

REVIEW–DISCUSSION

WRITING ROME’S PAST

Kaj Sandberg and Christopher Smith, edd., *Omnium Annalium Monumenta: Historical Writing and Historical Evidence in Republican Rome*. Historiography of Rome and its Empire, vol. 2. Leiden and Boston: Brill, 2018. Pp. 535. Hardback, €160.00/\$184.00. ISBN 978-90-04-35544-6.

This volume is the result of two conferences, in 2009 at the Institutum Romanum Finlandiae and in 2013 at the British School at Rome. As Christopher Smith puts it in his Introduction (I), ‘our concern has been to focus on what material Roman writers had to work with, and how this material may have affected the way that historical accounts were constructed’. The eighteen contributions offer a wide variety of approaches:

1. John Rich, ‘Fabius Pictor, Ennius and the Origins of Roman Annalistic Historiography’, 17–65;
2. Martine Chassignet, ‘L’“archéologie” de Rome dans les *Annales* d’Ennius: *poetica fabula* ou *annalium monumentum?*’, 66–89;
3. Hans Beck, ‘The Discovery of Numa’s Writings: Sacral Law and the Early Historians’, 90–112;
4. Christopher Smith, ‘On the Edges of History’ [on criteria of inclusion in *FRHist*], 115–36;
5. Duncan Macrae, ‘*Diligentissimus investigator antiquitatis?* “Antiquarianism” and Historical Evidence between Republican Rome and the Early Modern Republic of Letters’, 137–56;
6. Vera Binder, ‘Inspired Leaders versus Emerging Nations: Varro’s and Cicero’s Views on Early Rome’, 157–81;
7. Tim Cornell, ‘Which One is the Historian? A Neglected Problem in the Study of Roman Historiography’ [on the identity of the historian Licinius Macer], 182–201;
8. Francisco Pina Polo, ‘How Much History did the Romans Know? Historical References in Cicero’s Speeches to the People’, 205–33;
9. Henriette van der Blom, ‘Ciceronian Constructions of the Oratorical Past’, 234–56;
10. Andrew Riggsby, ‘Cicero, Documents and the Implications for History’, 257–75;
11. Dennis Pausch, ‘Livy’s *Battle in the Forum* between Roman Monuments and Greek Literature’, 279–300;

12. Marianna Scapini, 'Echi dalle tragedie tebane nelle storie di Roma arcaica', 301–21;
13. Massimiliano Di Fazio, 'Figures of Memory. Aulus Vibenna, Valerius Publicola and Mezentius between History and Legend', 322–48;
14. Kaj Sandberg, '*Monumenta, Documenta, Memoria*: Remembering and Imagining the Past in Late Republican Rome', 351–89;
15. Gabriele Cifani, 'Visibility Matters. Notes on Archaic Monuments and Collective Memory in Mid-Republican Rome', 390–403;
16. Seth Bernard, '*Aedificare, res damnosissima*. Building and Historiography in Livy, Books 5–6', 404–21;
17. Karl-Joachim Hölkeskamp, '*Memoria* by Multiplication: The Cornelia Scipiones in Monumental Memory', 422–76;
18. Penelope J. E. Davies, 'Constructing, Deconstructing and Reconstructing Civic Memory in Late Republican Rome', 477–511.

As usually happens with multi-author collections, the authors do not engage with each other, or with any pre-defined agenda, and it is left to the editorial introduction to try to impose some sense of coherence. Chris Smith makes a valiant attempt, but his summaries don't take us very far beyond his starting-point: 'The early Roman historiographical tradition is undergoing something of a revival of attention, and this volume hopes to contribute to that' (1).

It succeeds to this extent, that all these chapters are interesting in their different ways, and some of them—for instance those of Rich, Pina Polo, Sandberg, and Hölkeskamp—range widely enough to be valuable points of reference for students of the subject. But there is not much here that is new or unexpected. The editors explain why: 'we cannot conceal that this revival is based on very little new evidence. There have been no major manuscript or papyrological discoveries' (Smith, 1). 'Significant new insights—progress that can be recognized as such by scholars—cannot be done without the production of new empirical material' (Sandberg, 380).

