

THE DATING OF SERVIUS REVISITED

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9.627 STATVAM ANTE ARAS aptam se daturum victimam ostendit: alibi (G. 2.395) *et ductus cornu stabit sacer hircus ad aram*. quotiens enim victima **reluctabatur, ostendebat** se improbari: Lucanus (VII 165) *discussa fugit ab ara taurus*. iuvenum autem secundum Romanas caerimonias dixit: nam Iovi de tauro non **immolabatur**, ut etiam in tertio (21) diximus, nisi cum triumphi nomine suovetaurilia **fiebant**: quod tamen ideo admissum est quia non tantum Iovi, sed et aliis dis qui bello praesunt, **sacrificabatur**.
AVRATA FRONTE ita enim victimae ornari **consueverant**.¹

IN THE ABOVE PASSAGES SERVIUS comments on *Aeneid* 9.627:

et statuam ante aras aurata fronte iuvenum
candentem pariterque caput cum matre ferentem,
iam cornu petat et pedibus qui spargat harenam.²

There Ascanius pledges to sacrifice to Jupiter a young bull (*iuvenus*) glowing with gilded horns, one already as big as its mother. The comment is representative of Servius in two ways. First it illustrates the effort (inherited from centuries of defense of Vergil by *grammatici* against attacks from his detractors) to show that Vergil's knowledge of Roman ritual was flawless. So Ascanius promises not a mature bull (*taurus*) but a *iuvenus* to Jupiter. Elsewhere (at *Aen.* 3.21 and 12.120, the latter quoted below) Servius justifies Aeneas' sacrifice of a *taurus* to Jupiter in *Aeneid* 3.21 as a tip-off that the settlement in Thrace was ill-fated: the choice of victim was designedly wrong.

12.120 VELATI LINO atqui fetiales et pater patratus, per quos bella vel foedera **confirmabantur**, numquam **utebantur** vestibus lineis. unde dicimus errore factum, ut linea vestis contra morem adhiberetur ad foedera, quae firma futura non erant. scimus enim hoc ubique servare Vergilium, ut rebus, quibus denegaturus est exitum, det etiam infirma principia. sic in Thracia (3.21), civitatem condens Aeneas quam mox fuerat relicturus, contra morem Iovi de tauro sacrificavit. sic senatum ad privata Latinus convocat tecta (11.234),

1. "I SHALL MAKE STAND BEFORE THE ALTARS he has shown that he will give a fit victim: elsewhere, 'and a sacred goat, led by his horn, will stand at the altar.' For, as often as a victim **struggled and resisted, he showed** that he was being rejected: Lucan 'the bull fled from the shaken altar.' *Iuvenus* [young bull] he said in accordance with Roman rituals: for **immolation was not made** to Jupiter with a bull, as I have said also in Book 3, except when, in the name of a triumph, *suovetaurilia* (sacrifice of a boar, ram, and bull) **was performed**. But this was permitted because the sacrifice was made not only to Jupiter but also to other gods who are in charge of war. WITH GILDED BROW for so victims **used to be adorned**."

2. "And I shall stand before the altars a young bull glowing with gilded brow, matching his head with his mother [= as tall as his mother], one who already butts with his horn and scatters the sand with his hooves."

quando eius non erunt firma consilia. sic paulo post (12.247) in augurio liberatus cynus in fluvium concidit, quia Turnum Rutuli, licet rupto foedere, liberare non poterunt. Caper tamen (40 K) et Hyginus (11 F) hoc loco dicunt lectionem esse corruptam: nam Vergilium ita reliquisse confirmant "velati limo." limus autem est vestis, qua ab umbilico usque ad pedes teguntur pudenda poparum.³

Compare Macrobius *Saturnalia* 3.10.7: *committitur non ignorantia, sed ut locum monstro faceret secuturo*⁴ (on the sacrifice of a bull at *Aen.* 3.21). From the comment of Macrobius, we can tell that Servius' interpretation was inherited, probably through Aelius Donatus.

But for our purpose here, what is of most interest is Servius' constant reference to sacrificial ritual in the imperfect or equivalent pluperfect tense (marked in bold type). The use of *consueverant* of the gilding of the victims' horns is most revealing, because we have a present temporal reference in the comment on the same line by Tiberius Claudius Donatus: "Whence the habit **has remained** that a cow and a bull with gilded brow and horns **are sacrificed** to Capitoline Jupiter" (*unde consuetudo permansit ut vacca simul et taurus auratis fronte et cornibus Iovi Capitolio mactentur*). Tiberius has misinterpreted Vergil's line 9.628 to mean that a cow was promised as well as a *iuvencus*, and he is oblivious to the distinction in age between a *iuvencus* and a *taurus*, a distinction that to Servius and earlier *grammatici* was essential to Vergil's defense; but whether or not he is right in claiming that the custom of sacrificing a bull and a cow with gilded horns to Capitoline Jupiter has endured to his day, it is clear that he fears no lack of credibility in representing this very public and ornate sacrifice as occurring in his own age. Servius, on the other hand, regularly appeals not to contemporary experience, but to literature, for evidence on sacrificial behavior: note (in the comment on *Aen.* 9.627) the reference to Lucan, an author whom Servius seems to have been the first of the commentators on Vergil to quote extensively as an authority for antiquity.⁵

3. "VEILED WITH LINEN and yet the *fetiales* and *pater patratus*, through whom wars or treaties were confirmed, never used linen clothing. As a result we say that it was done in error that a linen garment was employed contrary to usage for a treaty that was not going to hold. For we know that Vergil everywhere preserves the practice of giving weak beginnings as well to anything to which he is going to deny an end. So in Thrace, when founding a city that he was soon going to leave, Aeneas contrary to usage sacrificed to Jupiter with a bull. So Latinus calls the senate to a private home when his advice was not going to stand. So a little after in an augury a freed swan falls into water because the Rutulians, despite breaking the truce, will not be able to free Turnus. Nevertheless Caper and Hyginus say that in this passage the reading is corrupt: for they affirm that Vergil had left 'velati limo.' A *limus* is a garment, stretching from the navel to the feet, with which the private parts of *popae* are covered." In *teguntur*, Servius has probably used the present tense of definition. But Servius Auctus has changed *teguntur pudenda poparum* to *popae tegebantur* (*popae* is my emendation of F's *prope*).

4. "The mistake is made not out of ignorance but in order that he might allow for the prodigy that will follow."

5. A commentary on Lucan is mentioned by Jerome (*Contra Rufinum* 1.16) as being available when Rufinus (and hence Jerome) was a boy. The easiest supposition is that the commentary was written after Aelius Donatus wrote his commentaries on Vergil and Terence, and hence the Terence commentary has no quotes of Lucan, and D (the non-Servian ancient comments in Servius Auctus) has very few (on *Aen.* 4.513.4, 5.2.16; in *G.* 3.340, where D does not survive unadulterated, the Vatican scholia, which used D, quote Lucan); Servius, however, would have culled the Lucan commentary for his own commentary on Vergil (I count 143 references to Lucan in Servius). The *terminus ante quem* of the Lucan commentary (presumably circa 363) is not totally secure, since it is possible that Jerome has used a zeugma, and only the first commentaries mentioned (those of Asper, Volcatius, Victorinus, and Donatus) could have been read by

Again, in his comment on *Aeneid* 8.278, Tiberius Claudius Donatus uses the present tense to refer to pagan rites (denoted, with a late meaning of the word, by *obsequia*):

ET SACER IMPLEVIT DEXTRAM SCYPHVS magnitudinem scyphi voluit ostendere dicendo *inplevit dextram*, sacrum vero idcirco posuit quia quibus cura sacrorum **est, habent** dicata numinibus vasa quibus obsequia divina **perficiunt**.⁶

Pagan sacrifice was banned by Theodosius in laws of 391 and 392,⁷ reaffirmed on August 7 of 395 by Arcadius and Honorius.⁸ Since the law of 391 was addressed to the Prefect of the City of Rome, we have a dividing line of 391, or at worst 395, before which we will date Tiberius Claudius Donatus' comment, and after which we will date Servius' commentary. Since Tiberius Claudius Donatus seems consciously to oppose and rival (as well as use) the commentary of Aelius Donatus, I have in previous writing⁹ dated him to the second half of the fourth century. Most likely the limits can be narrowed to between 363 and 395. The date of 363 is chosen as the *terminus post quem*, rather than 354 (when Jerome records that his teacher Donatus and Marius Victorinus were *illustres* at Rome)¹⁰ on the assumption that the commentary would be a product of Donatus' mature years, supported by the fact that his commentary evidently quoted from the poetry of Rufius Festus Avienus.¹¹ Aelius Donatus was evidently teaching in Rome in 363, since Jerome claims to have heard of the death of Julian the Apostate while sitting in the school of a *grammaticus*.¹² On the other hand we cannot place the date of Aelius Donatus' commentary later than 363, or maybe 360, since, as Robert Kaster points out,¹³ Jerome (*Contra Rufinum* 1.16) claims that Rufinus will have read Donatus' commentary on Vergil while a boy (*puer*).¹⁴

Rufinus as a boy; still they would all have to antedate the *Contra Rufinum*. Against a supposition that Donatus did not make much use of Lucan in his Vergil commentary, it could be argued that Servius was simply more diligent in transmitting from Donatus quotations of Lucan and other later poets (such as Juvenal and Statius, who also are rare in D) than he was in transmitting earlier quotations, and hence fewer of the quotations of Lucan, Statius, and Juvenal survive only in D. But against this, note that quotation of those authors is also lacking in the *Saturnalia* of Macrobius, who is thought to have liberally excerpted the Vergilian commentary of Aelius Donatus.

6. "AND A SACRED GOBLET FILLED HIS RIGHT HAND he wanted to show the size of the goblet by saying 'filled his right hand.' 'Sacer' he put because those who **have charge** of sacred rites **have** vessels dedicated to divinities with which they **perform** the divine rites." Citations of Tiberius Claudius Donatus are from Georgii 1905–6, adapted to the style of the Harvard Servius.

7. *Cod. Theod.* 16.10.10–12; 10 is addressed to Albinus, Prefect of Rome.

8. *Cod. Theod.* 16.10.13, addressed (as 12) to Rufinus, Praetorian Prefect of the East.

9. Murgia 1988, p. 496, n. 5. My note was cited with approval by Marshall (1997, p. 18, n. 42), who seemed to treat Servius as writing in "the late fourth century."

10. *Chron.* s.a. 354 (239.12f Helm): *Victorinus rhetor et Donatus grammaticus, praeceptor meus, Romae insignes habentur*.

11. See Murgia 1970.

12. Jerome, in Abacuc 2.3.14, line 1010: *dum adhuc essem puer, et in grammaticae ludo exercerer, omnesque urbes victimarum sanguine polluerentur, ac subito in ipso persecutionis ardore Iuliani nuntiatum esset interitus*: ("while I was still a boy, and I was being trained in grammar school [= American high school], and all the cities were being polluted by the blood of sacrificial victims, and suddenly in the very heat of persecution the death of Julian was announced").

13. 1988, 277.

14. See also n. 5 above for the possibility that a commentary on Lucan appeared after Donatus but while Jerome was still a boy.

