

PRODIGY LISTS AND THE USE OF THE *ANNALES MAXIMI*¹

It is generally supposed that on the publication of the *Annales Maximi* in the Gracchan period (if not already at some point before their formal publication) historians, or some historians influential on the tradition, eagerly made use of this new source of material. The yearly lists of publicly expiated prodigies in Livy and related authors are usually considered to form the best evidence for this view.² For given the elder Cato's remark about the famines and eclipses of sun and moon recorded on the *tabula dealbata* which is said to have formed the basis of the published work, and given the only two fragments of the latter dealing with the republican period, that from Cicero recording an eclipse (perhaps of 400 B.C.) and that from Aulus Gellius about lightning striking the statue of Horatius Cocles (the date is undetermined but a hostile Etruria is presupposed), no one can doubt that prodigies were indeed to be found in the *Annales Maximi*.³ It is of course agreed that the lists given by Livy and others include only an incomplete selection of each year's *prodigia* and that they are deformed by repetition and errors.⁴ But in fact certain features of these lists suggest, at least, that rewriting and corruptions go pretty deep; even, perhaps, that it was not the *Annales Maximi* at all from which they were drawn. It is the purpose of this paper to draw attention to these disquieting peculiarities, and to the even more disquieting consequences that follow.

The first of these peculiarities is probably not an important one. Contrary to what Cato leads us to expect, the lists in our historians record famines and eclipses very rarely; eclipses of the moon not at all. And if famines are thought to have been rare in the days of the organized importation of corn (not rightly for the *ager Romanus* at any rate?), eclipses of the moon at least ought to be fairly frequent. However, this absence might be explained by rationalism; the excerpting historian(s) may have felt that eclipses would not impress contemporary readers as evidence of divine anger. Indeed, after the early second century the senate may even have refused to *suscipere* such things.

Another striking fact about Livy's lists is that he usually groups all his prodigies together at the start of the official year (though he sometimes leaves them over till the end) and implies repeatedly that prodigies were reported to the senate then and then only, when the new consuls had just entered office and before they set off for their provinces. e.g. Livy 33. 26. 6, *priusquam aut hi*

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² For recent expressions of this view of the origins of the lists, P. Händel, in Pauly-Wissowa s.v. *prodigium* (1959); R. Bloch, *Les Prodiges dans l'Antiquité classique* (1963); P. L. Schmidt, *Iulius Obsequens und das Probleme der Livius-Epitome* (Akad. der Wiss. und Litt.

Mainz, 1968). Among more general works note R. Ogilvie, *Commentary on Livy I-V* (1965).

³ H. Peter, *Historicorum Romanorum Reliquiae: Annales Maximi*, test. 1, frags. 1 and 2.

⁴ See esp. A. Klotz, 'Cassius Dio zur Geschichte des zweiten punischen Krieges', *Rh. Mus.* lxxxv (1936), pp. 68 and 97 ff., showing that Livy and Dio select different prodigies from a fuller common source (perhaps Valerius Antias), which was doubtless itself not exhaustive.

praetores ad bellum prope novum . . . proficiscerentur, aut ipsi consules ab urbe moverent, procurare, ut adsolet, prodigia, quae nuntiabantur, iussi. On at least one occasion, Livy 32. 9. 1, *consulem . . . properantem in provinciam prodigia nuntiata atque eorum procuratio Romae tenuerunt.* This was certainly not what happened in the Ciceronian period, when, for example, the prodigy Cicero is concerned with in the *de Haruspicum Responso* was obviously reported and interpreted after the Megalesian Games in the spring; another had occurred about the same time but had not yet been referred.¹ It is of course true that the consuls were usually now at Rome throughout the year, but surely any rupture of the *pax deorum*, as signalized by some extraordinary event, had always needed to be announced and procured as quickly as possible. If Livy were right, news of the bloody ears of corn observed at Antium at harvest-time, like doubtless many other prodigies, would have been waiting over for many months before being dealt with in the early spring by the consuls of 217 and 206.² Conversely, as Luterbacher observed, it would be very inconvenient for the consuls to be held up for as long as some of Livy's notices suggest.³ One would think the misunderstanding, if there is one, could most easily have arisen through some historian before Livy attempting to work with sources that did not date individual events so precisely as the *Annales Maximi* are said by Servius to have done (*per singulos dies*).⁴ But Servius may have been exaggerating, and some of Livy's sources do seem to have been *capables de tout*. It also remains possible that the historian concerned was working not from the *Annales Maximi* directly, but from a source that excerpted prodigies from it and only dated by the year. Within each list, further rearrangement is due probably to Livy himself; his order is only exceptionally chronological, more frequently geographical or in ascending order of frightfulness.⁵ The senatorial framework—announcement and consequent *senatus consultum*—would probably be due to Livy's source; it is surely unlikely that these steps seemed the important ones to the priestly redactors of the *Annales Maximi* and indeed there is no trace of them in the story about Horatius' statue. Thus, at the best, the lists of the *Annales Maximi* have been extensively recast.

