Two mistakes in one sentence is not an unusual count for our scribe. But, despite the plethora of mistakes we find in F, it is on occasion worthwhile to ask why individual errors exist. *Pecudibus* instead of *pedibus* is certainly strange enough to warrant this question, as *pes* is not a rare or unusual word naturally prone to corruption. So what happened?

The genesis of the corruption is quite straightforward. An earlier copyist accidentally transposed the words, yielding *diabathra in pedibus habebat*. The corrector who went through the text afterwards spotted the mistake, marked *diabathra* and *in pedibus*, and wrote *c'* over *pedibus* (or possibly in the margin). *C'* is an abbreviation for *conuerte* ('transpose/change'),[15] but either the scribe of F or someone before him did not understand the meaning of the verse, misread the correction mark as *cu*, and inserted these letters into *pedibus*.

CONCLUSIONS

My two proposed changes to the transmitted text of Varro's Book 7 of the *De lingua Latina* are transpositions. Errors of word order are more difficult to detect in prose works than in poetry, and so it is perhaps not surprising that one of the emendations concerns a verse quotation from Naevius. However, my emendations are by no means unique; other scholars have successfully emended passages of the *De lingua Latina* through simple transpositions.[16]

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[15] For this abbreviation and its use in F, see P. Flobert (ed.), *Varron: La langue latine, livre VI. Texte établi, traduit et commenté* (Paris, 1985), 67.

[16] A particularly convincing example of emendation by transposition is H. Dahlmann, 'Zu Varro, *De lingua Latina* VI 12', *RhM* 132 (1989), 307–13.

CICERO, *LEG.* 1.6: 'PLEASURABLE' ANNALS?*

quamobrem aggredere, quaesumus, et sume ad hanc rem tempus, quae est a nostris hominibus adhuc aut ignorata aut relicta. nam post annales pontificum maximorum, quibus nihil potest esse iucundius, si aut ad Fabium aut ad eum qui tibi semper in ore est, Catonem, aut ad Pisonem aut ad Fannium aut ad Vennonium uenias, quamquam ex his alius alio plus habet uirium, tamen quid tam exile quam isti omnes?

3 iucundius ω : <in> iucundius *Davies* : ieiunius *Ursinus* : nudius *Rob. Steph.*

The manuscript reading *iucundius* has had a few defenders, but nearly all editors have chosen to emend, and of the several emendations proposed, the favourite has been Orsini's *ieiunius*, adopted recently in Jonathan Powell's Oxford Classical Text, in Andrew Dyck's magisterial commentary, and in the new edition of the fragments of

* An earlier version of this paper was presented at the 2010 Annual Meeting of the Classical Association of the Middle West and South. I am grateful to the audience there and to the anonymous reader for *CQ* for helpful comments.

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the Roman historians.[1] Although the emendation can now be considered canonical, it is nevertheless worthwhile to restate and augment the arguments for retaining the manuscript reading.

Cicero's *De legibus*, written in the late 50s,[2] features as interlocutors of the dialogue Cicero himself, his brother Quintus, and Cicero's confidante and friend, Atticus. As the dialogue opens, Atticus and Quintus are engaged in an amusing and urbane give-and-take concerning an oak tree on the property where their discussion takes place. Atticus claims to recognize the grove and the oak from his frequent reading of Cicero's poem, *Marius*, and he says that if the oak of that poem still exists, the tree before him is certainly the one. Quintus responds by saying that 'Cicero's' oak lives and will live forever, because it was sown not by any farmer but by poetic genius. Challenged by Atticus to explain what poets 'sow', Quintus provocatively asks Atticus whether he believes that the olive tree on the Acropolis or the palm tree on Delos are as truly ancient as their inhabitants claim. Atticus does not answer this, but turns instead to Cicero, and asks whether Cicero himself invented the oak or recorded it from some report.[3] Cicero does not respond to the question, however, asking Atticus instead whether he believes that Romulus actually appeared to Julius Proculus to inform him that he was a god, or whether Aquilo carried off Orithyia not far from the spot where Atticus' house in Athens stands. When Atticus in turn asks the purpose of such a question, Cicero responds that one should not inquire too closely into tradition. Atticus counters by suggesting that there is an important difference between the recent and the distant past, and that people wish to know whether many parts in the *Marius* are 'invented or true', but Cicero again deflects criticism by saying that poetry has different standards from history, the one measured by truth, the other by pleasure.[4]