If Tiberius Claudius Donatus does antedate Servius, it means that Heinrich Georgii cannot be right in claiming that Tiberius Claudius Donatus used Servius.¹⁵ Rather, resemblances between the commentaries should be attributed to the use of a common source, especially the commentary of Aelius Donatus.¹⁶

My dating of Tiberius Claudius Donatus has aroused skepticism on the grounds that even later authors sometimes refer to sacrifice as still occurring. But we must make distinctions. First, Tiberius Claudius Donatus, who has set out to debunk the value of the *grammaticus* as an interpreter of Vergil, is not the sort who would carelessly copy over a present tense from his source. In fact he never copies sources verbatim, but always rewords (hence the postclassical meaning of *obsequia*). Second the sacrifice to which he refers in his comment on *Aeneid* 9.627 is not a private sacrifice, but a very public and ornate one in the city of Rome, unlikely to survive the Theodosian laws, even before they were codified.

On the other hand, reasons for some later authors' use of present tenses are easy to come by. Macrobius' *Saturnalia* was written long after the demise of pagan sacrifice in Rome (431 or later), but has a dramatic date of 384: therefore when he excerpted from the comments of Aelius Donatus (his likely proximate source for material on sacrifice and ritual that he shares with Servius), he designedly maintained the present tenses that he found in his source.

Christian authors are totally untrustworthy as witnesses to continuation of pagan practices, since it would be anathema for any Christian to witness a pagan sacrifice willingly. Their sources for pagan ritual are literary. An easy case in point is Prudentius' poem *Contra orationem Symmachi*. Internal evidence from Book 2 indicates a date of composition after 402 (the battle of Pollentia, referred to in 2.270), or more likely 404 (if his urging of the emperor at the end of Book 2 to ban gladiatorial combat reflects *post factum* knowledge of the law of that year), and before 408 (since it is unaware of the deaths of Arcadius, and later Stilicho). A more precise terminus by which the poem must have been composed would be 405, since the poem is attested in the preface to his collected works, a preface composed when Prudentius was fifty-seven.¹⁷ But the poem, especially Book 1, usually maintains the illusion that it was an immediate response to the appeal by Symmachus in 384 to restore the statue and altar of Victory to the senate house in Rome. It is, besides, written from Spain by an author who could bear no witness to actual contemporary practices in Rome. His sources for pagan practice are literary, among them Vergil and commentaries on Vergil.

15. Georgii 1893, 5.

16. Examples of similarities between the comments of Tiberius Claudius Donatus and Servius or the D comment of Servius Auctus are collected by Burckas (1888, 10–29), and Squillante Saccone (1985, 29–46 and 53–60). But many more could be collected. The latter (p. 48, n. 27), while making the commentaries of Tiberius and Servius contemporary, followed Marinone (1969–70, 211) in dating Servius' commentary to 430–35. Marinone, most improbably, wanted Servius' commentary to postdate the *Saturnalia*, and hence favored a date for the commentary close to 435.

17. For the complicated problem of the dating, cf. Shanzer 1989. Shanzer argues that the poem is a revision partly made up from earlier material.

So 1.129 (*his nunc pro meritis Baccho caper omnibus aris / caeditur*) is lifted from Vergil *Georgics* 2.380 (*non aliam ob culpam Baccho caper omnibus aris / caeditur*), and tells us nothing about contemporary Roman practice. In fact it does not pretend to: the *nunc* in 1.129 refers to the period before Theodosius acted, described later, in 1.499–505. As it happens, Servius' comment on *Georgics* 2.380 is one of the few in which he uses a present tense for sacrifice, but I suppose that Servius has maintained the present tense of his source here, not out of carelessness or inadvertence (for he is consistent in related comments in *Aen.* 1.335.1, 3.118.1, and 8.43.8), but because he means by *Libero ubique caper immolatur* that wherever a sacrifice is made to Liber, in all regions, both East and West, the sacrifice is of a kid. He means not to attest a continuing usage, but to be gnomic (he besides would know of usage outside of Rome only through literature,¹⁸ and the present tense is his regular tense for describing literary use). Again in his first sentence (on *G.* 2.380), *victimae numinibus aut per similitudinem aut per contrarietatem immolantur*, I take him to refer to the choices of victims that he finds in Vergil and other literary sources. The expression is gnomic.

When Servius uses expressions that indicate customary use of ritual, he regularly uses past tenses (these can be found marked with a bullet among the more than thirty-six entries given below in section A; asterisks mark passages where evidence is cited of the present tense in the tradition): *licebat* (nos. 1 and 13), *nefas fuerat* (4), *consuevera(n)t* (5, 33, 34, 36), *consuetudo erat*, or *fuit*, or *permansit* followed by secondary sequence (10, 27, and 30), *moris fuisse* (11), *consuetos* (12), *moris fuerat* (13, 17, 23, 32). I warn, however, that some of the following list, especially customs generated out of etymologies or the need to explain away difficulties, would have merited a past tense even in antiquity. Contrasting D additions follow in section B (with bullets marking the present tense for customary use).¹⁹

A. PASSAGES OF SERVIUS IN WHICH PAGAN SACRIFICE OR RITUAL IS REFERRED TO IN THE PAST TENSE

- 1. *S in Ecl.* 3.76.1 causa natalis diei, in cuius tantum sacrificio **licebat** voluptatibus operam dare. nam in aliis sacrificiis **erat** castitatis observatio.²⁰

18. Note that there sometimes seems to be a temporal difference in Servius' references to worship in the East, versus worship in Rome. So in the comment on *Aen.* 3.111.2 (and 11.768), we are told the Cybele is worshiped in Phrygia (*colitur*), and (on *Aen.* 3.171.3) that the nymph Dicle is worshiped on mount Dictaeus in Crete, but on *Aen.* 2.319.13 we are told that statues of all the gods used to be worshiped (*colebantur*) on the Capitol in Rome. But Servius probably alludes to Tarquin's displacement of the gods to build the temple of Jupiter (Servius on *Aen.* 9.448, quoted below). Since worship could continue after the banning of sacrifice, the present tense is used even of western worship: e.g. in Servius on *Aen.* 6.859 Mars **is** worshiped as Quirinus in Rome, but Mars the god of war **had** a temple outside the city. For a clear gnomic present referring to literary worship, see Servius on *Aen.* 3.281.3, where we need not assume the continued existence of the Trojans, let alone of their worship of Minerva. For a present tense used by Servius of Eastern sacrifice, see his comment on *Aen.* 1.335.6.

19. In these citations, line references for *Aen.* 1–5 are to the Harvard Edition, but for the rest of Servius are to lines of Thilo's text numbered as if the first line of comment on a line of Vergil was numbered 1. The PHI disk (of the Packard Humanities Institute) was used in locating many of the citations. I have occasionally silently emended the text.

20. "On account of the birthday, in the sacrifice for which alone it **was permitted** to pay attention to pleasures. For in other sacrifices there **was** an observance of chastity."

2. *S in G.* 1.43.20 Februus autem est Ditis pater, cui eo mense **sacrificabatur**.²¹

3. *S in G.* 1.166.3 *mystica* autem *Iacchi* ideo ait, quod Liberi patris sacra ad purgationem animae **pertinebant**, et sic homines eius mysteriis **purgabantur** sicut vannis frumenta purgantur.²²

•4. *S in G.* 1.344.7 nam aliud est sacrum, aliud nuptias Cereri celebrare, in quibus re vera vinum adhiberi **nefas fuerat**; quae Orci nuptiae **dicebantur**, quas praesentia sua pontifices ingenti solemnitate **celebrabant**.²³

•5. *S in G.* 1.345.1 dicit autem ambarvale sacrificium, quod de porca et saepe fecunda et gravida **fieri consueverat**.²⁴

6. *S in G.* 2.146.8 triumphantes de albis tauris **sacrificabant**.²⁵

7. *S in Aen.* 1.346.1 OMINIBVS auguriis. et secundum Romanos locutus est, qui nihil nisi captatis **faciebant** auguriis, et praecipue nuptias.²⁶

*7b. *S in Aen.* 4.45.3 nuptiae enim captatis **fiebant** auguriis.²⁷

CONTRAST THE PRESENT TENSE OF D *in Aen.* 4.166.13 (B.14).

BUT THE CUSTOM WAS OVER EVEN IN CICERO'S DAY (*Div.* 1.16.28).

8. *S in Aen.* 1.632.15 indici autem dicuntur, quia paupertas maiorum ex conlatione **sacrificabat**, aut certe de bonis damnatorum. . . . hinc etiam sacrum et venerabile et execrandum intellegimus, quia sacrae res de bonis execrandorum **fiebant**.²⁸

9. *S in Aen.* 2.133.1 SALSAE FRVGES sal et far, quod dicitur mola salsa, qua et frons victimae et foci **aspergebantur** et cultri. **fiebat** autem de horna fruge et horno sale, ut Horatius *et horna fruge*. VITTAE quibus victimae **coronabantur**.²⁹

10. *S in Aen.* 2.134.13 nam **consuetudo** illa quam supra diximus **erat** in ipso tempore sacrificiorum. ante enim **ligabantur**, ut Iuvenalis (12.5) docet, dicens *sed procul extensum petulans quatit hostia funem*.³⁰

21. "Februus is Dis' father, to whom **it was customary to sacrifice** in that month."

22. "Vergil says 'mystic fan of Bacchus' because the rites of father Liber **related** to the cleansing of the soul, and men **used to be cleansed** in his mysteries in the same way as grain is cleansed by fans."

23. "For it is one thing to celebrate a sacrifice to Ceres, another to celebrate 'the marriage to Ceres,' in which it really **had been forbidden** to use wine; but these rites **were called** the marriage of Orcus, and priests **used to celebrate** them in the presence of the gods themselves with great solemnity." I assume that by *praesentia sua* Servius means that the marriage ritual was performed before the statues of Orcus and Ceres.

24. "He means the ambarval sacrifice, which **used to be made** with a pig that was often fertile and pregnant."

25. "Those celebrating a triumph **used to sacrifice** with white bulls."

26. "OMENS auguries. And Vergil has spoken in accord with the Romans, who **used to do** nothing except after taking auguries, especially not marriage rites."

27. "For marriage **used to be performed** after taking auguries."

28. "Festivals are said to be enjoined because the modest means of our ancestors **used to sacrifice** after a collection, or at least from the goods of the condemned. . . . Hence too we understand the words *sacrum* and *venerabile* and *execrandum*, because sacrifices **used to be made** from the goods of the execrable."

29. "SALT GRAIN salt and grain, which is called 'salt meal,' with which both the brow of the victim and the hearths **used to be sprinkled**, and the knives. The meal **used to be made** of this year's grain and this year's salt, as Horace *et horna fruge*. FILLETS with which victims **used to be crowned**."

30. "For the custom that I mentioned above [of the victim being unbound] **was** at the very time of sacrifice, since before the sacrifice victims **were bound**, as Juvenal teaches, saying *sed procul extensum petulans quatit hostia funem*."

