account of Scipio.
into the argument about Scipio’s morals. Comic verses, and iambic septenarii at that, would have been beneath the dignity of an annalistic narrative. Hyginus’ source was perhaps a commentary on Naevius’ plays which attempted to indicate contemporary allusions in the manner of commentaries on Attic drama. The three verses certainly came from a comedy; the situation is a stock one: a young man’s sexual escapade is being defended by reference to the conduct of one of his social betters. An old man of Plautus’ Mercator excuses his passion for a slave girl with

\[ \text{nihil est iam quod tu mihi susceptas: fecere tale ante alii spectati uiris.} \]

In the Mostellaria a slave defends his young master with

\[ \text{fateor peccauisse, amicam liberasse absente te, faenori argentum sumpsisse; id esse absumptum praedico. numquid aliud fecit nisi quod summis gnati generibus?} \]

The tolerant old man of Terence’s Adelphi addresses his erring son with

\[ \text{uirginem uitiasti quam te non ius fuerat tangere. iam id peccatum primum sane magnum, at humanum tamen: fecere alii saepe item boni.} \]

The Naevian verses may in general represent something said in the original Attic comedy and this comedy may even have referred, openly or covertly, to a fourth-century public figure. The verses differ, however, from the Plautine and Terentian parallels I have quoted in their emphasis and particularity. A Roman audience aware of the political camp of the magistrate who had commissioned the play and of current gossip could not have failed to identify the person referred to with a contemporary statesman. At the same time there was no way of proving the identification. Such a manner of writing would have fostered dislike of Naevius but given no indisputable legal cause for police action against him. This is not, of course, to say that action could not have been taken.

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73 F. Leo, Geschichte der römischen Literatur (Berlin, 1913), p. 78 n. 2, makes Valerius the ultimate source.  
74 For *commentarii* on Naevius see Varro, *Ling.* vii 39.  
75 Cf. Schol. Eur. *Orest.* 772, 903, 904. Commentators on Terence’s Adelphi named Scipio Africanus, Lælius Sapiens and Furius Philus as the *hominis nobiles* of v. 15 (see Donatus ad hoc).  
76 The notion of W. Kroll (*Hermes* lxvi [1931], 472) and L. Robinson (*Freedom of Speech in the Roman Republic* [Diss. Johns Hopkins, Baltimore, 1940], p. 3) that the verses come from something like a soldiers’ camp fire song is untenable. One has only to ask how such a song could have been transmitted to the scholars of the late Republic.  
77 Vv. 317-18.  
78 Vv. 1139-41.  
79 Vv. 686-8.  
80 For the matter of *cum pallio uno* cf. Bacchylides, fr. 19 (Snell) and B. Warnecke, *Philologus* lxxi (1912), 567.  
81 Cf. the fifth-century comic attacks on Pericles over Aspasia and other women (Plut. *Perid.* 13.10-11, 24.6, 30.3) and the fourth-century jokes about Harpalus (Athenaeus xiii 67-B).
We cannot now know whether the ancient scholar who identified Scipio in the verses took the trouble to ascertain the date of the first performance of the play or was making the sort of guess that some modern scholars like to make about undated dramatic texts. Certainly the younger P. Cornelius Scipio now seems the only statesman prominent between 235 and 204 to whom they might have applied. At the same time we know little about the boasting and scandalmongering that must have gone on during the thirty-two electoral campaigns and other public controversies of those years. There were two occasions which could have led to such verses being written against Scipio. In 206 Scipio stood for the consulship in controversial circumstances; he had not held the praetorship and he was only thirty years old. His friends doubtless magnified his achievements in Spain between 210 and 206 during the electoral campaign. The hyperbolic phrase *apud gentes solus praestat* could be a sarcastic reference to his reputation among the tribes of Spain; these tribes, doubtless according to the report of his enemies, had even wanted to proclaim him king. Besides regal pretensions another stock theme of Roman political slander was excessive indulgence in extra-marital sexual activity and Scipio’s reputation for *philog.nēs* lived on after him, even colouring the accounts of historians favourable in general to him. The two versions of his treatment of the betrothed of the Celtiberian chieftain Allucius may go back to the electoral campaign of 206. Scipio’s personal character is known to have become a matter of political debate in 204 when an attempt was made to abrogate his prolonged *imperium*. According to the prim and proper Livy he was accused of minor concessions to Greek *mores* like wearing local dress. There would have been much more in the original hostile dossier. The ancient scholar’s guess about the import of the Naevian verses is therefore to be judged at the very least an intelligent and plausible one.