For many people, the observation that there are signs of detailed prodigy lists in Livy for the fifth century B.C. is likely to throw doubt on the reliability of the later lists (though it cannot prove they are bogus), rather than to show that the *Annales Maximi* provided genuine information almost, to quote Cicero on them, *ab initio rerum Romanarum*.⁶ (It may be pointed out that astronomers apparently had to work back from the eclipse that Cicero mentions; and the general Roman belief on the disastrous results, to documents, of the Gallic sack should be taken into account.) It must be remembered that for the early period Livy is pruning his predecessors severely and wisely; but Livy 3. 10 and 5. 15 both include famous prodigy-stories in what looks like the regular

¹ *de Haruspicum Responso*, 11. 22; 28. 62.

² Livy, 22. 1. 10 and 28. 11. 2; both passages making it quite clear that procuration is regarded as taking place *initio veris*.

³ F. Luterbacher, *Der Prodigien Glaube und Prodigienstil der Römer*, 1904.

⁴ Peter, *op. cit.*, T 2.

⁵ E. de Saint-Denis, 'Les Énumérations de prodiges dans l'œuvre de Tite-Live' *R. Phil.* xvi (1942), pp. 126 ff.

⁶ Mrs. I. M. Henderson, reviewing P. G. Walsh, *Livy: His Historical Aims and Methods* (1961) in *J.R.S.* lii (1962), p. 277, points out that it is most natural to suppose that the *tabula* was reused each year after being sponged clean; the crucial question is therefore when the information was first transferred to the permanent record of the *Annales Maximi*.

framework of announcements at Rome of a whole series of events. There are brief and general—doubtless condensed—but apparently regular entries in all at 2. 42 (483), 3. 10. 6 (461—does *bovem locutum cui rei in priore anno fides non fuerit* suggest that material about prodigies the year before had existed but been cut out?), 3. 29 (458), 4. 21 (436), 5. 15 (398), 7. 28 (344) and 10. 23 and 31 (295). If Dionysius of Halicarnassus, who is of course far fuller than Livy, has not more to show, it may be because regular lists were not of interest to his Greek readers, and probably because one of his main sources, very likely to be identified with Licinius Macer, was something of a rationalist, or at least disliked the noble and priestly control of religion and was unwilling to illustrate it. But in 7. 68 Dionysius gives the story of T. Latinus as part of a mass of common prodigies, and in 14. 10 even assimilates the story of M. Curtius to the regular pattern, with other prodigies and a *senatus consultum* ordering the consultation of the Sibylline books. Compare also 8. 89 (482) and 9. 40 (472).

The belief that the *Annales Maximi* had reliable notices for the fifth century, however, to which for example Ogilvie still adheres,¹ is more logical than that of those comparatively cautious scholars, including Beloch, who have supposed that they began to provide regular information early in the third century (where Livy does become rather fuller) or else in 249 (where Obsequens for some reason began his collection of prodigies taken from Livy). But what of the other end of the story? Though Livy himself is of course not extant, Obsequens sweeps past the Gracchan period and down into the first century without giving the faintest sign that his ultimate source has dried up or changed its character. Yet it is surely certain from Cicero's *usque ad P. Mucium* that the *Annales Maximi* were not carried on after his pontificate.²

Let us next examine the doublets.³ Many of the most striking are generally recognized as such, and of course, with the commoner types of prodigy, swift repetition is plausible enough, though there are perhaps more doublets in our lists than is always recognized. We observe, first, that there is a series of indubitable doublets varying only as to place. Piso, frag. 38 on the palm-tree appearing *in ara Iovis* during the war with Perseus must be the same as Livy, 43. 13 (169) *in aede Primigenae Fortunae quae in colle est . . . palmam in area enatam*. (both sites are on the Capitol). The five-footed foal born in Lucania in 200 is probably identical with the five-footed foal reported *ex Brutiis* by a propraetor next year (Livy, 31. 12 and 32. 1). *Sortes extenuatae erant* at Caere in 218, *adenuatae* at Falerii in 217—the only prodigies of this type recorded. In 218 a six months' child, an *ingenuus*, cried *triumphum!* at Rome; in 215 a child in the womb (of six months? it is usual in such wonder stories to specify the age of the unborn speaker) cried *io triumphe . . . in Marrucinis*; unparalleled prodigies again. Luterbacher suggests that two sky prodigies of 91 B.C. are identical; one has a place of origin attached, one not. In the same way in 124 and 122 *vitulus biceps natus*, on the first occasion at Satura—again a type of prodigy not paralleled elsewhere in these lists.