The mention of history now suggests to Atticus an opportunity that he claims to have wanted often,[5] namely to persuade Cicero himself to write history. History, Atticus says, hardly exists at Rome, and to prove this he quickly reviews those who have attempted it, finding them all wanting. He begins his exhortation and brief overview as follows (1.6):

> Therefore take up this task, we beg of you, and find the time for a duty which has hitherto been either overlooked or neglected by our countrymen. For after the annals of the chief pontiffs, than which nothing can be more pleasurable, when we come to Fabius or to Cato (whose name is always on your lips), or to Piso, Fannius or Vennonius, although one of these may display more vigour than another, yet what could be more lifeless than the whole group?

Atticus' remark that nothing could be more 'pleasurable' than the pontifical annals has been emended not on grounds of obvious corruption – the Latin text makes sense as it stands – but because it is thought that Atticus cannot possibly use an adjective such as *iucundus* to describe the *Annales Maximi*.

[1] J.G.F. Powell, *M. Tulli Ciceronis De re publica, De legibus, Cato Maior De senectute, Laelius De amicitia* (Oxford, 2006), 160; A.R. Dyck, *A Commentary on Cicero, De legibus* (Ann Arbor, 2004), 75; *FRHist*, *Annales Maximi* T 4 (2.12).

[2] Dyck (n. 1), 5–7 summarizes the arguments for the dating of the work.

[3] A.J. Woodman, 'Poetry and history: Cicero, *De legibus* 1.1–5', in id., *From Poetry to History: Selected Papers* (Oxford, 2012), 1–16, at 6 n. 15 believes that *acceperis* here does not refer to tradition, but rather means only something like 'Did you believe that this oak was the one from which the portent appeared?'. The difference, while important, does not affect my argument.

[4] *Leg.* 1.1–5. This introduction has been much admired for its artfulness; for two recent treatments see C.B. Krebs, 'A seemingly artless conversation: Cicero's *De legibus* (1.1–5)', *CPh* 104 (2009), 90–106; Woodman (n. 3).

[5] Cf. the imperfect, *teneo quam optabam occasionem* (1.5), and *iam diu* in his next sentence.

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It is not difficult, of course, to see why editors have felt that emendation was necessary: Atticus is exhorting Cicero to take on the task of writing history, because the latter, if anyone, could bring to it the literary skill and labour, the style and polish that 'great' historiography demands and that the Greeks – but not the Romans – have displayed in abundance. Since the second part of the sentence expresses a harshly critical stance towards the early Roman historiographical tradition *tout court*, it would be odd for Atticus here to laud the *pleasures* of the *Annales Maximi* in a sentence that is at pains to point out the shortcomings of the entire early tradition. Moreover, Atticus' remarks here have clear associations and echoes with the remarks made by M. Antonius and Q. Lutatius Catulus in Book 2 of the *De oratore*, written just a few years before, where a similar belief about the stylistic deficiencies of the early Roman historians is expressed. (We shall come to this passage in a moment.) In both the *De legibus* and the *De oratore* passages, the speaker suggests that these early writers cared only to record the events themselves without giving them any elaboration or adornment. The adoption of *ieiunius*, therefore, which can easily be justified on palaeographical grounds, seems to give the sentence both a kind of internal consistency and a congruence with what Cicero expresses on the topic elsewhere.

Yet we should be cautious: both the speaker – Atticus – and the structure of the sentence indicate that the reading *iucundius* is neither so absurd nor problematic as it may seem, and is indeed far from indefensible. Let us take first the speaker. When Atticus speaks about the writing of history in Cicero's dialogues, we are not to imagine that he does so in a disinterested manner. He was himself a historian,[6] one whose work was greatly praised by Cicero and others for its care and scrupulousness.[7] Atticus' special interest lay in chronology and genealogy, and his chronographical *Liber Annalis* was considered a marvel of its kind, concise but also accurate and full.[8] Nepos says of it, 'For there is no law or treaty nor important event in Roman history which is not recorded therein under its date and – this was very difficult – he so worked on the origins of families that from it we can learn the offspring of famous men',[9] and he goes on to mention additional accounts of individual families made by Atticus for Brutus, Claudius Marcellus, Cornelius Scipio and Fabius Maximus,[10] observing that 'nothing can be more delightful (*dulcius*) than these books for those who have some desire for knowledge about famous men'.[11]

