

THE REPORT ON THE GLADIATORIAL COMBATS OF 174 BC

FRANCIS X. RYAN
University of Los Angeles
fxryan@gmx.de

SUMMARY

The four extant Livian passages reporting on gladiatorial combats are discussed; the focus lies upon textual problems in the fourth passage, but in briefer compass a solution to a textual problem in the first is proposed and the reliability of the number transmitted in the third is defended. There is also a short preliminary discussion of the sources available and of the sources actually used in the transmission of this information.

KEYWORDS

ludi funebres, munera gladiatorum,
Quellenkritik, Livius, Flamininus, gladiators

ZUSAMMENFASSUNG

Die vier uns noch erhaltenen livianischen Stellen, die über Gladiatorenkämpfe berichten, werden besprochen; dabei steht der Wortlaut der vierten Stelle im Mittelpunkt, auf den Wortlaut der ersten und die an der dritten überlieferte Zahl wird aber auch kurz eingegangen. Einleitend werden die für die Überlieferung dieses Stoffs verfügbaren und benutzten Quellen knapp behandelt.

STICHWORTE

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The extant portions of an annalistically arranged history preserve four notices on memorial celebrations held for great men: the families of M. Aemilius Lepidus (Cos. 232), M. Valerius Laevinus (Cos. I 220), P. Licinius Crassus (Cos. 205), and T. Quinctius Flamininus (Cos. 198) marked the deaths of their patriarchs with celebrations on so grand a scale that these observances made it into the historical record where their deaths are mentioned; indeed, in the first of these cases there is no obituary proper, so that the report on the memorial stands alone. Although the first two such notices are not altogether free from textual difficulties, the basic sense of these and the third text is always clear. The last, however, is in a much sorrier state, contradictory where it is not obscure. The translations of the confused passage, on the other hand, are coherent, and it is no doubt right for translators to attempt to make sense of the text as it stands, but in the present instance their honest efforts have resulted in versions which in fact do not render the transmitted text faith-

fully. Nor is it conceivable that the author actually wrote what they make him say before his text was corrupted, so the translations are here not a guide to improving the original, as is sometimes the case when the modern rendering is more comprehensible than the ancient text. The best guide to the content and wording of the fourth passage is provided by those of the first three, although the fourth does differ from them in certain respects. To facilitate the discussion all four texts are given at the outset:

et M. Aemilio Lepido, qui consul augurque fuerat, filii tres, Lucius, Marcus, Quintus, ludos funebres per triduum <fecerunt> et gladiatorum paria duo et viginti in foro dederunt (L. 23.30.15, s.a. 216 BC)¹.

et ludi funebres eo anno per quadriduum in foro mortis causa <M.> Valeri Laevini a P. et M. et <C.> filiis eius facti et munus gladiatorium datum ab iis; paria quinque et viginti pugnarunt (L. 31.50.4, s.a. 200 BC)².

huius principio anni P. Licinius Crassus pontifex maximus mortuus est.... (2) P. Licinii funeris causa visceratio data et gladiatores centum viginti pugnarunt et ludi funebres per triduum facti, post ludos epulum. (3) in quo cum toto foro triclinia strata essent tempestas cum magnis procellis

¹ The text given is that of W. Weißenborn and H. J. Müller (Leipzig 1884), with which that of T. A. Dorey (Leipzig 1976) agrees, except that they did not print <fecerunt>, a supplement tentatively suggested by I. N. Madvigius, *Emendationes Livianae iterum auctiores editae*, Haunia (København) 1877, 323-24. — A second occurrence of *per triduum* after *viginti* was deleted by J. B. L. Crévier (Paris 1735-1742). — Some editions, like that of R. S. Conway and C. F. Walters (Oxford 1929), print *qui bis*, following the conjecture in C and M for the *quib'* of P, for which C. Sigonius (Venezia 1555) had conjectured simply *qui*; the father is otherwise attested as consul in one year only, 232 BC, and although he was accepted as a suffect consul in the years 221-219 by E. Klebs (Aemilius 66, *RE* 1.1, 1893, 552), T. R. S. Broughton (*MRR* 1.225, 234, 235 n. 2; 2.526), despite the lack of a query in his index, doubted the iteration since we know of no occasion for a patrician suffect consulship.

² The text given is that of J. Briscoe (Stuttgart 1991), except that he did not print <C.> after the *P. et M. et* of B, but followed the correction of the scribe himself (B¹) to *P. et M.* Weißenborn also printed the text as in B¹ (whom he considered B²), but conjectured either that C. was to be supplemented, or that P. was to be emended to C.; H. J. Hillen (München 1978) in his bilingual edition printed *et <Gaio>*, which H. Volkmann (Valerius 214, *RE* 8A.1, 1955, 51) had favored: "Wie die Partikel *et* zeigt, haben die Abschreiber den dritten, gut bekannten Sohn des M. Valerius, C. Valerius Laevinus (Nr. 208) irrthümlich ausgelassen". It is true that Publius is not otherwise known, but that is no reason to reject him: the same can be said of two of the three sons of M. Aemilius Lepidus, Lucius and Quintus (cf. E. Klebs, Aemilius 60 & 77, *RE* 1.1, 1893, 550. 563). And the reluctance to supply the praenominal initial of the third son after *et* is surprising inasmuch as that of the father is supplied from the ed. Moguntiae (1519); no doubts about <M.> were entertained by J. Briscoe, *A Commentary on Livy Books XXXI-XXXIII*, Oxford 1973, 164: "The MSS. omit the *praenomen* but L. would not have referred to him without a *praenomen*".

coorta coegit plerosque tabernacula statuere in foro. (4) eadem paulo post cum undique disserenasset sublata, defunctosque volgo ferebant quod inter fatalia vates cecinissent necesse esse tabernacula in foro statui (L. 39.46.1-4, s.a. 183 BC)³.

munera gladiatorum eo anno aliquot, parva alia, data; unum ante cetera insigne fuit T. Flaminini, quod mortis causa patris sui cum visceratione epuloque et ludis scaenicis quadriduum dedit. magni + tamen + muneris ea summa fuit ut per triduum quattuor et septuaginta homines pugnarent (L. 41.28.11, s.a. 174 BC)⁴.

In the earliest of the four notices there are already two distinct types of memorial entertainment, *ludi funebres* and *gladiatorum paria*; that the former were composed of theatrical performances is known otherwise and made clear by the substitution of the phrase *ludi scaenici* for *ludi funebres* in the last of the testimonies⁵. The second passage provides a closer parallel for the first than the third or fourth not only by locating one of the two elements mentioned *in foro*, but also by mentioning the funeral games proper before the gladiatorial show and by calculating the number of gladiators in *paria*. It is true that the specification *in foro* is applied to the *ludi funebres* in the second passage and to the *paria* in the first, but both passages are factually correct in locating in the forum the part of the celebrations which they place there, for Cicero in 43 could propose as an honor the reservation of seating space on the rostra in perpetuity *ludis gladiatoribusque* (Cic. *Phil.* 9.16)⁶. The third notice substitutes *gladiatores* for *paria* and mentions the forum only on account of the incident which transpired at the *epulum*, while the fourth notice substitutes *homines* for *paria* and does not mention the forum at all; the last two notices are also united by recording the gladiatorial show before the games and by touching upon two further components of memorial celebrations, the *visceratio* and the *epulum*.