Secondly, we observe that in the vast majority of cases, the certain or probable doublets are separated by one, two, or three years. Repetitions after

¹ It might be pointed out that he argues (op. cit., p. 415) that the earthquake in the list for 461 is confirmed by the well-known contemporary seismic activity in Greece. But a forger might know of this too.

² Peter, op. cit., T 2 (= Cicero, *de Or.* 2. 12. 52).

³ See lists in Luterbacher, op. cit., and in L. Wülcker, *Die geschichtliche Entwicklung des Prodigienwesens bei den Römern* (1903).

a single year are common; it is possible that the same prodigy might be reported twice by different people, once with a time-lag, but surely the senate would investigate and refuse to *suscipere* the second time. Among cases of a two-year gap are the two-headed calves mentioned above; thunderbolts at Capua in 179 and 177, at Tarracina in 206 and 204 (but these might be fact). More significant, at Sinuessa in 200 and 198 there was a *porcus cum humano capite* (no other examples of this); in 183 it rained blood *in area Volcani* and again *in area Concordiae* (it has been suggested that this is itself a doublet of the local type) and in 181 *in area Volcani et Concordiae sanguine pluit*. Three-year doublets may include the child crying *triumphum* or *io triumphe*. At Praeneste in 140 and 137 (also 134) there were signs in the sky.

Might this suggest that the lists we have go back, in part at least, to different lists of prodigies, probably dating by years A.U.C. (which no annals, including the *Annales Maximi*, are at all likely to have done)? Discrepancies of one, two, and three years are just what we know to have existed in these systems. On such lists literary ἀκριβολογία might have been at work, to give homeless prodigies a local habitation and so make them more convincing. In themselves, of course, such lists might be dependent on the *Annales Maximi*, though it would remain interesting that the historians were not using these directly. But it should be remembered that *senatus consulta*, and the *commentarii* of the pontifices, Xviri, and haruspices would all also have offered useful information.

The next feature of our lists to be considered is probably the most interesting, as Mommsen saw long ago.¹ Over a hundred towns or territories are mentioned in the lists of Livy. Prodigies from all these are said to have been reported to the senate and publicly expiated. (Some of the places mentioned by Obsequens should be treated with caution, as it is not certain that he is not recounting wonders out of Livy's narrative as well as from his formal lists.) Now Livy 43. 13. 6 declares that in 169 two reported prodigies were *non suscepta*, as one occurred *in privato loco* and the other *in loco peregrino*. This would indeed seem the correct principle for the state to act on, and it is confirmed by notices that monstrous births should *arceri Romano agro*.² It is universally accepted by historians of Roman religion.

Nevertheless,³ nine Latin colonies appear in our lists, five of them twice or thrice; among them is Fregellae, the very place rejected as peregrine in 169. Furthermore, we find some twenty *civitates foederatae*, mostly Etruscan or Italiote and Sicilian cities, but some Italian tribes; also Lavinium (but that is a special case owing to its close religious connection with Rome), Nuceria, and Arpi; probably also federate are Compsa and perhaps Ardea—if not, it was Latin. There are no less than seven mentions of Praeneste, but, as Mommsen pointed out, none at all of Tibur. There is also remarkable disproportion in the frequency with which towns holding the Roman citizenship appear. Lanuvium heads the list with fourteen references (but one sees that an excerptor might have been particularly interested in a place so closely linked by cult with Rome, and even that the state might have kept an unusually close eye on signs there).⁴ Then come Capua with 11, Terracina and Caere 10, Reate and Anagnia 8,

¹ Th. Mommsen, *Epistula de Romanorum prodigiis ad Ottonem Jahnum* (1853), in *Gesammelte Schriften*, 7. 168.

² Livy 27. 37. 6; 39. 22. 5.

³ See analyses in Mommsen and Wülcker,

opp. cit.

⁴ Livy 8. 14. 2: *Lanuvinis civitas data sacraeque sua redditae, cum eo ut aedes lucusque Sospitae Iunonis communis Lanuvinis municipibus cum populo Romano esset*.

Amitemnum, Veii, and Frusino 7, Sinuessa 6, and so on—but Caieta, Arpinum, Falerii, and Suessula are mentioned only once, and numbers of equally prominent and presumably equally superstitious towns not at all.