I am not sure this is true. A vast range of potentially relevant empirical material already exists; the problem is to recognise what might be helpful for the particular questions we want to ask. What follows is an alternative way of thinking about historical writing in republican Rome, insisting on chronological order of argument and privileging contemporary evidence wherever it is available.¹

¹ No specific references are made to Wiseman (1995), (2004), (2008), and (2015), in which more detailed argument and discussion can be found.

1. The First 300 Years

The earliest detectable writing about Rome’s past is the *Geryoneis* of Stesichorus, knowledge of which is presupposed by the great terracotta group of Herakles and Athene on the archaic temple in the Forum Boarium.² Since the poem mentioned Pallantion, it is likely that the story of Evander and his Arcadians was how the Romans of the late sixth century BC believed their city had been founded.³ Very few of them will have *read* Stesichorus, of course: the poet’s name meant ‘chorus-producer’, and his stories were sung and danced at festivals.

It would be absurd to think that Greek-speakers and Latin-speakers in archaic Italy had no knowledge of each other. Already in Hesiod the eponymous ancestor of the Latins was the son of Odysseus and Circe, whose ‘island’ on the coast of southern Latium was probably subject to Rome by the late sixth century.⁴ A hundred years later Rome was a familiar part of the Syracusan historian Antiochus’ mental world when he collected everything he thought credible from the ‘ancient tales’ about Greek Italy from Taras to Poseidonia. In the reign of king Morges, he wrote, ‘there came a man who had been banished from Rome; his name was Sicelus’.⁵ By Antiochus’ time there were at least three incompatible stories about the origin of Rome, as founded by Evander or Odysseus or Aeneas,⁶ and considering the city’s recent contested history—particularly the expulsion of the Corinthian Tarquinius ‘in the twenty-eighth year before Xerxes crossed into Hellas’ (Pol. 3.22.1)—there is nothing surprising in that.

There is no reliable evidence about how Rome was governed after the expulsion. Those who insist on the survival of written documents should remember that the famous *foedus Latinum*, the bronze text of which was on a

² Herakles is depicted as wearing the lionskin, a detail introduced to the legend by Stesichorus (Athen. 12.512f–513a). The scene refers to the hero’s apotheosis, as implied by the creation of the Ara Maxima (Diod. 4.21.3; D. Hal. *AR* 1.40.2); for other traditions connecting the apotheosis with Herakles’ journey through Italy, see Pi. *Nem.* 1.67–72, Diod. 4.23.2 and 24.1–2, D. Hal. *AR* 1.44.1. I think that is why it was a chronological marker for Velleius’ *archaeologia* (Vell. 1.2.1); see Wiseman (2010).

³ Stesichorus fr. 21 Davies and Finglass (Paus. 8.3.2), with Usener (1912) 330.

⁴ Hes. *Th.* 1011–16; Pol. 3.22.11 (the first Carthage treaty).

⁵ *FGrHist* 555 F 2 and 6 = D. Hal. *AR* 1.12.3 (ἐκ τῶν ἀρχαίων λόγων), 1.73.4; see Fowler (2013) 503–11. The reference puzzled Dionysius, who thought Morges belonged fifteen generations before the Trojan War (he succeeded Italos, who succeeded Oinotos, who ‘was born seventeen generations before the Trojan expedition’: *AR* 1.11.2); but ‘ancient tales’ were not concerned with dates, and Dionysius depended on ‘the kind of calculation that Hellanikos might have made, or someone after him, but not before’ (Fowler (2013) 505).

⁶ The two last attested by Hellanicus’ artificial, and mythologically inexplicable, combination of them: *FGrHist* 4 F 84 = D. Hal. *AR* 1.72.2, with Fowler (2013) 564–7.

column behind the Rostra still in Cicero's time, carried the name of only one Roman signatory;⁷ and that the 'ancient law' reported by Livy, 'written in archaic letters and phraseology' and attached to the temple of Jupiter Optimus Maximus, referred to an authority attested nowhere else, that of the *praetor maximus*.⁸ It has often been noted that the stories of Attus Clausus, Marcius Coriolanus, and the Fabii at the Cremera presuppose an archaic world of warlords, clan chiefs, and private armies, not easily reconcilable with the constitutional republic presented in the rest of the historiographical tradition. The reality of that archaic world was confirmed in 1977 with the discovery of the dedication at Satricum by Poplios Valesios and his *suodales*.⁹ I think it is likely that the political system attributed by Livy to 509 BC—two annual consuls and 'the commands of the laws more powerful than those of men' (2.1.1)—was actually achieved only in 367.

