

LIVY'S L. PAPIRIUS CURSOR AND THE MANIPULATION OF THE ENNIAN PAST

Scholars have long been aware that Livy's summation of the character of Papirius Cursor in Book 9 of the *Ab Urbe Condita* alludes to a famous phrase of Ennius' *Annals*.¹ The episode (9.16.11–19) as a whole celebrates Papirius' theatrically ferocious enforcement of military discipline, as well as his remorseless wit. Livy concludes the passage with the words *haud dubie illa aetate, qua nulla virtutum feracior fuit, nemo unus erat vir quo magis innixa res Romana staret* (9.16.19). Livy's language here is primarily indebted to *Ann.* 156,² *moribus antiquis res stat Romana virisque*, a line associated with T. Manlius Torquatus Imperiosus' punishment of his son for lack of military discipline;³ though it perhaps also owes something to another Ennian phrase, *unus homo nobis cunctando restituit rem* (*Ann.* 363).⁴ My aim here is to show that Livy's use of Ennius, far from being an inert recall of the fossilized past, was an integral part of the construction of the episode as a whole.⁵ Livy's Papirius is a self-conscious and witty emulator of the Ennian past, who depends on both his internal and his external audience's knowledge of Ennius' text to achieve his ends.

Livy's own version of the Manlius episode signals admiration for the effectiveness of the consul's actions in maintaining discipline, but there is also a strong undercurrent to his narrative in which the atrocity of his action is acknowledged.⁶ That undercurrent surfaces, for example,⁷ in the response of the onlookers to Manlius' command to his lictor to tie his son to the stake at which he was to be executed (*i, lictor, deliga ad palum*; 8.7.19): they are *exanimati omnes tam atroci imperio nec aliter quam in se quisque dstrictam cernentes securem* (8.7.20).⁸ The wording here will be important later in the argument of this paper.

¹ See e.g. W.B. Anderson, *Livy Book IX*, 3rd ed. (Cambridge, 1928) ad loc., O. Skutsch, *Studia Enniana* (London, 1968), 53 and S.P. Oakley, *A Commentary on Livy Books VI–X*, vol. 3: Book IX (Oxford, 2005), 182.

² All references to the *Annals* are to O. Skutsch, *The Annals of Quintus Ennius* (Oxford, 1985).

³ For this celebrated *exemplum*, see Livy 8.7.1–8.2 (where Manlius Torquatus' words at 8.7.16 are themselves markedly Ennian; cf. S.P. Oakley, *A Commentary on Livy Books VI–X*, vol. 2: Books VII–VIII [Oxford, 1998], 445), Cic. *Sull.* 32–3, Val. Max. 2.7.6, 9.3.4, Claud. *IV Cons. Hon.* 403; cf. Oakley, *ibid.* 451, on *Manlianaque imperia* at Livy 8.7.22. For the reasons for the attribution of *Ann.* 156 to this episode of 340 B.C.E., see Skutsch (n. 1), 51–3 and *id.* (n. 2), 317–18. The line had already in antiquity achieved notoriety; cf. August. *De civ. D.* 2.21 (*tamquam ex oraculo quodam ...*) and the *Hist. Aug.* 'Letter of the emperor Marcus', Avid. Cass. 5.7 (*omnibus frequentatum*).

⁴ Cf. Oakley (n. 1), 182.

⁵ Skutsch, unlike Anderson, sees the relevance of the Ennian line to the context as a whole; but to him there is no literary game being played here, as the reading below will propose – only a basic similarity in the action, prompting the recall (see Skutsch [n. 1], 53, *id.* [n. 2], 317 and Anderson [n. 1]); cf. Oakley (n. 1), 182. Oakley (n. 3), 445, however, has a parenthetical comment that implies a reading similar to that proposed here.

⁶ The episode is discussed by A. Feldherr, *Spectacle and Society in Livy's History* (Berkeley, 1998), 105–11.

⁷ Elsewhere also at Livy 8.7.21–2, which describes the immediate grief and horror of those who beheld the execution, and at 8.12.1, where Manlius, on his return to Rome, is celebrated by the older generation, but shunned and cursed then and thereafter by the younger.