Surely these facts, particularly the appearance of peregrine communities, are not to be explained, with Luterbacher, by saying that in the second century the Romans were hazy about the distinction between *ager publicus* and *privatus* (worse, *Romanus* and *peregrinus*?) ; or with Wülcker, by suggesting that the state might extend its scope occasionally, either for particularly alarming prodigies, or if it could combine the foreign prodigy in question with another of the same kind occurring on Roman land ; or even with Mommsen (followed by Krauss),¹ who rightly observes that there was often Roman *ager publicus* in or near foreign towns—Mommsen would even use the prodigy lists to throw light on the distribution of such *ager publicus*, and also on the enfranchisement of communities before the Social War. Against the first explanation it may be pointed out that the pontifices were extremely careful about different categories of property: Macrobius 3. 3. 1 *inter decreta pontificum hoc maxime quaeritur, quid sacrum, quid profanum, quid sanctum, quid religiosum* (note also Festus, 414 L: land dedicated by *privati* is not *sacrum*). The distinction for religious purposes between *ager publicus Romanus* and *ager peregrinus* continued into the principate: Trajan points out that it is impossible to dedicate *nostro iure* on the latter (Pliny 10. 50), and Gaius that a grave there is not properly *religiosus* (Gaius, 2. 1).² Against the second explanation, it is easy to observe that many of the prodigies concerned are perfectly ordinary ones, that they are not so infrequent as all that (over a quarter of the names in Livy and Obsequens are involved), and that the idea that it was possible to associate foreign with Roman prodigies of the same type is surely, from the point of view of sacral law, itself monstrous. The last explanation, Mommsen's, might well work for some cases: Livy does once specify *in Lucanis in agro publico* (31. 12) and such precision might elsewhere have been lost from the tradition, especially as it passed through the hands of writers living after the Social War. But surely no one will claim that the public buildings and city walls of a Latin or federate community were on Roman *ager publicus*? Yet we are told that in 211 the walls and gates of Fregellae were struck by lightning (so were those of enfranchised Anagnia, so that according to Wülcker they could be procured together); the same thing happened at Gabii (24. 10) which probably preserved a theoretically independent status till the Social War, in religious matters at least, as the passage quoted in the note below about the augur's distinction of *ager Gabinus* would suggest. In 176, according to Livy 41. 16, the temple of Apollo and many private buildings there were struck again. Walls and a gate were also struck at Suessa in 199 (32. 1. 10); and shortly afterwards a temple of Hercules at Ardea (32. 9). At Praeneste in 214 *hastam Martiam . . . sua sponte promotam*, doubtless in a temple (Livy 24. 10. 10). Compsa, a town of the Hirpini, was probably federate until the Social War, when it seems to have been disloyal; in 213 arms clashed in a temple in *Compsano agro* (24. 14).³ In 194 the people of the Latin colony of Hadria announced that there had been a rain of stones *agro suo*, meaning surely

¹ Franklin B. Krauss, *An Interpretation of the Omens, Portents etc. in Livy, Tacitus, Suetonius*, Diss. Philadelphia, 1931.

² Augurs also were strictly observant of different categories of land; Varro, *LL* 5. 33

distinguishes in this connection *Romanus, Gabinus, peregrinus, hosticus, and incertus*.

³ For Gabii see Beloch, *Röm. Gesch.*, p. 155; for Compsa, p. 589.

strictly their own. One is unwilling to put much weight on Obsequens' notices, as remarked above; but Rhegium was damaged by fire in 136 (in 91 part of the city and its wall was destroyed by an earthquake); in 93 at Arretium *signum aeneum Mercuri sudavit*, obviously in a temple or public place.¹

But had Rome in the second century extended her powers over Italy so as to deal with certain religious matters? It is true that on one occasion, as we are told (Livy 40. 19. 5), the senate decreed, and the *consules edixerunt*, on the advice of the Xviri and the Sibylline books, *ut per totam Italiam supplicatio et feriae essent*, in expiation, it seems at first, of various prodigies as well as of a plague. What this isolated notice really implies can probably be discovered. The prodigies listed at this point all come from Rome or Lanuvium; the plague is then reported by Livy thus: *pestilentia in agris forisque et conciliabulis et in urbe tanta erat, ut Libitina funeribus vix sufficeret*. On this occasion, therefore, there is no suggestion that anything was formally *nuntiatum* from non-Roman territories. It would appear, however, that *procuratio* is nevertheless to take place *per totam Italiam*. This is perhaps most easily explained by assuming that the Roman authorities are anxious that proper steps shall be taken to cure a communicable disease which affected in fact non-Roman as well as Roman parts of the peninsula, as the subsequent difficulty in raising allied troops makes quite clear; that is, most probably, to make sure that the allied governments themselves procure the prodigy properly. It can be seen that a plague, as a *prodigium* simultaneously affecting both Roman and allied territory, is a very different matter from a five-footed calf born on a particular spot; even an eclipse would not affect all parts of the peninsula equally. This passage then, if based on reliable evidence, might, by providing a special exception to the normal rule, confirm that Rome was only concerned with prodigies on her own territory. Conversely it is conceivable that Rome might in practice sometimes have reported to her prodigies affecting other parts of the confederation; but it is hard to believe that she could have procured them.

