MISCELLANEA CRITICA

Lennart Håkanson

(1) Plautus *Captivi* 790 ff. The slave Ergasilus says to himself:

> *Move aps te moram atque, Ergasile, age hanc rem.*
> *eminor interminorque, ne mi obstiterit obviam*
> *nisi quis satis diu vixisse sese homo arbitrabitur . . .*
> *Prius edico, ne quis* propter *culpam capiatur suam*:   803
> *continete vos domi, prohibete a vobis vim meam.*

Nixon (Loeb) translates: "I give you due notice, that no one may come to grief through his own ignorance of the law: stay at home" etc. But "ignorance of the law" seems a rather farfetched interpretation of *culpam suam*. After *prius edico, ne* one would expect "that no one may come to grief without any fault of his own, undeservedly;" that is, I think, why he gives a warning in advance. The critical appendix of Ritschl-Loewe-Goetz-Schoell's edition reveals that J. Bosscha (whose edition of the *Captivi* appeared at Utrecht in 1817) read *praeter culpam*, and is not this the right reading? The same confusion is found in *Miles* 1257. It is true that the expression *praeter culpam* does not turn up elsewhere before Aug. *De civ. Dei* 1.16 *quidquid alius de corpore vel in corpore fecerit . . . praeter culpam esse patientis,* but this does not matter very much, since the combination *propter culpam* is likewise very rare: before late Latin it is found only at Cic. *Inv.* 2.90 (cf. *TLL* 4.1309.18 ff.). This use of *praeter* is rather similar to expressions like *Pseud.* 801 *tu solus praeter alios.*

(2) Catullus 44

> *O funde noster . . .*
> *fui libenter in tua suburbana*   6
> *villa, malamque pectore expuli tussim,*
> *non immerenti quam mihi meus venter,*
> *dum sumptuosas appeto, dedit, cenas.*
> *nam, Sestianus dum volo esse conviva,*   10
> *orationem in Antium petitorem*
> *plenam veneni et pestilentiae legi.*
> *hic me gravedo frigida et frequens tussis*
> *quassavit usque, dum in tuum sinum fugi . . .*
>
> *nec deprecor iam, si nefaria scripta*   18
> *Sesti recepso, quin gravedinem et tussim*
> *non mi, sed ipsi Sestio ferat frigus,*
> *qui* tunc *vocat me, cum malum librum legi.*

Most editors seem to interpret the situation of this poem as Fordyce does: "Catullus gets an invitation from Sestius, who writes bad speeches but

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gives good dinners: he knows that he is expected to read Sestius' latest speech (of which the author has perhaps given him a copy), but he is tempted and takes the risk." But if we leave the difficult v. 21 aside for the moment, it is nowhere stated that Catullus actually *got* an invitation; the manner of expression in 9 f., *appeto cenas, volo esse conviva,* only suggests that he *wanted* an invitation. Catullus, then, read Sestius' speech with the purpose of acting like Selius in *Martial* 2.27, *cenae cum retia tendit.* But v. 21 with its *tunc* (sc. *tantum*) is languid and probably corrupt (Lachmann's *legi* for the transmitted *legit* seems necessary): I read *qui nec vocat me cum malum librum legi,* "who does not invite me even though I have read his bad book." This gives a point to the whole poem: the poet has risked his health for nothing! Perhaps *nec* fell out, and someone supplied *tunc* as a metrical stopgap because of the following *cum.* As to *nec* = *ne quidem,* cp. 66.73 *nec si me infestis discerpent sidera dictis.*

(3) Seneca *Controversiae* 2.1.17
The declamator holds that wealth is a sign of moral superiority and that those who blame the rich do so mainly because of their own *nequitia*:

Non ignoro ego (sc. *illos*) *quorum inopia per otium in angulis divitiarum* convictos trepit (strepit V) accusatioque cum sequi neque sunt. *sed nulla materia in rebus humanis virtutes clarius ostendit.*

The transmitted nonsense *convictos . . . neque sunt* is corrected as follows in the three latest editions:[1] *convictos carpit accusandoque insequi non desinit. carpit* was suggested by H. J. Müller, *accusandoque* by Novák and Gertz, *insequi* by Gronovius, *non desinit* by Bursian.

The phrase *divitiarum convictos* ("those convicted of being rich," Winterbottom) does not sound very convincing—and why change *strepit,* so clearly intended by the scribes and so excellent in this context? Certainly Gertz's *divitiarum convicio strepit* is the right reading: it involves only the change of a *t* to an *i* and is stylistically just to the point, referring to the quarrel of idlers on street-corners. As to the objective genitive with *convicio,* cp. *Contr.* 2 *praef.* 2 *convicium saeculi.* Perhaps no one questions the use of a personal subject with *strepere* (*quorum inopia* = *qui inopes*), but if so, cp., e.g., Tac. *Ann.* 1.25 *Illi . . . vocibus truculentis strepere.*