•11. *S in Aen.* 3.279.7 sciendum sane **moris fuisse**, ut piaculo commisso ludi **celebrarentur**.³¹

•*12. *S in Aen.* 3.407.12 sane sciendum sacrificantes diis omnibus caput velare **consuetos** ob hoc, ne se inter religionem aliquid vagis **offerret** obtutibus, excepto tantum Saturno, ne numinis imitatio esse **videretur**.³²

CONTRAST PRESENT TENSE OF MACROB. *SAT.* 3.6.17 **custoditur** in eodem loco ut omnes aperto capite **sacra faciant**. hoc **fit** ne quis in aede dei habitum eius imitetur; nam ipse ibi operto capite est.³³

•13. *S in Aen.* 4.57.10 **moris enim fuerat** ut ad sacrificia **eligerentur** oves quibus nihil **deesset**. . . . "bidentes" autem dictae sunt quasi biennes, quia neque minores neque maiores **licebat** hostias dare.³⁴

CF. 6.39 BELOW (A.18)

Cf. Gell. 16.6.13–15, Paul. Fest. 33M (Macrob. *Sat.* 3.10 interrupted by lacuna)

14. *S in Aen.* 4.62.4 matronae enim sacrificaturae circa aras faculas tenentes **ferebantur** cum quodam gestu.³⁵

*15. *S in Aen.* 4.635.3 sacrificantes diis inferis **aspergebantur** . . . superis **abluebantur**.³⁶

CONTRAST PRESENT TENSE OF MACROB. *SAT.* 3.1.6 constat dis superis sacra facturum corporis **ablutione purgari**; cum vero inferis litandum **est**, satis actum **videtur** si **aspersio** sola **contingat**.³⁷

16. *S in Aen.* 5.77.1 RITE secundum ritum sacrificii, quo **exigebatur, ut libaret** de mero Baccho, id est puro.³⁸

•17. *S in Aen.* 5.329.2 agonalis enim **moris fuerat** post sacrificia ad certamen venire.³⁹

18. *S in Aen.* 6.39.1 LECTAS DE MORE BIDENTES *de more* **antiquo** scilicet, quem praetermisit quasi tunc omnibus notum, id est ne habeant caudam aculeatam, ne linguam nigram, ne aurem fissam: quod docet aliud esse intactum, aliud lectum. "bidentes" autem, ut diximus, oves sunt circa bimatum, habentes

31. "Note that it **used to be the custom** that after a *piaculum* had been committed, games **would be celebrated**."

32. "Note that for all the gods those performing sacrifices **were accustomed** to veil their head lest in the middle of a requirement something should present itself to their wandering gaze, except only (for) Saturn, lest there seem to be an imitation of the divinity."

33. "The custom **is preserved** in the same place that all **sacrifice** with head uncovered. This is done lest anyone in the shrine of the god imitate his dress; for he himself (Hercules) there has his head covered."

34. "For it **had been the custom** that sheep **were selected** for sacrifice from which nothing **was missing**. . . . 'Bidentes' were named as if 'biennes,' because **it was not permitted** to offer victims who were either too young or too old."

35. "For matrons, when about to sacrifice, **used to rush** around the altars, holding torches, with a certain bearing."

36. "Those sacrificing to the gods of the underworld **used to be sprinkled** . . . when sacrificing to the gods of the upper world, they **used to be washed**."

37. "Everybody knows that a person going to sacrifice to the gods above **is purified by a washing** of the body; but when he **has to** sacrifice to the gods below, he **thinks** that he has done enough if only **a sprinkling befalls him**."

38. "DULY according to the rite of sacrifice, in which it **was required** that he make libations from un-mixed, that is pure, wine."

39. "For it **had been the custom** in games to come to the contest only after sacrifices."

duos dentes eminentiores: quae **erant** aptae sacrificiis.⁴⁰

CF. 4.57 ABOVE (A.13)

19. *S in Aen.* 6.225.1 FVSO CRATERES OLIVO diis superis tantum **libabant**, inferis vero sacrificantes etiam vasa in ignem **mittebant**.⁴¹

20. *S in Aen.* 6.255.1 atqui haec sacra, ut dicunt, per noctem **fiebant**.⁴²

20b. *S in Aen.* 6.535.1 haec sacra, ut diximus supra (6.255), praeter unius diei spatium **non tenebant**.⁴³

21. *S in Aen.* 7.174.1 CVRIA templum quia, ut diximus (153), curia non **erat** nisi in augurato loco.

175.1 ARIETE CAESO hoc sacrificium in ianua Palatii **fiebat** festis diebus.⁴⁴
CF. 11.235.10 BELOW (A.31)

21b. *S in Aen.* 7.153.2 nisi in augusto loco consilium senatus habere non **poterat**.⁴⁵

22. *S in Aen.* 8.103.7 nam cuivis deo **sacrificaretur**, necesse **erat** post ipsum etiam reliquos invocari.⁴⁶

•23. *S in Aen.* 8.183.4 nam de hoc bove immolato Herculi carnes carius **vendebantur** causa religionis. . . . LVSTRALIBVS aut pinguibus: **moris** enim **fuerat** completo lustru pingues victimas offerre censores.⁴⁷

24. *S in Aen.* 8.190.9 unde etiam sacellum meruit, in quo ei per virgines Vestae **sacrificabatur**.⁴⁸

25. *S in Aen.* 8.636.12 inde est quod et Fidei panno velata manu **sacrificabatur**, quia fides tecta esse debet et velata.⁴⁹

BUT CONTRAST THE POSSIBLE PRESENT TENSE OF 1.292 quod ei albo panno involuta manu **sacrificatur**⁵⁰ (**sacrificabatur** P).

40. "DULY CHOSEN SHEEP *de more*, that is in the **ancient** way, which he omitted as if known at that time to everyone, that is, that they not have a spiked tail, a black tongue, a split ear. And this teaches that 'untouched' is different from 'chosen.' *Bidentes*, however, as I have said, are sheep around two years old, having two more prominent teeth; for these **were** suited for sacrifice."

41. "MIXING BOWLS OF OLIVE OIL to the gods above they only **made libations**, but to the gods below those making sacrifices also **threw** their vessels into the fire."

42. "And yet these sacrifices [to Pluto and Proserpina], as they say, **used to be performed** at night."

43. "These sacrifices, as I said above, **did not last** longer than a single day."

44. "CURIA temple, because, as I have said, the curia **was** only in a place sanctioned by auguries. A RAM SLAIN this sacrifice **used to be performed** in the entrance of the Palace on feast days."

45. "The senate **was able** to meet only in a place sanctioned by auguries."

46. "For to whatever god a **sacrifice was made**, it **was** necessary that the rest be invoked after him."

47. "For meat from this cow sacrificed to Hercules **used to be sold** for a higher price because of religious veneration. . . . LUSTRAL either 'fat': for it **had been the custom** for the censors, completing the lustration, to offer fat victims. . . ."

48. "Whence Cacus even merited a shrine in which **sacrifices were made** to him by the Vestal Virgins."

49. "That is also the reason why **sacrifices were made** to Faith with the hand veiled in cloth, because faith ought to be concealed and veiled."

50. "Because **sacrifices are made** to her with the hand wrapped in a white cloth." This explanation of *cana Fides* is the gnomic present used in definitions and etymologies.

*26. *S in Aen.* 8.641.6 falso autem ait *porca*: nam ad hoc genus sacrificii porcus **adhibebatur**.⁵¹

CONTRAST THE PRESENT TENSE OF D 12.170.3 (B.23):

nonnulli autem porcum, non porcā in foederibus **adserunt solere mactari**.

•*27. *S in Aen.* 8.663.8 propter rem a nudis prospere gestam **consuetudo permansit** ut nudi Lupercalia **celebrarent**.⁵²

CONTRAST THE PRESENT TENSE OF D 8.343.15 hodieque nudi **current** (B.20).

28. *S in Aen.* 9.446.13 nam Termino non nisi sub divo **sacrificabatur**.⁵³

29. *S in Aen.* 10.228.2 VIGILASNE DEVM GENS AENEA VIGILA verba sunt sacrorum; nam virgines Vestae certa die **ibant** ad regem sacrorum et **dicebant** "vigilasne rex? vigila!"⁵⁴

•30. *S in Aen.* 11.2.2 **consuetudo** Romana **fuit** ut polluti funere minime **sacrificarent**.⁵⁵

31. *S in Aen.* 11.235.10 idcirco etiam in Palatii atrio, quod augurato conditum est, apud maiores **consulebatur** senatus: ubi etiam **aries immolabatur**.⁵⁶

CF 7.174.1 AND 175.1 ABOVE (A.21)

•32. *S in Aen.* 12.119.1 ARAS GRAMINEAS Romani enim **moris fuerat** caespitem arae superimponere et ita sacrificare.⁵⁷

•*33. *S in Aen.* 12.139.13 de hoc autem fonte Romam ad omnia sacrificia aqua adferri **consueverat**.⁵⁸

CONTRAST THE PRESENT TENSE OF D 12.139.15 (B.21):

huic fonti propter aquarum inopiam sacrificari **solet**.

•*34. *S in Aen.* 12.169.1 "inpolluta." et "pura" dicitur vestis qua festis diebus uti **consueverant** sacra celebraturi.⁵⁹

CF PAUL. FEST. (saec. viii) pura vestimenta sacerdotes populi Romani, cum **sacrificabant**, habere **soliti erant**.⁶⁰

51. "But he falsely says 'sow,' since for this type of sacrifice a male hog **was used**."

52. "Because of the success by men who were stripped, the **custom remained** that they **celebrated** the Lupercalia stripped."

53. "For **sacrifices were made** to Terminus only under the open sky."

54. "ARE YOU AWAKE, OFFSPRING OF THE GODS? AENEAS, WAKE UP they are words of sacred ritual; for on a fixed day the Vestal Virgins **used to go** to the King of Sacrifices and **used to say**, 'Are you awake, King? Wake up!'"

55. "It **was** the Roman custom that those polluted by death **did not sacrifice**."

56. "For this reason also the senate **used to meet** in the atrium of the Palace in the time of our ancestors, because it was built after auguries had been taken: there also a **ram used to be immolated**."

57. "GRASSY ALTARS for it **had been the Roman custom** to put sod on the altar and then sacrifice."

58. "From this spring water **used to be brought** to Rome for all sacrifices."

59. "'Unpolluted.' And the garment is called 'pure' that those going to sacrifice **used to use** on feast days."

60. "Priests of the Roman people **used to have** pure vestments when they **sacrificed**."

CONTRAST THE PRESENT TENSE OF D AD LOC. (B.22) ideo magistratus et sacrificaturi togam praetextam **habent** et manus ablutas detergere lineis mantelibus **curant**.