One question worth asking, though we have no means of answering it, is how Roman public festivals were affected by the loss of the Tarquins' patronage. It is important to remember (and our best evidence comes from the fifth century BC) that performances at festivals were meant to be educational as well as entertaining,¹⁰ and that prose authors, as well as poets, normally presented their narratives of the past to an audience in competitive performance.¹¹ There may have been less opportunity for such events in the impoverished Rome of the fifth century BC.

A century later, no doubt partly as a result of the political compromise in 367, things were very different. For the second half of the fourth century BC we happen to have direct contemporary access to the mental world of Romans and Latins, provided by the most unaccountably neglected body of evidence in the whole of Roman history: the corpus of bronze *cistae* and mirrors from Latium, including Novius Plautius' masterpiece, marked 'made in Rome'.¹² One of the *cistae* gives us our earliest evidence for stage performances in Latium, a Dionysiac (and erotic) version of *Iphigeneia at Aulis*, complete with

⁷ Festus 166L, Cic. *Balb.* 53, Liv. 2.33.9 (who assumed that Sp. Cassius' consular colleague must have been absent).

⁸ Liv. 7.3.5–7; see Oakley (1998) 73–6.

⁹ *CIL* 1².2832a; Stibbe et al. (1980).

¹⁰ Arist. *Acharnians* 649–58, *Wasps* 1010–14, *Frogs* 686–7 (comedy); *Frogs* 1008–10, 1418–19, 1500–3 (tragedy).

¹¹ Thuc. 1.22.4: ἐς μὲν ἀκροάσιν ... ἀγώνισμα ἐς τὸ παραχρῆμα ἀκούειν. Thucydides' insistence on the written text as a κτῆμα ἐς αἰεὶ was evidently something unusual; ἱστορίας ἀπόδειξις (Hdt. *praef.*) was the norm, as we know from *FGrHist* 115 F 25 on Theopompus, ἐπιδημῶν καὶ τὰς τῶν λόγων ἐπιδείξεισ ποιούμενος.

¹² Bordenache Battaglia and Emiliozzi (1979) and (1990); *ILLRP* 1197 (*Novius Plautios med Romai fecid*), the 'cista Ficoroni', which probably illustrates the story in Sophocles' satyr-play *Amykos*.

Artemis observing the action through a window in the stage building.¹³ Another shows Aeneas and Ascanius, in a story otherwise first attested in Cato;¹⁴ one of the mirrors shows the she-wolf and twins, about a generation before the erection of the bronze statue-group at the Lupercal.¹⁵

The iconography of these artefacts is similar to that of contemporary red-figure pottery, which itself was produced not only in Greek-speaking Italy but by Rome's Faliscan and Etruscan neighbours,¹⁶ and of course it makes nonsense of Horace's much-repeated assertion (*Ep.* 2.1.156–63) that the Latins knew nothing of Greek culture until after the Punic wars. They knew plenty of stories from Greek myth and legend, and their knowledge of them didn't come only from the poets. For example, Romulus' battle with the Sabines looks very much like the Athenians' battle with the Amazons as narrated by Cleidemus (Pausanias, 283–9), and since the outcome seems to reflect the events of 290 BC, it is a reasonable inference that the Roman 'historical' tradition was already being created.¹⁷ But at this point, those who were writing Rome's past are still invisible to us.

2. The Pontifices

In 300 BC the *lex Ogulnia* authorised the election of four plebeians to the college of *pontifices*.¹⁸ Both in his own voice and in the speech he gives to P. Decius Mus, Livy presents this reform as an integral part of the ideological struggle that had been going on ever since 367.¹⁹ We know from the famous episode of

¹³ Bordenache Battaglia and Emiliozzi (1990) 273–7, esp. 275: 'nel caso di una scena come questa, con indubbi riflessi di una rappresentazione teatrale, la finestrella ... potrebbe indicare, in modo compendiario, lo sfondo architettonico della scena stessa'. According to Feeney (2016) 105–6, stage performances before Livius Andronicus were only 'improvisatory medleys' and 'slapstick farce'; but see my review, Wiseman (2016).