Now one might argue, of course, that the pleasure being discussed by Nepos arises from the content, not from the style. We shall come to that in a moment. My point for now is simply that it is in no way ridiculous to consider chronographical works delightful or pleasurable. And indeed the author of a *Liber Annalis* might have a fondness for *Annales* of all sorts and could find – or at least claim to find – *nihil iucundius* than a

[6] On this aspect of Atticus, F. Münzer, 'Atticus als Historiker', *Hermes* 40 (1905), 50–100 is fundamental. For the fragments of his historical work, see now *FRHist* 33 (2.718–29).

[7] *Brut*. 44 = *FRHist* 33 T 5 (quoted below), where *religiosissumum* suggests conscientiousness and scrupulousness (*OLD* s.v. 8); cf. the younger Pliny on his uncle: *auunculus meus ... historias et quidem religiosissime scripsit* (*Ep*. 5.8.5 = *FRHist* 80 T 2).

[8] Cic. *Brut.* 15 = *FRHist* 33 T 3: *mihi quidem multa et eam utilitatem quam requirebam, ut explicatis ordinibus temporum uno in conspectu omnia uiderem*.

[9] Nep. *Att.* 18.2 = *FRHist* 33 T 1: *nulla enim lex neque pax neque bellum neque res illustris est populi Romani, quae non in eo suo tempore sit notata, et, quod difficillimum fuit, sic familiarum originem subtexuit, ut ex eo clarorum uirorum propagines possimus cognoscere*.

[10] On these books, see *FRHist* 1.350–3 with references to earlier scholarship.

[11] Nep. *Att*. 18.4 = *FRHist* 33 T 1: *quibus libris nihil potest esse dulcius iis qui aliquam cupiditatem habent notitiae clarorum uirorum*.

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perusal of the *Annales Maximi*. Georges de Plinval has defended *iucundius* and retains it in his Budé text of the *De legibus*, arguing that Atticus defends the *iucunditas* of the *Annales* in a witty spirit, and citing the passage of Nepos above with its mention of 'sweetness'.[12] Although I believe that the spirit of the opening exchange in the *De legibus* is indeed playful, I also think that Atticus is not making this claim in an ironic or paradoxical way. Naturally, it may seem strange to *our* sensibility that chronographical and genealogical works could be considered pleasurable, but their popularity in antiquity suggests that the ancients provided a ready audience for them.[13] It is all too easy to forget the importance attached to such things in the ancient world, and also that, given the difficulties of chronological arrangement in antiquity (either because of synchronizing different systems or because it was difficult to find out exactly when something happened), a work that actually arranged events in order for the reader and showed simultaneous (or near-simultaneous) actions together under one heading could in fact be something very pleasurable. The labour was indeed immense, bringing together as it did events that were narrated in widely scattered and different kinds of materials. Yet surely any modern scholar who has 'enjoyed' Broughton's *Magistrates of the Roman Republic*[14] will understand the pleasure of a work such as the *Annales Maximi*. Such pleasure is assuredly not that of a narrative history (we shall come to this in a moment), but narrative is not what one is looking for in such a work. So we can posit that whatever their shortcomings, the *Annales Maximi* could quite easily have provided pleasure for someone with an interest in chronology and/or genealogy.

We might then say that Atticus adopts an independent tone here, giving an opinion that could well have been held by the historical Atticus, but far from Cicero's own opinion. That same tone can be seen elsewhere in Cicero's works, especially in the *Brutus*, written not long after the *De legibus*,[15] where, in a well-known passage, Cicero is speaking of Themistocles and Coriolanus, discussing the similarity of their lives and their deaths, when he suddenly interrupts himself to say that he is quite aware that Atticus has a very different version of the death of Coriolanus:[16]

'Nam etsi aliter apud te est, Attice, de Coriolano, concede tamen ut huic generi mortis potius adsentiar.'

