The Dating of Livy's First Decade

T. J. LUCE
PRINCETON UNIVERSITY

Evidence which would help to determine when the extant parts of Livy's huge history of Rome were written and published is meager and often of slight value. The historian was reluctant to refer directly to contemporary personalities, events, and issues; and the passages in which scholars have ventured to see indirect references and allusions are neither many nor easy of interpretation. Only the first book can be dated with apparent certainty; the narrow limits are both surprising and gratifying: surprising because of uncertainty and latitude elsewhere, gratifying because an almost exact date is available for the commencement of Livy's historical writing. The passage in question is at 1.19.2–3 and concerns the closing of the gates of Janus:

> Ianum ad infimum Argiletum indicem pacis bellique fecit [sc. Numa], apertus ut in armis esse civitatem, clausus pacatos circa omnes populos significaret. Bis deinde post Numae regnum clausus fuit, semel T. Manlio consule post Punicum primum perfectum bellum, iterum, quod nostrae aetati di dederunt ut videremus, post bellum Actiacum ab imperatore Caesare Augusto pace terra marique parta.

The passage must date after January 16, 27 B.C., when the title Augustus was given to Octavian, and before 25 B.C., when Augustus closed the gates for a second time, following his subjugation of Spain in the years 27–25 B.C.[1] Other passages in the *Ab Urbe Condita* which can be used for dating purposes are few and not very helpful. At 4.20.7 (437 B.C.) Livy mentions that Augustus, *templorum omnium conditorem aut restitutorem*, discovered

[1] E. Paratore, *Storia della letteratura latina* (Florence 1950) 441, believes that to expect Livy to distinguish between Augustus' two closings "sarebbe sembrato un' ironica pedanteria," and would bring the date for the beginning of composition "più in giù." But the phrase *post bellum Actiacum* is intended to give not a *terminus post quem*, but the occasion for the closing, and is parallel to *post Punicum primum perfectum bellum*.

the linen corselet which A. Cornelius Cossus had dedicated in the temple of Juppiter Feretrius as part of the *spolia opima*. At 28.12.12 he refers in passing to the final subjugation of Spain *ductu auspicioque Augusti Caesaris*, but whether this refers to Augustus' own campaign in 27–25 B.C. only, or to Agrippa's Cantabrian campaign in 20–19 B.C. as well, is uncertain. Periocha 59 mentions that Augustus, when speaking in the senate on behalf of his law *de maritandis ordinibus* of 18 B.C., quoted from a speech of Q. Metellus, censor in 131 B.C. These represent the sum total of direct references to contemporary persons and events in Livy; that all concern the person of Augustus is worthy of note and is perhaps of some significance. Except for the passage at 1.19.3, none are of any real value in dating, since the historian must have written on the average of slightly more than three books a year in order to reach the last, Book 142, by A.D. 17, the year of his death.

The dating of 27–25 B.C. for the publication of the first book, possibly of the first pentad,[2] went unquestioned until Professor Jean Bayet suggested that the sections concerning Augustus in Books One and Four were later additions which formed part of a second edition of the first pentad.[3] His theory has been rejected by subsequent scholars, save for Professor Ronald Syme, who considers the proposal possible but by no means certain.[4] Hypotheses of second editions are generally distasteful, for they smack of the drastic and desperate; this is particularly true when, as in Bayet's argumentation, no single passage cited as a later addition seems particularly compelling or necessary. But the question of later additions and of a second edition is neither idle nor academic; in particular, if it can be shown that the passages concerning Augustus in Books One and Four, dating soon after 27 B.C., are later additions, the composition of the first pentad must be pushed back, possibly before the Battle of Actium. A sizeable

[2] I follow H. Bornecque, *Tite-Live* (Paris 1933) 16–17, in believing that Livy planned and published the early books (at least through Book 45) in groups of five, or multiples thereof (cf. 6.1.1–3; 31.1.1–5) and that the prefaces, or preambles, to Books 1, 2, 6, 21, and 31 indicate the particular groupings. To these should be added Book 16, which introduced the pentad on the First Punic War, and which began with a preface concerning *origo Carthaginiensium et primordia urbis eorum* (Per. 16). Since Book Two has its own preface, it is probable that Book One was published separately.

[3] J. Bayet, Budé *Tite Live, Livre I* (Paris 1940) xvi–xxii. W. Soltau, *Hermes* 29 (1894) 611–17, believed that Livy made numerous later insertions throughout the *Ab Urbe Condita*, the Augustus references among them.

[4] R. Syme, *HSCP* 64 (1959) 27–87, esp. 42–50.

body of literature, predicated on the assumption that the composition of the first pentad is "Augustan," whether in tone, attitudes, themes, or allusions, would thus be called into question. Yet in the absence of any direct statement or testimony, the evidence for later additions will necessarily be oblique and indirect: authors who wish to add or amend will try to integrate the new material as best they can. But argumentation resting wholly on the oblique and the indirect will not persuade fully, if at all; what is needed is at least one example of later addition which is clear and compelling.

The passage which betrays convincing signs of later insertion is that appended to the account of how A. Cornelius Cossus won the *spolia opima* in 437 B.C., the second after Romulus to do so. Livy first describes the events which led to the battle outside the walls of Fidenae between the Romans and the combined forces of Fidenae, Veii, and the Faliscans (4.17.6–18.8); the description climaxes with the famous story of how Cossus killed Tolumnius, the king of Veii, and claimed the right to dedicate the *spolia opima* in the temple of Juppiter Feretrius (19.1–20.4). Livy introduces the episode by stating that Cossus was a military tribune at the time (19.1): *erat tum inter equites tribunus militum A. Cornelius Cossus.*[5] The description of the encounter itself (19.1–8) is followed by the return of the army to Rome; Livy closes out the year (20.1–4) with a brief account of the triumph of the dictator, the laying of the *spolia opima* in the temple, and the award to Cossus of a golden crown, which the dictator placed in the temple of Juppiter on the Capitoline. The passage which is suspected of later addition follows (4.20.5–11). Livy begins by changing his mind about what he has just written: Cossus could not have been a military tribune when he claimed the *spolia opima*, for only a *dux* who killed the leader of the enemy while fighting under his own auspices was eligible to make the claim. Cossus must have been consul during the year in question, and the inscription which Augustus Caesar saw when rebuilding and restoring the temple confirms the fact: *titulus ipse spoliis inscriptus illos* [*omnes ante me auctores*] *meque arguit consulem ea Cossum cepisse.* Livy then discusses the difficulties which result from this conclusion: none

[5] On the formulaic nature of this introduction see R. M. Ogilvie, *A Commentary on Livy Books 1–5* (Oxford 1965) p. 18 and 2.33.5 n., hereafter referred to as **Ogilvie, *Commentary.***

of the ancient sources, neither the *veteres annales* nor the Libri Lintei, put the consulship of Cossus in this year; nor could the winning of the *spolia opima* in this year have been confused with Cossus' later consulship, for that was part of an *imbelle triennium*, when disease and famine were so great that some annals (*velut funesti*) reported nothing but the names of the consuls. Livy then mentions that three years after this consulship Cossus was first consular tribune and then *magister equitum*, in the latter capacity distinguishing himself in a cavalry battle.[6] But the historian dismisses conjecture and reiterates his belief that Cossus was consul when he won the *spolia opima*: Ea libera coniectura est sed, ut ego arbitror, vana. Versare in omnes opiniones licet, cum auctor pugnae . . . se A. Cornelium Cossum consulem scripserit.[7]

Several features of this section are suggestive of later addition, but the decisive passage comes twelve chapters later (32.4):

> Dictator . . . increpuit . . . A. Cornelium eundem in acie fore qui priore bello tribunus militum, Larte Tolumnio rege Veientium in conspectu duorum exercituum occiso, spolia opima Iovis Feretrii templo intulerit.

That Livy should first designate Cossus military tribune, and then, on the basis of a communication from Augustus, decide instead that Cossus was consul, but not correct the previous narrative, is peculiar; that he should designate Cossus military tribune in a passage twelve chapters later, however, can be satisfactorily explained only by supposing that 4.20.5–11 is a later addition. The attempts to explain the contradiction in some other way are unconvincing.

One explanation is that since Livy's history is full of contradictions and errors, this particular one should not be used to suggest anything so drastic as a second edition.[8] At first sight this is satisfying; errors and contradictions in the *Ab Urbe Condita* are frequent and occasionally flagrant. But when we are invited to compare this error with the kinds characteristic of Livy—mistranslation, reproduction of errors in sources, confusion in

[6] Two other traditions existed: one that Cossus won the *spolia opima* as consular tribune (Servius *ad Aen.* 6.841), the other, as *magister equitum* (Val. Max. 3.2.4).

[7] I have given Ogilvie's repunctuation of the *OCT* text, *Commentary*, 4.20.11 n.

[8] See P. G. Walsh, *PACA* 4 (1961) 30; for the types of errors in Livy he refers to his book, *Livy, His Historical Aims and Methods* (Cambridge 1961) 143 ff., hereafter referred to as **Walsh, *Livy*.**

reconciling sources—the comparison breaks down. Such errors result either from rather mechanical reproduction of source material, from a lack of real interest in a particular problem or fact, or from inability to resolve discrepancies in the sources. Yet none of these explanations is relevant here. There is no mechanical reproduction, but a page of discussion in the first person; no lack of interest in this extraordinary and flattering communication from the emperor;[9] no inability in making a decision, for Livy twice states his personal belief that Cossus was consul. It is wrong to suggest that because he was generally uninterested in this type of historical problem, he was therefore uninterested in this particular case.[10] Young historians did not receive a communication from the emperor every day, and it is unlikely that they would soon forget it. It is most improbable that the communication, his full page discussion, and his own stated judgment should have slipped his mind twelve chapters later, either when in the act of composition or when reading over his manuscript prior to publication.