⁸ For the importance of spectacle and audience as a probably uniquely Livian trait in the construction of this and related episodes, intimately connected to the exemplary function of his history, see Feldherr (n. 6), 84–5, 100–11, esp. 109–10, on the execution as spectacle.

On several of the occasions on which Papirius recurs in Livy's narrative,⁹ we see him aspire to specifically Manlian standards of discipline. One example is his famous quarrel, during his dictatorship of 325, with Q. Fabius Maximus Rullianus, his Master of the Horse (8.30–5),¹⁰ in which Papirius comes close to having Fabius executed for insubordination. This episode establishes Papirius as a formidable character and a kind of anti-Manlius: he (barely) falls short of Manlian brutality (only at the last moment do the combined entreaties of the army, senate and Roman people save Fabius from execution), but he is still able to achieve Manlian results. For Livy concludes that Fabius' peril had been no less efficacious in establishing military authority than had the punishment of the young Manlius (8.35.9).

At 9.16.11–19, Livy's Papirius again conjures up Manlius, only here with a wink at his external audience, while playing a joke at his internal audience's expense. In Dio's parallel account (Book 8, fr. 36.23–4), Manlius and Ennius are absent. Comparison of the two versions is therefore illuminating, for it brings out the intelligence and humour of the Livian passage, as well as its manipulation of the Ennian background.¹¹

The first difference lies in how Livy and Dio respectively treat Papirius' relationship to wine. In Livy, the matter is summarized in the phrase *vini ... capacissimum* (9.16.13). Oakley thinks that this brevity suggests disapproval of a behaviour he considers inappropriate to a Roman commander.¹² But in context Papirius' capacity for wine is mentioned as one of a series of abilities illustrative of his extraordinary personal toughness, with reflection at the end on how this translates in terms of his relationship with his men (9.16.12–14):

fuit vir ... non animi solum vigore sed etiam corporis viribus excellens. praecipua pedum pernecitas inerat, quae cognomen etiam dedit; victoremque cursu omnium aetatis suae fuisse ferunt [et] seu virium vi seu exercitatione multa, cibi vinique eundem capacissimum; nec cum ullo asperiores, quia ipse invicti ad laborem corporis esset, fuisse militiam pediti pariter equitque.

The reference to Papirius' drinking is thus part of his heroization, setting his capacity for endurance on a footing comparable to that of Plato's Socrates, Sallust's Catiline or Livy's Hannibal,¹³ and it leads directly to the placing of Papirius on a par with Alexander the Great at the end of the Livian passage (*quin eum [sc. Papirium] parem destinant animis magno Alexandro ducem, si arma Asia perdomita in Europam vertisset*, 9.16.19). Such heroization is entirely absent from Dio's version, which takes the form of an anecdote running thus (Book 8, fr. 36.23):

... ονειδισαντός τινος αὐτῷ ὅτι οἶνω πολλῷ ἐχρήτο, ἔφη ὅτι τὸ μὲν μὴ εἶναι με μεθυσικὸν παντὶ που δῆλον ἔκ τε τοῦ πρωιαίτατά με ὀρθρεύεσθαι καὶ ἐκ τοῦ ὀψιαίτατα καταδαρθάνειν ἐστίν· διὰ δὲ τὸ τὰ κοινὰ ἀεὶ καὶ μεθ' ἡμέραν καὶ νύκτωρ ὁμοίως ἐν

⁹ For a complete list of Papirius' appearances in Livy, see Oakley (n. 3), 518–19.

¹⁰ For references to Manlian *disciplina militaris*, see esp. 8.30.11–13 and 8.34.2; cf. 32.3–8 and 8.34 generally.

¹¹ Dio's parallel passage is cited by Oakley (n. 1), 175. See *ibid.* 175–6 for Oakley's comparison of the two passages.