It might then seem that the first two notices come from one common source and that the last two come from a different common source, yet these differences could be explained by positing different intermediate sources and are, therefore, not necessarily incompatible with the ultimate dependency of

³ The text given is that of A.-M. Adam (Paris 1994).

⁴ The text given is that of J. Briscoe (Stuttgart 1986).

⁵ Cf. L. R. Taylor, "The Opportunities for Dramatic Performances in the Time of Plautus and Terence", *TAPA* 68, 1937, 299: "Although *ludi scaenici* are attested by Livy in only one case, we can assume them in every instance, since circus games seem not to have been a feature of *ludi funebres*".

⁶ E. J. Jory, "Gladiators in the Theatre", *CQ* 36, 1986, 537-9, draws attention to this passage and other evidence which indicates that scenic games and gladiatorial shows could be presented in the same locality in the time before the construction of a permanent amphitheater.

all four notices, containing as they do exact information on the size of the gladiatorial show, on a single source. And a difference such as an apparently increasing lack of interest in localizing the entertainments need not require a change in the source directly consulted, but could reflect a diminishing interest in the ultimate source, for which, after so many years of holding the *ludi* and the *munus* in the same location, the point was taken for granted⁷. The differences in the four extant reports similarly fail to indicate use of more than one or two literary sources inasmuch as there is no reason to think that the annalistic historian to whom we owe them strove for closely parallel notices. If the four notices went back to contemporary records resembling a chronicle⁸, one would not expect complete uniformity in the original entries even with respect to the topics treated, and still less with respect to the order in which and the expansiveness with which they were treated, for the entries in question would have been composed by various hands. Whether the four notices come directly from one source or from two sources, we cannot point to a written record, such as a chronicle, which was contemporary either with a show as early as 216 or even with those of any of the three remaining years, with entries which could be presumed to have been made in the year when the recorded events occurred; such a source, non-official and therefore more accessible, continuous and therefore more user-friendly, undoubtedly would have been consulted in preference to the disconnected aedilician documents, but the apparent lack of this more convenient source does not mean that the annalists resigned themselves to consulting the less convenient one⁹. We must

⁷ Similarly, without positing a change even in the source immediately consulted, another reason for the switch from reckoning in pairs of fighters to reckoning in individual fighters may be discerned, but its naming would implicate us in a historical problem better discussed separately.

⁸ It is worth noting that the Terentian production records contain information about the *ludi* given in honor of L. Aemilius Paullus in 160 (*Didasc. Hec.* 8-9 [A], 5-6 [C]; *Didasc. Ad.* 2-8 [A, C]; cf. F. Umpfenbach, *P. Terenti Comoediae*, Berlin 1870, 356, 428). Given the belief that the *didascaliae* draw directly on Varro and indirectly on aedilician documents (M. Schanz-C. Hosius, *Gesch. der röm. Lit. bis zum Gesetzgebungswerk des Kaisers Justinian*, Teil 1, 4. Aufl., München 1927, 105; M. Deufert, *Textgeschichte und Rezeption der plautinischen Komödien im Altertum*, Berlin 2002, 87 w. n. 168, 92-93), the inclusion therein of the *ludi* marking the death of Paullus suggests that the detailed notices about memorial celebrations in the historical tradition might be indebted to the aedilician archives to which Varro seems to have had access, although the Reatine in his mediating work *de actis scaenicis* would hardly have refrained from using other sources at his disposal in addition to the official documents (cf. Deufert, *Textgeschichte und Rezeption*, 94 n. 214). The recurring objection that the *didascaliae* cannot be traced to the aediles because they convey this or that piece of information which would not have been of interest to those magistrates is thereby met, if it needs to be met at all, for the alternative explanation, which posits transmission of the details in acting scripts, is susceptible to similar criticism (cf. E. Lefèvre, "P. Terentius Afer", *HLL* 1, München 2002, 235-6).

⁹ Since the curule aediles had an edict *de funeribus* (Cic. *Phil.* 9.17), it is reasonable to think that they also supervised memorial celebrations; on aedilician responsibility for order

reckon with the possibility that some of the shows were first recorded by annalists who are contemporary sources, if at all, only in the sense that their lives overlapped with them, and that they in other cases might have witnessed the show, or at least remembered hearing about them at the time, but first wrote down the details only years or decades later. The specific figures for pairs or individuals will then rest partly on personal memory and partly on hearsay, but we can nevertheless have confidence in the accuracy of those figures through two theses: that the shows of 216 and 200 are taken from a source which mentioned record-breaking shows, and that the shows of 183 and 174 are taken from a source which no longer mentioned every incremental increase in the number of participants, but which singled out the show of 183 since it was by far the biggest to that point in Roman history, and which deigned to mention the show of 174 partly because of its size, but still more because of the fame of the decedent.

The text on which we shall focus (L. 41.28.11) displays its uniqueness from the very start, when the annalist acknowledges the existence of smaller gladiatorial combats¹⁰. In this passage there are two points at which textual alterations affecting the sense have been suggested. One is found in its opening clause (*munera gladiatorum eo anno aliquot, parva alia, data*). The word *alia* was secluded by C. Giarratano (Roma 1933) and subsequently by P. Jal (Budé ed., 1971). Upon reflection it seems reasonably certain that *alia* should be retained. Without it, the passage opens by declaring that in that year several small *munera* were given and continues by stating that one was distinguished above the rest (*unum ante cetera insigne fuit T. Flaminini*); in other words, the removal of *alia* makes the *munus* of the younger T. Flamininus into one of the *parva*, indeed the most noted of them, but nevertheless one of them. Although this *munus* was only just over 3/5 as large as the one which took place nine years earlier, the possibility that the author actually adjudged it minor would seem to be excluded by the last sentence in this passage, which has problems of its own but nevertheless speaks of the *summa* of what as the text is transmitted is called a *magni...muneris*. With *alia* removed, the clause beginning with *unum* could not be made to refer

at gladiatorial shows, cf. Macr. *Sat.* 2.6.1: *lapidatus a populo Vatinius, cum gladiatorium munus ederet, optinuerat ut aediles edicerent, ne quis in arenam nisi pomum misisse vellet*. To find the aedilician records, however, a researcher would have to know in advance the year in which the man in question died, determine who served in the curule aedileship in that year, ascertain the identity and address of their descendants, if these were not known to him, and then visit or write them; furthermore, unless all the records were in duplicate, so that each colleague had full documentation of the year, he would also have to reckon with approaching the wrong set of descendants. If this researcher happened to know the descendants of the decedent, it would have been simpler for him to ask them directly, although the answer he got might be secured only by an oral family tradition.