Nor is there even in primarily secular affairs, which might be marked by less conservatism than religious ones, any true parallel to the desired interference of Rome in allied affairs. The Bacchanalian episode shows how the senate merely told the local authorities to take action similar to that of Rome in their own territories, even in a case where it was interfering in Italian business, probably under the heading of conspiracy (Polybius' *συνωμοσία*).²

Occasionally the presence of Roman troops in peregrine areas might supply an explanation for the errant prodigies; but surely only if the occurrence was very closely associated with these troops, as it sometimes is, for example in

¹ The following non-Roman places are mentioned: Latin colonies—Alba 206; Ariminum 223, 194, 192, 104; Bononia 135; Cales 218; Carseoli 93; Fregellae 211, 203, 93; Hadria 214, 194; Spoletium 214, 91; Setia 204; Suessa 199, 198; Federate or foreign—Aefula 197; Aetna 140, 135, 126; Apulia 214, 133, 93; Ardea 198, 133; Arpi 217, 125; Arretium 198, 108, 96, 93, 92, 91; Bruttii 199; Cephallenia 163, 140; Compsa 213, 154; Faesulae 96, 94, 92; Falerii 217; *ager Ferentinus* 133; *lacus Fucinus* 137; Gabii 214, 176, 163; Gallia 218, 173, 122, 113; Lavinium 137; Lipara islands 126; Lucani

200, 113, 104, 93; fleet in Macedonia 99; Mantua 214; Marrucini 214; Nuceria 104; *ager Perusinus* 106; Praeneste 217, 214, 166, 140, 137, 117? 93; Rhegium 136, 91; Rhodes 223?; Sardinia 217; Sicily 217; island near Sicily 183; Syracuse 177; Teanum Sidicinum 166; Trebula 106, 105, 104; *in Tuscis* 223, 102; Urbinum 95; *in Vestinis* 94, 91; Vulsinii 208, 104, 94, 93; Volaterrae 92.

² See A. H. McDonald, 'Rome and the Italian Confederation (200–186 B.C.)', *J.R.S.* xxxiv (1944), pp. 11 ff.

Livy 22. 1. 8 (217 B.C.). According to 21. 46. 3, however, a portent in camp was or could be procured on the spot by the general. But would not all these curious features in our lists fall more naturally into place if we were to assume that these were compiled as a whole after the Social War had abolished most of the distinctions concerned by extending the franchise to the whole of Italy, at a time when the traditional belief in and understanding of the proper *procuratio* of state prodigies was beginning to decline,¹ and when some historians were indubitably more concerned with other matters than Roman constitutional and sacral law? Would it not, that is, be better to assume that they were put together from a number of sources varying in character and origin? It would remain curious that the annalistic tradition should yet reveal the existence of the rule that it breaks so frequently; difference of source, combined with carelessness (in Livy at least), would have to be the explanation, and is not an impossible one.

There are yet other features in the lists that might support a suggestion that various special sources were used. Of the remarkably frequent Reatine prodigies, seven out of eight are concerned with monstrous births of mules or foals: *mula peperit* in 211 and 190, three-footed mules were born in 182, 179, and 163; a five-footed mule in 130, and a five-footed *eculeus* in 203. The only comparable events are a three-footed ass in Calatia in 172 and in *Esquilis* in 139, and the Lucanian and/or Bruttian five-footed *eculeus* referred to above. It is hardly enough to say with Luterbacher that the superstition may have had its home in Reate; it is an obvious sort of prodigy, while *örtliche Spezialprodigien* are more usually tied to a special monument or cult, like the blood of St. Januarius or the miraculous Madonnas of today. Instead, it looks as if somebody had made a special collection of the occasions on which the prodigy had occurred there.

Halfway through the second century *bubones* and other birds never mentioned before start appearing in Rome or its neighbourhood; see Obsequens for 135, 133, 125, 122, 108, 99, 98, 96, 92; in 104 *extra urbem*; in 108 and 94 an *avis incendiaria* (cf. Pliny, *NH* 10. 13. 17 for 107, a year missing in Obsequens, which is probably from the same source). In 99 there were *corvi* and in 95 cannibalistic vultures. Wülcker rejects Luterbacher's explanation of a pontifex maximus with special *Uhufurcht*, but his own, that public opinion may have forced the acceptance of new sorts of public prodigies, though possible, is perhaps not in this case very probable; birds of ill omen were surely always so regarded. (It may be noted that Asellio frag. 2a mentions one of these *bubones*.) Again, a special source was used? (Though here, it should be recalled, we are out of the epoch of the *Annales Maximi*.) Similarly, there are a number of portents from non-Roman Etruria during the years from 210 to 196—and then none till a sudden spate in the fifteen years after 104. Subterranean noises are heard in various places—but only after 100. It may be added that Luterbacher points out a number of stylistic peculiarities in different parts of Livy's lists; but none of these is probably of enough significance to help us in establishing different sources.