**St Jerome, CHRON. 135 G**

Among the events of Olymp. 144.3 = 201 B.C. Jerome recorded in his Chronicle that

Naevius comicus Uticae moritur, pulsus Roma factione nobilium ac praecipue Metelli.

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84 Mommsen (Römische Geschichte* [Berlin, 1861 (ed. 1, 1854-6)], p. 901) thought that they would have applied to Scipio only after the victory at Zama. From this position only one deduction is possible: that the ancient scholar erred either in attributing the play to Naevius or in referring the verses to Scipio.


86 See the accusations reported by Livy (xxviii 42.22, xxxviii 51.4, 54.6) and the studied defence of Scipio’s republicanism by Polybius (x 38.3, 40.2-9).


88 Cf. Polybius x 19.3-7; Val. Max. vi 7.1; Plut. *Mor.* 196 b.

89 Cf. Valerius Antias ap. Gell. vii 8.6 ~ Polybius x 19.3-7; Livy xxvi 50; Val. Max. iv 3.1; Gell. vii 8.3; Frontin. *Strat.* ii 11.5; Cassius Dio, fr. 56.43; Ammian. xxiv 4.27.

90 *xxix* 19.11-12.
There are good grounds, long recognized, for believing that many of Jerome's statements about the older republican poets go back through Suetonius to Varro's _liber de poetis_. It is therefore not surprising that Jerome agreed with Varro in not dating Naevius’ death to 204. At the same time, to judge by Cicero’s report of Varro’s view, Varro did not claim to know the exact year of the poet’s death; 201 must be a post-Varronian guess. It is likely enough that Varro referred to Utica but far from certain that he referred to an exile from Rome through a faction led by Q. Caecilius Metellus. This may be another post-Varronian guess based on the story of the exchange of verses. Whatever its origin it misjudges badly the social conditions of third-century Rome and the status of Naevius. The latter was no Marius or Cicero driven into exile by the legal machinations of opponents of higher birth. He may have left Rome some time in or after 204 but we cannot now know the reason why.

**Caesius Bassus, Gramm. Lat. VI 266 and Pseud. Asconius ad Cic. Verr. I 29**

The witty reply in verse of a powerful man to the insolence of a poet was perhaps a common theme of ancient anecdote. Archelaus of Macedon is reported to have turned a veiled accusation of meanness by Timotheus into one of avarice against the poet. Partly to this type of anecdote and partly to the type discussed earlier belongs the exchange of verses between Naevius and Q. Caecilius Metellus recorded by a first-century writer on metric and a fifth-century commentator on Cicero’s Verrine orations. According to the writer on metric, the scholar and poet Caesius Bassus:

> sed ex omnibus istis qui sunt asperrimi et ad demonstrandum minime accommodati optumus est quem Metelli proposuerunt de Naeuio, aliquotiens ab eo ursu laecessiti: 'malum dabunt Metelli Naevio poetae'. hic enim Saturnius constat ex Hipponactei quadrati iambici posteriori et commate et phallico metro.

According to the Ciceronian commentator:

> dictum facete et contumeliose in Metellos antiquum Naevio est: 'fato Metelli Romae fiunt consules'. cui tune Metellus consul iratus ursu respondebat senario hypercataleeto, qui et Saturnius dicitur: 'dabunt malum Metelli Naevio poetae'.