¹⁰ The occurrence of more modest gladiatorial shows is rightly emphasized by K. E. Welch, *The Roman Amphitheatre from its Origins to the Colosseum*, Cambridge 2007, 20.

clearly to an absolutely large show even by the addition of an adversative; with *alia* retained, the succeeding clause refers unambiguously to a large show even without an adversative¹¹.

The other previously suspected problem in the passage is found in its last sentence (*magni + tamen + muneris ea summa fuit ut per triduum quattuor et septuaginta homines pugnarent*) and is not so readily dispatched. For the *tamen* transmitted here (V=Vindobonensis Lat. 15) G. L. Walch (Berlin 1815) proposed to read *tum*. Since the *munus* for Flamininus had been introduced as remarkable beyond the others of that year and as being unique in that respect (*unum ante cetera insigne*), it hardly seems possible, without a concessive conjunction such as *quamquam* or *etsi* ("although"), or some other expression with concessive force, to justify the adverb *tamen* ("nevertheless"), or any other adversative adverb, where the subject of that gladiatorial show is resumed and where it appears to be described as great (*magni...muneris*). It is therefore not surprising that an attempt was made to turn the unpaired *tamen* into a word which indicates no opposition to what was said in the preceding. Yet with *tum* the sentence imparts temporal information previously lacking and in need of examination. Translators who accept *tum* allow the author to draw an implicit contrast with the present or at any rate with a much later time. The version of E. T. Sage and A. C. Schlesinger (Loeb ed., 1938) speaks of "a show which was big for that time", that of P. Jal (Budé ed., 1971) has "ce qui constitua alors un combat important", and that of H. J. Hillen (München 1983) makes mention of "eines großen Festspiels...damals." J. D. Chaplin (Oxford 2007) uses the Teubner text as the basis of her translation, but to have something coherent to translate here replaces *+tamen+* with *tum* and construes it closely with *magni*, as the others had: "the entertainment, which was lavish for its time."

Certainly the gladiatorial show of 174 was not impressive from the standpoint of the Augustan age, and the author for that reason might indeed have qualified the description of it as great, just as Plinius (*Nat.* 33.53) remarked that the municipal towns of his own day emulated the silver *vasa* for fighting wild animals which Caesar had introduced to the capital as *aedile*. But the unqualified statement which results from the insertion of *tum* is only correct substantively if we suppose the author to have deliberately

¹¹ Which was perhaps to be expected of the Quinctii. A desire on their part to impress the masses has been inferred from the location of the bronze statue of the elder Flamininus by M. Schlmeier, *Stadtrömische Ehrenstatuen der republikanischen Zeit*, Stuttgart 1999, 144: "Der Aufstellungsort, der Circus Flaminus, sollte vielleicht insbesondere die Plebs ansprechen, denn es war eine Vergnügungsstätte"; in this context we should recall the thesis that the headquarters of the various tribes were near the Circus Flaminus (L. R. Taylor, *Roman Voting Assemblies from the Hannibalic War to the Dictatorship of Caesar*, Ann Arbor 1966, 69), and the admonition that the tribes had a social function (M. Rieger, *Tribus und Stadt. Die Entstehung der römischen Wahlbezirke im urbanen und mediterranen Kontext (ca. 750-450 v. Chr.)*, Göttingen 2007, 112).

chosen the positive rather than the superlative degree of the adjective, for the big show of 174 in fact was not all that great in comparison with at least one earlier show. One may in any case doubt, for all the conciseness of Latin, that by inserting *tum* between *magni* and *muneris* the Latin words can be made to express what requires a relative clause in French or English. One would instead expect to see *tum* in a relative clause in Latin as well and find *muneris* qualified with the comment “*quod tum magnum fuit*”, just as the beginnings of luxury could be described as “those things which then attracted notice” (L. 39.6.9: *illa quae tum conspiciebantur*). Equally one might expect to see the idea expressed in a separate clause or phrase, whether it contained *tum* or an equivalent expression; the same author referred to Sp. Maelius “as very rich for those times” (L. 4.13.1: *ut illis temporibus praedives*), called M. Valerius Corvus “the greatest commander at that time” (L. 8.16.4: *maximum ea tempestate imperatorem*), and needed to use four words when he wanted to say that the plebeian aediles of 210 gave games which were magnificent “in relation to the resources of that time” (L. 27.6.19: *et ludos pro temporis eius copia magnifice apparatus fecerunt*). Since the emendation *tum* is so unappealing, one might wonder whether the author with *tamen* intended to stress that the gladiatorial show proper was great despite the funding of a *visceratio* and an *epulum*, but the presence of the latter two elements did not cause him to make any remark on the magnificence of the gladiatorial show given in 183, which is by far the largest recorded in the extant portions of his history.

Before devoting more time to this recognized problem in the last sentence we should draw attention to one which has gone untreated, if not unrecognized, and which neither *tamen* nor *tum* helps to resolve. That further complication, but at the same time the key to further progress, is posed by the word *summa*. Sage and Schlesinger translated “climax,” Hillen “Höhepunkt,” and Chaplin “height”; certainly *summa* can mean “the crowning stage, culmination” (*OLD*, s.v., 8a), but the unsuitability of that meaning here, upon reflection, becomes at once apparent: the fight of the 74 men was not merely the high point of the *munus*, it was, to judge by the other Livian notices, the entire content of the same. Jal by translating *summa* “nombre total” escapes the criticism that he has made the gladiatorial fights merely a part of the gladiatorial show, although the necessity of supplying “des combattants” is an indication that this rendering of *summa* might not be right.

External to this work we find the phrase *ea summa* used to refer to an amount of money. Augustus, when bragging about reimbursing municipalities for the lands he assigned to his troops, used *ea summa* to introduce approximate figures for the amounts paid out in Italy and the provinces (Aug. *RG* 16: *pecuniam pro agris quos...adsignavi militibus solvi municipis; ea summa sestertium circiter sexsiens milliens fuit quam pro Italicis praedis numeravi, et circiter bis milliens es sescentiens quod*

pro agris provincialibus solvi). It would then be no peculiar usage if *ea summa* in the discussion of the great gladiatorial show of 174 referred to the money expended by the younger Flamininus. Since there has not been, as far as we know, any discussion of the meaning of *ea summa* here, the basic task of consulting the author himself, i.e., determining whether he ever used the same expression elsewhere, has been left undone. The extant portion of his work does, in fact, contain three other instances of the phrase:

quae publica in navibus fuerant ex publicis descripta rationibus quaestores, quae privata, profiteri domini iussi; (2) pro ea summa pecuniae viginti quinque milia pondo argenti praesentia exacta (L. 30.38.1-2).

hora quarta signum ad diripiendas urbes datum est militibus, (5) tantaque praeda fuit, ut in equitem quadringeni denarii, peditibus duceni dividerentur.... (6) vendita praeda omnis, inde ea summa militi numerata est (L. 45.34.4-6).

et filio regis Nicomedi ex ea summa munera dari censuerunt, ex qua Masgabae, filio regis Masinissae, data essent (L. 45.44.15).