Another influence on the compilation of the lists we read might be suggested. Many prodigies could have gravitated hither from original contexts in the narrative. This can be most clearly seen in the period covered by Livy's first decade, though it is not confined to it. The rain of flesh in 461 B.C. was a famous story, mentioned by numerous authors including Cicero: Livy 3. 10. 6 includes

¹ See Bloch, *op. cit.*, pp. 139 ff.

it with a selection of common and characterless prodigies in what looks like the regular framework, as we have already indicated. In 5. 15 (398 B.C.) he makes the notorious portent of the Alban Lake one only of many prodigies announced at Rome. Two passages of Dionysius already mentioned do the same thing: 7. 68 fits the story of T. Latinius (given by *omnes . . . historici, Fabii, Gellii sed proxime Coelius*) into a mass of common prodigies, and 14. 10 does the same with the M. Curtius story (the version in which Curtius leaps into the gulf in self-devotion).

We know that the earlier annalists, writing perhaps before the *Annales Maximi* ceased to be compiled, mentioned individual prodigies also known from Livy's lists: see for example the fragments of Piso (no. 38) and Asellio (no. 2a) mentioned above. The first of these, which seems to discuss two different prodigies of two different years—the appearance of a *palma* and a *figus* on sacred ground at Rome—can certainly not come from a formal list; the latter might, if what we know of Asellio's contempt for *annales* did not make it highly improbable. The writers were probably drawing on their own knowledge of contemporary events. It is clear from Polybius 3. 112 that there were many *σημεῖα* and *τέρατα* before Cannae in his sources; it may be that they have got into our lists for 218, 217, and 216. Many of the portents of the Hannibalic Wars were too firmly fixed in their literary contexts to move; but Luterbacher suggests that Livy 21. 46. 2 (how a *lupus intraverat castra laniatisque obvis ipse intactus evaserat*) has formed the basis for 21. 62. 5, *in Gallia lupum vigili gladium ex vagina raptum abstulisse*, which is part of a formal list. If so, the list has a suspiciously more dramatic version than the original narrative. Collections of prodigies taking place before a war or disaster were of course a common *τόπος* in Greek and Latin historical works, in verse or prose; one need only refer to the *de Divinatione* for those provided by Callisthenes before Leuctra, Sisenna before the Marsian War, and Cicero himself in the *de Consulatu Suo* before the Catilinarian conspiracy.¹ Such collections, of course, had no need to confine themselves strictly to untoward events in *ager Romanus*; Caelius reported earthquakes in Gaul, Liguria, and the islands, coinciding with the battle of Lake Trasimene (*de Divinatione* 1. 35. 8).² Thus the hypothesis of narrative sources would help to explain the most notable peculiarity of the lists, the peregrine towns on them; and since it might not always be clear to which year's list they were to be transferred, it might also help to explain some of the doublets one or two years apart.

We have been suggesting that historians did not go directly to the *Annales Maximi* for their prodigies. This is in fact the more likely since even antiquarians, very remarkably, do not appear to have done so. Varro in the *Antiquitates de Rebus Divinis* made a collection of prodigies that was used by Pliny; and they seem to have been drawn from the historians.³ For the Second Punic War Varro apparently used Coelius; for the earlier second century we only hear of two prodigies (one, *Casini puerum factum ex virgine*, is not in Livy, one, three suns seen in 174, is: no significance can be laid on this). The majority are from 122 to 76 B.C., and some are seemingly those also appearing in Obsequens' lists. Now Varro is one of the very few Romans who we have reason

¹ Cicero, *de Divinatione*, 1. 20.

² See also O. Weinreich, 'Omina- und Prodigenkataloge im älteren römischen Epos', in *Studies Presented to D. M. Robinson*, ii

(1953), pp. 1147 ff.

³ F. Münzer, *Beiträge zur Quellenkritik der Naturgeschichte des Plinius* (1897), 2. 6.

to suppose read the *Annales Maximi* (for his less learned friend Cicero, and his follower Verrius from whom Aulus Gellius got the Cocles fragment, certainly did). What therefore does his choice of sources indicate? As Münzer says, 'dafür find ich nur die Erklärung, dass er gerade für diese Periode [the post-Gracchan one] Quellen hatte, die ihm glaubwürdig schienen und ein reiches Material dieser Art boten'. It is known that such historians of this period as Asellio, Sisenna, and Sulla were all interested in prodigies—it is worth noting that they all represented an anti-pedantic and anti-annalistic school of historians. Has Varro refused to use the late annalists, whom he certainly knew, as unreliable? Has he conceivably *not* found regular lists in the *Annales Maximi*? It is noteworthy that the Cocles fragment certainly does not come from a formal list, but is written up in a literary way. Or did the *Annales Maximi* not include recent as opposed to early material from the *tabula*? None of our fragments need deal with a period later than the fifth century.

Less remarkable than Varro's abnegation is the fact that in the *de Divinatione* Cicero appeals, or makes his brother appeal, as the best evidence for a prodigy, to the number of historians recording it, not to some official register. In most ancient writers this would have no significance at all; it is what one would expect. Yet Cicero, though not himself a very learned antiquarian, took a keen interest in the subject, and he had at least looked at the *Annales Maximi*, on whose style he had had adverse comments to make.¹ The situation is at any rate worth noting.