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90 See F. Ritschl, _Parerga zu Plautus und Terenz_ (Leipzig, 1845), pp. 621 ff.; A. Reifferscheid, _C. Suetonii Tranquilli... reliquiae_ (Leipzig, 1860), pp. 369 ff., 423; A. Rostagni, _Suetonio de poetis e biografi minori_ (Turin, 1944), pp. v ff. 91 _Brut._ 60. 92 Cf. R. Helm, _Philologus Suppl._ xxi 2 (1929), 13 f. Jerome made 200 the year of Plautus' death, although Varro was aware that he produced a play in 184. 93 The burial places of poets were regularly reported in their _flos_. Whether anyone had seen a tombstone in Utica is another matter. Some reference to the topography of North Africa in the _Bellum Punicum_ could have excited a biographer's imagination. But see H. Dahlmann, op. cit. 609 ff. for an attempt to show that Varro did not even mention Utica. 94 See Caesius Bassus, _Gramm. Lat._ vi 266; Pseud. Ascon. ad Cic. _Verr._ i 29. 95 See Plut. _Mor._ 177 b, 334 b. 96 See p. 39. 97 _Gramm. Lat._ vi 266. 98 Pseud. Ascon. ad Cic. _Verr._ i 29 (p. 215 Stangl).
Such solid items of learning in this commentator’s work probably go back to Q. Asconius Pedianus, a contemporary of Caesius Bassus.\textsuperscript{99}

The differences between the two accounts are minimal and without significance. The commentator’s metrical analysis of the Saturnian verse is one offered elsewhere in late antiquity\textsuperscript{100} and probably goes back at least as far as Varro.\textsuperscript{101} Caesius’ analysis is one made in terms of his own general theory of metric. The two accounts must have a common source but there is no need at all to make this source a Varronian metrical treatise.\textsuperscript{102} An important feature of the story, as I shall demonstrate below, was Metellus’ skill with words and ability to outplay a poet at his own game; it was certainly not designed to make intricate points about the nature of the Saturnian verse. Speaking to a jury of senators in 70 B.C.\textsuperscript{103} Cicero assumed a common knowledge of the story. The source of this knowledge could hardly be a biography of the poet; even after the publication of Varro’s 

\textit{liber de poetis} the history of serious Roman poetry was still sometimes thought to begin with the end of the second Carthaginian war,\textsuperscript{104} that is some time after the consulship of Metellus; in any case the focus of interest in the story is upon Metellus, not upon Naevius. The story would have circulated in the same way as those used by Cicero in \textit{De orat.} ii 217-90\textsuperscript{105} and have possessed a similar degree of credibility.

The details of the two extant accounts are all open to the suspicion of being later accretions to an older story. The commentator’s statement that Metellus made his answer while actually holding the office of consul may be a careless inference from the Naevian verse. Caesius’ statement that several Metelli were responsible for the reply is plainly a false inference from the Metellan verse. His statement that they posted it up in a public place\textsuperscript{106} may be an imaginative extrapolation from the behaviour of recent and contemporary critics of the Emperor;\textsuperscript{107} putting up wall posters would have been oddly undignified behaviour from members of a consular family in the heyday of the Republic.\textsuperscript{108} It is significant, however, that imperial accounts of slanderous verse generally distinguish between stage utterance and written or word-of-mouth circulation\textsuperscript{109} and that the story of Naevius and Metellus clearly suggests the latter. This tallies with Cicero’s view of the

\textsuperscript{99} The extant commentary on the Verrines is a miserable piece of work as a whole but not completely devoid of ancient learning. The Leiden scholia give a slightly better impression of what was once written about the Verrines.

\textsuperscript{100} See Diomedes, \textit{Gramm. Lat.} i 512.

\textsuperscript{101} On the source of Diomedes’ metrical knowledge see Leo, \textit{Hermes} xxiv (1889), 281 n. 2, \textit{Der Saturnische Vers} (Berlin, 1905), pp. 7 ff.

\textsuperscript{102} As do Leo, \textit{Der Saturnische Vers} pp. 7 ff., and H. T. Rowell, op. cit. 25 ff.