We find the phrase referring to the total value of goods removed from transports seized during a truce, the total value of the booty taken from about 70 towns in Epirus, and the total value of the gifts voted by the senate to the son of the Bithynian king Prusias. In all three passages a specific sum of money is indicated. Strictly it will be a matter of an exact figure in the first comparandum, since *ea summa pecuniae* refers to the total value of the goods listed by the quaestors and by private owners, a number necessarily reckoned in a Roman denomination—as the dependent genitive *pecuniae* confirms—and here unexpressed, not to the pounds of silver which the Carthaginians are said to have paid “in the place of” (*pro*) it, presumably a rounding by the historical tradition of the amount actually paid. The figure to which allusion is made in the third comparandum must also be exact, since the senate had appropriated a definite amount on the previous occasion, and in fact we are told in an earlier chapter of this book what that sum was: *munera ex senatus consulto emere regulo quaestor iussus ex centum pondo argenti* (L. 45.14.6). Although the two figures given for payments to horse and foot in the second comparandum will be exact, in this somewhat repetitive narrative *ea summa* cannot refer directly to the amounts paid to individuals, since they differed by service branch and would require *summa* to stand in the plural; as a strict matter of grammar *ea summa* picks up *vendida praeda omnis*, as *inde* plainly shows. Here the specific figures for payments to individuals (*quadringeni denarii...duceni*) are merely addends, or factors,

whereas the word *summa*, which can denote a totality or whole as opposed to its parts (*OLD*, s.v., 4-5), continues from *omnis*. In all three passages *ea*, though almost always rendered with the definite article in the translations we have seen¹², actually has, as might be expected, a demonstrative force; although the figure which is expressed might either precede or follow the word *summa* in the text, the demonstrative adjective *ea* refers back to something previously mentioned. Nothing in this occasions surprise: just as *summa* quite easily denotes a total, the addition of *ea* means that it is a known total. The report highlighting the notable gladiatorial show of 174, therefore, did not necessarily contain a particular figure expressed in sesterces, but it must at the very least have contained a circumlocution for such a figure, such as *praeda omnis* in the second comparandum; since the subordinate clause in the last sentence of the report (*ut...pugnarent*) reads well as it is, the missing information must have fallen out of the text preceding the main clause, just as it is in this direction, further up in the text, that the demonstrative *ea* leads us to look.

The discovery of a lacuna in or before the last sentence affects our understanding of a neglected grammatical problem. Since this sentence contains a main clause referring to past time and the particle *ut* is followed by a verb in the perfect subjunctive, it seems clear enough that we are dealing with a consecutive sentence, and what the translators have offered might perhaps be justified as an explanatory *ut*. A referee of the journal, noting that preparative *is* before a consecutive clause is found in Cicero¹³, admits that the construction apparently was not otherwise used by the author in question (*TLL* VII/2.478.49-479.21), but nevertheless judged it wrong to deny him it; no translator seems ever to have taken *ea* this way: for *ea summa fuit ut* we would then expect Sage and Schlesinger, for example, instead of “The climax...was that” to have offered something like “Such was the climax...that”, and from Hillen we would not expect „Der Höhepunkt...war..., daß“, but something like „Von der Art war der Höhepunkt..., daß.“ The translations which we have seen do not read like result clauses, but the remedy for this cannot be to attribute to the author of the original a grammatical construction otherwise unattested for him in a large corpus, especially since the collocation *ea summa* is attested for him three times, in each case with *ea* as a simple demonstrative adjective. Although it is not certain that an adjective of degree anticipated the result clause, the insertion of *tanta* into the main clause would help to elucidate the expression of an outcome (“so great was that sum of money that”). One can wonder, however, whether *magni* and

¹² E.g., J. D. Chaplin (Oxford 2007) renders *ex ea summa...ex qua* in L. 45.44.15 “equal to the total”; P. Jal (Paris 1979) uses a construction involving the indefinite article, “d’une valeur égale à celle”, but H. J. Hillen (Düsseldorf 2000) has “für denselben Betrag...wie.”

¹³ Cf. Cic. *Phil.* 3.20: *is enim erat dies, ea fama, is qui senatum vocarat ut turpe senatori esset nihil timere.*

tanta together provide too much greatness, but even if they do, it is not clear that *tanta* would have to be jettisoned. One cannot exclude the possibility that *magni*, perhaps with another ending, originally modified a word in the here posited lacuna, and was only later brought into agreement with *muneris*¹⁴; in that case, *tanta* might have stood before *tamen* and commenced the sentence. And the collocation of *magnum* and *munus* is at least somewhat unexpected, since there is no longer any need to distinguish the one great show from the small ones at the end of a report in which only the former received extended discussion. Furthermore, it is not hard to think of a word resembling *magni* which would work here, namely, *magnificentia*¹⁵; the formulation <*tanta*> *magni*<*ficientia*>, with *ea summa* understood as an ablative, is quite conceivable. But one is reluctant either to emend or to obelize *magni* since it does agree with *muneris* and it does allow the paradox *tamen* to be postpositive, as it indeed not always, but often was. The decision to leave *magni* untouched complicates the search for a trigger word in the main clause, and it seems best not to restore one inasmuch as its presence is not an absolute necessity.

Once we recognize that this portion of the text is actually lacunose, we must also reckon with the possibility that the lost words, in addition to information on the expense of the show, also provided the contrast which justified the inclusion of *tamen* in the last sentence. It is not hard to imagine statements of the author which then induced him to affirm that the gladiatorial show was impressive, expatiating upon what he had said at the beginning. We know for a fact and owe to this very work our knowledge that the gladiatorial show given nine years earlier was considerably more impressive, in fact over half again as large; it is therefore not inconceivable that the author, after having stressed the magnitude of this one show in his opening remarks, felt constrained to point out that it was not as costly as some others had been. It is also at least conceivable that the author addressed that subject not in order to remind his readers of what he had written, but because he believed that some of them would remember what he wrote and would be surprised that the show in honor of Flamininus was not greater still. Once he had adverted to the fact that a larger sum had been spent on a *munus* previously, the author could not unnaturally say that the sum spent by the younger Flamininus “nevertheless” sufficed to put on a gladiatorial show involving 74 men and lasting three days. That last piece of information calls for comment: the author otherwise—if we were right to follow Crévier in his seclusion from the text of the first passage—never reports the duration

¹⁴ No variants are reported for *magni* since V, our sole evidence, does not include them, as one of the referees points out.

¹⁵ Cf. Tac. Ann. 12.3.2: *iuvemque...gladiatorii muneris magnificentia protulerat ad studia vulgi*.

of the gladiatorial combats, but records them by noting the number of fights or fighters. While recognizing that the sources consulted for any one passage had an impact on style as well as content, we must ask ourselves why we get this information here and here alone, since the show in 174 could not have lasted longer than that of 183. But we do not know that the show of 183 was longer, either, and it is quite conceivable that it, too, lasted just three days, a length equal to the *ludi* given then. The family of P. Licinius would then have set a standard of 20 fights per day, adhering to which would have forced the younger Flamininus to give a *munus* lasting just two days. It would then be entirely natural for the author to observe that the sum in question “nevertheless” sufficed for combats lasting *per triduum*¹⁶. The paradoxos, then, is easy enough to justify and is therefore no longer to be enclosed by daggers.