At ille ridens: 'tuo uero', inquit, 'arbitratu; quoniam quidem concessum est rhetoribus ementiri in historiis, ut aliquid dicere possint argutius. ut enim tu nunc de Coriolano, sic Clitarchus, sic Stratocles de Themistocle finxit. nam quem Thucydides, qui et Atheniensis erat et summo loco natus summusque uir et paulo aetate posterior, tantum <morbo> mortuum scripsit et in

[12] G. de Plinval, 'Autour de *de Legibus*', *REL* 47 (1969), 294–309, at 300–1; id., *Cicéron: Traité des lois* (Budé; Paris, 1959), ad loc.: 'facete dicit Atticus'; cf. ibid., 111, 'Plaisanterie d'Atticus, qui etait féru d'érudition'.

[13] Already in the fifth century, Hippias of Elis speaks of the pleasure that the Spartans felt when they listened to genealogies (*FGrHist* 6 T 3 = Plato, *Hipp. Mai.* 285d). For Roman interest, T.P. Wiseman, 'Legendary Genealogies in Late Republican Rome', *G&R* 21 (1974), 153–64; repr. in id., *Roman Studies: Literary and Historical* (Liverpool, 1987), 207–18 with addenda, p. 381; H.J. Bäumerich, *Über die Bedeutung der Genealogie in der römischen Literatur* (Diss. Cologne, 1964). For an example of the Roman love of genealogy in reverse, so to say, see Anchises' enumeration to Aeneas of his descendants, Verg. *Aen.* 6.756–847.

[14] N. Horsfall, *Cornelius Nepos: A Selection, including the* Lives *of Cato and Atticus* (Oxford, 1989), 99 says of Atticus' *Liber Annalis* that Broughton is 'its ultimate descendant'.

[15] Cic. *Div.* 2.4 mentions it as a future work, placing it between the *De oratore* (55) and *Orator* (46); on its dating, probably spring 46, see O. Jahn and W. Kroll, *Brutus* (Zurich, 1964[7]), vii–viii; A.E. Douglas, *Cicero: Brutus* (Oxford, 1966), ix–x.

[16] *Brut.* 42–4 = *FRHist* 33 F 5; the commentary on this fragment (2.459–60) has nothing on the historiographical points of interest here.

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Attica clam humatum, addidit fuisse suspicionem ueneno sibi consciuisse mortem: hunc isti aiunt, cum taurum immolauisset, excepisse sanguinem patera et eo poto mortuum concidisse. hanc enim mortem tragice et rhetorice ornare potuerunt, illa mors uulgaris nullam praebebat materiam ad ornatum. qua re quoniam tibi ita quadrat, omnia fuisse Themistocle paria et Coriolano, pateram quoque a me sumas licet, praebebo etiam hostiam, ut Coriolanus sit plane alter Themistocles.'

'Sit sane', inquam, 'ut libet, de isto; et ego cautius posthac historiam attingam te audiente, quem rerum Romanarum auctorem laudare possum religiosissumum.'

'I know, Atticus, that in your book the story of Coriolanus is related otherwise, but grant me the privilege of giving my assent rather to a death of this kind.'

At this he smiled and said, 'As you like, since the privilege is conceded to rhetoricians to distort history in order to give more point to their narrative. Like your story of Coriolanus' death, Clitarchus and Stratocles both have invented an account of the death of Themistocles. But Thucydides, a native Athenian of high birth and distinction, and only a little later in time, merely says that he died a natural death and was buried secretly in Attic soil, adding that rumour said he had taken his own life by poison. The others say that on sacrificing a bullock, he drank a bowl of its blood and from that draught fell dead. That's a kind of death that gave them the chance for rhetorical and tragic treatment; the ordinary natural death gave them no such opportunity. So then, since it squares with your taste to make everything the same in the careers of Themistocles and Coriolanus, take the bowl too with my leave – I will even provide a sacrificial victim – in order to make of Coriolanus a second Themistocles.'

'Very well, as for him let it be as you will,' I replied, 'but hereafter I shall touch on history with more caution when you are present, an historian of Rome whom I can commend as most scrupulous.'