\textsuperscript{103} \textit{Verr.} i 29 (speaking of Q. Caecilius Metellus Creticus, the consul-designate).

\textsuperscript{104} \textit{Cf. Hor. Epist.} ii 1.161-3. For a different view see Dahlmann, op. cit. 506 n. 1.

\textsuperscript{105} For another smart saying attributed to the consul of 206 see Val. Max. vii 2.3.

\textsuperscript{106} For the interpretation of \textit{proposuerunt} Fraenkel, \textit{RE} Suppl. vi (1935), 624, quotes Cic. \textit{Att.} ii 21.4, Propr. iii 23-23, Lex ap. Brunus\textsuperscript{9} 112.14, Ulp. \textit{Dig.} xlviii 10.15.27.

\textsuperscript{107} \textit{Cf. Suet. Iul.} 80.3, Aug. 70.2, Ner. 39.2.

\textsuperscript{108} Vespasian’s posting up of replies to anonymous pasquinades (\textit{Dio Cass.} lxv 11) was of a piece with his general vulgarity of manners.

conventions of the early stage\textsuperscript{110} and with what can be learned from Gell. iii 3.15\textsuperscript{111} and vii 8.5\textsuperscript{112} about Naevius’ avoidance of directly insulting stage jokes. It should also be noted that there is nothing in the story about actual police action against Naevius; one would suppose Metellus to have been satisfied with the expression of a threat. The only part, however, of the story which can be said certainly to go back to republican times is the text of the two verses.\textsuperscript{113}

Cicero’s apocryphal story of the conversation between Verres and Metellus Creticus demands that the word \textit{fato} in the Naevian verse be interpreted as meaning ‘not by personal merit but by some external non-human force or circumstance’,\textsuperscript{114} Many modern scholars follow this interpretation, believers in the authenticity of the verse making the force luck or chance,\textsuperscript{116} sceptics necessity.\textsuperscript{116} This was not, however, necessarily the kind of interpretation current in 70 B.C. of what \textit{fato} meant in its original context. It could have been manufactured for the sake of Cicero’s own anecdote.

In the few cases of \textit{fatum} preserved from the early literature its meaning seems always to be that of the Greek \textit{χρησιμός}.\textsuperscript{117} Given the paucity of early literature extant this fact may not be significant; the shift from ‘event prophesied’ and ‘act of prophecy’ to ‘event determined and out of human control’ and ‘force determining events’ could well have taken place earlier than our record. Whether the word could have acquired the meaning of \textit{τύχη} or that of \textit{ἀδικία} is another matter. In Cicero’s day a context was required to give these meanings.\textsuperscript{118} Without the positive help of a context it tended to have the meaning of the popular Greek \textit{ἀγαθή τύχη}\textsuperscript{119} or the Stoic \textit{εὑρισκόμενη μοῖρά}.\textsuperscript{120} It certainly needed both context and some sort of epithet to mean \textit{δυστυχία}.\textsuperscript{121} There is thus some difficulty in seeing what the insulting point of \textit{fato} \textit{Metelli Romae fiunt consules} could have been even to Romans of Cicero’s day when interpreted in this general fashion.

If the anecdote goes back any distance from Cicero’s day the problem
grows in seriousness. Cicero’s fellow senators were aware if not very appreciative of the discussions that went on in the Greek philosophical schools about such things as the role of external circumstances and personal virtue in forming the εὐδαιμονία of an individual. Some would have been aware of how Athenian comic poets could damn politicians by attributing their successes to τύχη and of how Greek historians discussing military and political success emphasized external circumstances when they were ill-disposed to a man and personal virtue when well-disposed. To the much more unsophisticated minds of the late third century, however, this must have been a meaningless antithesis. The long series of temples vowed and dedicated to the goddess Fortuna during the fourth and third centuries shows how little ashamed Romans of that age were of outside help in achieving worldly success. During the war with Hannibal temples began to go up in honour of deified personal attributes like Mens and Virtus and Honor and, if tradition is to be believed, many of Rome’s leaders at that time had rationalist private attributes. But there is no sign of good luck or divine help becoming a matter of public reproach. Such only guaranteed the genuineness of a man’s own personal virtue. The manner of announcing a military victory was and remained that of the Plautine Amphitruo:

eos auspicio meo atque ductu primo coetu uicimus.