35. *S in Aen.* 12.170.7 nam in rebus quas **volebant** finire celerius, senilibus et iam decrescentibus animalibus **sacrificabant**, in rebus vero quas augeri et confirmari **volebant**, de minoribus et adhuc crescentibus **inmolabant**.⁶¹

•36. *S in Aen.* 12.173.1 DANT FRVGES MANIBVS SALSAS far et sal: quibus rebus et cultri **aspergebantur** et victimae. **erant** autem probationes, utrum aptum **esset** animal sacrificio: obliquum enim cultrum a fronte usque ad caudam ante immolationem ducere **conseuerant**.⁶²

B. PRESENT TENSES IN D (ANCIENT COMMENT ADDED
TO SERVIUS BY SERVIUS AUCTUS)

1. *D in Ecl.* 5.20.10 et in eo loco fontem elicit qui Daphnis vocatur, apud quem quotannis Siculi **sacrificant**.⁶³

•2. *D in G.* 1.268.4 quapropter et pontifices sacrificaturi praemittere calatores suos **solent**.⁶⁴

3. *D in Aen.* 1.8.23 has alii virgines perhibent; nam ideo et porcam eis **sacrificari aiunt**, quod multum pariat.⁶⁵

4. *D in Aen.* 1.329.14 cautum enim **est** ne sacerdos eius domum **ingrediatur** in qua ante quintam diem funus **fuerit**.⁶⁶

•5. *D in Aen.* 2.202.13 sane sciendum rite Neptuno et Apollini tauros immolandos; nam Iovi non **licere**.⁶⁷

COMPARE MACROB. SAT. 3.10.3 quando enim diceret “caelicolum regi mactabam in litore taurum” si sciret taurum immolari huic deo vetitum aut si didicisset quod Ateius Capito comprehendit? cuius verba ex libro primo De Iure Sacrificiorum haec sunt: “itaque Iovi tauro verre ariete immolari non **licet**.” Labeo vero sexagesimo et octavo libro intulit, nisi Neptuno, Apollini, et Marti taurum non immolari.⁶⁸

61. “For in things that they **wanted** to end quickly, they **used to sacrifice** with old and already declining animals. But in things that they **wanted** to be augmented and strengthened, they **used to immolate** younger and still growing animals.”

62. “THEY GIVE SALTED GRAINS WITH THEIR HANDS grain and salt, with which both the knives and the victims **used to be sprinkled**. There **were** tests which animal was suited for sacrifice: for they **used to draw the knife from brow to tail before immolation**.”

63. “And in that place he brought forth a spring which is called Daphnis, at which the Sicilians **sacrifice** yearly.”

64. “And for this reason also priests, when intending to sacrifice, **usually send** ahead their servants.”

65. “These [Muses] some call virgins; for they say that it is for this reason too that a sow **is sacrificed** to them, because it produces many offspring.”

66. “For it **is prohibited** for a priest to enter a person’s home in which there **has been** a death within five days.”

67. “Note that it is proper for bulls to be immolated to Neptune and Apollo: for it **is not permitted** for them to be sacrificed to Jupiter.”

68. “For when he said, ‘I was sacrificing a bull on the shore to the king of the heaven dwellers,’ [would he have said it] if he knew that it was forbidden for a bull to be immolated to this god or if he had learned

6. D *in Aen.* 2.297.2 quod in templo Vestae ignis aeternus **est**.⁶⁹

7. D *in Aen.* 2.632.7 cui viri in veste muliebri, mulieres in virili veste **sacrificant**.⁷⁰

COMPARE MACROB. *SAT.* 3.8.3 Philochorus quoque in Atthide eandem adfirmat esse Lunam, et ei **sacrificium facere** viros cum veste muliebri, mulieres cum virili.⁷¹

•8. D *in Aen.* 3.12.24 qui ideo penates appellantur quod in penetralibus aedium coli **soleant**.⁷²

BUT EVEN SERVIUS COULD USE PRESENT TENSE FOR ETYMOLOGY

•9. D *in Aen.* 3.134.4 sane Varro, Rerum Divinarum, refert inter sacratas aras focos quoque sacrari **solere** . . . nec **licere** vel privata vel publica sacra sine foco fieri.⁷³

BUT THE PRESENT TENSES HERE ARE VARRO'S

10. D *in Aen.* 3.332.29 hinc ergo et delphinum aiunt inter sacra Apollinis receptum; cuius rei vestigium est quod **hodieque** quindecimvirosum cortinis delphinus in summo **ponitur** et pridie quam **sacrificium faciunt**, velut symbolum delphinus **circumfertur**, ob hoc scilicet, quia quindecimviri librorum Sibyllinorum **sunt** antistites, Sibylla autem Apollinis vates et delphinus Apollini sacer **est**.⁷⁴

11. D *in Aen.* 4.56.36 duo enim genera hostiarum **sunt**: unum, in quo voluntas dei per exta exquiritur; alterum, in quo sola anima deo sacratur: unde etiam aruspices animales hostias **appellant**.⁷⁵

BUT EVEN SERVIUS WOULD USE PRESENT TENSE FOR DEFINITION

•12. D *in Aen.* 4.58.26 nam cum Eleusine Cereri[s] **sacrum fit**, aedes Iunonis **clauditur**; item cum Iunoni Eleusine **fit**, templum Cereris **clauditur**, nec sacerdoti Iunonis **licet** gustare unde Cereri sit libatum. et **Romae** cum Cereri

what Ateius Capito comprehends? Whose words from the first book *On the Law of Sacrifices* are the following: 'And so **it is not permitted** for bull, boar, ram to be immolated to Jupiter.' Labeo in Book 68 has added that a bull is immolated only to Neptune, Apollo, and Mars."

69. "Because in the temple of Vesta **there is** an eternal fire."

70. "To whom men **sacrifice** in female garb, women in male garb."

71. "Philochorus also in his *Atthis* affirms that she is the Moon, and that men **sacrifice** to her in female garb, women in male."

72. "And the reason why they are called *penates* is on the grounds that they **are usually worshiped** in the interiors of buildings."

73. "Varro in his *Res divinae* reports in the section on consecrated altars that hearths too **are usually** consecrated . . . and that **it is not permitted** for either private or public sacrifices to be made without a hearth."

74. "Therefore they say that it is for this reason that the dolphin is included among things sacred to Apollo; and of this a remnant is the fact that **even today** a dolphin is **put** on the top of the tripods of the quindecimvirs, and the day before they **sacrifice** a dolphin is **carried** around as a symbol because, of course, the quindecimvirs **are** priests of the Sibylline Books, the Sibyl is the prophetess of Apollo, and the dolphin is sacred to Apollo."

75. "For there **are** two types of victims: one in which the will of the gods is investigated through entrails, the other in which only the soul is consecrated to a god: as a result diviners **call** victims animals."

sacra fiunt, observatur ne quis patrem aut filiam nomet, quod fructus matrimonii per liberos constet.⁷⁶

13. D in *Aen.* 4.166.5 quidam sane etiam Tellurem praeesse nuptiis tradunt; nam et in auspiciis nuptiarum **invocatur**: cui etiam virgines, vel cum ire ad domum mariti coeperint vel iam ibi positae, diversis nominibus vel ritu **sacrificant**.⁷⁷

14. D in *Aen.* 4.166.13 ideoque **auspices deliguntur** ad nuptias.⁷⁸

CONTRAST A.7 AND 7b ABOVE; BUT CICERO CLAIMS THAT THE *AUSPICES* AT MARRIAGE NO LONGER TOOK AUSPICES.

15. D in *Aen.* 4.262.19 alii togam duplicem, in qua flamines **sacrificant** infibulati.⁷⁹

•16. D in *Aen.* 4.518.3 **solent** enim et resolutoria sacrificia ab aruspibus fieri. et (ad) Iunonis Lucinae sacra non **licet** accedere, nisi solutis nodis.⁸⁰

17. D in *Aen.* 4.609.3 sacra enim Hecatae in triviis **frequentantur** per noctem.⁸¹

18. D in *Aen.* 8.33.8 quod autem ait “tenuis glauco velabat amictu carbasus” docet quaedam sacra pure a linteatis **debere fieri**.⁸²

19. D in *Aen.* 8.288.6 sane quaeritur cur huic deo aperto capite **sacrum fiat**. legitur enim in libris antiquioribus ipsius admonitio his verbis “mihi detecto vertice cuncti sacrificanto.”⁸³

BUT 288.9 et **fuit** observatio ne quis in aede Herculis eius habitum **imitaretur**.⁸⁴

CF. S in *Aen.* 3.407.12 AND MACROB. SAT. 3.6.17 (A.12 ABOVE)

20. D in *Aen.* 8.343.15 id in morem versum, ut **hodieque nudi currant**. nonnulli propter sterilitatem hoc sacrum dicunt a Romulo constitutum, ideoque et puellae de loro capri **caeduntur**, ut careant sterilitate et fecundae sint.⁸⁵ (of the Lupercalia)

76. “For when at Eleusis a **sacrifice is made** to Ceres, the shrine of Juno **is shut**; again when it **is made** to Juno at Eleusis, the temple of Ceres **is shut**, and it **is not permitted** to the priest of Juno to taste of the libation to Ceres. And **at Rome** when **sacrifices are made** to Ceres, **the observance is kept** that no one mentions father or daughter, because the fruit of marriage consists in children.”

77. “Certain sources even hand down that Earth is in charge of marriage; for she **is invoked** even in the auspices of marriage; and to her even virgins, either when they begin to go to the home of their husband or when they have already been placed there, **sacrifice** under different names or with different ritual.” I would prefer to emend *vel ritu* to *rite*, with the translation, “duly **sacrifice** under different names.”

78. “And this is the reason why **auspice takers are selected** for the marriage ceremony.”

79. “Others say that a *laena* is a double toga, in which flamens **sacrifice**, with a fibula for fastening.”

80. “For it **is usual** for ‘resolutory’ sacrifices to be made by soothsayers and it **is not permitted** to approach the rites of Juno Lucina without untying all knots.”

81. “For the rites of Hecate **are attended** in crossroads at night.”

82. “But the fact that he says ‘a thin *carbasus* veiled him with a blue-green hood’ teaches that certain rites **have to be performed** purely by men clothed in linen.”

83. “The question is asked why **sacrifice is made** to this god [Hercules] with the head uncovered. For in ancient books his own admonition is read with the following words: ‘Let all sacrifice to me with top uncovered.’”

84. “And it **was** the observance that no one in the shrine of Hercules **imitated** his dress.”

85. “This was converted into a custom, so that **today they run nude**. Some say that this rite was established by Romulus because of sterility, and girls **are whipped** with a lash of goatskin so that they may lack sterility and be fertile.”

CONTRAST THE PAST TENSE OF S 8.663.8 ABOVE (A.27)

- 21. D in *Aen.* 12.139.15 huic fonti propter aquarum inopiam **sacrificari solet**: cui Lutatius Catulus primus templum in campo Martis fecit; nam et Iuturnas ferias **celebrant** qui artificium aqua **exercent**, quem diem festum Iuturnalia dicunt.⁸⁶

CONTRAST THE PAST TENSE OF S in *Aen.* 12.139.13 (A.33)

22. D in *Aen.* 12.169.6 linum vero fluminis, quia, cum vere primo in oriente flumen inundasset, sponte sua linum natum Plinius Secundus dicit. ideo magistratus et sacrificaturi togam praetextam **habent** et manus ablutas detergere lineis mantelibus **curant**.⁸⁷

CONTRAST THE PAST TENSE OF S AD LOC. (A.34)

- 23. D in *Aen.* 12.170.3 nonnulli autem porcum, non porcā in foederibus adserunt **solere** mactari, sed poetam periphrasi usum propter nominis humilitatem; *intonsam* vero *bidentem* dixisse quam pontifices altilaneam **vocant**.⁸⁸

CONTRAST THE PAST TENSE OF S in *Aen.* 8.641.7 (A.26)

As illustrated above, the D additions, which likely go back to the commentary of Aelius Donatus, use equivalent present tenses, *licet* (12 and 16) and *licere* (5), *sole(n)t* (2, 16, and 21) and *solere* (9 and 23), except for practices that were probably no longer current in Donatus' day, and instances in which the Compiler who in the seventh century joined the D comment onto Servius reworded to fit his own time.