We pass now to two overlooked problems with the text of the last passage, which find themselves in the clause *quod mortis causa patris sui cum visceratione epuloque et ludis scaenicis quadriduum dedit*. The first of these need not long detain us: editors presumably have taken *quadriduum* to be an accusative of extent, which in fact it is, but we see it, or the similarly formed noun *triduum*, preceded by the preposition *per* in the most closely parallel passages¹⁷. That we are not being overly bold in supplementing <per> becomes clear when it is realized that still more is missing from the text, which makes no sense even with this improvement: the relative *quod* stands for *unum* (sc. *munus*), the duration of which is said to be a *quadriduum* in this clause, but then measured at a *triduum* in the very next sentence. Translating successive sentences can be like standing very close to a pointillist canvas; one gets the impression that the contradiction was missed by Sage and Schlesinger, who begin “Many gladiatorial games were given that year...that of Titus Flamininus...lasted four days”, and end “The climax of a show which was big for that time was that in three days seventy-four gladiators fought”. The rendition of Hillen also leaves one wondering whether he was aware of the contradiction: “Eins, das des T. Flamininus, war vor den anderen bemerkenswert, das er...vier Tage lang veranstaltete. Der Höhepunkt eines großen Festspiels war damals, daß an drei Tagen 74 Menschen gegeneinander kämpften”. Chaplin translates *cum* with “including”, thereby implying that the extra day was occupied largely by one or more of the other three elements mentioned: “There were several other small gladia-

¹⁶ If we had neither *tamen* nor a lacuna, we could justify *per triduum* as a contrast with the *parva*, which are unlikely to have required a second day. A Roman reader perhaps would have understood that such games lasted one afternoon and not have needed to be told this, so the fact that the contrast would be implicit does not count against this possibility, but it is excluded by the fact that *tamen* and the lacuna intervene. Just as the decedents whom they honored are never mentioned, the *parva* are quickly forgotten by the author.

¹⁷ A number of similar expressions, though drawn from other contexts, are discussed in an appendix to this article.

torial shows that year, but Titus Flamininus' stood out from the rest; ...he gave one lasting four days and including a banquet with a sacrificial feast and theatrical shows. The height of the entertainment, which was lavish for its time, was that seventy-four gladiators fought over the course of three days". Possibly, in all these cases, the translators understood the author to be contrasting the *munus* which lasted four days altogether from its "climax" or "Höhepunkt" which lasted only three. But such a solution to the difficulty would be utterly unconvincing: firstly, we have seen that it is all but certain that *ea summa* here refers to a sum of money; secondly—to expand upon a point we have already made—, even if *summa* stood here alone, or indeed if one made it stand alone by deleting the demonstrative, so that one might be more willing to take the noun to mean "culmination"¹⁸, it simply would not be credible to maintain that the author has a four-day gladiatorial show culminate in three days of fighting. One would have to claim that the entire first day was given over to *paegniarii*, fencers, so that the author could reasonably count it initially as a day of the *munus*¹⁹, but then discount it equally reasonably when highlighting the most impressive aspect of the show. But the *paegniarii*, who seem more particularly to have been comedic fencers, are first attested for the reign of Caligula (Suet. *Cal.* 26.5) and probably took part in the performance at midday (Sen. *Ep.* 7.3: *casu in meridianum spectaculum incidi, lusus exspectans et sales et aliquid laxamenti*; Tert. *Apol.* 15.5: *risimus et inter ludicras meridianorum crudelitates*)²⁰, so it is hardly likely that they filled out the entire *spectaculum* of a day²¹ two centuries earlier. In any case, since there is no trace of a distinction between fencers and fighters elsewhere in the work, the only permissible conclusion to be drawn from the statement that men fought *per triduum* is that the *munus* lasted three days.

A referee has constructed a belated defense of the translations by holding fast to the interpretation of *ea summa* as "culmination" and asserting that *muneris* includes all four elements of the celebration, which then makes it possible to specify separately how long the gladiatorial show itself lasted.

¹⁸ Cf. Quint. *Inst.* 5.10.71: *habent...omnia initium, incrementum, summam*.

¹⁹ Even if F. Drexel, "Kostüm und Bewaffnung der Gladiatoren", App. 17 in: L. Friedlaender, *Darstellungen a. d. Sittengesch. Roms*, 9.-10. Aufl., Leipzig 1921, 4.267, begins his entry by stating that the *paegniarii* strictly are not to be classified as gladiators ("Nicht zu den eigentlichen Gladiatoren sind zu rechnen die Paegniarii"), a view which probably captures the Roman one, a historian giving a summarizing account which reduces the entertainments to *ludi* and a *munus* would certainly have associated them with the latter rather than the former.

²⁰ Vide P. J. Meier, "Gladiatordarstellungen auf rheinischen Monumenten", *Westdeutsche Zeitschr. f. Gesch. u. Kunst* 1, 1882, 156-57, who goes on to place "die Einrichtung des Mittagsspiels" after the reign of Augustus and shortly before the reign of Caligula on the ground that it presupposes a morning program of *venationes*.

²¹ Which was not a whole day, since the spectacle seems at no period to have been an *antemeridianum*; so Meier, "Gladiatordarstellungen" 157.

But this foray is devoid of all cogency: after *unum* and *quod*, both of which pick up *munera gladiatorum*, the sudden use of *muneris* in a completely different sense would be confusing²²; it does not help to suppose that some adjective or phrase modifying *muneris* and distinguishing it from the gladiatorial *munus* stood in the newly discovered lacuna, for no Latin appellation denoting all the elements of a memorial celebration is known to us; the supposition that *munus* had a wider as well as a narrower meaning in a memorial context, moreover, does nothing to solve the basic contradiction in the text as it stands, for both *quod...quadriduum dedit* and *per triduum...pugnarint* would concern a *munus* in the narrower sense; the fact that the text here as transmitted has not just *muneris*, but *magni...muneris*, makes it rather certain that the *munus* in question is the one introduced as *ante cetera insigne*. We ought not to seek to retain a translation of *ea summa* unattested for this author by positing a meaning for *munus* unattested in Latin.