Now all the odd features we have been discussing can probably be explained away. It would be possible to postulate remarkably careless and ignorant historians who none the less used the *Annales Maximi*, misreading a strangely large number of towns, giving undue prominence in their selection to places and to types of prodigy in which they had a particular interest, forming apparent doublets perhaps by carelessly assimilating one event to another with which they had recently dealt. They could have done their best (here showing a contradictory amount of diligence) to collect from other sources material perhaps for the early period, and certainly for the post-Gracchan one, in order to supplement their basic source. But others may see such necessary postulations as special pleading.

We have examined the prodigy lists in isolation; but it should be remembered that they form part of the mass of 'protokollartig' material in Livy, the bare yearly accounts of official business and senatorial decrees of all kinds, on which doubt was first thrown long ago. Gelzer, following the lead of Kahrstedt and Meyer, made out a very strong case (though he has not convinced all scholars) for believing that the senatorial decisions as to military commands and the raising and division of troops are generally unreliable and the result of elaboration by the late annalists on rhetorical principles.² He wanted his demonstration to throw suspicion on all the official-looking matter, though he had to confine his argument to a single aspect of it, finding, as he said, no other method of attacking the problem than the old one of comparing late annalistic matter with Polybius. (His analysis of the wholly divergent Livian and Polybian accounts of, for example, decisions as to commands and troops for Sicily

¹ Cicero, *de Orat.* 2. 12. 52 and *de Leg.* 1. 2. 6.

² M. Gelzer, 'Die Glaubwürdigkeit der bei Livius überlieferten Senatsbeschlüsse

über römische Truppenaufgebote', *Hermes* lxx (1935), pp. 269 ff. = *Kleine Schriften*, 3. 220 ff.

in the Second Punic War, and consequently of operations there as well, is surely very hard to get round.) Indeed, he wished also to set the 'official' material in relation to the late annalistic accounts of battles, with their precise, but, as all admit, wildly exaggerated numbers and schematic tactics. One of the worst offenders here is Valerius Antias; and even though Klotz was probably wrong in tracing all the prodigy lists to his hand,¹ many are pretty surely his; are we to suppose that he changed his spots? Gelzer was aware, of course, that in both official and military narrative the late annalists *might* sometimes be building on safe ground; he was himself even willing to believe that notices on religious matters might come ultimately from the *Annales Maximi* and thus be superior in value to surrounding material.

But in view of what we have seen we ought perhaps to be even more sceptical than Gelzer was on this point (though we should regard the peculiarities of the senate's decisions about prodigies as support for his general case). For if the Romans did not use the *Annales Maximi* for prodigies, the one thing we know them to have contained, they are *a fortiori* hardly likely to have used them for matters that we are less sure were included (such as, not to go beyond the religious sphere, deaths of priests and dedications of shrines).

What in fact are we told about their character? Cicero says that they dealt with *res omnes singulorum annorum*;² Servius declares³ that *praescriptis consulum nominibus et aliorum magistratum digna memoratu notare consueverat* (the pontifex maximus) *domi militiaeque terra marique gesta per singulos dies*. But either this is untrue or, again, the information was not used. Certainly the variants as to magistrates (and other matters) even for the late fourth century worried Livy, who complains that there was no source contemporary with these events to go to;⁴ but it is easy to reply that certainly Livy, and probably many of his sources, were too careless to check their *Fasti* with the *Annales Maximi*, and also that for the early period these might well have been gappy or artificially reconstructed, and so not conclusive even if they were employed. But when two good scholars of the best age of Roman antiquarianism wanted information about the minor magistrates of 146 B.C. it did not apparently enter their heads, any more than it did Livy's, to turn to the *Annales Maximi*.

In 45 Cicero thought of writing a political dialogue set in Greece in 146 B.C. and, writing from Tusculum, he asked Atticus in Rome to dig up somehow, if he could—*mi, sicunde potes, erues*—the names of the ten legates sent out to help Mummius settle the affairs of Greece: they are not in Polybius.⁵ Cicero thinks that he knows two names, those of Albinus and the consul's brother Sp. Mummius, and that Hortensius once mentioned a third, C. Tuditanus, who would however seem (from Libo's annals) too young.⁶ Atticus at first can only reply with a personal recollection that identifies Albinus more precisely. Cicero's next reference to the matter unfortunately opens with a lacuna, but probably a brief one: he is asking Atticus to get someone to look the matter up *ex eo libro in quo sunt senatus consulta Cn. Cornelio L. Mummiio consulibus*. This

¹ A. Klotz, *Livius und seine Vorgänger* (1940).

² Cicero, *de Orat.* 2. 12. 52 = Peter, *HR Rel. Annales Maximi*, Test. 1.