Let me eliminate a possible example of the last found in the parallel comments of Servius and Servius Auctus printed by the Harvard Edition on *Aeneid* 4.207.8: there the editors print for Servius *semper autem Iovi propter hospitalitatem libatur*, for Servius Auctus, a different word order and tense, *semper autem Iovi libabatur propter hospitalitatem*. The former order means that when libations are made to Jupiter, they are always made on account of hospitality, the latter means that libations on account of hospitality were always made to Jupiter. If the former were correct, Servius would have made a gnomic statement that was misunderstood by the Compiler of Servius Auctus. But this passage is from a section where the better of the two traditions of the unexpanded Servius (Delta) is missing (see Murgia 1975, 72–80); the Gamma tradition, which transmits the order printed for Servius, has a tendency to regularize word order by moving verbs to the end of the sentence. It is the order that is printed for Servius Auctus that is correct: not all libations to Jupiter are based on hospitality, but all libations because of hospitality

86. "It is customary for sacrifice to be made to this spring because of drought: Lutatius Catulus was the first to build a temple to her, in the Campus Martius; those who practice their craft by water even celebrate a festival of Juturna which they call the Juturnalia."

87. "Linen performs the role of a river because Pliny says that linen originated spontaneously when in the beginning of spring in the East a river had flooded. Therefore magistrates and those going to sacrifice have a toga praetexta and take care to wash their hands and wipe them with linen napkins."

88. "Some say that a male hog, not a sow, is usually sacrificed in treaties but that the poet used a periphrasis on account of the humbleness of the noun, and that by 'unshorn sheep' he meant the one which priests call deep-wooled."

are made to Jupiter, who was the god of hospitality. Now the present tense could still be correct for Servius, a gnomic present, with the past *libabatur* a change by the Compiler; but, since the Gamma tradition has been caught fiddling with the word order, we cannot have confidence in the *libatur* that it transmits. More likely, both the order and the wording of Servius Auctus are correct for Servius, and the page should not have been split by the Harvard Edition.

But there are at least two passages⁸⁹ where a past tense in D seems not to represent the tense used by Aelius Donatus: therefore, either the seventh-century Compiler or some commentator intermediate between D and Donatus has made the change.

D in *Aen.* 5.71.3 quod etiam praeco magistratu sacrificante **dicebat** "favete linguis, favete vocibus," hoc est bona omina habete, aut tacete.⁹⁰

CONTRAST DONAT. IN AN. 24: FAVETE silete. sic et pontifices **dicunt** "favete linguis, favete verbis," unde et Vergilius (*Aen.* 5.71) "ore favete omnes"⁹¹ etc.

D in *Aen.* 8.276.6 atqui lauro **coronari solebant** qui apud Aram Maximam sacra **faciebant**.⁹²

CONTRAST D ON 276.7 (next sentence): neque alia fronde **circumdat** caput praetor urbanus qui Graeco ritu **sacrificat**.⁹³

AND MACROB. SAT. 3.12.1 constat quidem **nunc** lauro sacrificantes apud Aram Maximam **coronari**.⁹⁴

Since the first of D's sentences on 8.276 is on the sentence that serves to join the comment onto Servius, it is likely that there it is the Compiler of Servius Auctus who has reworded. The past tense is especially inappropriate in that sentence, since a contrast is being made between the crowning in Evander's day (with poplar) and later practice (with laurel). In the comment on *Aeneid* 5.71.3 as well, the *quod* clause is joined onto a comment of Servius, and so has very probably suffered rewording by the Compiler. The *quod* is doubtless the creation of the Compiler, and Donatus could have had something such as *ORE FAVETE sic et praeco magistratu sacrificante dicit*, and so on.

Especially revealing of Servius' temporal perspective are passages in which a past tense in Servius can be related to a present tense in his likely source, Aelius Donatus, as attested by Donatus' comment on Terence, by the D comment, by Macrobius, or by one of Donatus' sources, as found in

89. A possible third is given above in B.19, where the past tense given in the D comment on *Aen.* 8.288.9 is a likely change from the present tense seen in Macrobius *Sat.* 3.6.17 (quoted in A.12). There the purpose clause of Macrobius is better suited to the function of explaining the *quaestio* posed in D than the substantive clause that D gives us.

90. "Because, when a magistrate was sacrificing, even the herald **used to say** 'favor with your tongues, favor with your voices,' that is, 'have good omens,' or 'be silent.'"

91. "FAVOR 'be quiet.' So even priests **say**, 'Favor with your tongues, favor with your words,' whence even Vergil, 'All favor with your mouth.'"

92. "And yet those who **sacrificed** at the Ara Maxima **used to be crowned** with laurel."

93. "And with no other frond **does** the urban praetor, who **sacrifices** in the Greek rite, **surround** his head."

94. "Everyone knows that **nowadays** those who sacrifice at the Ara Maxima **are crowned** with laurel."

Aulus Gellius. Examples can be found in section A, marked with an asterisk: nos. 7b, 12, 15, 26, 27, 33, and 34. But one of the clearest is given below.

1a. S in *Aen.* 11.339 1

NON FVTTILIS AVCTOR non inanis: nam futille vas quoddam est lato ore, fundo angusto, quo **utebantur in sacris Vestae**, quia aqua ad sacra hausta in terra non ponitur, quod si fiat, piaculum est: unde excogitatum vas est quod stare non posset, sed positum statim effunderetur. inde et homo commissa non retinens futilis dicitur, contra “non futilis” bonus in consiliis, non inanis.⁹⁵

1b. Donat. on Ter. *An.* 609

FVTILI levi, inani: a vase quod futile dicitur, quod non **deponunt** ministri sacrificiorum, quod est acuto fundo et patulo ore instabileque est: ut Vergilius (*Aen.* 11.339) “consiliis habitus non futilis auctor.”⁹⁶

1c. Isid. *Etym.* 10.109 futilis, vanus, superfluous, loquax. et est metaphora a vasis fictilibus, quae, cassa et rimosa, non **tenent quae inieceris**.⁹⁷

1d. Donat. on Ter. *Phorm.* 609

EFFVTERETIS ab eo quod est effundere; nam translatio est a vase futili nomine, quod patulo ore, fundo acuto, instabile nihil per se continet; unde et “futilis” dicitur eiusmodi homo qui nihil intra se contineat et semper inanis sit.⁹⁸

Servius comments on the word *futilis* in *Aeneid* 11.339, relating it to a vase with a narrow base which “they used to use in the rites of Vesta.” Lest one think that it is only the vase that is no longer in use, and not the rites of Vesta, we can compare Aelius Donatus’ commentary on Terence *Andria* 609 (1b): “FVTILIS means ‘light’ or ‘vain’: the word comes from a vase which is called *futile*, which the ministers of sacrifice **do not put down**.”

There the present tense *deponunt* makes it clear that Servius’ source, the commentary on the *Aeneid* of Aelius Donatus, would have used a present tense. The continued existence of the vase may be indicated also by Isidore’s description (1c), which he must have excerpted from a still different ancient comment (whose own source, one suspects, read *futilibus* where Isidore has *fictilibus* and lacked the explanatory *cassa et rimosa*); but the present tense of *tenent* in Isidore may be just the gnomic present tense common in etymologies. The similar diction of Servius and Donatus (*lato ore*,

95. “NOT A FUTILE AUTHORITY not vain: for ‘futile’ is a type of vase with a broad mouth, narrow base, which **they used to use in the rites of Vesta** because water drawn for sacrifices is not placed on the ground; if this is done, it is a *piaculum*; whence a vase was invented which could not stand, but when put down would immediately have its water pour out. As a result even a man who does not retain what is entrusted to him is called ‘futile,’ and the opposite way ‘not futile’ one who is good in counsel, not vain.”

96. “FUTILE light, vain: from a vase which is called ‘futile,’ which ministers of sacrifice **do not put down** because it is of a sharp base and spreading mouth and is unstable: as Vergil ‘considered in counsel not a vain authority.’”

97. “Futile, vain, superfluous, loquacious. And it is a metaphor from fictile vases [of clay], which, useless and cracked, **do not hold what you have put in**.”

98. “EFFVTERETIS from ‘effundere’; for it is a metaphor from a vase called ‘futile’ which, with a spreading mouth, sharp base, unstable, holds nothing by itself; from which also a man of the same sort who keeps nothing within himself and is ever empty is called ‘futile.’”

fundo angusto in Servius, versus *acuto fundo et patulo ore* in Donatus on the *Andria*, with the same diction but Servius' order in Donatus' comment on the *Phormio* [1d]), combined with Donatus' citation of *Aeneid* 11.339, makes clear that Donatus' comments on Terence must have been very much like Donatus' comment on *Aeneid* 11.339, and that Servius has adapted that comment with minimum change of vocabulary and the needed change of temporal aspect. The present tense of *est* in Servius' first line and the *continet* of Donatus' comment on the *Phormio* reveal nothing about the continued use of the vase, since the present tense is normal in definitions and etymologies, and similarly the present tense of *ponitur* in line 2 of 1a is gnomic. But the *quod* of Donatus' *quod non deponunt* means "which," not "because," and thereby *deponunt* attests the sacrificial use in Donatus' day, or at least in the day of Donatus' source for the comment.⁹⁹

Another example of Servius' temporal adaptation may be seen below.

2a. S in *Aen.* 8.176 bene "sedili": nam in templo Herculis lectisternium esse non **licebat**.¹⁰⁰

2b. Macrobius *Sat.* 3.6.16 non vacat quod dixit "sedili": nam propria observatio **est** in Herculis sacris epulari sedentes; et Cornelius Balbus *Exegetikon* libro XVIII ait apud Aram Maximam observatum ne lectisternium **fiat**.¹⁰¹

There it is most likely that Aelius Donatus had read exactly what Macrobius gives. Balbus said that it is forbidden to hold a *lectisternium* (a type of outdoor feast of expiation) at the Ara Maxima. If Servius meant by *templo* a building, he would seem to know very little about a *lectisternium*, and perhaps even little about the position of a pagan altar relative to a temple. Since both altars and *lectisternia* belong outdoors, Servius' rewording of *apud Aram Maximam* to *in templo Herculis* is potentially misleading. But references in Solinus (1.10) to a *consaeptum sacellum* (fenced-in shrine), in Plutarch (*Quaest. Rom.* 90 = *Mor.* 285e, *entos ton peribolon* [within the circuit walls]) to *periboloi*, in Strabo (5.2.3) to a *temenos* suggest that we can rescue Servius' knowledge by postulating a wall around the precinct of the altar (such as the wall that encloses the Augustan Ara Pacis) that would qualify the area to be called a *templum*. Although Servius usually seems to mean by *templum* a building, he would have known from Donatus the content of the D comment at *Aeneid* 4.200.10: *alii templum dicunt non solum quod potest claudi, verum etiam quod palis aut hastis aut aliqua tali re et lineis aut loris aut simili re saeptum est*.¹⁰²

99. Note among the quotations in section B that in some instances D seems to repeat a present tense of his ultimate source for a practice that was probably over even in antiquity: so in B.13 there is a reference to auspices of marriage, although Cicero (*Div.* 1.16.28) claims that they were no longer taken (the *auspices* were simply witnesses).