A second attempt to explain the contradiction is to suppose that Livy was sceptical of the discovery by Augustus of the linen corselet: "There may . . . be more than absent-mindedness (and more than inadequate revision) in the subsequent statement that when Cossus won the distinction he was a military tribune."[11] Livy's failure to conceal the fact that the literary sources put Cossus' consulship some years later is cited in support of this notion: the historian wishes the reader to realize that the sources are opposed to the "evidence" of Augustus. The argument is not persuasive. Livy cannot avoid discussing the problem; not only the literary sources, but his own narrative from 4.17.7 on, demand some sort of acknowledgement of the difficulties. Moreover, the historian accepts without question that Cossus was consul when he won the *spolia opima*; only a *dux* could do that, and

[9] Livy's words do not make clear exactly under what circumstances the information reached him (4.20.7): *cum Augustum Caesarem . . . se ipsum in thorace linteo scriptum legisse audissem*; but since it will be shown that the information was a later addition to a completed text, the communication was certainly deliberate and probably direct.

[10] See Syme (above, note 4) 47: "He probably regarded the whole business as a vexatious perturbation in a smooth and satisfactory narrative." The remark at 8.18.2 is typical: Flaccum Potitumque varie in annalibus cognomen consulis invenio; ceterum in eo parvi refert quid veri sit.

[11] Walsh, *PACA* 4 (1961) 30.

it is confirmed by the inscription on the corselet. Livy's only concern is *when* the incident took place, and it is on this point that decision is difficult (4.20.11): "Conjecture is open to all, but in my opinion it is pointless. You may subject the matter to every opinion, although the man who engaged in the combat . . . wrote that he was A. Cornelius Cossus, consul." To suppose that Livy deliberately designated Cossus military tribune twelve chapters later in order to give vent to his spleen and skepticism is untenable.

A third attempt to explain the contradiction has been made by R. M. Ogilvie,[12] who admits that 4.20.5–11 must have been added after 4.32.4 was written; but it is unnecessary, in his view, to suppose that the whole of Books 1–5 had been already composed, or that the addition is proof of a second edition. This solution seems at first sight attractive, but a closer examination reveals several difficulties. If Livy had not yet completed and published the first pentad before adding 4.20.5–11, what would have prompted Augustus to communicate this piece of information to a relatively young man from Padua who had not yet published anything of his history? Several explanations are possible. Perhaps the first book had been published separately, had revealed the young man's talent, and now Augustus, in anticipation of what was to come—after 4.32.4 had been written, but before Books 2–5 had been published—communicated his discovery to Livy. The time-table is tight, but possible. A second solution might be that Augustus directly or indirectly heard of Livy's account of Cossus through a *recitatio*, and communicated his discovery before the historian had actually published anything. Again, the time-table is tight, but possible. But on either showing we must suppose that Livy never reread what he had written; if he had, 4.32.4 would certainly have been altered. It is reasonable to assume that authors reread what they have written before publishing; it is also reasonable to assume that young writers would not forget the chief point of an imperial communication, particularly when reminded of it (and of their own twice-stated belief) twelve chapters earlier. The only solution which will avoid these objections is that 4.20.5–11 was inserted after the pentad had been finished, when Augustus,

[12] See *JRS* 48 (1958) 41, cf. 46; and *Commentary*, 4.20.5–11 n. He also notes that Livy's narrative presupposes a knowledge of 4.29.7–30.16. But see below, note 23.

noticing Livy's mistake, informed him of his own discovery in the temple of Juppiter Feretrius.

The reason for Augustus' interest in the matter and for his desire that the new information be included in Livy's account is not far to seek. In 29 B.C. M. Licinius Crassus, proconsul of Macedonia, claimed the right to dedicate the *spolia opima* for having defeated the Bastarnae in battle and having killed their chief, Deldo. Octavian refused to allow Crassus' claim, alleging that Crassus was not a holder of the full *imperium* fighting under his own auspices.[13] Octavian did not wish to be eclipsed, even temporarily, and was concerned with the one precedent which Crassus could cite in support of his claim—that of A. Cornelius Cossus. The inscription on the corselet was almost certainly manufactured for the occasion: linen could hardly have survived intact for over four hundred years, particularly in a temple whose roof had fallen in and whose interior was exposed to the elements at the time when Atticus suggested to Octavian that he restore the temple.[14] Moreover, Cossus would have been designated praetor, not consul, at this early period, and his cognomen in the form of COS or COSO could not, as has been suggested, have been misinterpreted for consul, since cognomina do not occur on early inscriptions.[15] The attempt to claim the inscription as genuine by postulating a later restoration at the time when M. Marcellus dedicated the *spolia opima* and when COS was added in the light of Cossus' later consulship[16] would invite belief were it not for the providential coincidence that Augustus found exactly what he needed to combat the claim of Crassus at exactly the moment he needed it. Many scholars have been disposed to assume that Augustus would be trustworthy and scrupulous in such matters, but this is "an assumption that would have startled most contemporaries of that young man, whatever their political allegiance."[17]

[13] See H. Dessau, *Hermes* 41 (1906) 142–51. Dio 51.24.3–7 says that Crassus was not *αὐτοκράτωρ στρατηγός*.

[14] Nepos, *Atticus* 20.3. The suggestion was made before March 31, 32 B.C., the date of Atticus' death, probably not long before. When the actual restoration was begun and completed is not known. See Ogilvie, *Commentary* 4.20.7 n.

[15] On the misinterpretation of COS see Rutgers, *Variarum Lectionum Libri Sex* (1618), cited by Ogilvie, *Commentary* 4.20.5–11 n.; O. Hirschfeld, *Kleine Schriften* (Berlin 1913) 398–99.

[16] J. D. Bishop, *Latomus* 7 (1948) 187–91.

[17] Syme (above, note 4) 44–45.

The passage at 4.32.4 thus shows that the earlier section at 4.20.5–11 was added after the completion of Books 1–5;[18] further traces of addition are also evident in the manner of its incorporation into the text. At first sight 4.20.5–11 appears to conform to Livy's practice of adding variations and doubts at the end of narrative units;[19] but the similarity is deceiving, for here the historian is not appending a variant or doubt, but is correcting a mistake. For this procedure there is no parallel elsewhere in the *Ab Urbe Condita*;[20] it at once raises the question why, if the historian wrote 4.20.5–11 before publication, he did not rewrite the entire episode in the light of Augustus' communication. The answer is clear: such rewriting would involve the historian in several serious difficulties. By making Cossus consul from the beginning of the account of 437 B.C. he would have to eliminate altogether a pair of consuls (4.17.7), a dictator and his *magister equitum* (4.17.8–9), and would be obliged to manufacture a colleague for Cossus or to omit the colleague's name. But it is not Livy's habit wilfully to make such alterations or to suppress the testimony of his written sources, particularly in the early part of his history, where he frequently confesses the doubtful and conflicting nature of the evidence.[21] What is peculiar, therefore, about the inclusion of 4.20.5–11 is not so much that he failed to rewrite the previous section as that he failed to note the disagreement either at the beginning of the year, when the new consuls enter office (4.17.7), or when Cossus himself is introduced (4.19.1). When the *identity* of magistrates is in doubt, Livy's habit is to note

[18] Bayet (above, note 3), curiously, never cites this passage in support of his theory of a second edition. Syme (above, note 4) 47–50, has rightly rejected certain arguments adduced by Bayet: Livy's failure to mention Augustus when Romulus' foundation of the temple of Juppiter Feretrius is first mentioned (1.10.6–7), and Livy's supposedly skeptical treatment of the traditions of the *gens Iulia*.

[19] E.g. 7.6.5–6; 10.5.13; 21.15.3–6; 33.10.7–10; 38.55–57. See Ogilvie's remarks, *Commentary* 4.20.5–11 n.

[20] A possible exception occurs at 38.56.8–57.8. But this section, concerning the trials of the Scipios, exhibits such monumental confusion both in the sources and in the historian's own thinking that it is not a significant parallel (cf. 39.52.1–6). At 21.15.3–6 he realizes that a mistake has been made; but since he is unable to distinguish between the true and the false elements in the narrative, he cannot recast what he has written or pinpoint in advance for the reader's benefit the areas of doubt.

[21] E.g. his remarks at Praef. 6–9; 2.18.4–7; 2.21; 4.7.10–12; 6.1.1–3; 8.40. Even when a version is particularly repugnant to his moral sensibilities (and one not attested by all the sources), he feels he must include it (8.18.3): *sicut proditur tamen res, ne cui auctorum fidem abrogaverim, exponenda est.*

discrepancies when the magistrates are first mentioned; when their *activities* are in question, he appends variants at the end of the narrative unit.[22] This fixed technique is not only absent here, but has been reversed, and is a further sign of later addition. The sentence which introduces the digression is also peculiar: it recapitulates in a strangely formal and unnecessarily detailed manner what has just been said: Omnes ante me auctores secutus, A. Cornelium Cossum tribunum militum secunda spolia opima Iovis Feretri templo intulisse exposui. The sentence is unlike the clipped, abbreviated style which he customarily employs when appending variant versions, and reads as if it were written not in immediate continuation, but as the introductory sentence of a passage written and inserted at a later date.[23]

The section at 4.20.5–11 was thus inserted after the completion of the first pentad. Were other passages involved as well? It is not unreasonable to suppose that there were. A few scholars claim to have found a large number of later additions.[24] But a caveat must be given. The one passage (4.32.4) which shows that 4.20.5–11 was added later also reveals something about the circumstances under which the addition was made: the failure to correct 4.32.4 is clear evidence that no general revision—not even a fairly superficial rereading—was given the text; we are therefore concerned not with a second edition, but with *addenda et corrigenda*,

[22] On the identity of magistrates see 2.18.4–7, 54.3; 4.23.1–3; 7.18.10; 10.3.3–4, 9.10–14. On variant activities see 8.40, 9.28.5. The account of the year 302 B.C. illustrates both techniques: at 10.3.3–4 the confusion in the names of dictator and two possible *magistri equitum* is recorded, but notation of the discrepancy concerning their activities is reserved until 10.5.13.