³ Servius, *ad Aen.* 1. 373 = *idem*, *ibid.* Test. 2.

⁴ Livy 8. 40. 5.

⁵ Cicero, *ad Atticum*, 13. 30. 2. I follow Shackleton Bailey's order for these letters,

but see now E. Badian, 'Cicero and the Commission of 146 B.C.', *Hommages à Marcel Renard*, i. 54 (1969). He raises the question whether, since *scs.* were apparently fairly easily available, the late annalists could forge them wholesale. It seems to me that the answer must be, regrettably, yes.

⁶ *ad Atticum*, 13. 32. 3.

someone is probably Antiochus, one of Atticus' staff, mentioned a few lines later as being able to find out if Tuditanus was in fact quaestor or *tribunus militum* (presumably not from the *senatus consulta*: Badian suggests family records); and Atticus is also to discover when Sp. Mummius, who, it now seems agreed, was not one of the ten legati, was quaestor or military tribune, or if he was in 146 one of his brother's *praefecti* or *contubernales*.¹ In his next letter Cicero accepts that the commissioner Tuditanus was the father of the man he first thought of, and that Spurius was probably personal legate to his brother; he remarks on Atticus' industry: <O> *operam tuam multam*!² In a later letter still he seems to refer to receiving the final list: *habeo munus a te elaboratum decem legatorum*, probable as a result of Antiochus' efforts.³

It will be noticed that Atticus, who had recently completed his *Liber Annalis*,⁴ which included the names of consuls and censors, and who might thus be expected to know about sources for magistrates of the previous century, seems aware of no immediately accessible or trustworthy authority even for the regular office of quaestor and ultimately has to get the information required by a probably laborious working through of *senatus consulta* and other sources—a course suggested to him by Cicero, who had some years previously remarked that the *Annales Maximi* contained *res omnes*. It seems likely that by this he had merely meant information of all sorts.

In fact the few surviving fragments of the *Annales Maximi* hardly hint at the sort of book that Servius describes.⁵ (Among them it is probable that we may legitimately include, unlike Peter, the stories of the regal period cited in the *Origo Gentis Romanae*: it appears that the quotations in this late work may be genuine.)⁶ From these we get the impression of a great collection of aetiological explanations of Roman rites and institutions. Even the portent cited by Aulus Gellius (lightning striking the statue of Horatius Cocles) is written up to form the origin of a proverb, and *pace* Crake, Gellius' wording makes it clear that the writing up was not simply due to the immediate source, Verrius.⁷ We know that around the Gracchan period the traditional religion of Rome, with the control over it exercised by the nobles and their priestly colleges, and especially the powers of the pontifex maximus, were under attack at the hands of the *populares*. The pontifices might have seen fit to strengthen their position by constructing a work of primarily religious antiquarianism, supposedly based on evidence from the *tabula dealbata* but actually leaving out much material that did not lend itself to such aetiological treatment. There is, however, not enough evidence to show that the whole work, as opposed to the early part whence all our fragments come, was of this character. All we can say with any confidence is that something seems to have prevented both annalists and antiquarians from making much use of the *Annales Maximi*. Perhaps they were

¹ *ad Atticum*, 13. 33. 3 (inserting Spurius with Shackleton Bailey; see, *contra*, Badian).

² *Ibid.* 13. 6. 4.

³ *Ibid.* 13. 4. 1.

⁴ *Brutus*, 3. 11 (written in 46).

⁵ If we doubt the inclusion of all magistracies, should we also doubt Servius' evidence that the work was in eighty books and called after the pontifex maximus rather than simply designated as great?

⁶ A. Momigliano, 'Some Observations on the *Origo Gentis Romanae*', *J.R.S.* xlviii

(1958), pp. 56 ff. = *Secondo Contributo alla Storia dei Studi Classici* (1960), p. 145; G. Puccioni ed., *Origo Gentis Romanae*, 1958.

⁷ Aulus Gellius 4. 5 = *Annales Maximi frag. 4: ea historia de aruspiciibus ac de versu isto senario scripta est in annalibus maximis libro undecimo et in Verri Flacci libro primo rerum memoria dignarum*. J. E. A. Crake's useful but rather optimistic article, 'The Annals of the Pontifex Maximus', *Cl. Phil.* xxxv (1940), pp. 375 ff., lists the earlier literature on the subject.

awkward to consult and hard to get at—was there more than one copy? Cicero does not actually speak of them as published. Our curiosity as to their contents is then somewhat misplaced; if they were not in fact used, it is no great matter what they said. The Romans did not treat them as a unique source for their early history; perhaps we should do well to follow their example. The consequences for our knowledge of Roman history, both in the archaic period and as late as the second century B.C., need no stressing. There may still be good information at times in the annalistic tradition; but one of our best tools for identifying it has broken.

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