¹² Oakley (n. 1), 176: 'perhaps he did not think it fitting to the dignity of his history to discuss a Roman hero's capacity for alcohol, or perhaps he did not wish to make much of the fact that Cursor shared one of Alexander the Great's less desirable character traits (see 18.4)' – though Oakley also notes (his n. 1 on p. 176) Livy 10.42.6–7, where a drinking motif is attached to Cursor's son with no negative judgement involved.

¹³ Pl. *Symp.* 219–22, esp. 220A, on Socrates' ability to outmatch all other drinkers yet not get drunk; Sall. *Cat.* 5.3; Livy 21.4.

φροντίδι ποιείσθαι, καὶ ὑπὸ τοῦ μὴ δύνασθαι ῥαδίως ὕπνου λαχεῖν, τὸν οἶνον κατακοιμήσαντά (cod.: -σοντά H. Stephanus) με παραλαμβάνω.

Dio's Papirius is here a prim and humourless character, a conscientious administrator, with a rather defensive attitude when it comes to his sobriety: he has a tendency to be vexed and feels the need to insist that his drinking was all for medicinal purposes only. This Papirius gets to defend his honour, but his stature is that of an ordinary man, dour and surely somewhat myopic.

Livy's Papirius, by contrast, has a real sense of humour, if an acerbic one and one that dwells in particular on his reputation for strictness. This first comes to attention with his reply to his cavalry's appeal to have some of their duties reprieved: lest they count him altogether inexorable, he says, he'll let them off soothing their horses' backs when they dismount (9.16.15–16).¹⁴ There follows a story concerning a Praenestine praetor that shows Papirius again satirically playing on his reputation as an implacable disciplinarian to get a chuckle out of his subordinates' discomfort. Livy has (9.16.17–18):

Praenestinus praetor per timorem segnius ex subsidiis suos duxerat in primam aciem; quem cum inambulans ante tabernaculum vocari iussisset [*sc.* Papirius], lictorem expedire securem iussit. ad quam vocem exanimi stante Praenestino, 'agedum, lictor, excide radicem hanc' inquit 'incommodam ambulantis', perfusumque ultimi supplicii metu multa dicta dimisit.

Here we see Livy and his Papirius actively capitalizing on both the Manlius Torquatus episode itself (8.7–8) and on Papirius' subsequent emulation of it (8.30–5), by virtue of the audience expectations earlier created. Papirius has no intention of re-enacting that episode in earnest in Book 9; the point is rather to ironize the fecklessness of the particular unfortunate praetor on whom Papirius turns his wit and to dramatize Papirius' own roguish enjoyment of his reputation. What we have here is Papirius deliberately enacting, before the praetor's eyes, a rough-and-tumble army charade: still shrouded in the eyes of his audience with his erstwhile 'Manlian' aspirations, Papirius conjures up the Manlius Torquatus scene with his command to his lictor. *Agedum, lictor*, as an approximation of *i, lictor*, the standard formal address to a lictor by a magistrate about to enjoin on him service to the state,¹⁵ works to prolong the praetor's and the external audience's suspense, and the archaic *agedum* carries a reminder of Papirius' old-fashioned, would-be Manlian severity.¹⁶ The praetor of 9.16 actually plays the part of the audience of the Manlius episode proper of Book 8, rather than that of an actor: his response, *ad quam vocem exanimi stante Praenestino*, mimics the response of that earlier internal audience, *omnes exanimati tam atroci imperio* (8.7.20). That earlier audience had in fact anticipated the praetor's horror and fear precisely: *nec aliter quam in se quisque destrictam cernentes securem metu magis quam modestia quievere* (ibid.).¹⁷ What follows at 9.16.18 is effectively a punchline:

¹⁴ *equites etiam aliquando ausos ab eo petere ut sibi pro re bene gesta laxaret aliquid laboris; quibus ille 'ne nihil remissum dicatis, remitto' inquit, 'ne utique dorsum demulceatis cum ex equis descendetis'*. See Oakley (n. 1), 180.

¹⁵ Cf. Manlius' *i, lictor*, at 8.7.19, and Papirius' *accede, lictor* at 8.32.8; see Oakley (n. 3), 450 on 8.7.19.