Scipio, to the embarrassment of the normally sober Polybius, constantly advertised a claim to be supported by the gods in his enterprises. It is significant that a character in a tragedy by Pacuvius attributes to ‘philosophi’ what in Attic drama was a commonplace view of the blind, non-moral workings of chance. Sulla’s public exaggeration of his felicitas seemed odd to Plutarch but doubtless not at all to contemporary Romans. Even in the mid-first century Cicero could commend to an assembly the appointment of a general on the grounds of his possession of this attribute. If fatum had been said to have helped Metellus to the consulship of 206 it could not, it is fair to say, have been thereby implied that Metellus lacked personal merits.

123 See Cic. Mur. 60 ff., which must reflect a shrewd advocate’s balanced estimate of senatorial knowledge and attitudes.
124 Cf. Aristoph. Vesp. 62 and for the ordinary Athenian attitude to τυχη and success see Plut. Sull. 6.3.
125 Cf. Polyb. x 2-11 (on the elder Africanus); Plutarch, Fab. 5.1 (on Fabius Maximus), Mor. 326 d ff. (on Alexander).
127 See Latte, op. cit. pp. 253 ff. These deities were preceded and accompanied by community attributes like Salus, Victoria, Concordia et al.
128 See Cic. Sen. 11 (on Fabius Maximus), Diu. i 77 (on Flamininus), ii 51 (on Porcius Cato), ii 77 (on Claudius Marcellus).
129 V. 657. See the parallels collected at TLL ii 1547.15 ff.
130 See Polyb. x 2.5-13, 7.3, 9.2-3, 11.7-8. Even Polybius at times, perhaps under the influence of the climate of feeling about him, describes his own rationalism and makes τυχή a provident and admirable factor in the successful growth of the Roman empire (cf. i 4.5).
133 Sull. 6.
134 Manili. 47 ff.
Marx's interpretation of *fato* as 'auf Grund oder infolge eines Orakelspruchs' leaves it even more difficult to explain how the verse could have constituted an insult. G. Jachmann's 'zum Ungluck' gets the general intent of the insult and perhaps the normal interpretation of Cicero's day. I suggest a slight variation. *Fato* was related in the poet's mind to *fari* in the same way as *auspicato* originally was to *auspicari, augurato to augurari* and *litato to litari*. The election of a consul was normally announced with a formula like *auspicato Q. Caecilius consul factus est* so as to make plain that an *augur* had seen birds or lightning in the desired part of his *templum* before voting took place and that therefore the citizens could be confident that the elected candidate enjoyed the favour of the gods. The iambic verse *fato Metelli Romae fuant consules* was designed, I think, to suggest that men like Metellus reached the consulship at assemblies preceded not by favourable signs duly observed by an *augur* in his *templum* but by the utterance of some *uates* warning of evil in the event of such an election. Prophets known as *uates* flourished with rather a mixed reputation at Rome in the years of the Hannibalic war and later. They spoke (*fari*) as divinely inspired mediums. If consulted directly in person or through collections of their utterances (*fata*) they could advise how an imminent disaster might be averted. If, though unconsulted, they felt impelled to speak, they predicted disaster or the evil precursors of disaster, such disaster, however, was no part of a cast-iron inevitable necessity; those warned in time could take measures to hold back the precursors and avert the disaster. *Fato Metelli Romae fuant consules* would have been a warning to the Roman people not to elect a Metellus to the consulship.