Atticus here defends, and in an amused manner similar to that in the *De legibus*, the demands of truth in history against not poets this time but orators who, in the public arena, engage in the manipulation of the facts of history. The key disclaimer, of course – that it is permitted to speakers *ementiri in historiis* – gives the conditions under which Atticus 'allows' the misuse of history, but he and his interlocutors nevertheless recognize it for what it is. We are not left in doubt that Atticus and Cicero have different views about history, and there is no attempt to eliminate or elide their differences.[17]

That is the point in the *De legibus* passage as well. Scholars have been perturbed that if Atticus is really praising the *Annales* there, it is difficult to square such a sentiment with Cicero's well-known and very clear aversion to the stylistic limitations of early Roman historians. After all, isn't Atticus' sentence in fact all about the poverty of the early Latin historiographical tradition? Here it is necessary to observe two points. First, it is not the character 'Marcus' who would be praising the *iucunditas* of the *Annales* but the character 'Atticus'. As we see in the *Brutus* passage, Cicero does not demand from the characters in his dialogues complete fidelity to his own views. Indeed, as has been pointed out, the *De legibus* is especially marked by a vigorous dissension amongst its speakers.[18] Thus there is no reason why the character 'Atticus' could not maintain a belief different from that of Cicero. Second, one must make a clear distinction, even with Cicero, between the *Annales Maximi* and the early Roman historians.

As it happens, much is uncertain about the form of the *Annales Maximi* in the time of Cicero; scholarship has discussed, and continues to discuss, a host of problems that surround our understanding of the content and character of the *Annales*: when they began, what they contained, what influence they had on the historiographical tradition – not to

[17] For the 'open' nature of Ciceronian dialogues, see M. Fox, *Cicero's Philosophy of History* (Oxford, 2007), *passim*.

[18] Dyck (n. 1), 23–8.

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mention how reliable they were for the events that they did record.[19] There is little purpose in entering that discussion here. It will suffice to note that Cicero does not often cite or mention the *Annales Maximi*: aside from the passages under discussion here, he refers to them only in two places in the *De republica*.[20] More to the point is what can be discerned from Cicero's own writings. In the *De oratore* Antonius envisions history as, in the beginning, nothing other than an assemblage of annals, which recorded, 'without any adornment, notices only of dates, of individuals, of places and of events'. Many writers thereafter followed a similar style of writing, 'leaving behind, without any rhetorical adornment, bare records of dates, personalities, places and events'; these later writers thought that the historian's single merit was in brevity, but 'they were not men who adorned events, but only narrated them.'[21]

This is the crux of the issue. The procedure of the early historians that is criticized here entails a category mistake: these writers composed histories *as if* they were writing *Annales*, and thus were unable or unwilling to see that such a style of writing was inappropriate to *narrative* history and could not exploit the great possibilities inherent in events. Now it is, of course, possible that the *Annales Maximi* had a narrative structure, albeit rudimentary.[22] But the fact that the *Annales* gave 'notices only' suggests that there was no working up of the bare events into a satisfying narrative that could bring out all the circumstances and consequences of the events and thus move and delight the reader. On the other hand, it is these very 'notices only' of mere names, dates, places and events that the character 'Atticus' would have found appealing. In any case, Antonius' remarks are not concerned with the *Annales* themselves, nor does he criticize them. Rather, he concentrates on those who thought that an imitation of the style of these *Annales* constituted a fully formed historiography.

Returning to the *De legibus* passage, we note that Atticus, like Antonius, separates the *Annales Maximi* from the rest of the early Roman historiographical tradition. The argument that *iucundius* cannot be right given the overall 'negative' tone of the sentence fails to see the full import of Atticus' separation, in a clause beginning with *post*, of the *Annales* from the named individual historians. But why do the *Annales* need to be separated in a clause of their own? If the entire early tradition was dreadful, why single out the *Annales Maximi*, and why make a *separate* point that they were jejune or lacking in pleasure? If, on the other hand, Atticus had something positive to say about the *Annales*, then putting them in a clause of their own has point because he wants to say something different about the actual historians whom he goes on to mention. In other words, the *Annales*, qua *Annales*, were perfectly fine and appropriate to what one would expect for that kind of historical work. And Atticus' praise of the *Annales* – again, not absurd for a man who himself wrote a *Liber Annalis* – stands in contrast to his opinions about

[19] See now *FRHist* 1.144–8 (on the character of the work) and 151–6 (on the 80-book version); for an excellent recent treatment of the *Annales Maximi*, see U. Walter, *Memoria und Res Publica: Zur Geschichtskultur im republikanischen Rom* (Frankfurt am Main, 2004), 196–204, where earlier scholarship is cited. There is also much of value in S.P. Oakley, *A Commentary on Livy Books VI–X*, 4 vols. (Oxford, 1997–2005), 1.24–7 and 4.479–84.