100. "It is good that he used 'seat': for in the temple of Hercules **it was not permitted** for there to be a *lectisternium*."

101. "It is not superfluous that he said 'seat': for it is the proper observance in the rites of Hercules to banquet while sitting; and Cornelius Balbus in Book 18 of his *Exegetica* says that at the Ara Maxima it is observed that there **should not be** a *lectisternium*."

102. "Others say that a temple is not only what can be shut but also what has been fenced with stakes or shafts or some such thing, and with lines or straps or something similar."

Since Aelius Donatus, unlike Servius and Tiberius Claudius Donatus, observed the practice of copying his sources verbatim, at least in his commentary on Vergil, his uses of present tenses are not as good evidence for the continuation of sacrificial practices as Servius' past tenses are for their lapse. But since Donatus did write during the reign of Julian the Apostate, the continuation of sacrifice in his day is not at issue.

Servius' deliberate changes of inherited present tenses to past tenses make it clear that Servius writes after the successful suppression of public, pagan sacrifice. Unfortunately, that information tells us more about the success of the Theodosian laws than it does about Servius' date. It has generally been recognized that Servius is one of the two characters in Macrobius' *Saturnalia* who meet Macrobius' description of having been too young at the time (384) to have actually participated in the dialogue.¹⁰³ At the same time, since he served as a character, it is more likely than not that, as Alan Cameron has argued, he was dead at the time that the *Saturnalia* was written, which may have been about 431 or later. A good guess for the date of Servius' commentary would be in the first decade of the fifth century, before the sack of Rome by Alaric in August of 410. Although his comment on *Aeneid* 7.604, "Getarum fera gens etiam apud maiores fuit," shows knowledge of the Goths as a fighting force, his reference (on *Aen.* 9.448; 9.446 in Thilo's numbering) to the prediction that Rome would survive as long as the altar of Terminus remained shows no awareness of the sack of Rome by the Goths in 410. It would be nice if the comment on *Aeneid* 7.604 was inspired by knowledge of Alaric's invasion of Italy in 401 or the battle of Pollentia of 402, but I am afraid that there were many battles before that, including the battle of Adrianople in 378, so we can derive no useful *terminus post quem* from the comment.

A closer look at the comment on 9.448 is appropriate. Servius comments on *immobile saxum* in the lines of Vergil that run as follows (concerning the lasting fame that Vergil will bestow on Nisus and Euryalus):

nulla dies umquam memori vos eximet aevo,
dum domus Aeneae Capitoli immobile saxum
accolit imperiumque pater Romanus habebit.¹⁰⁴

103. Macrobius, *Sat.* 1.1.5, *nec mihi fraudi sit si uni aut alteri ex his quos coetus coegit matura aetas posterior saeculo Praetextati fuit* ("And do not find fault with me if the mature age of one or two of those who gathered was later than the generation of Praetextatus"), combined with *Sat.* 1.2.15, *Servius inter grammaticos doctorem recens professus* ("Servius who recently had assumed the profession of teacher among the grammatici"), and the reference in 7.11.2 to Servius as an *adolescens* (the only other *adolescens* among the interlocutors being Avienus) indicate that Servius and Avienus were probably *pueri* in 384. Servius would then be in his thirties (if fourteen in 384) or twenties (if four in 384) in the first decade of the fifth century. The connection was made by Georgii (1912), and is followed by Cameron and most subsequent scholars. Peter Schmidt (in private conversation) is influenced by the parallel to Plato to make Servius only four or so at the dramatic date, but that may be pushing the parallel too far. Macrobius may be using an argument *a maiore*: if Plato could be permitted his wide anachronism, I should be pardoned my more modest one. All that Macrobius tells us is that the mature age of two characters (Servius and Avienus) was later than the dramatic date of the *Saturnalia*.

104. Day Lewis (1952, 216) translates the lines: "Time in its passing shall never obliterate your memory, / As long as the house of Aeneas dwell by the Capitol's moveless / Rock, and the head of the Roman family keeps his power."

Servius gives

CAPITOLI IMMOBILE SAXVM ACCOLET in urbe Roma Iovis templum non fuit. quod cum iam devotum a Prisco Tarquinio vellet Superbus Tarquinius aedificare, coepit auguriis captare qui mons huic templo esset aptissimus. et cum in omnibus Tarpeius esset inventus, in quo erant multa diversorum numinum sacella, actum est ut exinde ad alia templa numina evocarentur sacrificiis, quo posset libere et sine piaculo templum Iovis exaedificare. cumque omnes di libenter migrassent, Terminus solus, hoc est limitum deus, discedere noluit, sed illic remansit. tunc de hoc ipso sacrificatum est, et deprehensum quod Terminus cum Iove remanens aeternum urbi imperium cum religione significaret; unde in Capitolii pronao pars tecti patet, quae lapidem ipsum Termini spectat; nam Termino non nisi sub divo sacrificabatur. hinc ergo nunc dixit *Capitoli immobile saxum accolet*, quia Terminus non est revulsus de loco.

At the time when Servius wrote, the altar of Terminus remained (“whence in the *pronaos*¹⁰⁵ of the Capitolium, part of the roof is open, which overlooks the altar stone of Terminus”), but sacrifices were no longer made there (“for sacrifices were made to Terminus only under the open sky”—in fact, burnt sacrifices to any god were normally under the open sky). So far as the prediction goes, as stated by Servius, since the altar remained, we should expect eternal empire for Rome (*aeternum urbi imperium*). There is no awareness of the Christian/pagan polemic that followed the sack of Rome in 410, and that prompted Augustine to write his *City of God*.¹⁰⁶ For the pagan side of the polemic, it would benefit to restate the prediction to claim that as long as sacrifice was made to Terminus on the Capitol, Rome would remain inviolate, and to claim that the failure to continue sacrifice led to the sack.¹⁰⁷

Servius has shaped the prediction to the words of Vergil, *imperiumque pater Romanus habebit*, though he seems to misinterpret Vergil’s *imperium* to mean “empire,” rather than “power.”¹⁰⁸ In Dionysius (*Ant. Rom.* 3.69), the prediction is that nothing will change the borders of Rome (“of the polis of the Romans”) or its acme (“borders” is obviously suited to the function of Terminus as a boundary marker; “acme” is presumably based on position at the top of the hill, and association with Jupiter Capitolinus). In Livy 1.55

105. Thilo’s hesitant conjecture *pronaos* for the transmitted *prona* is confirmed by Dionysius of Halicarnassus (*Ant. Rom.* 3.69), who locates the altar in the *pronaos* of Athena, that is, the part of the front portico occupied by the statue of Athena. The temple (in the form rebuilt by Domitian in 82) “lasted until A.D. 455, when Ganseric the vandal plundered it” (*OCD* 1949, 164).

106. For instance, see *De civ. D.* 1.1 in *illa vastatione Urbis* (in the sacking of Rome).

107. For the importance of the prohibition of sacrifice in this polemic, cf. August. *De civ. D.* 4.2: *promiseram ergo quaedam nos esse dicturos adversus eos qui Romanae rei publicae clades in religionem nostram referunt, et commemoraturos quaecumque et quantacumque occurrere potuissent vel satis esse viderentur mala quae illa civitas pertulit vel ad eius imperium provinciae pertinentes antequam eorum sacrificia prohibita fuissent* (“I had promised that I would make some responses to those who blame the disasters of the Roman state on our religion and would record, so far as occurred to me or seemed sufficient, the misfortunes which that city or its provinces suffered before their sacrifices were prohibited”).

108. Although Vergil elsewhere (*Aen.* 1.279) has Jupiter guarantee *imperium* without end for Rome, 9.448–49 only mean “as long as Rome survives.” It is only knowledge of the belief that Rome is the eternal city that leads to the interpretation that “as long as Rome survives” means “forever,” and it is knowledge of Vergil’s practice of saying essentially the same thing in the second half of a doublet as in the first half that permits Servius (by implication) to equate “Romans’ living by the immovable altar of Terminus” with the maintenance of *imperium*. There is no such direct statement in Vergil, and Servius ostensibly explains only *immobile*.

the emphasis is on security of borders: *idque omen auguriumque ita acceptum est non motam Termini sedem unumque eum deorum non evocatum sacratis sibi finibus firma stabiliaque cuncta portendere*. Association with empire is instead linked to a subsequent omen, the discovery of a human head: *caput humanum integra facie aperientibus fundamenta templi dicitur apparuisse. quae visa species haud per ambages arcem eam imperii caputque rerum fore portendebat*. So also Livy 5.54.7, and Florus' *Epitome* 1.1. Ovid (*Fast.* 2.683–84), though he mentions no prophecy, does see a connection of Terminus with world empire, when he ends his account of Terminus with *gentibus est aliis tellus data limite certo: / Romanae spatium est Urbis et orbis idem*.¹⁰⁹ For Lactantius in the first quarter of the fourth century (*Epitome* 16.4), there is emphasis both on the “borders of the Roman empire” and on “public supplication”: *hunc finium putant habere custodiam eique publice supplicatur, ut “Capitoli immobile saxum” Romani imperii fines et conservet et proroget*. It suits the polemic for a Christian of the time to represent Terminus as guaranteeing the borders of the empire, and not just of the city Rome, so that the failure of the guarantee should be more obvious. This is the tack taken in interpretation by Augustine (*De civ. D.* 4.29), who, getting his information from Varro (not extant), quotes the prophecy as meaning that “no one would disturb Roman boundaries”—*sic enim inquit significatum est . . . Romanos quoque terminos propter deum Terminum neminem commoturum*. He goes on to cite in opposition that the boundaries of empire “were reduced when many cities defected to Hannibal,” and that “the boundaries of the Roman empire were changed by the decision of Hadrian” (who had given up Eastern provinces), and that under Julian “Terminus retreated” (*retrorsus Terminus cessit*). So, the better to refute the prophecy, Augustine interprets *Romanos terminos* as *terminos imperii Romani* (also in *De civ. D.* 5.21), a meaning that it could not have had in Tarquin’s day, before Rome had an empire.

Servius then seems oblivious to the terms of the pagan/Christian polemic that followed the sack of Rome in August of 410. We might expect the anti-Christian (in quoting the prediction) to emphasize sacrifice, and the anti-pagan to emphasize ensuring the borders of the Roman empire. Neither element is in Vergil, and so neither element shows up in Servius. In this he is consistent with his aim to clarify the text of Vergil.¹¹⁰ But it is difficult to believe that so horrendous an event as the sack of Rome would not have

109. “For other peoples a land is given with a fixed limit: the area of Rome and the world is the same.”