[23] Certain other peculiarities may be due to a hasty and careless insertion of 4.20.5–11 into the completed text. Livy says concerning Cossus' consulship in 428 B.C.: *imbelle triennium ferme pestilentia inopiaque frugum circa A. Cornelium consulem fuit*; yet *four* years are really involved: L. Papirius Crassus and L. Iulius (4.30.1), L. Sergius Fidenas and Hostius Lucretius Tricipitinus (4.30.4), A. Cornelius Cossus and T. Quinctius Poenus (4.30.4: see Ogilvie, *Commentary* 4.20.8 n.), C. Servilius Ahala and L. Papirius Mugillanus (4.30.12). Similarly, Livy's statement that this consulship came in the *seventh* year after the killing of Tolumnius in 437 B.C. may be due to his own careless counting and not to discrepancies among his sources. It is also odd that, after using a source *other* than Licinius Macer for 4.17–20 (see R. M. Ogilvie, *JRS* 48 [1958] 40–46), Licinius' use of the Libri Lintei should be the only source specifically cited in the ensuing discussion (4.20.8); this may reflect an inaccurate memory of which source was used for the preceding section. Livy is alternating Licinius with another source (Valerius Antias?) throughout the book; he uses Licinius for 4.21–30.

[24] E.g. Bayet, Budé *Tite Live, Livre IV* (Paris 1946) 125 (cf. 118–21), and Soltau (above, note 3).

probably few in number (possibly this is the only one) and involving little or no rewriting (certainly nothing before or after 4.20.5–11 appears to have been changed).

Augustus was the cause for the addition of 4.20.5–11 to the completed narrative; this suggests the possibility that the other passage in the first decade which concerns him (1.19.3) may also have been added at the same time. The evidence, however, is not quite so clear. Certainly the context reveals no contradictions or striking irregularities of style; yet a number of peculiarities are sufficient at least to bring the passage into question. First, as Bayet noted,[25] the sentence can be removed without doing violence to the train of thought; if it were removed, the text would betray no sign that anything was missing. But we can go further and argue that its removal would improve the sequence of thought and the manner of expression. At 19.2 Livy says that Numa decided to make the temple of Janus *indicem pacis bellique*, next states that it had twice been closed since his reign (19.3), then declares that Numa closed it, and continues in a lengthy sentence to describe the effects on the people. It is odd that he should describe the subsequent closings before stating the fact of its initial closing (19.2 only recounts Numa's intentions); and the ablative absolute, *clauso eo*, used to describe Numa's act, is not immediately clear, coming as it does after the statement concerning Augustus; it would be more natural after 19.2. It should also be noted that if, as at 4.20.5–11, Livy had wanted to insert 1.19.3 but not be forced to alter the original text, the present location is the only place he could have done so.

These considerations are suggestive of later addition, but no more. In order to strengthen the hypothesis that 1.19.3 is a later addition, it is necessary to examine the one other passage in the first decade which can be used for dating purposes: the excursus on Alexander the Great in Book Nine (17–19). A close and detailed investigation into the nature and purpose of the digression is required in order to establish a date of writing and to provide evidence for Livy's rate of composition.

All scholars and commentators, even the historian himself, have admitted that the excursus is peculiar. But there has been

[25] Bayet (above, note 3) xvii. Weissenborn also had raised the possibility of later insertion, Einl. 10.

much disagreement about precisely wherein the peculiarity lies. Livy confesses that digressions are foreign to his method and plan of composition,[26] but most scholars have felt that not only is the presence of this lengthy digression unusual, but its particular substance and expression are so extraordinary that they, too, require explanation. Two principal theories have been advanced, each of which has attracted numerous and distinguished supporters. The first is that Livy is replying to an attack on Rome made by the historian Timagenes; the phrase, *levissimi ex Graecis qui Parthorum quoque contra nomen Romanum gloriae favent* (18.6), has prompted the hypothesis; it is a theory of long standing, and has been most recently (and most attractively) argued by Piero Treves.[27] Timagenes of Alexandria, brought to Rome in 55 B.C., rose from a lowly position to establish a well-known rhetorical school and to become a friend of Augustus; but his sharp tongue and disparaging remarks about the *fortuna* of the Princeps estranged the two men. Augustus forbade Timagenes access to his home thereafter, and the historian in revenge burned those books of his history which concerned the emperor. Timagenes found refuge with Asinius Pollio and became an outspoken critic of Augustus and of Rome: Timagenes felicitati urbis inimicus aiebat Romae sibi incendia ob hoc unum dolori esse, quod sciret meliora surrectura quam arsissent.[28] No ancient source specifically connects Timagenes with the kind of remarks on Alexander or the Parthians which are found in Livy, but his general hostility to Rome and to the imperial house has been sufficient cause for theorizing that it is he to whom Livy is replying: certainly no

[26] 9.17.1: Nihil minus quaesitum a principio huius operis videri potest quam ut plus iusto ab rerum ordine declinarem varietatibusque distinguendo opere et legentibus velut diverticula amoena et requiem anima meo quaererem.

[27] G. Schwab, *De Livio et Timagene, historiarum scriptoribus aemulis* (Stuttgart 1834), first proposed the theory. P. Treves, *Il mito di Alessandro e la Roma d'Augusto* (Milan and Rome 1953) 25, note 2, gives the bibliography on the subject. Recent advocates of the theory are R. M. Ogilvie, *Commentary* 4; G. W. Bowersock, *Augustus and the Greek World* (Oxford 1965) 108–10, 125–26. The latter points out (109, note 2) that *levissimi ex Graecis* need not refer to Timagenes alone, but could include writers such as Metrodorus of Scepsis (cf. Plin. *NH* 34.16.34; Plut. *Luc.* 22; Dion. Hal. *A.R.* 1.4). This is possible, although Metrodorus himself had been long dead by the mid-twenties B.C.

[28] Sen. *Ep.* 91.13. The chief testimonia, some conflicting and none without difficulties, are: Suidas, s.v. *Τιμαγένης* and *Πωλίων*; Sen. *Contr.* 10.5.21–22; Sen. *De ira* 3.23.4–8; Quint. 10.1.75. Jacoby, *FGrH* II 88, has collected the fragments.

other person of whom we know is a better candidate for *levissimi ex Graecis*.

A second theory has been put forward by W. B. Anderson and has found favor with a number of scholars.[29] Anderson has emphasized the extremely rhetorical nature of the excursus, from which he inferred that it was originally written as a declamation. What he regarded as blatant rhetoric, absurd exaggerations, careless statements, and weak argumentation led him to postulate that the excursus was "a youthful dissertation, an exercise composed by Livy about the age of eighteen, when he was a pupil in the school of a *rhetor* at Patavium."[30] The excursus, he believed, was inserted rather clumsily and was not later revised, "probably from what Boswell calls 'procrastination continued from day to day.'"[31]

Certain aspects of each of these theories are attractive; others are not. Perhaps it is best to discuss the latter first. All attempts to show that the excursus is "out of place" or is an insertion fail, chiefly because the historian himself admits that what he is about to write is contrary to his usual practice. The excursus is introduced gradually and in a logically connected sequence: Livy follows his character sketch of Papirius Cursor (9.16.12–18) by asserting that no one of that time contributed more to the welfare of Rome: *nemo unus erat vir quo magis innixa res Romana staret.*[32] This brings to mind the belief of some that Cursor would have been a match for Alexander, had the latter invaded Italy. The general subject of the digression, *quinam eventus Romanis rebus, si cum Alexandro foret bellatum, futurus fuerit* (17.2), is thus naturally introduced. The digression closes with a solemn declaration and prayer (19.17), and is followed by the words: *M. Folius Flaccina inde et L. Plautius Venox consules facti.* Some have seen in this abrupt transition and in the use of *inde* further signs of insertion.[33] But such brief announcements at the start of a new year, especially

[29] W. B. Anderson, *TAPA* 39 (1908) 94–99 (summarized in his edition of Book Nine, *Livy IX*[3] [Cambridge 1928] 255–58). Anderson's thesis is followed by Walters-Conway, *app. crit. ad* 9.17; M. L. W. Laistner, *The Greater Roman Historians* (Berkeley 1947) 68; S. F. Bonner, *Roman Declamation* (Liverpool 1949) 157.

[30] Anderson (above, note 29) 94.

[31] Anderson (above, note 29) 99.

[32] Anderson (above, note 29) 91, suggests that this is a reminiscence of Ennius' line: *moribus antiquis res stat Romana virisque.* Possibly, but the correspondence is not very remarkable, and similar phrases occur elsewhere: e.g. 8.7.16; 4.40.9.