I shall not discuss in detail the objections that could be made against the current text *accusandoque insequi non desinit*; it is much too violent a restoration to be true, even in this very corrupt text. Before I put forward my own suggestion, I would like to draw attention to two circumstances. First, the clause immediately following the corruption

[1]These editions are: those of H. J. Müller, Vienna 1887; H. Bornecque, Paris 1902 (his revised edition of 1932 was not accessible to me); M. Winterbottom, Cambridge, Mass. 1974.

begins with *sed*, which refers to the words *non ignoro ego*, the whole semantically equalling *quidem . . . sed*. Consequently it is unlikely that we should punctuate after *strepit*, which would blur the connection between these two elements. Second, the subject of *strepit*, though logically in the plural, is in the singular, but on the other hand the subsequent corruption *neque sunt* looks as though it conceals the plural. Confronted with this fact one may ask if it is possible to emend the passage in such a way that a transition from singular to plural becomes natural. Taking all this into consideration I suggest the following text (which is only partly my own suggestion): *Non ignoro ego, quorum inopia per otium in angulis divitiarum convicio strepit accusantium quae consequi nequeunt.* The conjunct participle *accusantium* (with *quorum*) economically effects the change from singular to plural, and *accusātiū que* is the easiest possible change of the transmitted *accusatioque.* Why editors dismiss Novák's elegant *consequi nequeunt* in favour of the clumsy suggestions quoted above is a riddle to me. It gives perfect sense: *qui facere quae non possunt verbis elevant, / ascribere hoc debebunt exemplum sibi*, as Phaedrus (4.3) puts it, talking about the fox and the grapes. As to *quae* (neutr. plur., but = *divitias*) *consequi*, cp. Cic. *Brut.* 280 *opes consequi*, Firm. Mat.. 5.3.12 *divitias consequi.*

(4) *Contr.* 2.1.38

Hoc aut meum consilium est aut illius aut commune. consentiatis licet: duos senes iungitis.

To save space I refer the reader to the editions for the theme of this *controversia* and for details of the context; to understand my own suggestion it is enough to read the quotation above, and I am afraid that consultation of some edition will not help to understand the *textus receptus*, which is almost nonsensical. The MSS read *iungit*, not *iungitis*, which is Schulting's suggestion, and *iungit* is right. We should read *conscientia scilicet duos senes iungit.* The declamator (who is playing the part of one of the two fathers involved in the case) says: "This is my idea, or his, or it belongs to both of us; for consciousness (joint knowledge) joins us two old men." He acts as if he did not remember whose idea it was at first, and as if this did not matter at all, since they both agree to it.

(5) Lucan 7.387–389
The battle of Pharsalus is about to begin:

> *Hae facient dextrae* quidquid *non expleat aetas*
> *ulla nec humanum reparet genus, omnibus annis*
> *ut uacet a ferro.*

For a list of suggestions made on this much-discussed passage, see D. R. Bradley, "Some textual problems in Lucan book 7," *Latomus* 28

(1969) 179; here I shall confine myself to mentioning two distinguished scholars' views: Housman (preface xxiii ff.) altered *non expleat* to *nona explicat* (*explicat* comes from the *commenta Bernensia*) and deleted 388. Axelson,[2] rightly rejecting Housman's constitution of the text, read *hae facient dextrae quae damna haud expleat aetas*, supposing that *quae damna* was misread as *quaedam non*, whereupon *non* was deleted as unmetrical and the unintelligible *quaedam* was changed to *quidquid*. But, as Bradley pointed out (180), it is rather unlikely that someone would have inserted the difficult *quidquid* (instead of *quantum*, which Axelson mentions as the only possible alternative): "The difficulty of *quidquid* provides some measure of guarantee that this is what Lucan wrote." In fact, I think that the transmitted text as a whole is exactly what Lucan wrote, although no one has hitherto managed to give a correct explanation of *quidquid*. Editors who, contrary to, e.g., Miller and Ehlers,[3] regard *quidquid* as correct either understand it as simply = *quod* (thus Bourgery-Ponchont), or intepret it as = *quantum* (thus, i.a., Haskins). I shall try to show that the correct explanation of *quidquid non* is (*id*) *quod omnino non*, in that the notion "all" of "all which" somehow becomes predicative, equalling "which all not," "to its whole extent not," and so being equivalent to "which not at all" (judging from my parallels quoted below, a negation in the same clause seems to be obligatory). This use of *quidquid* is, as far as I have seen, unknown to dictionaries and handbooks. All instances known to me of such a *quidquid non* come from the so-called *declamationes maiores*, a text I have been working on for some time. At *decl.* 5.21 we read: *mea pietas istud, mea fecit electio. unde enim evenit quicquid ante captivitas tua praestare non potuit?* A father is here addressing his son, and *quicquid* refers to *one* thing only, the son's escape from pirates. The father asks why his son, having been captured by pirates, could not escape before the father himself had intervened (in a way which does not need to bother us here). We may translate *unde e.q.s.* thus: "For how did this thing happen, which you as a prisoner could not at all achieve earlier?" (or "which it was quite impossible for you to achieve earlier?")