110. The same should be said of the examples collected by Bruggisser (1987). He treats the date of Servius in pages 4–6. He places the *floruit* of Servius around 410, but makes his activity cover the first quarter of the fifth century, and thereby justifies comparison of Servius’ treatment of myths associated with Romulus with the treatment given by Augustine, and with the Christian polemic in general. Now in many instances the ultimate source of information for both Augustine and Servius is the same: the writings of Varro. But Servius transmits it (and the testimony of Cato, the annalists, and other sources) through the shaping of centuries of comment on Vergil. Add to this Servius’ own preference for rationalization and his habit of rejecting any interpretation that might render Vergil impious (as his refusal to translate *saevae* in *Aen.* 1.4 as “cruel”), as well as his practice of distinguishing *fabula* and *historia* (cf. Dietz 1995), and there is no good evidence of contact of Servius’ treatment of Romulus with the pagan/Christian polemic (on the contrary, any Christian who went to school would have been exposed to commentaries on Vergil: hence their frequent citation of Vergil). Especially there is nothing that can be dated as influenced by the sack of Rome.

occasioned some modification or comment. It therefore seems more likely than not that Servius wrote the commentary before the sack.

These are not very strong arguments, since references to contemporary events in Servius are close to nonexistent. In particular the dating to 410 or earlier wars with the instinct to place the writing of a commentary toward the end of a long career of teaching (eventually the teacher publishes his collected notes, as Quintilian did in his *Institutio*). But the dating works on the principle that even weak evidence is better than no evidence. Nevertheless it is compatible with the other available evidence. Alan Cameron, and after him T. D. Barnes,¹¹¹ dated Servius' *De centum metris* to the first decade of the fifth century, based on the identification of the Albinus of the dedication with the Caecina Decius Aginatus Albinus who was, at a young age, Prefect of the City of Rome in 414. The argument is that Albinus was addressed by Servius as *praetextorum decus*, that is, still of school age. It was Cameron's argument that Servius was probably dead by the time he was made a character in Macrobius' *Saturnalia*, since convention made it easier to introduce a historical figure as a character after his death. Despite the weakness that Cameron¹¹² nevertheless believed that the character Avienus was still alive at the time of Macrobius, and the fact that Avienus, more than Servius, is presented in an unfavorable light, frequently needing refutation, I believe that it is more likely that either Cameron has misidentified the Avienus of the *Saturnalia* or that Avienus died in between Macrobius' composition of his *Commentary on the Somnium* and his *Saturnalia* than that Servius was still living in the 430s, when he would have been in his sixties if he was fourteen in 384, or in his fifties if he was born as late as 380 (as Peter Schmidt wants).

Cameron's argument was that the Avienus of the *Saturnalia* is to be identified with the fabulist Avianus (so Ellis 1887, xviii), because Avianus dedicates his work to Theodosius, described as surpassing Athenians in erudition and Romans in Latinity. Since both the name and the description fit Macrobius Ambrosius Theodosius, Cameron argued that Avianus was complimenting Macrobius on his *Commentary on the Somnium*, and that Macrobius returned the favor by making Avienus a character in his next work.¹¹³ This is neat. But one problem is that Avienus is portrayed in the *Saturnalia* as a brash young man, constantly interrupting his elders, and offering interpretations which, though showing some learning, frequently needed correction or supplement by Servius and other interlocutors. So it was not that much of a compliment. If Avienus was Avianus, it would be better to suppose a longer interval separating the *Saturnalia* from the *Fables* and Macrobius' earlier work to allow time for Avianus to have died. The later we put the *Saturnalia*, the more likely it is that Servius was dead then too.

111. Cameron 1966, 30; Barnes 1983, 264–65. Barnes took the *De centum metris* to be Servius' first work, because of his reference to *audacia*; but a claim of *audacia* in attempting a task is a conventional *captatio benivolentiae* used by Servius also in his *De finalibus*. Still, one should expect a commentary to be the summation of a long period of teaching, as was Quintilian's *magnum opus*, his *Institutio*.

112. 1966, 31. Also 1967.

113. In taking the referent for Avianus' dedication to be Macrobius, Cameron follows Ellis (1887, xiv), who credits Pithou (*Poemat. Vet.* p. 474) as the first to make the suggestion.

But Jochen Küppers (1977, 33–48) has produced convincing arguments that the Avienus of the *Saturnalia* is not the fabulist Avianus. Rather, Küppers argues, Avienus belongs not to the group of characters who were introduced for their particular expertise, nor to the group of uninvited guests, but to the circle associated with Praetextatus because of distinguished birth: he is an earlier relative of Gennadius Avienus, with whom he shares the characteristic of relationship to Messala Corvinus (*Sat.* 1.6.26, *Messala tuus, Aviene*; *Sid. Apoll. Epist.* 1.9.4 of Gennadius Avienus).

Less secure is Küppers' rejection of the spelling "Avienus" for the fabulist on the grounds that the best MSS (by which he seems to mean the ones less subject to editorial correction) have "Avianus," while the occasional "Avienus" can be explained because the more common name Avienus is a *facilior lectio*. But it is difficult to determine which spelling is *facilior* (the sequence *avia-* is more familiar, through words such as *avia* and *aviarius* and *Flavianus*). Against Cameron's observation that a ninth-century grammar attributes lines of the *Fables* to "Avienus," Küppers argues that the grammar used the family of MSS that in its title credits Avienus.¹¹⁴ Küppers makes a good point in noting that codex Ka gives a heading *Avianus Theodosio* (which could go back to the author), while the codices that give Avienus have it in their incipit (that is, they lack the heading to the letter, and give the ascription only in an incipit, which is likely to be of medieval origin).

Another complication is the dating of Avianus. Some of Cameron's arguments for Avianus' date can be immediately discounted. Cameron was wrong to claim that Avianus *Fabulae* 27.5, *postquam nulla viam virtus dedit*, imitates Claudian's *De bello Gildonico* 319, *inveniet virtute viam*. Rather Avianus conflates Vergil *Aeneid* 10.804, *aperit si nulla viam vis* (which shares the transferred epithet from an expected *nullam viam*), with *Aeneid* 12.913, *quacumque viam virtute petivit*,¹¹⁵ and such as *Aeneid* 11.128, *si qua viam dederit Fortuna*. Again, Cameron's pointing out (1967, 385) "the predominantly accentual character of the clausulae in the prose preface to the *Fables*" is interesting, but it does not allow us to narrow Avianus' date to "the late fourth or early fifth century." The studies of Steven Oberhelman and R. G. Hall have now shown the accentual *cursus*, especially the *cursus mixtus*, to be common in the third to fifth centuries. The extent found in Avianus does not seem more pronounced than can be observed in Donatus' *Letter to Munatius*.

114. The grammar is *Quaestiones grammaticae selectae ex Codice Bernensi 83 excerpta*, edited by Keil, *Gramm. Lat.* 8.172–88. The codex is dated by Bischoff (1998, p. 106, no. 502) to the end of the ninth or beginning of the tenth century, written in Reims. Since it cites Smaragdus and Alcuin as well as Avianus 9.19 (174.15 and 185.3 Keil) and 7.8 (182.30 Keil), the grammar is no earlier than extant MSS of Avianus. For instance, codex Ka (Karlsruhe Aug. perg. 73), mentioned below as having the heading *Avianus Theodosio*, is dated by Bischoff (1998, p. 337, no. 609) to the second quarter of the ninth century, written in western Germany.

115. Küppers (1977, 63) also rejected the borrowing (adducing several possible Vergilian sources, but not the crucial *Aen.* 10.804), but he himself (60–62) suggested that *Fabulae* 10.12 (*aequaevae comae*) and 24.11 (*docili pollice*) were reminiscences of Claudian *Panegyric on Probinus and Olybrius* 220 (*aequaevum caput*) and 177 (*pollice docto*). These are more credible, but, as Küppers himself recognized, far from secure (*pollice docto* is found also in *Ov. Met.* 11.169 and *Stat. Theb.* 11.401; *Stat. Silv.* 5.1.1 has *manus docilis* of fashioning an image of wax, as *Fabulae* 24.11 refers to carving an image in stone).

The strongest argument for Cameron's dating of Avianus remains the dedication to Theodosius. The identification of Theodosius with Macrobius was one of the two reasons why Robinson Ellis (1887, xiii) rejected identification of Avianus with a later Avienus, the correspondent of Ennodius and consul of 502 (*PLRE's* Rufius Magnus Faustus Avienus iunior 2, son of Fl. Anicius Probus Faustus 9, and grandson of Gennadius Avienus mentioned above). Although Macrobius' *Saturnalia* does not have to have been written as early as 431, his *Commentary on the Somnium* could hardly have been written later than 485, the latest reasonable date for the subscription at the end of Book 1 by Aurelius Memmius Symmachus (consul of 485) and Macrobius Plotinus Eudoxus (Cameron's argument [1966, p. 27, n. 21] is that after his consulship Symmachus would have called himself in the subscription not just v.c., but v.c. et inl.). Ennodius in *Epistulae* 1.5 praises Avienus as an accomplished orator, but never calls him a poet. This may mean that, if this Avienus is Avianus, he, like Socrates, turned to the versifying of fables later in life, after the period of Ennodius' letters (502–13), or at least after *Epistulae* 1.5 (since *Epist.* 1.18, quoted below, might imply knowledge of the *Fables*).

But Ellis' second reason for rejecting the later Avienus, that Avianus' inclusion of pagan sacrifice in his verse is proof that he was a pagan, is worse than worthless. Cameron (1967, 385) saw that: "All these allusions to pagan gods and sacrifices were already present in—and in many cases an integral part of—Avienus' models." Although branding as "worthless" Ellis' argument that the fables had to have been written before 391, he still was attracted to the idea that Avianus was probably a pagan because Avianus likes "to dwell on the subject of sacrifices" (1967, 387). But sacrifice has for a fabulist, as for a modern poet, a symbolic meaning. Its prominence serves a symbolic, moral purpose. Cameron refers to *Fabulae* 23 on the choice of sale of a statue of Bacchus, either to a noble who wanted to set it up *funesta in sede sepulchri* or to another who wanted to set it up in a temple. But to this compare *Dictio* 20 of Bishop Ennodius: *Dictio in eum qui in Lupanari statuam Minervae locavit*.¹¹⁶ Other *Dictiones* of Ennodius that show the ease of Christians in handling stock pagan themes are 16, *Dictio in eum qui praemii nomine vestalis virginis nuptias postulavit*, and 26, *Verba Iunonis cum Anteum videret parem viribus Herculis extitisse*.¹¹⁷

Further, there seems to be in Avianus *Fabulae* 42.7 a misunderstanding of Vergil *Georgics* 2.380, *non aliam ob culpam Baccho caper omnibus aris /*

116. "Declamation against a man who placed a statue of Minerva in a brothel." Note that in *Fabulae* 23 Avianus, to the consternation of some commentators, changed the statue that was to be set up at the tomb from one of Hermes (in Babrius) to one of Bacchus. The suitability of Hermes is apparent, since he was the god who escorted the dead to the underworld. But it is a mistake to see the change to Bacchus as based on the function of Dionysus in mystery religions. Rather, Bacchus is chosen because of the obvious unsuitability of the god of revelry for placement (23.4) *funesta in sede*, to heighten the contrast with the alternate choice of location, (23.5) *adoratis templis*. The same kind of opposition is observable in Ennodius' *Dictio* 22, where the importer of a statue of Minerva into a brothel is upbraided for failing to distinguish the functions of Minerva and Venus, and for the double violation of *virginitatis oculos et lupanaria secreta* ("the eyes of virginity and the secrets of a brothel").