[33] So Anderson (above, note 29) 94; Soltau (above, note 3) 613–15.

with *inde* or *deinde*, are frequent in Livy and do not prove that the previous section was inserted.[34] Besides, it is difficult to know how the historian could have made a smooth transition between two such dissimilar subjects. Treves, on the other hand, has attempted to prove that the excursus is out of place.[35] He maintains that synchronization requires it come either when Livy mentions Alexander at 8.3.7, or when he records the founding of Alexandria at 8.24.1. Treves postulates that Book Eight had already been published and the writing of Book Nine was under way when Timagenes' attack on Rome's greatness prompted Livy to immediate and vigorous rebuttal. Accurate chronology, however, is not one of the historian's strong points, much less strict synchronization.[36] Of the two passages which Treves cites in Book Eight, Livy describes the first (340 B.C.) as *eadem aetas rerum magni Alexandri*, while in the second (326 B.C.) he postdates the founding of Alexandria five years. There is, moreover, no evidence to show that Livy planned or published in single books rather than in pentads or groups of pentads at this early stage in his writing, and much which suggests the contrary. Finally, Anderson's notion that the excursus is "youthful" must be rejected. The rhetoric is admittedly plentiful and heady, but this is true of most of Livy's speeches. The frequent use of the first and second persons is also unremarkable; the Preface, for example, is replete with it. Exaggeration and inaccuracy of statement, as well as elementary blunders in military matters, are also poor evidence for youthfulness: all occur regularly throughout the extant corpus.[37] But even if these could be accepted as proofs of youth, it is difficult to understand why the mature man, many years later, would insert unchanged in his history a school declamation which is supposedly so flamboyant, inept, and puerile.

Perhaps the most significant aspect of the excursus, as Treves and others have seen, is that it is a direct rejoinder to some person

[34] See e.g. 2.28.1, 43.1, 49.9, 54.1.

[35] Treves (above, note 27) 14 ff.

[36] For some striking examples see Walsh, *Livy* 145–51.

[37] Walsh, *Livy* 138–72, gives numerous examples of carelessness and inaccuracy. In military matters Livy reveals that he is ignorant (as well as disinterested) in the most basic elements, even when he has Polybius to guide him. See P. G. Walsh's instructive and amusing article in *G&R* 5 (1958) 83–88, entitled "The Negligent Historian: Howlers in Livy."

or persons who had attacked the majesty of Rome; it is not merely a declamation on a general and familiar theme, popular in the schools or as a subject for the *recitatio*. The attackers are the *levissimi ex Graecis*, who extolled Alexander and the Parthians at the expense of Rome (9.18.6):

> Id vero periculum erat, quod levissimi ex Graecis qui Parthorum quoque contra nomen Romanum gloriae favent dictitare solent, ne maiestatem nominis Alexandri, quem ne fama quidem illis notum arbitror fuisse, sustinere non potuerit populus Romanus!

The frequent sarcasm and references to opposing arguments all presuppose the existence of a specific polemic or polemics,[38] the chief points of which emerge clearly from the historian's remarks. First, Alexander was a great general, a point which Livy must admit, but which he severely qualifies: *haud equidem abnuo egregium ducem fuisse Alexandrum; sed . . .* (17.5); and no Roman could have equalled him, which Livy stoutly denies. Second, Alexander was a great soldier and tactician, "for they make him no less famous for these qualities as well," but Livy heaps scorn upon those who believe that no Roman was his equal (17.12):

> Militaria opera pugnando obeunti Alexandro—nam ea quoque haud minus clarum eum faciunt—cessisset videlicet in acie oblatus par Manlius Torquatus aut Valerius Corvus, insignes ante milites quam duces, cessissent Decii, devotis corporibus in hostem ruentes, cessisset Papirius Cursor illo corporis robore, illo animi!

Third, the mere majesty of Alexander's name, declare the *levissimi ex Graecis* (9.18.6–7), would have frightened the Romans into capitulation, just as the fame of the Parthians does at the present. Livy ignores for the moment the thrust concerning Parthia, but replies that if the Athenians could speak out against Alexander even though practically within sight of the smoldering ruins of Thebes, to deny that the Romans would at least do as much is ludicrous (*id vero periculum erat, quod . . .!*). Livy's estimate of the Athenians was not high.[39] Fourth, "there are people who

[38] Treves (above, note 27) 20, 24, 45, urges this point vigorously and repeatedly. Note, for instance, that the opposing arguments are not fictitious or anticipated: there are no expressions such as *dicat aliquis*, only third person plurals, present in tense and indicative in mood.

[39] Cf. 31.44.9: Athenienses quidem litteris verbisque, quibus solis valent, bellum adversus Philippum gerebant.

extol Alexander's greatness because, while the Romans lost many battles but never a war, Alexander never lost a battle; but they do not realize that they are comparing the deeds of a single individual (and a youth, at that) with those of a people who had been waging war for eight hundred years."[40]

These arguments illustrate the nature of the Greek attack: malicious, insidious, and designed to irritate Roman sentiment and sensibilities. It is no wonder that Livy, who firmly believed in Rome's superiority, should be goaded into making a vigorous rebuttal—particularly against the Greeks, a people for whom he had little esteem: *gens lingua magis strenua quam factis* (8.22.8). The attack, moreover, was cleverly aimed at subverting two Roman boasts, immortalized by the poets, enshrined in tradition, and whose exaggerated chauvinism made them particularly vulnerable to attack. The first formed the chief subject of the Greek polemic and of Livy's defense: Rome would easily have conquered Alexander if he had invaded Italy. This was a boast of long standing; Plutarch relates that Appius Claudius Caecus, in his famous speech to the Senate against the acceptance of Pyrrhus' overtures of peace, referred to the claim as "those words of yours which you are forever telling the world."[41] Whether or not this sentiment comes from Claudius' actual speech is problematic; Cicero, for instance, appears to have derived his knowledge of the speech not from the original, but from Ennius' famous version.[42] The sentiment probably goes back at least to the poet,[43] but whatever its origin, it enjoyed wide currency: *ὑμῶν ὁ πρὸς ἅπαντας ἀνθρώπους θρυλούμενος ἀεὶ λόγος*. The second boast was equally venerable and well known: Rome had lost

[40] 9.18.9: Quam [sc. magnitudinem hominis] qui eo extollunt quod populus Romanus etsi nullo bello multis tamen proeliis victus sit, Alexandro nullius pugnae non secunda fortuna fuerit, non intellegunt se hominis res gestas, et eius iuvenis, cum populi iam octingentesimum bellantis annum rebus conferre.

[41] Plut. *Pyrrhus* 19.2: *ποῦ γὰρ ὑμῶν ὁ πρὸς ἅπαντας ἀνθρώπους θρυλούμενος ἀεὶ λόγος, ὡς, εἰ παρῆν ἐκεῖνος εἰς Ἰταλίαν ὁ μέγας Ἀλέξανδρος καὶ συνηνέχθη νέοις ἡμῖν καὶ τοῖς πατράσιν ἡμῶν ἀκμάζουσιν, οὐκ ἂν ὑμνεῖτο νῦν ἀνίκητος, ἀλλ' ἢ φυγὼν ἂν ἤ που πεσὼν ἐνταῦθα τὴν Ῥώμην ἐνδοξοτέραν ἀπέλιπε;*

[42] H. Malcovati, *Oratorum Romanorum fragmenta*[2] (Turin 1955) 1: "Cum vero a Catone primum orationes et scribi et edi coeptas esse constet, Cicero autem eam in manibus se habuisse dicat, suspicari licet ipsius Ciceronis temporibus ut alia in rhetorum ludis ita Appi orationem confictam esse ad exemplar orationis eius quam Ennius Annalibus suis inseruerat." Some scholars, e.g. H. Bardon, *La littérature latine inconnue* I (Paris 1952) 22–23, believe that Appius' speech was extant in its original form.

[43] This is the attractive suggestion of L. Alfonsi, *Hermes* 90 (1962) 505–6.

many battles, but had never lost a war. Lucilius had immortalized it in the famous lines (613–14 Marx):

> ut Romanus populus victus vi et superatus proeliis
> saepe est multis, bello vero numquam, in quo sunt omnia.

The *levissimi ex Graecis* were quick to point out that Alexander had never lost a battle. The thrust was clever, irritating, and difficult to parry. At first Livy says that it is unfair to compare the brief career of an individual youth to the eight hundred year old history of a whole people (18.8–9). But his most telling retort is reserved for later (19.9), when, instead of attempting to undercut the idea, he gives it a further twist: uno proelio victus Alexander bello victus esset: Romanum quem Caudium, quem Cannae non fregerunt, quae fregisset acies? He then refers to the remark of Alexander's uncle, Alexander of Epirus, that in going to Asia the young man was proceeding to the women's quarters, while he in Italy was facing the men.[44]

Indeed, far from being inept and puerile, the historian's answer to the *levissimi ex Graecis* is frequently clever and pointed. References to the Roman tradition are sweeping, impassioned, and often exaggerated: vehicles hardly suited to wit, sarcasm, and irony. Livy therefore draws freely on the Greek tradition, both in general and in reference to Alexander in particular. An unexpected facet of the historian's personality is thereby revealed, one almost totally suppressed in his grave and preternaturally solemn account of Rome's heroic past. The *levissimi ex Graecis* were fortunate to have a conqueror as famous and romantic as Alexander for the protagonist of their attack. Unfortunately the hostile Peripatetic tradition existed. Livy adopted it. He pretends mock shame at what he must relate about "so great a king": *referre in tanto rege piget* . . . (18.4); but, alas, the facts were stubborn and undeniable: *nec quicquam dubium inter scriptores refero* (18.5). As for Alexander's conquest, Darius was so sunk in effeminate luxury that he was "actually the booty, rather than the enemy" (17.16):

> Non cum Dareo rem esse dixisset, quem mulierum ac spadonum
> agmen trahentem inter purpuram atque aurum oneratum fortunae

[44] Aulus Gellius reports the remark more fully (17.21.33): Eum Molossum, cum in Italiam transiret, dixisse accepimus se quidem ad Romanos ire quasi in andronitin, Macedonem ad Persas quasi in gynaeconitin.

apparatibus suae, praedam verius quam hostem, nihil aliud quam bene ausus vana contemnere, incruentus devicit.