In *decl.* 8 a pair of twins has got the same disease, and a doctor promises their parents that he will cure one of them, if he is allowed to dissect the other one in order to diagnose the illness: *negat se* (sc. *medicus*) *scire causas languoris, deinde promittit quicquid licere non deberet nec intelligentibus* (8.15). *quicquid* obviously refers only to the promise mentioned, and we may translate: "then he promises something that ought by no means

[2]B. Axelson, "Eine Korruptel in der Überlieferung des Lukan," in H. Dahlmann and R. Merkelbach, eds., *Studien zur Textgeschichte und Textkritik*, (= *Festschrift G. Jachmann*) (Cologne 1959) 31–35.

[3]Miller (Loeb) follows Housman; Ehlers (Munich 1973) obelizes the verse.

(not at all) to be allowed even for someone, who knew the illness (to promise)."

Decl. 15 deals with a *remedium amoris parum idonei* in the form of a *potio* which has the power to turn such a love into hatred. *quicquid* in the following quotation refers only to such a falling-in-love: *quicquid non parentium irae, castigationes, non serii propinqui, non paupertas, non necessitas poterat efficere, haustus brevis, facilis, unus extorquet* (15.8). "What indignant parents, etc., could not at all bring about. . . ."

One observes that in these instances *quidquid* occurs together with *non* and the verbs *posse* or *debere*; in Lucan we likewise find a *non*, and the notion of *posse* is inherent in *expleat* and *reparet*. A similar instance is found at *decl.* 2.2: *congesta sunt adversus miseram debilitatem ferrum, cruor, venenum, et quicquid non potest esse negligentiae nisi nescientis.* Here *quicquid e.q.s.* = *et quod omnino non potest e.q.s.*

In view of instances such as these it is hardly possible to doubt the genuiness of Lucan's *quidquid non expleat aetas e.q.s.*

(6) Martial 2.46.5 f.

> *atque* unam *vestire tribum tua candida possunt*
> *Apula non uno quae grege terra tulit.*

For *unam* = *totam* editors quote (following Leo) Plautus *Miles* 584 *nam uni satis populo impio merui mali*, but, as Shackleton Bailey has recently pointed out,[4] the text of this passage is highly uncertain; his suggestion *unus* looks very attractive. Further, *non uno* in the following verse would make it difficult to understand *unam* as *totam*. Besides, this *uno* may have caused a corruption by anticipation. Shackleton Bailey suggested *plusque unam*; perhaps *atque tuam*?

(7) Martial 3.38.13 f.

> *"Quid faciam, suade, nam certum est viverε Romae."*
> *Si bonus es,* casu *vivere, Sexte, potes.*

Shackleton Bailey[4] has convincingly demonstrated the absurdity of the traditional text. I am not sure, however, that his suggestion *ni* for *si* is right and Shackleton Bailey himself may have his doubts about it since he offered as an alternative *si penus est*: "Sextus can live 'by chance' if he has a wellstocked larder, i.e., money of his own. *Iudicet lector.*" Whereas *penus* is not found elsewhere in Martial, *census* is (e.g., at 2.90.5), and I wonder if the poet did not write *si bonus es censu, vivere* (sc. *censu*), *Sexte, potes.* In 4.5 Martial states that a *vir bonus et pauper* has no future

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[4]D. R. Shackleton Bailey, "Corrections and Explanations of Martial," *CP* 73 (1978) 275.

in Rome, but someone who is *bonus censu* might very well have. The defining ablative *censu* is an addition παρὰ προσδοκίαν. The confusion *census-casus* is found in several MSS at Amm. Marc. 26.8.13.

(8) *Declamationes maiores* 3.8 (Lehnert p. 47.24 ff.).

Atque utinam plures mortes cepisset (sc. *tribunus nefarius a milite quodam iure occisus*), *ut impurum spiritum renascens poena torqueret! parum severe militarem* redeuntibus *suppliciis disciplinam continemus, si tribuno post hoc factum ⟨non⟩ bene cessit, quod occisus est.*

The addition of a negation in the *si*-clause (Dessauer, Lehnert) is necessary, but one could as well read ⟨*ni*⟩*si* for *si*. But what does *redeuntibus suppliciis* mean? The preceding *renascens poena* cannot explain it, since *plures mortes* cannot possibly be meant by *suppliciis*. On the other hand, *renascens poena* may have opened the way psychologically for a corruption like *redeuntibus*, if it was possible to misread the transmitted word in this way. And this may have been possible, if the archetype had *militarēclemtibus* (= *militarem clementibus*): *re-* was erroneously repeated, *cl* was misread as *d* (a common confusion), and *m̄* was taken for *un*, whereby *renascens poena* was probably the indirect cause of the error. As to *clemens supplicium*, cp., e.g., Cic. *Off.* 1.137 *clementi castigatione.*

Uppsala University