Since *muneris* here has to denote the gladiatorial show alone, if it were at all right to take *ea summa fuit* to mean “such was the culmination”, the presence of *per triduum* in the result clause would require one to argue that the three-day period was the culmination, and nothing more, of a gladiatorial show which therefore lasted more than three days; at this point in the argument one might be tempted to latch onto *quadriduum* as confirmation of what the last sentence implies, namely, that the show was longer than three days, and maintain that the two different durations given for the gladiatorial show, far from being contradictory, are perfectly compatible, since the first phrase gives the total duration and the second merely the duration of the grand finale. But rather strong objections could be raised against such a thesis, quite apart from the fact that it asks us to sweep what we know about *ea summa* in this author under the rug: if the last three days are the *summa* and the whole thing only lasts four days, then the first day is the *initium* and there is no *incrementum*—and yet, as we have just learned from Quintilianus, all things have one; since it would be hard to dispute that a show which culminated in three days of fighting lasted five days or longer, and difficult to believe that for two or more days the gladiatorial show was bloodless, one would be forced to conclude that gladiators did fight in the preceding days in smaller numbers, and that would mean that for this one *munus* alone the author does not reveal a total figure for the number of participants, merely the total of those participating in the culminating combats; in all of this *per triduum*, already anomalous, would become yet more aberrant, since it would follow that the author, on the one occasion on which he gives

²² This is all the more true inasmuch as the term for the whole would be the same as that for one of the parts; any man who said “*patri meo munus dedi*” would be understood to be talking about gladiators.

us any information about the duration of the show, comments merely on the length of a part of it; if one did parry the last objection by insisting upon a four-day show with a three-day culmination, since on average a dozen pairs fought per day during the *triduum*, one would have to limit the initial day to six or fewer pairs in order to make the contrast between the *initium* and the *summa* comprehensible, and then explain why the one *postmeridianum* was so much shorter than the others and why these fighters were not counted in the total.

Fortunately, there is a better way to go about reconciling the contradiction between <per> *quadriduum* and *per triduum*. While strictly the only object of *dedit* in the prior sentence is *quod*, the same verb would have to be supplied mentally with all the nouns governed by *cum*, which presents a problem with the last of them, *ludis scaenicis*. Yet this problem points the way to a better solution. One thing which the other three passages do unfailingly is report the length of the *ludi*; it is not the least of the objections to the current Auffassung of the fourth passage that it leaves us without a specific figure for the scenic games. If we allow author to do here what he does otherwise, we gain more than the expected figure for the duration of the *ludi*: the scenic games will be disjoined from a mentally supplied verb which the author did not use in conjunction with them, the need to differentiate between a *quadriduum* and a *triduum* will be met, and in consequence the notions that the author here gave either a global figure for the length of the various memorial celebrations or a partial figure for the number of combatants will be dispelled. The past participle to be inserted is not in doubt. Although Suetonius, early in the second century of this our present era, could state that a man “gave” memorial games (*Tib.* 7.1: *dedit et ludos*), and although this usage both spread widely (e.g., *ILTun* 746: *ludos circenses...dedit* [date uncertain], *IL Afr* 303: *ludos scaenicos dedit* [time of Marcus Aurelius])²³ and remained popular (*HA Hadr.* 23.12: *ludos circenses dedit*, and *Car.* 19.1: *ludos populo R. novis ornatos spectaculis dederunt*), late in the reign of Augustus men still “made” games (*RG* 22.2: *ludos feci*), and this is the verb paired with the noun by the author elsewhere, as in the section immediately following the first of the notices we are discussing (*L.* 23.30.16: *ludos Romanos fecerunt*). What has fallen out of the text here, which calls for a passive participle in the ablative, is then the word *factis*. Confirmatory clues may be seen in the circumstance that the enclitic then couples two nouns (*visceratione epuloque*) to which *dedit* is suited²⁴, while the remaining copulative associates the third of the three nouns in the ablative

²³ These inscriptions are nos. 109 and 128 in the corpus assembled by J. F. Donahue, *The Roman Community at Table during the Principate*, Ann Arbor 2004.

²⁴ For *epulum* with *dare* in republican Latin, v. Cic. *Mur.* 75: *cum epulum Q. Maximus P. Africani, patrum sui, nomine populo Romano daret*.

(*ludis scaenicis*) more loosely with these. It is, however, very relevant that *dedit* eventually was suited to the last of the nouns as well, for this kept correctors from noticing the problems with this part of the text. This solution perhaps was favored already by Jal (Paris 1971) when he translated *cum... ludis scaenicis quadriduum* with “avec...des jeux scéniques pendant quatre jours”; if so, it is another case in which the translation is better than the text²⁵. Although the second and third passages suggest placing *factis* after *quadriduum*, the word *ludi* in those passages stands in the nominative, and if brought forward here the participle stood in a place which we know to have been badly transmitted inasmuch as it suffered the loss of *per*. The long prepositional phrase in this passage might then have read: *cum visceratione epuloque et ludis scaenicis <factis per> quadriduum dedit* (L. 41.28.11).

Matters neglected in two of the other passages we address now for the sake of completeness:

The problem just resolved in the last of the four passages through evidence and argument we had similarly resolved in the first without discussion: *ludos funebres per triduum <fecerunt> et gladiatorum paria duo et viginti in foro dederunt* (L. 23.30.15). In their commentary on the 23rd book Weissenborn and Müller quoted from the account in the 41st book, which, as transmitted, comes close to saying that the younger Flamininus “gave” games, and reasoned that *dederunt* likewise governed *ludos* or allowed the missing *fecerunt* to be mentally supplied²⁶; the fourth passage, being riddled with problems, was hardly the place to go for a quick comparison, but it in any case neither uses the word *ludos* as the direct object of *dedit* nor the word *ludi* as the subject of *dati*. Furthermore, if the interchangeability of the two verbs explains the absence of the one in these two passages, it would be reasonable to expect one or the other of them to be suppressed elsewhere, whenever both *ludi* and a *munus* are mentioned, but that is not the case (L. 31.50.4: *ludi funebres...facti et munus gladiatorium datum*), just as we never see a form of *dare* substituted for a form of *facere* in any of the numerous passages which mention *ludi* alone. If we, bearing in mind that editors have secluded a repetitive instance of *per triduum* before *in foro*, ask ourselves how the text of the first passage came to be the way it is, we might answer that an ignorant reader could have added *per triduum* to the gladiatorial notice for the sake of balance, but the second and third passages

²⁵ In the case of G. Ville (†1967), *La gladiature en Occident des origines à la mort de Domitien*, Roma 1981, 43 n. 105, 45 n. 118, it is very clear both that he considered the *ludi* to have lasted four days and that he took this point to be self-evident, although he had quoted an unimproved Latin text of the passage, for he presented these details without further ado as proof of a *munus* not lasting as long as the accompanying *ludi*; we can take his assumption in turn as an indication of what the text should say and as a justification for making it do so.

²⁶ W. Weissenborn-H. J. Müller (10th ed., 1921) on L. 23.30.15: “ebenso ist an u. St. *dederunt* auch auf *ludos* bezogen oder daraus das entsprechende Verb (s. §16) zu denken”.