After his bloodless victory Alexander's plunge into luxury and degeneracy was swift and total (18.1–5): Livy mentions his adoption of Persian dress, the demand that all prostrate themselves before him, his cruelty, the murder of his friends, his drunkenness, his anger, his false claim of divine descent. Such carryings-on, of course, sadden and tend to lessen confidence (18.5): *nullane haec damna imperatoriis virtutibus ducimus?* And if Alexander had continued to live, what, wonders Livy, would he have been like by the time he had reached Italy? The historian makes a few suggestions (18.3, 5). He also adopts a number of ideas and anecdotes, either Greek in origin or involving Greeks, in order to embellish his reply to the *levissimi ex Graecis*. The favorite Greek idea that those who experience great good fortune almost invariably suffer eclipse is exploited fully. Alexander died very young (17.5): *adulescens in incremento rerum, nondum alteram fortunam expertus*; but, as all know, a long life is enough to ensure a fall from good fortune: Cyrus the Great is cited as an example, *quem maxime Graeci laudibus celebrant* (17.6), and, in Roman affairs, Pompey the Great.[45] And Alexander's behavior in the face of success was an extreme example of what could happen: . . . *secundis rebus, quarum nemo intolerantior fuit* (18.1). Indeed, Livy implies that Alexander's plunge into vice and degeneracy after success presaged a descent to ruin so precipitous and total as to be particularly exemplary. Had he continued to live, Rome's victory would have been neither surprising nor wonderful (17.4, 18.3, 19.10–11, 19.17). Livy also uses the judgment of Rome and of Italy which the Greeks themselves had given: Cineas, who said that the Roman Senate was a council of kings (17.14): *unus veram speciem Romani senatus cepit*; or Alexander's own uncle, who made the disparaging comparison between his own and his nephew's lot in war (19.10–11). Livy's words at 17.17 suggest

[45] The passage must therefore date after 48 B.C. In the phrase *sicut Magnum modo Pompeium* (17.6), the *modo* is not evidence for early dating (cf. Anderson, *Livy IX*[3] [Cambridge 1928] 258): at 22.14.13 *modo* is used after a lapse of 24 years, and at 6.40.17 after 22 years; cf. 5.52.9 (all from speeches); but the earlier the passage is dated, the less exceptional the use of *modo* becomes. Livy's view that Pompey's downfall was caused by his long life, which allowed bad luck ultimately to befall him, is in line with his Pompeian sympathies reported in Tacitus (*Ann.* 4.34.3). The epithet Magnus, however, is probably the chief reason Pompey was chosen as an example.

that the *levissimi ex Graecis* had also described how Alexander had overcome the strangeness and difficulties of far-off India; it was doubtless stated or implied that Italy would have been an easy conquest by comparison. Livy obliges them by depicting the sight which would have met the conqueror's eyes after crossing: the passes of Apulia, the mountains of Lucania, and the slaughtered remnants of his uncle, Alexander of Epirus, and of his army.

The excursus is thus a vigorous, chauvinistic rebuttal to a Greek polemic against Rome. A second striking feature, which Anderson stressed, is its highly rhetorical nature.[46] The same style and devices, of course, are characteristic of the historian's speeches. What is remarkable, therefore, is not so much that the excursus is rhetorical, as that it is oratorical: the style is unsuited to expository prose. The incongruity is strange, especially when we consider that Livy was a careful stylist to whom the appropriate marriage of content with style was a major concern.[47] Perhaps it is best to base any interpretation on what appears most obvious: the excursus is oratorical because Livy delivered it orally. A remark of the elder Seneca suggests that the historian frequented the halls of declamation; we know that he gave readings from his history to small but appreciative audiences.[48] The excursus may therefore have been delivered separately and incorporated into the history soon after. It is more likely, however, that it was written as a part of the history which Livy intended to deliver orally. Since it was a vigorous and immediate reply to a Greek polemic (itself doubtless delivered orally[49]), Livy wrote it in

[46] Anderson (above, note 29) 94–95: "Balanced structure, antithetic or chiastic, with or without Asyndeton, meets the eye everywhere. The First Person Singular occurs ten times, the Second Person Singular twice. Rhetorical repetition is there in abundance; there are many rhetorical questions and exclamations, and rhetorical elaboration is evident throughout. To these points may be added the free use of rhetorical adverbs and particles, the ironical *videlicet* (17.12), and *vero* (17.15, 18.6), *at hercule* (18.6), and *ne* (19.10); also expressions which remind us of many similar turns found in Cicero's speeches when the orator wishes to pass persons or things in rapid review,—*ut omittam* (17.6); *recenseam* . . . ? (17.7); *referre piget* (18.4); *quot* . . . *nominem*? (18.12)."

[47] See the excellent article by A. H. McDonald, *JRS* 47 (1957) 155–72; also Walsh, *Livy* 219–70.

[48] Cf. Sen. *Contr.* 9.2.26 and S. F. Bonner (above, note 29), esp. 40, 133, 156–57. For his recitations see Suidas s.v. *Κορνοῦτος*, and C. Cichorius, *Römische Studien* (Leipzig 1922) 261–69. H. Bornecque (above, note 2) 9–10, maintains, unnecessarily, that Livy himself was a professional rhetor.

[49] It should be noted that Timagenes ran his own school of rhetoric at Rome: Suidas, s.v. *Τιμαγένης, Πωλίων*.

oratorical form and delivered it in an oratorical manner. The style was left unchanged when Books 6–10, or more probably 6–15 (see below), were published, probably because, far from hoping to conceal the occasion and nature of the excursus, Livy wished his readers to be reminded of them.[50]

In this highly-colored verbal rejoinder to Rome's detractors, patriotic sentiments are, of course, given free rein; all that redounds to Rome's glory is fully exploited and often exaggerated. The peroration is particularly vainglorious: in all the wars with Antiochus, Philip, and Perseus, says Livy, Rome experienced neither reverses nor danger (19.14): *non modo cum clade ulla sed ne cum periculo quidem suo*. As a matter of fact, Rome has never suffered a defeat in an infantry battle, never in a pitched battle, never on even ground, and certainly never on a site of her own choosing (19.15). To such sweeping assertions and fervid patriotism, however, there is one startling exception. The charge of the *levissimi ex Graecis*, "who also side against the Romans by lauding the fame of the Parthians" (18.6), that the Romans were afraid of the Parthians, far from being refuted, is lamely admitted (19.16). The admission comes at the end of the excursus and in the midst of the most exaggerated claims: the whole remarkable section deserves attention:

> May no evil attend my words and may civil wars be silent! We have never suffered a reverse in an infantry battle, never in a pitched battle, never on even ground, and certainly never on a site of our own choosing: a heavy-armed soldier has reason to fear cavalry, arrows, untrod mountain passes, and trackless wastes where no supplies can come. But he has repulsed and will repulse a thousand armies more formidable than those of Macedon and of Alexander, if only our love of peace and our concern for civil harmony may continue unbroken![51]

[50] Livy attempts to soften the immediate topicality of the excursus in the context of his historical narrative by claiming that such digressions are *diverticula amoena* and furnish *requiem animo meo*, and that the theme has long been a subject of quiet reflection (cf. Cic. *De Inv.* 1.1): *tanti regis ac ducis mentio, quibus saepe tacitus cogitationibus volutavi animum, eas evocat in medium* (9.17.1–2). But the theme is presented in a far from reflective or quiet manner. Some of the peculiarities of the excursus may be due to mockery or parody of his opponent's speech: e.g. the overly formal and formulaic treatment of the statement of theme and of "topic headings" (17.3–5, 19.1).

[51] Absit invidia verbo et civilia bella sileant: nunquam a pedite, nunquam aperta acie, nunquam aequis, utique nunquam nostris locis laboravimus: equitem, sagittas, saltus impeditos, avia commeatibus loca gravis armis miles timere potest. Mille acies

The reference to the Parthian cavalry and archers, and particularly to the debacles of Crassus in the desert and of Antony in the mountains is unmistakable. The charge must have played such a featured role in the Greek attack that to ignore it would have been tantamount to humiliating admission. Livy can only point to the irregular and cowardly nature of Parthian warfare, by saying that any infantry soldier of a regular army *would* fear sneak attacks, carried on from a distance and mounted in difficult terrain. But this is lame; he knows it, and attempts to conceal it by sandwiching the subject in among proud boasts and fervent prayers. It is clear that he has no really effective weapon at hand with which to rebut his opponents. Scholars have recognized that the passage must date before 20 B.C., when the lost standards were recovered; it was a much publicized and much lauded accomplishment.[52] Livy would surely have made full use of it, had he known of it. A few scholars have also rightly seen that the passage must date even before 23 B.C., for in that year negotiations were initiated which were to lead to the recovery of the standards.[53] The Parthian king asked for the return of his young son, who had come into Roman hands by the treachery of Tiridates, pretender to the Parthian throne, and for the surrender of Tiridates himself. Augustus refused to surrender the pretender, but released the young prince; Dio Cassius says that this was the occasion which initiated negotiations for the return of the standards.[54] Had Livy known of these proceedings, he certainly would have exploited them with pleasure. The situation invited exploitation for partisan purposes, particularly in such a chauvinistic tract as the excursus: the Parthian king reduced to begging for his son

graviores quam Macedonum atque Alexandri avertit avertetque, modo sit perpetuus huius qua vivimus pacis amor et civilis cura concordiae. I follow the necessary deletion after *sileant* of *nunquam ab equite hoste* of the mss., as suggested by Dobree and Madvig. The passage makes sense only if the contrast is kept throughout: between infantry and cavalry, pitched battle and guerilla warfare, even or favorable ground and mountainous or unfavorable terrain. See Treves (above, note 27) 11 note 3, 27 note 6; cf. Anderson (above, note 29) 100–1.