¹⁴ Bordenache Battaglia and Emiliozzi (1979) 56–61; Cato, *FRHist* 5 F 9; cf. D. Hal. *AR* 1.65.2.

¹⁵ Adam and Briquel (1982); in my view the presence of Mercury identifies them as the twin Lares (cf. Ovid, *Fasti* 2.607–16). Statue-group: Liv. 10.23.12 (*ad fucum Ruminalem*, 296 BC), D. Hal. *AR* 1.79.8.

¹⁶ Torelli (1992) 186–201.

¹⁷ Cleidemus, *FGrHist* 323 F 18 (= Plut. *Thes.* 27.3–4). 290 BC: Vell. 1.14.6 (*Sabinis sine suffragio data ciuitas*); cf. Serv. *ad Aen.* 7.709 on Romulus (*recepti in urbe Sabini sunt, sed hac lege, ut in omnibus essent ciues Romani excepta suffragii latio*); Mommsen (1886).

¹⁸ Liv. 10.6.3–9.2; the tribunes who proposed the law were the same men who put up the bronze group of the she-wolf and twins as aediles four years later.

¹⁹ Liv. 10.6.3–5 and 11.2 (authorial voice), 10.8.8–11 (P. Decius). Struggle: 10.6.3 (*certamen*), 10.7.1 (*certatum*), 10.7.2 (*pro lege Licinia*), 10.8.11 (*certamen*); cf. 6.42.9–11 on 367 BC, with n. 76 below.

Cn. Flavius, supposedly in 304, that the unreformed patrician college had kept its expert knowledge to itself, resisting any attempt to make it public;²⁰ however, Numa was supposed to have created the pontificate precisely to teach and advise the *plebs*, a tradition presumably dating from after the reform.²¹ It follows, I think, that the institution of the *Annales Maximi*, compiled by the *pontifices* ‘to enable the People to acquire knowledge’,²² should be attributed to the reformed college.

Stephen Oakley’s observation that ‘there is no ancient testimony to support the view that the records started with the Ogulnian reorganization of the pontiffs in 300’ seems to me to misplace the burden of proof entirely.²³ The places where Livy reports fifth- and fourth-century magistrates identified differently by different sources are surely *prima facie* evidence that there was no single authoritative public record for that period.²⁴ The chronology of the early republic was in fact notoriously disputed, as Plutarch observed:²⁵

[Brennus] captured Rome a little over 360 years from the foundation, if it is credible that any chronological accuracy has been preserved, when that confusion of chronology causes disagreement even about later events.

So I beg to differ from the current orthodoxy, as stated by Tim Cornell:²⁶

[T]he practice of recording the names of the men who held the chief magistracy must go back to the very early years of the Republic, and it is certain that continuous lists were kept in written form. ... [W]hat matters is that the *pontifex maximus* kept some kind of chronicle, which recorded events under the heading of the annual magistrates, and that it went back to a very remote period.

²⁰ Liv. 9.46.5 (*ciuile ius repositum in penetralibus pontificum euulgauit fastosque circa forum in albo proposuit*); Pomp. Dig. 1.2.2.6–7 (*omnium tamen harum et interpretandi scientia et actiones apud collegium pontificum erant*). Date: Atticus evidently thought Flavius was earlier than the Decemvirate (Cic. Att. 6.1.8).

²¹ Liv. 1.20.5–6 (*ut esset quo consultum plebes ueniret*), Plut. *Numa* 9.4 (*διδάσκων ὅτου τις δέοιτο πρὸς θεῶν τιμὴν ἢ παραίτησιν*).

²² Cic. *de Orat.* 2.52 (*potestas ut esset populo cognoscendi*); *Leg.* 1.6 = *FRHist* TT 2, 4.

²³ Oakley (1997) 25.

²⁴ Liv. 4.7.10; 7.9.5, 18.10, 42.3; 9.44.3–4.

²⁵ Plut. *Cam.* 22.1; cf. *Numa* 1.4 (*τοὺς μὲν οὖν χρόνους ἐξακριβῶσαι χαλεπὸν ἐστὶ ...*); his source was probably the *ἔλεγχος χρόνων* of ‘Clodius’ (*Numa* 1.1 = *FRHist* 16 F 1).