(and, presumably, a passage or two in the second decade) make this desire hard to justify. Remembering also that the whole phrase *per quadriduum in foro* occurs as a unit in the second passage, outwardly so similar to the first, we should consider the possibility that the whole phrase *per triduum in foro* was carried into the margin by a copyist or corrector who noticed the omission, that *fecerunt* was lost at that time, and that the phrase upon recopying was inserted in the wrong place; then a corrector, or a learned reader later still, realizing that the duration of the *ludi* was to be given at all costs, assumed that the *ludi* and the *munus* were of the same duration and inserted *per triduum* after *funebres*, without either deleting it where it stood or adding *fecerunt*. It would not matter to us whether the assumption of equal duration was correct, since in fact *per triduum* would never have been intended by the author as a description of the *munus*, but originally applied by him to the *ludi*. In this case it is the first occurrence of *per triduum* in the sentence which is the iterated one and the one which ought to be secluded, notwithstanding the fact that the *ludi funebres* require a statement as to their length, since the whole phrase *per triduum in foro* is to be transposed from its position after *viginti* and placed after *funebres*. Although it is fairly clear from the outset that *per triduum* does not belong with the *munus*, the way in which we get rid of it will depend upon our answer to the question how it came to be where it is.

In the third passage editions retain *gladiatores centum viginti* (L. 39.46.2), although some note that Lipsius had wanted to emend the number. The reluctance of the editors to change the paradosis perhaps stems less from certainty about its correctness than uncertainty about what the emended figure should be. Lipsius himself made no very lengthy argument: "...*gladiatores CXX pugnarunt*. Qui numerus grandior, quam ut conveniat in id aevum: scribamque *gladiatores LXX*"²⁷. But over the course of Roman history, the long-term trend, among those with the wherewithal, was toward ever larger exhibitions: there were indeed shows which could be denominated *munera...parva*, even several such in one and the same year, so that another could be called *ante cetera insigne* and still not be, by a long shot, the biggest in history. It would be very revealing if we knew something about the size of shows which were relegated to anonymity as *parva* under the year 174; we might find out that they were appreciably smaller than the *paria duo et viginti* of 216, yet considerably larger than the *tris...pugnas* (Auson. *Griph.* 36-37) encountered at the first gladiatorial show in Roman history in 264 BC, which made a big splash in the sources (V.M. 2.4.7, Serv. Dan. *ad Aen.* 3.67, L. *Per.* 16). When the extant annalistic source under investigation here gives us only four specific figures for the years 216-174, and when the second is larger than the first, we should expect the third to

²⁷ I. Lipsius, *Saturnalia sermonum libri duo*, Antverpia 1585, 31.

be “grandior” than the second; since 50 men had fought in 200, the figure LXX would fulfill this expectation, and since the last marginal increase, over a similar period of time, had been only six, a marginal increase of 20 might itself seem surprisingly large. Yet it would hardly be suspicious if a record set in 216 was not broken until after the conclusion of the Hannibalic War, nor if the scope of gladiatorial exhibitions began to increase relatively rapidly thereafter. But we cannot calibrate how large the increment should be over a given amount of time; the scale of the show depended on the means of the family and their willingness to spend their wealth in that way, and not even on their wealth to the extent that they might borrow. And the motivation of a family depended on what other families had been doing; it is at least a reasonable assumption that there had not been a show with more than 50 participants since 200, or, on the assumption that the third and fourth notices stem from a more selective source than the first two, that the number 50 had not been greatly exceeded by 183. But even if the number 50 had not been exceeded at all, there might have been some shows in the intervening 17 years which were nearly as great as those of 216 and 200, and many others which, while smaller, were not deserving of the designation *parva*. By 183, for a family which wanted to give a show which would never be forgotten, and perhaps never exceeded, LXX might have seemed far too small. And Lipsius in his emendation has left a crucial piece of evidence out of the account: his quotation of the succeeding passage is epitomizing and runs “...*unum ante cetera insigne fuit, ut per triduum...*” He has ignored *tamen*, which is the paradox in the fourth passage as much as *centum viginti* is in the third; the emendation LXX will not do since it is not enough for the figure here to exceed *paria quinque et viginti*, it must also exceed *quattuor et septuaginta homines*, and probably by more rather than less, to justify *tamen*. Although numbers are easily corrupted in transmission, that transmitted in the third passage is as likely to be correct as any of the other three.

Future editors and translators need have no qualms, then, about *centum viginti* in the third passage, and are invited to consider the following wording in the first and fourth passages:

et M. Aemilio Lepido, qui consul augurque fuerat, filii tres, Lucius, Marcus, Quintus, ludos funebres per triduum in foro <fecerunt> et gladiatorum paria duo et viginti dederunt (L. 23.30.15).

per triduum post funebres codd.: seclusi per triduum in foro post viginti codd.: huc transtuli fecerunt addidi, praeunte Madvig

munera gladiatorum eo anno aliquot, parva alia, data; unum ante cetera insigne fuit T. Flaminini, quod mortis causa patris sui cum visceratione epuloque et ludis scaeni-

cis <factis per> quadriduum dedit. <...> magni tamen muneris ea summa fuit ut per triduum quattuor et septuaginta homines pugnarent (L. 41.28.11).

*factis per addidi ante magni lacunam posui magni fortasse <tanta> magni<ficentia> tamen V: tum edd.: Briscoe obelis notavit*²⁸

²⁸ This article was greatly improved through the Auseinandersetzung with the remarks of the referees.

APPENDIX
PREPOSITIONS USED BY LIVIUS TO EXPRESS
THE DURATION OF VARIOUS CELEBRATIONS

Our wish to place <per> before *quadriduum* in the account of the memorial celebration for Flamininus (L. 41.28.11) met with the demurrer of a referee who drew our attention to one passage in which the simple accusative alternates with the preposition (L. 29.38.8) and to three others (L. 31.4.5, 38.36.4, 40.52.3) in which the accusative is said to stand alone. Two of these deal with instaurations. The phrase *biduum instauratum est*, closing a section which began *ludi Romani scaenici eo anno magnifice apparatusque facti* (L. 31.4.5), seems at first glance to offer a different construction, with *biduum* as the subject, but when one reads elsewhere *ab aedilibus curulibus...ludi Romani biduum instaurati, item per biduum plebei ab aedilibus....* (L. 29.38.8), one sees that *instaurati* was not followed by *sunt* when *ludi* was the subject, which suggests that *est* is intrusive in the former passage; the one exception (L. 39.7.10: *et plebei ludi...diem unum instaurati sunt*) cannot be allowed to stand, and *sunt* probably should be secluded also where it appears in a relative clause (L. 23.30.16: *ludos Romanos fecerunt, qui per triduum instaurati sunt*); so in another passage where *instauratum* can be found (L. 27.36.9) there is no auxiliary verb: to the reading *plebeis ludis biduum instauratum*, adopted by some critical editions, however, the reading *plebei ludi biduum instaurati*, adopted by others and correct as far as it goes, is preferable. With surprise one notes that F. Ritschl, *Parerga zu Plautus und Terenz*, Leipzig 1845, 1.314, cited L. 31.4.5 when arguing that Livian language for the instaurating of one day (in indirect discourse) would be “*diemque unum instauratum*”; when the passive voice was used, the participle instead always modified *ludi*, yielding *et diem unum instaurati* (L. 25.2.8, cf. 30.26.11, 39.7.10); logically, since a *biduum* will automatically repeat itself to the end of time, instaurating one would be like King Cnut actually commanding the tide to come in. It seems likely enough that the one text (L. 31.4.5), in which, as transmitted, *biduum* in fact is nominative rather than accusative, should read <per> *biduum instaurati* (in any case one must delete *est* and make *instauratum* a masculine plural in order to maintain that *biduum* stands in the accusative without preceding preposition); it seems equally likely that <per> should be restored before the first *biduum* in the other text (L. 29.38.8), for the omission of *per* would be a very feeble instance of *variatio*, which, if wanted, could be better got through use of *dies duos*, and if instead of positive variation the mere avoidance of repetition had been sought, then *per* ought to have been used at the first occurrence and suppressed at the second; apart from these two texts, to judge by critical editions, one finds *per biduum instaurati* twice (L. 25.2.10, 33.42.11) vs. one instance without the preposition (L. 27.36.9),