[52] *Res Gestae* 29: Parthos trium exercituum Romanorum spolia et signa reddere mihi supplicesque amicitiam populi Romani petere coegi. Ea autem signa in penetrali, quod est in templo Martis Ultoris, reposui.

[53] Weissenborn, Einl. 10 and 9.18.6 n.; Treves (above, note 27) 20–21; cf. Anderson, *Livy IX*[3] (Cambridge 1928) 258.

[54] Dio 53.33.1–2, Justinus 42.5. For a recent discussion of these negotiations see K. Ziegler, *Die Beziehungen zwischen Rom und dem Partherreich* (Wiesbaden 1964) 45 ff., who doubts that any formal agreement was reached in 23 B.C. (cf. Dio 54.8.1).

and for the return of a dangerous pretender, Augustus' gracious release of the young prince, and the king willing to countenance giving up the standards without a fight. But as it is, Livy has little to say which would mitigate the charge that the Romans feared the Parthians. Book Nine must therefore date before 23 B.C.

The ninth book, of course, was composed as part of a larger thematic unit. The grouping, however, can scarcely be the second pentad alone; Book Ten breaks off at a critical stage in the Samnite Wars: the final campaigns and the double triumph of M' Curius Dentatus are three years away and were not recounted until Book Eleven. The three following books concerned the war with Pyrrhus, while the fifteenth brought the account down to the eve of the First Punic War. Livy thus planned, and doubtless published, Books 6–15 as a unit: the Conquest of Italy. It possessed its own introduction (6.1.1–3), devoting five books to the Samnite Wars and three to the Pyrrhic War, with Book Six introducing the preliminaries and Book Fifteen relating the aftermath.[55] Since the ninth book was composed before 23 B.C., it is likely that most, if not all, of the decade of which it forms a part was also composed by then. It follows that if the passage at 1.19.3 concerning Augustus' closing of the gates of Janus, dating between 27 and 25 B.C., was not a later insertion, Livy must have written the first fifteen books at a remarkable rate of speed. Between January 16, 27 B.C., and sometime in 23 B.C., he would have to write and publish Book One, write and publish Books

[55] At 10.31.10 Livy says that this is his fourth book on the Samnite Wars (i.e. Books 7–10): Supersunt etiam nunc Samnitium bella, quae continua per quartum iam volumen annumque sextum et quadragesimum a M. Valerio A. Cornelio consulibus, qui primi Samnio arma intulerunt. If he had wished, the Samnite Wars could have been concluded by the tenth book; the books of the second pentad are considerably shorter than those of the first. His desire to carry the reader over to the new pentad as smoothly as possible is also shown by the introduction of the new consuls for 292 B.C. at the end of the tenth book (47.5). This same "carry-over" technique has been noticed elsewhere by Walsh, *Livy* 6: "In many cases he postpones the treatment of a major event to have an arresting topic for the beginning of a new section. Thus the capture and destruction of Carthage are described in LI, the capture of Jugurtha in LXVI, and the murder of Julius Caesar in CXVI." The detached nature of the introductory and the concluding books is also characteristic of Books One and Five in the first pentad: see E. Burck, *Die Erzählungskunst des T. Livius* (Munich 1934) 8–9. Numerous scholars have agreed that Books 6–15 were designed as a unit: e.g. H. Bornecque (above, note 2) 14; Bayet (above, note 3) xii; Syme (above, note 4) 30; A. Klotz, *RE* 25 (1926) 819, s.v. "Livius."

2–5, add at Augustus' suggestion the passage at 4.20.5–11, and write and publish Books 6–15. It is true that the historian, in order to reach Book 142 by the time of his death in A.D. 17, must have written continuously and on an average of three books a year. Such rapid composition for the early books is admittedly not impossible; but it is not very likely either. The length of the early books is one indication: the first pentad is considerably longer than any of the others: Book Three, for example, is more than twice the length of Book Thirty-two.[56] The historical problems were also more difficult for the early period, and the five centuries covered by Books 1–5 created additional problems by virtue of their very length, diversity, and complexity. The early books also reveal that greater care in structure and composition was brought to them than to the later books, particularly those from Book Thirty-one on. Erich Burck's illuminating analysis of the first pentad reveals that much reading and planning must have preceded the actual writing, while the techniques of detailed narration are carefully and artfully employed.[57] The later books have not received such high, or such consistent, praise; the material was more detailed, more prosaic, and less congenial to Livy's moral, romantic, and literary predilections. Where we can check his adaptation from Polybius, "a clear and somewhat damning picture emerges of a mind rapidly and mechanically transposing the Greek, and coming to full consciousness only when grappling with the more congenial problems of literary presentation."[58] Finally, it is reasonable to suppose that the historian composed more slowly at the start, before he had found his method and style, and while the problems of dealing with the sources were still strange.

There are two further points which, while not proving an early date for the first decade, are better suited to early dating. The first concerns Livy's fervent prayer at the end of the excursus

[56] T. Birt, *Das antike Buchwesen* (Berlin 1882) 310 ff., gives the figures.

[57] *Op. cit.* (above, note 55).

[58] Walsh, *Livy* 144. Even the care and effort which Livy customarily employed in composing speeches decline noticeably in the fourth and fifth decades: see Walsh, *Livy* 221. K. Witte, *RhM* 65 (1910) 270–305, 359–419, who did pioneer work on Livy's narrative techniques and artistry in the later books, admitted that the historian's efforts were sporadic and confined to *Einzelerzählungen*: see esp. 418–19. Cf. Syme (above, note 4) 41: "It would be a bold man who argued that Livy needed more than two or three weeks to produce Book XXXI."

that the civil wars may not break out again and that the present love of peace may continue, which suggests that the civil wars were recent and that Augustus' rule was still quite new (9.19.15, 17). The later the passage is dated, the more peculiar the passionate vehemence becomes: unflattering to the government and to the emperor, impolitic for the writer, and most out of place in the highly patriotic and defensive reply to the *levissimi ex Graecis*, where weaknesses are either ignored or mitigated as much as possible. The same considerations apply to Livy's pessimistic references to his own time which he expresses elsewhere in the history, particularly in the Preface.[59] Most are confined to the first decade; thereafter they become rare.[60] A second consideration is the dating of Livy's birth, which recent scholars are inclined to put in 64 B.C., rather than in 59 B.C., the traditional year.[61] Of the two dates, 64 B.C. is by far the more likely. The

[59] Praef. 4–5, 9–12; 7.25.9, 40.2; cf. Bayet (above, note 3) xx. Syme (above, note 4) 49–50, dismisses these references: "they prove nothing," which is true, but they are suggestive, particularly in the light of the tendentious nature of the excursus. The conspiracy of Varro Murena in 23 B.C., however, hardly seems adequate to account either for the sweeping condemnation in the Preface or for the remarks in the excursus. Syme finds that "perhaps the strongest plea is the tone of the Preface, encouraging an early date, before the years of peace."

[60] Sentiments such as that at 26.22 are infrequent. This is not to say that Livy was the mouthpiece for official optimism (silence is seldom golden in matters of propaganda), but only that as the disturbances of the civil wars receded into the past, Livy's pessimism lost some of its immediate sharpness. The remarks at 43.13 make it clear that his preference for the past and distaste for the present (cf. Praef. 4–5) may have changed in degree, but not in substance. On Livy's relations with Augustus, I follow P. G. Walsh's sensible and conservative estimate, *Livy* 10–19; *PACA* 4 (1961) 26–37.

[61] Jerome, *ad Euseb. Chron. ad ann. Abr. 1958: Messalla Corvinus orator nascitur et Titus Livius Patavinus scriptor historicus.* It has long been recognized that Messalla's birth is too late, and the suggestion that Caesare et Bibulo of 59 B.C. have been confused with Caesare et Figulo of 64 B.C. is reasonable and attractive: see H. Schulz, *De M. Valerii Messallae aetate* (Prog. Stettin 1886) 1–8. G. Hirst was the first to see that, since Livy and Messalla are bracketed together and since the latter's birth has been postdated some five years, the same should hold true for the historian: *CW* 19 (1926) 138–39 = *Collected Classical Papers* (Oxford 1938) 12–14. The earlier date has been accepted as the more likely by Syme (above, note 4) 40–42; Walsh, *Livy* 1–2; Ogilvie, *Commentary* 1. But whether Livy's death should be moved from A.D. 17 to A.D. 12 is questionable. Messalla's death is postdated by five years and his age is given by Jerome (*ad ann. Abr. 2029*): *Messalla Corvinus orator . . . se confecit anno aetatis LXXII*, indicating that the year of death was calculated from birth by years of age. But no age is given for Livy (*ad ann. Abr.* 2033): *Livius historiographus Patavi moritur*, which suggests that Jerome was not counting by years of life, but was dating by consuls once more. The superscription of the Periocha of Book 121, *qui editus post excessum Augusti dicitur*, shows that Books 121–141 were published after the death of Augustus. It has been argued recently (Syme

historian would thus have been in his late thirties when he began the first of his 142 books. Again, there is nothing impossible in this; many Roman historians, such as Sallust and Tacitus, came to their tasks in middle age. But Livy's historical output was huge, his other known writings were few,[62] and evidence for any other activity in early life is lacking. In view of the earlier date of birth, an earlier date for the commencement of his historical writing is attractive.