117. 16: "Declamation against a man who demanded for a reward marriage with a Vestal Virgin"; 26: "Words of Juno when she saw that Antaeus had stepped forth as a match for the strength of Hercules."

caeditur, a line discussed above. Avianus translates a fable (Aesop 273 Helm) in which a lamb, fleeing a wolf, takes refuge in a sanctuary. The wolf advises the lamb that he risks being sacrificed. Avianus changes the pursued animal to a kid (*haedus*) and has the kid take refuge not in a temple but in a flock of lambs. "Don't you see," says the wolf, "how a victim, groaning, bloodies the cruel ground in death in all the temples?" (*cunctis ut victima templis*). Avianus seems to have misunderstood Vergil's *omnibus aris* to suppose that goats were sacrificed in every temple (goats or kids were the preferred victim to Bacchus and to Artemis, but other victims were preferred for other gods, not least of all sacrificial lambs: for example, in the *Aeneid* [4.57, 5.96, 6.39, 7.93, 8.544, 12.170] the most common victims are two-year-old sheep, *bidentes*, and goats are not found as victims).

If I am correct in seeing *Fabulae* 42.7, *cunctis templis*, and the choice of a kid as the victim as owed in part¹¹⁸ to a misinterpretation of Vergil *Georgics* 2.380 (Vergil rather than Prudentius because Avienus is replete with imitations of Vergil), we have evidence that Avianus (if he was a polytheist) lived substantially later than the abolition of pagan sacrifice, and there is no bar to his having been a Christian. In that case, the claims of the consul of 502 deserve reassessment.

Ellis (1887, xiii) found in his favor that this Avienus not only "was the learned son of a learned father" (citing Ennodius *Epistulae* 1.5 and 9.32), but he was trained in the study of Vergil (Ennodius *Epistulae* 1.18: *doctorum radix Maro, vestri formator eloquii*),¹¹⁹ and Ennodius (in the same letter) "illustrates his devotion to his father's example by the fable of the young eagles trained by their parent to look upon the sun." But there is one other element that deserves attention.

In *Epistulae* 1.5, a letter to Avienus' father, Faustus, Ennodius says of Avienus, *quicquid Attica, quicquid Romana praecipuum habet lingua cognovit, aurum Demosthenis et ferrum Ciceronis expendit*.¹²⁰ The contrast of Attic and Roman was not in those precise terms common in the classical period. Under the use of *Attici* as a noun for "Athenians," the *TLL* quotes only Avianus' compliment of "Theodosius" for the precise contrast: *nam quis tecum de oratione quis tecum de poemate loqueretur? cum in utroque litterarum genere et Atticos Graeca eruditione superes et Latinitate Romanos?*¹²¹ Besides this it knows Pauli Festus 63.17 Lindsay, *Demoe apud Atticos sunt ut apud nos pagi*,¹²² and Priscian 3.172.7, *non solum nostrorum sed etiam Atticorum usus*.¹²³ Servius never uses *Attici* for *Athenienses*, and his contrasts are of *Graeci* and *nos*, as (on *Aen.* 8.614) *et proprie apud nos acer est qui apud Graecos deinos dicitur*¹²⁴ and (on *G.* 3.245) *leaena autem*

118. There is also a motive of verisimilitude: a kid, as faster, could more easily than a lamb outrace a wolf.

119. "Maro the root of the learned, the shaper of the eloquence of you and your kin."

120. "Whatever special the Attic tongue, whatever the Roman has, he has learned, he returns the gold of Demosthenes and the steel of Cicero."

121. "For who could speak with you on oratory, who on poetry, since in both genres you surpass both the Athenians in Greek erudition and the Romans in Latinity?"

122. "'Demoe' among the Athenians equals what with us is 'pagi.'"

123. "Not only the usage of our people (Romans) but also of the Athenians."

124. "And properly 'acer' equals with us what among the Greeks is called 'deinos.'"

*Graecum est, sicut dracaena: nam nos 'hic' et 'haec leo' dicimus;*¹²⁵ or *Graece* and *Latine*, as on *Aeneid* 4.232, *Hermes autem Graece dicitur apotes hermeneias, Latine interpretes;*¹²⁶ so also Servius Auctus, as (on *Aen.* 1.533) *Graeci boves italous, nos vitulos dicimus.*¹²⁷ Servius Auctus uses *Atticos* once for Athenians (at *Aen.* 3.681.5), not in a contrast. A search of the PHI disk for *Attic-* and *Roman-* within two lines of each other turns up no comparable example of the contrast (excepting the title to Gell. 13.6, which is inauthentic). For the adjectival use of *Attic-* and *Roman-* in parallel or contrast, the *TLL* cites only Tertullian *Apologeticus* 39.13 (imitated by Salvianus [*De gubernatione Dei* 7.103]), *Codex Theodosianus* 13.3.11 (addressed to rhetors and *grammatici* of Attic and Roman learning), and Ennodius *Epistulae* 8.1.4: therefore texts by Christians who were not born in Rome (Tertullian was born near Carthage, Salvianus in Trèves or Marseilles). Ennodius in *Epistulae* 1.5 said *Romana lingua* rather than *nostra lingua* perhaps because he liked the contrast of proper adjectives, but perhaps also because he himself was by birth a Gaul. Avianus, if he was Ennodius' Avienus, could not have the latter excuse, since he was born in Rome, but he could hardly have substituted *nos* or *nostros* for *Romanos* in his sentence without risking ambiguity, especially if Theodosius was not a Roman (not to mention destroying the rhythm of the clausula, though *et nostros Latinitate* would be fine). The first part of Avianus' sentence seems to imply that Theodosius is an orator and a poet, while Ennodius' praise of Avienus is in a context of praise of his oratory. So if Avienus later wrote the *Fabulae*, he was at that point exactly what Avianus praises Theodosius for being, an orator and a poet. The resemblances are not strong enough to guarantee anything, but I have a suspicion that Avienus' knowledge of Ennodius' praise of himself colored Avianus' praise of Theodosius.¹²⁸ If so, not only would it be impossible for Avianus to have been the Avienus of the *Saturnalia*, but we would have to look for a different Theodosius from Macrobius to be the dedicatee of the *Fables*.

Whatever the identity of the fabulist, the Avienus of the *Saturnalia* is not the fabulist, and there is no bar to seeing all of the characters of the *Saturnalia*, including both Servius and Avienus, as dead at the time of its composition. Although the supposition that Servius' commentary was written by 410 is not secure, it will have to do as a working hypothesis until some scholar discovers better evidence. If internal evidence is so hard to come by, it is because Servius himself wanted his work to be timeless.¹²⁹

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125. "'Lioness' however is Greek, just as 'dragoness'; for we say 'lion' for both masculine and feminine."

126. "Hermes however is Greek, from *hermeneia*, in Latin 'interpreter.'"

127. "The Greeks call cows *italous*, we call them *vitulos*."

128. This would be the preferred direction of any imitation, since Ennodius, of non-Roman birth, would have the stronger motive for using *Romana* rather than *nostra*.

129. A version of this paper was delivered in May of 2001 at the Thirty-sixth International Congress on Medieval Studies in Kalamazoo.

LITERATURE CITED

- Barnes, T. D. 1983. Late Roman Prosopography. *Phoenix* 37:248–70.
- Bischoff, B. 1998. *Katalog der festlandischen Handschriften des neunten Jahrhunderts: (mit Ausnahme der wisigotischen)*. Wiesbaden.
- Bruggisser, P. 1987. *Romulus Servianus*. Bonn.
- Burckas, V. 1888. *De Tib. Claudii Donati in Aeneida commentario*. Inaug. diss. Jena.
- Cameron, Alan. 1966. The Date and Identity of Macrobius. *JRS* 56:25–38.
- _____. 1967. Macrobius, Avienus, and Avianus. *CQ* 17:385–99.
- Day Lewis, C. (trans.). 1952. *The Aeneid of Vergil*. New York.
- Dietz, D. B. 1995. *Historia* in the Commentary of Servius. *TAPA* 125:61–97.
- Ellis, R., ed. 1887. *The Fables of Avianus*. Oxford.
- Georgii, H. 1893. *Die antike Aeneiskritik im Kommentar des Tiberius Claudius Donatus*. Stuttgart.
- _____. 1912. Zur Bestimmung der Zeit des Servius. *Philologus* 71:518–26.
- _____, ed. 1905–6. *Tiberi Claudii Donati ad Tiberium Claudium Maximum Donatianum filium suum Interpretationes Vergilianae*. Leipzig.
- Harvard Edition = E. K. Rand, et al., eds., *Servianorum in Vergilii carmina commentariorum editionis Harvardianae*, vol. 2 (Lancaster, 1948); A. F. Stocker and H. T. Travis, eds., *Servianorum in Vergilii carmina commentariorum editionis Harvardianae*, vol. 3. (Oxford, 1965).
- Kaster, R. A. 1988. *Guardians of Language: The Grammarian and Society in Late Antiquity*. Berkeley.
- Küppers, J. 1977. *Die Fabeln Avians: Studien zu Darst. u. Erzählweise spätantiker Fabeldichtung*. Habelts Dissertationsdrucke: Reihe klassische Philologie, Heft 26. Bonn.
- Marinone, N. 1969–70. Per la cronologia di Servio. *AAT* 104:181–211.
- Marshall, P. K. 1997. *Servius and Commentary on Virgil*. Occasional Papers, 5. Asheville, N.C.
- Murgia, C. E. 1970. Avienus' Supposed Iambic Version of Livy. *CSCA* 3:185–97.
- _____. 1975. *Prolegomena to Servius 5: The Manuscripts*. University of California Publications: Classical Studies, 11. Berkeley.
- _____. 1988. *Aen.* 9.236: An Unrecognized Vergilian Variation. *Hermes* 116:493–99.
- Oberhelman, S. M. 1988a. The *cursus* in Late Imperial Latin Prose: A Reconsideration of Methodology. *CP* 83:136–49.
- _____. 1988b. The History and Development of the *cursus mixtus* in Latin Literature. *CQ* 38:228–42.
- Oberhelman, S. M., and R. G. Hall. 1984. A New Statistical Analysis of Accentual Prose Rhythms in Imperial Latin Authors. *CP* 79:114–30.
- _____. 1985. Meter in Accentual Clausulae of Late Imperial Latin Prose. *CP* 80:214–27.
- Shanzer, D. R. 1989. The Date and Composition of Prudentius's *Contra Orationem Symmachi Libri*. *RFIC* 117:442–62.
- Squillante Saccone, M. 1985. *Le Interpretationes Vergilianae di Tiberio Claudio Donato. Studi e testi dell'antichità*, 17. Naples.
- Thilo, G., and H. Hagen, eds. 1881. *Servii Grammatici qui feruntur in Vergilii carmina Commentarii*. Leipzig.