and *per triduum instaurati* (L. 23.30.16) without countervailing example, which suggests that <per> belongs in the remaining text in which it is lacking. Before *diem unum* a preposition is attested neither with *instaurati* (L. 25.2.8, 30.26.11, 39.7.10) nor with *instaurarunt* (L. 27.6.19, 31.50.2), so that one cannot feel confident about restoring <in> here.

Another of the passages, highly elliptical, concerns dedicatory games: *ludosque scenicos triduum post dedicationem templi Iunonis, biduum post Dianae, et singulos dies fecit in circo* (L. 40.52.3); here <in> is to be supplied before *singulos dies*, if we are guided by the formulation chosen in similar circumstances, the renewal of a single day of exhibitions at two separate sets of games (L. 27.21.9: *ludi et Romani et plebei eo anno in singulos dies instaurati*), and it is then hardly possible to reject the supplement <per> before both *triduum* and *biduum*.

The final passage concerns supplications: *supplicatio triduum pro collegio decemvirorum imperata fuit in omnibus compitis, quod luce inter horam tertiam ferme et quartam tenebrae obortae fuerant* (L. 38.36.4). At first glance it is not clear who is doing the ordering: W. Weißenborn (2. Aufl., Berlin 1873) allowed it to be the decemvirs by understanding *pro* as “in der Eigenschaft als”; M. Gitlbauer, *Rez., Zeitschr. f. d. öst. Gymn.* 29, 1878, 934, excluded the decemvirs from any role, understanding *pro* as “an ihrer Statt”, on the thesis that an eclipse was nothing new and required no repeated consultation of the college; J. Marquardt, *Röm. Staatsverwaltung*, 2. Aufl., Leipzig 1885, 3.273 n. 2 (and already in the first ed., Leipzig 1878, 3.262 n. 6) apparently understood the passage to be saying that the supplication was ordered by the magistrates on behalf of the college (“denn die Xviri hatten die Leitung der Supplicatio; befohlen wurde sie aber von den Magistraten”); H. J. Müller (3. Aufl., Berlin 1883) was perhaps influenced by these views, for he not only redefined *pro collegio* as “im Namen des Kollegiums”, but continued by explaining that the college “die *supplicatio* beschlossen und diesen Beschluß dem Senat übermittelt hat, damit er ihn als Befehl publiziere”, and by glossing *imperata* with “(näml. *a senatu*)”; J. Briscoe, *A Comm. on Livy*, Oxford 2008, 123, likewise rendered *pro* with “in the name of”, but seems to have returned to the original view of Weißenborn, with which this translation is equally compatible, for although he comments that “the actual order, as usual, is made by the senate”, he then adds “passages which imply that the *xviri* themselves gave the order...should be regarded as an abbreviated form of expression”, statements which, taken together, would seem to indicate that with *imperata* we are not getting the “actual” order, but instead one of the passages implying something else. In any case, the comparandum which Briscoe cites from this work (L. 4.26.9: *tribuni...secedunt proque collegio pronuntiant...*) shows plainly that all members of a board can speak *pro* the same; furthermore, the one other use of *imperare* by the author in this context has the decemvirs as its subject (L. 31.12.9: *de-*

cemviri ex libris res divinas...imperarunt); finally, for the expression *pro collegio decemvирorum imperata* the most relevant comparandum, cited by Weißenborn, treats *pontifices pro conlegio decrevisse* (Gell. 11.3.2) as a fixed phrase, leading one to suspect that “*ab decemviris pro collegio imperata*” would be better, or at any rate more usual and more understandable Latin for the idea apparently expressed here.

The preposition depends on the verb with which *triduum* is construed, *imperata* or *fuit*. In J. Ph. Krebs, *Antibarbarus der lateinischen Sprache*, 4. Aufl. bearb. v. F. X. Allgayer, Frankfurt a. M. 1866, 70–71, it is correctly argued that *fuit* is not an auxiliary verb, but means that the supplication was “gehalten” at the *compita*. Weißenborn understood this, but there was no reason for him to insist “*triduum* gehört nur zu *fuit*”; he seems to have had in mind statements which do combine *fuit* closely with information on the duration of the ceremony, e.g., *horum prodigiorum causa diem unum supplicatio fuit* (L. 27.23.4, among the many passages he cites), but those statements do not have a separate verbal form modifying *supplicatio*. Although no preposition seems to have been placed before *diem unum* with *supplicatio fuit*, the preposition *per* was used when the duration was a *triduum* (L. 34.55.3, 38.44.7). But word order counts for something in Latin prose, and despite the asseveration of Weißenborn to the contrary, it seems clear that *triduum* occurs at what is now the beginning of a phrase terminating with *imperata*; this should not surprise us, for not only are there many parallel passages which speak of a supplication being ordered or proclaimed for a certain length of time, but in the present passage the whole interest of the author is so directed toward what follows *fuit*, the unusual place for the ceremony, that he tucked all the unremarkable aspects of the ceremony in the phrase preceding *fuit*. Unfortunately for us, the one other instance of *imperare* (supra) numbers among the passages which contain no information on the duration of the ceremony. What we do find used in connection with the decemvirs in this context is *indicta est*, and here the preposition *in* is found even before *diem unum* (L. 40.19.5: *eorum* [sc. *decemvирorum*] *decreto supplicatio circa omnia pulvinaria Romae in diem unum indicta est*). C. F. W. Müller, *Syntax des Nominativs und Akkusativs im Lateinischen*, Leipzig 1908, 101–102 n. 2, listed the statement with *imperata* among several which are “unlogisch” because they seem to report “die Dauer der Handlung” while intending to report “die Dauer der Folgen”, but he was content to consider such statements examples of imprecision. Yet when we see the very same author demonstrating perfect logic by inserting *in* before expressions of duration with *indicta est*, it seems only fair to allow him to be as logical where he used *imperata*, and therefore to print <in> before *triduum* in this passage. (One sometimes sees the text printed *in triduum* in older scholarly works, like Marquardt, a version which first appeared in the ed. Aldina, tom. III, Venetiae 1520.)