The passage at 4.20.5–11 was certainly a later addition, and it is probable that 1.19.3 was also. When and under what circumstances were the additions made? The section concerning Cossus must have been added when Augustus' refusal to allow Licinius Crassus to dedicate the *spolia opima* was still topical, and when a statement of precedent in a work such as Livy's seemed desirable. Crassus killed the chieftain, Deldo, while proconsul of Macedonia in 29 B.C. and was voted a triumph; he campaigned again in 28 B.C. and returned to the city late that year. He did not celebrate his triumph until July, 27 B.C. When Crassus made the actual claim is not known: possibly not until his return to Rome. Livy's addition was made after January 16, 27 B.C., since he terms the Princeps Augustus, and undoubtedly no more than one to two years after Crassus' triumph. Thereafter the situation would have lost much of its urgency, and justification long postponed might be interpreted more as a confession of weakness than delivered from a position of strength. In other words, 4.20.5–11 was written within the same period as 1.19.3: between 27 and 25 B.C.; 4.20.5–11 was an addition to a completed text—another consideration which suggests that the passage four books earlier was also an addition.

How much time elapsed between the completion of the first pentad and the additions? The answer must be that it was not

[above, note 4] 38–39, 71–72; Ogilvie, *Commentary* 1, 3) that this does not preclude an earlier date for Livy's death: his heirs may have suppressed the books, which concerned Augustus' reign itself, because of the embarrassing, possibly incriminating, contents. Possibly; but the most likely source of information for the writer of this attenuated Periocha was the book itself, doubtless its preface; Klotz (above, note 55) 819, understands *a Livio in praefatione* with *dicitur*. Livy would thus have survived the emperor; politic postponement may have been the historian's own doing.

[62] Sen. *Ep.* 100.9 says that Livy wrote "et dialogos, quos non magis philosophiae adnumerare possis quam historiae, et ex professo philosophiam continentes libros," which were perhaps early works: see Walsh, *Livy* 4. He also wrote an essay on style, in the form of a letter to his son (Quint. 10.1.39).

long. If Livy's work had been available to the public for a number of years, the text would have been well known, frequently copied, and impossible to recall.[63] It would not have been suitable for Augustus' purposes. Perhaps Livy had completed the text and had allowed a number of friends to read it and suggest improvements. The practice was common, and corrections could easily be made.[64] Such a period must have been at least a few months in duration, and was probably somewhat longer.[65] The historian may also have given recitations from the early books before allowing a wider circle of acquaintances (possibly professional booksellers as well) to make copies; corrections and additions could easily be made at this juncture also. Even if some copies had gone out whose whereabouts were still known, alterations were possible. Cicero, for instance, requested Atticus to change "through your copyists" the name of Eupolis in his *Orator* to that of Aristophanes "not only in your own books, but also in those of others." The change was made.[66] Authors could even contemplate making changes when so many copies had been distributed that alteration was possible only in some, but not in all. Cicero, for example, asked Atticus to delete the name of L. Corfidius from his speech *Pro Ligario* even though "it has received wide distribution"; the mistake still remains in our manuscripts.[67] Changes of a more drastic nature were also

[63] On the general question of publishing and correcting see T. Birt (above, note 56) esp. 342–70; and R. Sommer, *Hermes* 61 (1926) 389–422.

[64] For instance, at *Ad Att.* 13.21.3, Cicero, who at first liked Atticus' suggested change of a verb to *inhibere*, now finds that it is unsuitable. He asks Atticus to change it back as before, and to pass the information on to Varro, who also had a copy: Nunc ad rem ut redeam, 'inhibere' illud tuum, quod valde mihi adriserat, vehementer displicet. . . . Qua re facies ut ita sit in libro quem ad modum fuit. Dices hoc idem Varroni, si forte mutavit.

[65] "Young historians seeking to establish a reputation do not sit on their manuscripts for years": P. G. Walsh, *PACA* 4 (1961) 29. Probably, although Horace (*A.P.* 388) advises young writers to wait nine years, and Quintilian (10.4.2) recommends a lengthy interval; yet these recommendations doubtless reflect ideals more than practice.

[66] *Ad Att.* 12.6.3: Mihi quidem gratum et erit gratius si non modo in tuis libris sed etiam in aliorum per librarios tuos 'Aristophanem' reposueris pro 'Eupoli.' See *Orator* 29. Cf. Sommer's remarks, *op. cit.* (above, note 63) 412–15.

[67] *Ad Att.* 13.44.3: Brutus mihi T. Ligari verbis nuntiavit, quod appelletur L. Corfidius in oratione Ligariana, erratum esse meum. . . . Sed eum video ante esse mortuum. Da, igitur, quaeso, negotium Pharnaci, Antaeo, Salvio ut id nomen ex omnibus libris tollatur. See *Pro Lig.* 33. He had declined earlier to add a remark concerning Tubero's wife and step-daughter: *est enim pervulgata* (*Ad Att.* 13.20.2).

possible. Cicero had given his *De Gloria* to Atticus for copying and distribution, but while on a southern voyage discovered that he had used the same preface for the *De Gloria* as he had for the third book of the *Academics*. "It happened," he explained, "because I keep a volume of prefaces, from which I usually select one when I have begun a treatise." Cicero composed a new preface and sent it on to Atticus: "Cut off the old one," are his instructions, "and glue this new one on."[68] Even complete rewriting and recasting could be done after copies of the initial version had been made. Cicero originally wrote his *Academics* in two books, using Catulus and Lucullus as principal speakers. Atticus had made complete copies of this version when Cicero decided to dedicate the treatise to Varro, to redivide the work into four books, and to eliminate Catulus and Lucullus in favor of Varro himself as an interlocutor. "Please don't fret at your loss in having had the version of the *Academics* you now possess copied out in vain. The new version, after all, is far more brilliant, concise, and better."[69] Hence Livy's additions could have been made at any time up to and beyond the copying and distribution of his manuscript. If not too many copies had been made and were still accessible, corrections could be made in all; otherwise, alterations were possible only in some. A passage in Fronto suggests that once copying and distribution had increased beyond a certain point, attempts at correction were futile.[70]

One further passage deserves attention: the opening words of the Preface. The passage is not offered as additional evidence for later insertions in the first pentad; but because it raises a difficult problem which has hitherto been ignored or glossed over, it deserves discussion, and because one solution of the problem might be that it, too, was involved in the later changes, it merits consideration here. The opening words, as Quintilian noted

[68] *Ad Att.* 16.6.4: Nunc neglegentiam meam cognosce. 'De gloria' librum ad te misi, et in eo prohoemium id quod est in Academico tertio. Id evenit ob eam rem quod habeo volumen prohoemiorum. Ex eo eligere soleo cum aliquod *σύγγραμμα* institui. Itaque iam in Tusculano, qui non meminissem me abusum isto prohoemio, conieci id in eum librum quem tibi misi. Cum autem in navi legerem Academicos, adgnovi erratum meum. Itaque statim novum prohoemium exaravi et tibi misi. Tu illud desecabis, hoc adglutinabis.

[69] *Ad Att.* 13.13.1: Tu illam iacturam feres aequo animo quod illa quae habes de Academicis frustra descripta sunt. Multo tamen haec erunt splendidiora, breviora, meliora. Cf. *Ad Att.* 13.12.3.

[70] Fronto, *Ad Verum Imp.* 2.9, p. 137 Nabor; cf. *Ad Antonium Imp.* 2.8, p. 111 Nabor.

(9.4.74), form the beginning of a dactylic line: *facturusne operae pretium sim.* This is the reading in all our modern texts, but not in any extant manuscripts: Quintilian alone preserves the true reading:

> ultima versuum initio conveniunt orationis: 'etsi vereor, iudices,' et 'animadverti, iudices.' Sed initia initiis non conveniunt, ut Livius hexametri exordio coepit: 'Facturusne operae pretium sim' (nam ita edidit, estque id melius quam quomodo emendatur).

Scholars have assumed, probably rightly, that the reading of the manuscripts, *facturusne sim operae pretium*,[71] is the alternate reading to which Quintilian refers; the change certainly eliminates the dactylic rhythm. But there is disagreement concerning its origin. Some have supposed that it is the result of an early corruption of the text,[72] others that it was a deliberate attempt to correct a stylistic fault: one scholar has imagined that the ancients were so surprised by the dactylic rhythm that they independently and spontaneously made the same correction.[73]

The difficulty in resolving the problem is chiefly caused by our not knowing what Quintilian's sources of information were. He clearly did not think that the second reading was a corruption; it was, rather, a deliberate correction of a stylistic fault. The correction, moreover, involved only a single reading; Quintilian is referring not to a number of possible rearrangements, but to one specific rewording which was familiar to many people. It had not become well known merely by word of mouth or as part of manuscript marginalia, but was the only reading of many texts; otherwise, there would have been no reason for him to inform his readers what the original line was. Finally, the alteration must have been of long standing, since the rhetor's words indicate

[71] Except for O, which inserts the clause *si a primordio . . . perscripserim* between *facturusne sim* and *operae pretium.*

[72] So Conway-Walters, *app. crit.*, but their explanation of the corruption on the basis of the variant in O is unclear to me; that O's readings, however, are particularly archetypal has recently been disputed: see R. M. Ogilvie, *CQ* 7 (1957) 68–81, esp. 79–80. Ogilvie, *Commentary* Praef. 1 n., states that Quintilian speaks of "the corrupt order," which "had already gained currency by his own day." But Quintilian is clearly speaking of a deliberate correction (*emendatur*) of a stylistic fault.

[73] Bayet (above, note 3) p. 2, note 1: "La brusque familiarité de ce début se corrige dans le texte par un rythme de vers dactylique, qui surprenait les anciens au point de leur faire corriger dans leurs manuscrits l'ordre des premiers mots."

that the correction by his day had become widespread and familiar to many.

How could such a "correction" have been made? To postulate a spontaneous emendation by many manuscript owners, all independently agreeing on the new word order, is untenable. And to suppose that some individual made the correction at an early date, possibly within the historian's lifetime, and that the corrector's influence was so great that it supplanted the author's original text seems equally untenable. Private persons might alter their manuscripts in error or in ignorance,[74] but there is no evidence to suggest that a critic's "improvement" (worse than the original, in Quintilian's view) of a famous writer's *ipsissima verba* could ever achieve such wide currency.