When Ventidius Bassus reached the consulship more than 150 years

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136 Many of the ablative discussed by Priscian, *Gramm. Latt.* iii 68, and by J. B. Hofmann and A. Szantyr, *Lateinische Syntax und Stilistik* (Munich, 1965), pp. 117, 141, should be classified, at least in origin, as indicative of attendant circumstances rather than as modal. *Haud auspicato* at Ter. Andr. 807 certainly means 'unfortunately' but it would be misleading to interpret *inauspicato* at Livy xxi 63.7 and Cic. *Diu.* i 33 exactly so; the verbal force remains strong in these and many similar passages.
137 Cf. Cic. *Mur.* i 11 qui et consul rogaui et augur et auspicato, Livy xxi 63.7 consulem ante *inauspicato factum* (*Flaminium*).
139 For the plural cf. Plaut. *Bacch.* 649; Catull. 14.18, 45-22.
140 See Livy xxv i 18, xxxix 8.3, 16.8; *Sall. Hist.* i 77-3.
141 Apollo's temple at Delphi is reported to have been consulted in 216 (Livy xxii 57.5) and 205 (Livy xxix 10.6).
142 The *fata* of the Sibyl of Cumae guarded by the *decemuir* were frequently consulted during the war with Hannibal; also those of a local Italian 'Marcius uates' (Livy xxv 12.2-12; Pliny, *Nat.* vii 119).
143 Answers were commonly couched in the form *malum auertetur si* . . . (cf. Livy xxiii 11.2, xxxix 10.5).
145 Cf. the way in which Plautus records the prophecy concerning Troy: *Bacch.* 953-5 *Ilio tria fuisse auditui fata quae illi forent exitio: signum ex arce st perissent; alterum etiam Troi mors; tertium quom portae Phrygiae linem superum scinderetur.* Such prophecies had to be kept secret from enemies who might try to hurry disaster on by releasing the precursors.
The elevation of Ventidius was supposed to be a sign of divine wrath and to need expiation.

On the common interpretation of the Naevian iambic verse Metellus’ reply, *malum dabunt Metelli Naevio poetae*, could only be a flat and humourless threat to give the socially inferior Naevius a thrashing. It is now, however, possible to see its true point. It admits that disaster has been prophesied in the event of the election of a Metellus but reinterprets the disaster as one imminent not for Rome from the gods but rather for the back of Naevius from the magistrature to be elected. Romans commonly attempted to redirect what they took to be utterances of ill omen. The words of Metellus’ *abominatio* gained an extra point through being cast in the form of verse commonly used by *uates* for their *fata*, the so-called ‘Saturnian’.

It should now be quite clear that the verses contain an exchange of wit out of which the aristocrat comes at least the equal of the professional poet. Constant attempts have been made to connect the story with the scholarly composition of biographies of famous poets out of references in their poems. The Naevian verse, however, does not fit what we know of the conventions of Roman stage comedy or the tone of the *Bellum Poenicum*; the origin of the Metellan verse remains unexplained. The two verses should be considered together as having been handed down in the family of the Metelli. Roman aristocrats prided themselves on ability at smart repartee and liked to savour the *facete dicta* of their ancestors. Whether or not the verses were actually uttered during the election campaign of 207 is another matter. An oral tradition can invent and embroider as well as preserve.

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146 See Gell. xv 4.3.
149 See Ennius, *Ann.* 213-14; *Cic.* *Brut.* 71, *Diu.* i 114; *Varr.* *Ling.* vii 36; Festus, p. 432, s.v. *Saturno*. The Naevian verse will scan as a common type of early Latin iambic trimeter; since it does not give expression to a *fatum* but simply refers to one there is no reason to consider it designed as a Saturnian rather than as an iambic trimeter.
150 Fraenkel’s theory of a ‘Hausliterat’ (*RE* Suppl. vi [1935], 624) seems unnecessary. Metellus’ ability with the language was admired by later ages (see *Cic.* *Brut.* 57; Pliny, *Nat.* vii 139-41).
151 Leo (*Der Saturnische Vers*, p. 32), Marx (op. cit. 59, 66) and others make it a comic verse without suggesting a context.
152 Marmorale (op. cit. pp. 66 f.) takes it as being in origin a complimentary reference to the consul of 251 and 241.
153 See above, p. 38.