[20] Cicero's references to the *Annales Maximi*: *Rep.* 1.25; 2.28; *Leg.* 1.6; *De or.* 2.52–3. See G. D'Anna, 'La testimonianza di Cicerone sugli *Annales Maximi*', *Ciceroniana* 7 (1990), 223–30.

[21] Cic. *De or*. 2.52–4 = *FRHist* GT 1 (2.10): *erat enim historia nihil aliud nisi annalium confectio ... hanc similitudinem scribendi multi secuti sunt, qui sine ullis ornamentis monumenta solum temporum, hominum, locorum, gestarumque rerum reliquerunt ... non exornatores rerum, sed tantum modo narratores fuerunt*.

[22] Even chronicles have a narrative structure: see H. White, *The Content of the Form* (Baltimore and London, 1987), 1–25.

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the writers who followed the style of the *Annales Maximi* and thus not only failed to achieve anything of note in historical *narrative* but made the mistake of thinking that what was appropriate for a chronicle was also appropriate for a more developed historical narrative.[23] Atticus agrees with Marcus' view that history demands a certain voice and style – that is why he can make the demand that Cicero write 'proper' history – at the same time as he recognizes what is appropriate and pleasurable for the very different genre of chronographical works. In literature as in politics, Atticus retains his independence.

This is not to say that we have any reason to doubt that the *Annales* were not at all Cicero's idea of history.[24] But surely the important point is that in this opening of the *De legibus* it is the character 'Atticus' who speaks, and in a position that is familiar from elsewhere, i.e. as a foil for Cicero and his approach to the past. The context is playful and dialogic, and a contextual reading of the passage ought to allow Atticus to keep intact both his playfulness and his pleasure.

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[23] Cf. *De or.* 2.53 = *FRHist*, *Annales Maximi* T 1: *hanc similitudinem scribendi multi secuti sunt*. On the early annalists' use of the Pontifical Chronicle, see *FRHist* 1.156–8.

[24] Although we ought, at least, to note that Cicero, unless he was being heavily ironic, could praise Caesar's *commentarii* for their lack of adornment, and could say (*Brut.* 262) that 'in history, nothing is sweeter' – *dulcius* again as with Nepos on Atticus – 'than clear and correct brevity' (*nihil est enim in historia pura et illustri breuitate dulcius*).

A NOTE ON THE BATTLE OF MONS GRAUPIUS

A recent book about Agricola's conquest of Scotland presents a Scottish historian's take on a subject that has been dominated by archaeologists: the whereabouts of Mons Graupius, the scene of Agricola's final battle.[1] Unfortunately, in confidently locating it in Perthshire, author James Fraser builds his case on shaky foundations.[2]

In his central chapter, Fraser lays out his case for a battle in Strathearn, which is much further south than most scholars would prefer. He reassures doubting readers that 'several antiquaries relying in the main upon the *Agricola*, for all their methodological flaws and foibles, had no difficulty in locating the battle south of the Tay',[3] without realizing that it was precisely these flaws and foibles that led to their conclusion. Equally, in criticizing

[1] Tac. *Agr*. 29.2: *ad montem Graupium pervenit, quem iam hostis insederat*. The battle is described in chapters 29–38.

[2] J.E. Fraser, *The Roman Conquest of Scotland; The Battle of Mons Graupius A.D. 84* (Stroud, 2005), hereafter cited as 'Fraser'. Though broadly favourable reviews seemed to endorse the author's thesis (L. Keppie, *War in History* 14 [2007], 113–14; R. Jones, *Britannia* 38 [2007], 392–3), the book has not gone uncriticized (D.J. Woolliscroft and B. Hoffmann, *Rome's First Frontier* [Stroud, 2006], 223: 'the Fraser hypothesis is anyway difficult to take seriously, on purely tactical grounds'), although the publisher's hyperbole ('James Fraser is the first historian to identify the most likely site of this legendary battle') has ensured wide take-up by internet sources.

[3] Fraser, 69. The 'several antiquaries' are not identified, but Alexander Gordon (*c.* 1692–1754) may be taken as typical of his age. He laboured under the mistaken belief that, 'after this Battle was fought ... Agricola led back his Army into the Country of the *Horestii*, or Angus, for as it is certain ... that

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