The explanation that the alternate version was caused by an early textual corruption is much more plausible, but is not without difficulties. It is odd that a scribe's attention-span should have been so brief that by the second word an error had been committed, and still odder that the corruption should have been so swiftly reproduced and so widely accepted, particularly when the opening rhythm was striking and memorable, the author distinguished, and the work monumental and celebrated.[75] We would also have to suppose that Quintilian had mistaken a corruption for a correction of a stylistic defect. But this is unlikely. Since he possessed primary evidence concerning the original reading,[76] his interpretation of the alternate version was probably based on some positive information as well.

Another explanation is possible. Perhaps the "corrector" was not the ancients en masse, some unknown critic, or a careless copyist, but the historian himself; the alternate reading could have formed part of the *addenda et corrigenda* to the first pentad. The theory is attractive in a number of ways, but, like the other hypotheses, is not without its difficulties. First, Quintilian's words make it clear that he did not think Livy himself was responsible for the rewording. Second, although to begin a prose sentence with the opening rhythm of a poetic line was considered

[74] Cf. Quint. 9.4.39; Aul. Gell. 20.6.14.

[75] But the copyists admittedly were often careless, as Cicero's complaint to his brother testifies, *Ad Quint. fr.* 3.5.6.

[76] Possibly from the autograph itself, or from an early copy: for parallels see Aul. Gell. 9.14.7, 1.21; Plin. *NH* 13.83.

a stylistic fault, much can be said in defense of this particular usage. Those who believe that Livy's hexameter opening, as well as that of Tacitus in the *Annales*, was written unconsciously are surely mistaken.[77] P. G. Walsh has shown that the attention which the ancients paid to style, particularly in *exordia*, precludes mere accident, and has convincingly argued that the dactylic rhythm (not necessarily the wording or substance) is a deliberate echo of Rome's first writers of *Annales*—the poets who wrote in hexameter verse—and of Q. Ennius in particular.[78] Livy's concern to emphasize the ancient and illustrious descent of this traditional form of historical writing overcame any qualms he may have felt about beginning a prose sentence with a hexameter verse. Third, while the dactylic rhythm may have brought censure from some quarters, the historian's definite opinions on style in general and his outspoken criticism of fellow writers suggest that he was not the kind of man who would waver or retreat from a position already taken, particularly one which has much to be said in its defense.[79]

On the other hand, the hypothesis has its attractions. Livy was a comparatively young man who was just beginning his history; the ideas on style which he expressed in later life were not likely to have been so set or so definite at this early period. He had just published the first pentad when the emperor's communication concerning Cossus, as well as the recent closing of the gates of Janus, necessitated a few additions. It could well be that several critics had taken sharp and immediate exception to the dactylic opening, allusions to early *Annales* in hexameter verse notwithstanding.[80] Pollio's celebrated jeer at Livy's *patavinitas* is

[77] So Weissenborn *ad loc.*; K. Gries, *Constancy in Livy's Latinity* (Ann Arbor 1949) 40; R. Syme, *Tacitus* (Oxford 1958) 357; cf. E. Koestermann, *Cornelius Tacitus Annalen* I (Heidelberg 1963) 1.1.1 n.

[78] Walsh, *Livy* 253–54. Cf. R. Ullmann, *Symbolae Osloenses* 12 (1933) 57–69, 11 (1932) 72–76.

[79] Livy wrote a treatise on style in the form of a letter to his son, in which he counseled the youth to read Demosthenes and Cicero, and then those who are most like them (Quint. 10.1.39): fuit igitur brevitas illa tutissima, quae est apud Livium in epistola ad filium scripta, 'legendos Demosthenen atque Ciceronem, tum ita, ut quisque esset Demostheni et Ciceroni simillimus.' Livy vigorously condemned the style of Sallust: Sen. *Contr.* 9.1.13. For his views on the use of recondite words see Sen. *Contr.* 9.2.26. On the general subject see Walsh, *Livy* 43–45, 245–70.

[80] Possibly the allusion to the early poets escaped them; Quintilian, at least, does not seem aware of it.

evidence that contemporary critics of the historian's style were not lacking.[81] Livy had an excellent opportunity for rearranging the opening words when he made the other additions to the first pentad. Quintilian's critical remarks supply him with a motive, the later additions supply him with an opportunity; it may be more than accident that all extant manuscripts contain the section on Cossus, the sentence concerning Augustus' closing of the gates of Janus, and the alternate version of the opening line.

The following conclusions result. The first pentad was complete by 27 B.C. Soon after, the emperor's communication concerning Cossus, and the closing of the gates of Janus,[82] prompted additions; possibly on this occasion Livy himself altered the dactylic opening of the Preface. His rate of composition continued steadily, for by 23 B.C. Book Nine, and most probably the whole of Books 6–15, had been completed. The writing of the first pentad would require two to three years, and possibly longer; problems of composition were new, historical cruces numerous and difficult, opportunities for literary embellishment and moral instruction especially inviting. It was a period in which the historian took particular delight, as he admits (*Praef.* 4–5), and it is likely to have claimed more of his energies and time than did many later sections. Since he must have begun composition about the time of the Battle of Actium (possibly earlier), his decision to write the history of the Roman people *a primordio urbis* must have been taken before that date. Much background reading and large-scale planning also preceded regular composition.[83]

The first pentad, therefore, can scarcely be termed "Augustan" either in inspiration or in execution; it was written in the years before the title was given to Octavian and before most of his policies and programs had been enacted. In truth, all the

[81] Reported by Quintilian at 1.5.56. Whatever wider meaning Pollio may have intended (cf. R. Syme, *The Roman Revolution* [Oxford 1939] 485), at least part of the censure was directed at Livy's style and latinity: this is how Quintilian unhesitatingly interpreted it. For a recent discussion of the vexed question see Walsh, *Livy* 267–70.

[82] If Livy wrote Book One after the initial closing of the gates of Janus by Octavian in 29 B.C., the passage at 1.19.3 may have required only the addition of *Augusto* to *ab imperatore Caesare* after January 16, 27 B.C. But the book was probably written earlier, and all of 1.19.3 added subsequently.

[83] Erich Burck's analysis of the complex and carefully-wrought design of the first pentad presupposes that extensive reading and careful structuring of the larger events and themes preceded actual composition; *op. cit.* (above, note 55).

passages in which scholars have ventured to discern allusions to the emperor and his reign are tenuous at best; some interpretations are fanciful in the extreme.[84] Many are as suited to the period before c. 30 B.C. as after,[85] and, in some, broad generalization has been unnecessarily interpreted as a mask for specific reference.[86] Yet the search for "Augustan" influence has been as persistent as its individual conclusions have been ephemeral. Livy has been viewed both as a fervent propagandist for the Augustan regime and as an independent critic, subtly warning the Princeps against the excesses of authoritarianism.[87] One theory maintains that the historian strove to use the adjective *augustus* in significant contexts flattering to the emperor, while another study has shown that he neglected so many opportunities to use the word in this way that the hypothesis is untenable.[88] Similar theories have met with similar refutations. It is true, however, that in many significant ways Livy's views in the first pentad coincide with Augustus' program of religious, social, and moral reform. Yet many of these reforms came years after the first pentad had appeared, whatever theory of dating be invoked. The tendency to assume in these matters that the historian adopted, reflected, or was reacting to, the ideas of the central

[84] Ogilvie, *Commentary* 2, gives a convenient list of passages, together with reference to his notes; to these add Praef. 9.

[85] Such as at 1.32.5, 53.1, 56.2, 57.9, 59.12; 3.58.4, 68.7; 4.3.7; consult Ogilvie's notes.

[86] E.g. at Praef. 9: *nec vitia nostra nec remedia pati possumus*, has been interpreted as referring to Augustus' abortive social legislation of 28 B.C. (Prop. 2.7.1). The theory, first proposed by H. Dessau, *Festschrift O. Hirschfeld* (Berlin 1903) 461–66, has found favor with some scholars (e.g. Ogilvie, *Commentary ad loc.*; G. W. Williams, *JRS* 52 [1962] 28 ff.) But Syme (above, note 4) 42–43, and Walsh, *Livy* 11, have rightly rejected the suggestion. At 1.56.2 Ogilvie, *Commentary*, has interpreted *haec nova magnificentia* as referring to Agrippa's cleaning and presumed repairing of the Cloaca Maxima in 33 B.C., and to the restoration of the *pulvinar* by Augustus (*Res Gestae* 19) at the Circus Maximus, destroyed by fire in 31 B.C. (Dio 50.10). This is possible, but not necessary; even if one or both references are accepted, they do not necessitate composition as late as 28–27 B.C.

[87] For an example of the first view see C. N. Cochrane, *Christianity and Classical Culture* (Oxford 1940) esp. 103–113. For the latter view, see H. Petersen, *TAPA* 92 (1961) 440–52.

[88] On the flattering use of *augustus* see L. R. Taylor, *CR* 32 (1918) 158–61; K. Scott, *TAPA* 56 (1925) 82–105; G. Stübler, *Die Religiosität des Livius* (Stuttgart-Berlin 1941) 10–17. For the opposing evidence see H. Erkell, *Augustus, Felicitas, Fortuna* (Göteborg 1952) 19–25. For the improbability of theories which connect Augustus with the portraits of Romulus, Numa, Camillus, Decius, and Scipio Africanus, see Walsh's remarks, *Livy* 16–17.

government and of its leader has been almost automatic and nearly ubiquitous. The tendency should be resisted, and the assumption questioned. Instead of searching for Augustan allusions in Livian history, it might be more profitable to investigate to what extent Augustan policy was influenced by the Livian concept of the Roman past.