¹⁶ Oakley (n. 1), 176 remarks on Livy's use of 'archaic and expressive *agedum*' as one of the points which sets his characterization of Papirius apart from Dio's.

¹⁷ Cf. Feldherr (n. 6), 110, on the surrogacy of the audience of Manlius' execution for the victim himself, expressed e.g. in the reciprocity between their being *defixi* and *exanimati* (8.7.20–1) and his being bound to the stake and literally deprived of life, etc. (ibid. 19, 22).

‘Come now, lictor, cut out this root which is liable to trip people’. Papirius’ sense of humour and rigorous attention to discipline have here combined to encourage him to ‘pull a Manlius’, as if he planned to pursue with ‘Manlian’ severity this unworthy successor of the younger Manlius Torquatus. In fact, the command to ‘get the axe’ was itself the only punishment Livy’s Papirius intended to effect—and thereby to indulge his own acerbic sense of humour.

In Dio, by contrast, Papirius’ command to the lictor to cut out the root is a nonsensical afterthought; it is unclear from his narrative why it warrants mention. Dio writes (Book 8, fr. 36.24):

ὅτι ὁ αὐτὸς [sc. Papirius] ἐφοδεύων ποτὲ τὰς φυλακὰς καὶ μὴ εὐρῶν τὸν Πραινεστίνων στρατηγὸν ἐν τῇ τάξει ὄντα ἡγανάκτησεν, εἴτα μεταπεμφάμενος αὐτὸν ἐκέλευσε τῷ ῥαβδούχῳ τὸν πέλεκυν προχειρίσασθαι· ἐκπλαγέντος τε αὐτοῦ πρὸς τοῦτο καὶ καταδείσαντος, τῷ τε φόβῳ αὐτοῦ ἠρκέσθη καὶ οὐδὲν ἔτι δεινὸν αὐτὸν ἔδρασεν, ἀλλὰ ῥίζας τινὰς παρὰ τὰ σκηνώματα οὔσας ἐκκόψαι τῷ ῥαβδούχῳ, ἵνα μὴ τοὺς παριόντας λυπῶσι, προσέταξεν.

Dio’s Papirius here is initially actually serious about meting out punishment, even though his praetor’s misdemeanour is merely absence from his post, rather than the more serious one of cowardice in battle while at the head of a reserve contingent, as in Livy. In the end, the man’s sheer terror is enough to placate this Papirius (τῷ τε φόβῳ αὐτοῦ ἠρκέσθη καὶ οὐδὲν ἔτι δεινὸν αὐτὸν ἔδρασεν), and it is only after he has let the man go that he turns his lictor’s attention to the roots causing the obstacle. The detail appears entirely extraneous, and the manner of its inclusion shows how completely Dio is missing Papirius’ joke in Livy.¹⁸

The subsequent characterization of Papirius in *haud dubie illa aetate qua nulla virtutum feracior fuit, nemo unus erat vir quo magis innixa res Romana staret*, by pointing back quasi-verbatim to Ennius’ Manlius Torquatus and Livy’s redrafting of him at 8.7–8, makes plain the nature of Papirius’ charade for any in the external audience slow to ‘get’ his joke. It also expresses Livy’s appreciation for this upright character as he, Livy, conceived him, and it allows Papirius the opportunity to take advantage, in a witty if slightly cruel way, of his own typecasting in Livy’s text. Thus, the use of the Ennian line points out how Papirius, a wit as well as a disciplinarian, is engaged in a very active manipulation of his own and Manlius’ literary past.

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doi:10.1017/S0009838809990292

¹⁸ For their part, Plin. *HN* 17.81 and Amm. Marc. 30.8.5 make clear their understanding of the ‘joke’. [Aur. Vict.] *De vir. ill.* 31.4 is unaware.

WHEN DID LIVY WRITE BOOKS 1, 3, 28 AND 59?

The chronology of the genesis of Livy’s massive work is largely obscure. The most economical interpretation holds that both Books 1 and 4 were written after January 27 B.C. because two passages in them (1.19.3 and 4.20.7) already refer to Octavian as ‘Augustus’ and that the first book, which mentions the closure of the Temple of Janus