²⁶ Cornell (1995) 13, 14.

That is a hypothesis, not a datum, and in a book concerned with 'historical evidence in republican Rome' it is disappointing to find the hypothesis not even tested.

According to the Introduction, 'the traditional sense of what characterised Roman historiography was a year by year treatment of events, which ultimately derived from year by year lists of events held by the pontifices from the beginning of the Roman republic in the late sixth century BCE' (Smith, 2). The long opening chapter explains the origins of annalistic historiography on the same assumption: 'although, as is now generally agreed, the *pontifex maximus*' record cannot have gone back to the regal period, it could have begun to be kept in the early or mid fifth century' (Rich, 24). That confident judgement rests, I think, on a fallacious *a priori* argument, that 'it would be surprising in a partly Hellenized and partly literate society if the state did not keep records of some kind',²⁷ and in particular that 'the custom of dating by eponymous magistrates ensured the presence of a sequential chronology' (Sandberg, 379). But our idea of what 'the state' was between the expulsion of the Tarquins and the *lex Licinia* of 367 BC, and our belief that the system of dating was always by eponymous magistrates, both depend on the validity of the very evidence that is under question.

I therefore see no reason to resist the common-sense view that the summary chronicle compiled by the *pontifices* for the benefit of the Roman People²⁸ was an innovation of the reformed pontifical college in or after 300 BC, an integral part, as Livy says, of plebeian gains since the *lex Licinia*.

The *pontifices* provided information necessary for the citizens' understanding of the gods: the incidence of earthquakes, eclipses, crop failures, and so on.²⁹ Although the accumulated yearly notices could (and did) provide a documentary source for later historians,³⁰ they did not in themselves constitute history in the Roman sense of *res gestae*. That is why I am uneasy with John Rich's constant reference to them, both in *FRHist* (I.141–59) and in his chapter here, as 'the record'. Yes, they were a record, but of what, exactly? The repeated phrase begins to look like a *suggestio falsi*, inviting the reader to believe in a record of Roman history in general, even from 'the early or mid' fifth century BC. Thus Francisco Pina Polo (214) takes it for granted that

the decision about what was worthy of being remembered had been in the hands of the pontiffs for centuries. The result was the so-called

²⁷ Oakley (1997) 25.

²⁸ Cic. *Leg.* 1.6 (*quibus nihil potest esse ieiunius*); *de Orat.* 2.52 (benefit of the *populus*) = *FRHist* F 11, TT 4, 2.

²⁹ Gell. *NA* 2.28, citing (with disapproval) Cato, *FRHist* 5 F 80.

³⁰ D. Hal. *AR* 1.73.1 = *FRHist* F 7.

Annales maximi, the basis of the various histories of Rome written in the second and first centuries BCE.

If that was the case, then what was Livy's 'struggle' all about?

3. The *Ludi Scaenici*

A quarter of a century has passed since I proposed to a sympathetic Oxford audience the following threefold argument:³¹

Firstly, the theory that Roman historiography began by imitating the bare chronicles of the *pontifex maximus* rests on wholly inadequate evidence. Of course Roman historians did seek out and exploit documentary sources, but it was not the existence of such sources that gave rise to historiography in the first place.

Secondly, in so far as we can gain any notion of archaic Rome uncorrupted by the anachronistic literary tradition, it suggests a community open from the beginning to influences from the Greek as well as the Etruscan world; it is possible, with proper caution, to imagine the Romans creating their own identity, and celebrating their own past, first in the *symposion* and then in the performances at the public festivals.

Thirdly, the notion that historiography grew out of such celebratory performances receives support from various items, not always given sufficient attention, in our surviving texts. For most people, drama was one of the main sources of information about the past; for historians, it was obvious that much of their material was dramatic in origin; and for the Hellenized literary world in which Fabius Pictor wrote, history and drama were inextricable.

The contributors note the argument politely (Pausch, 294; Sandberg, 356), but prefer not to engage with it (Smith, 7). Being as objective as I can, I suggest that proper attention to it might have given some much-needed content to the repeated phrase 'collective memory',³² and helped to explain how the vast majority of Romans who never read books knew their own history in the first place.

³¹ Wiseman (1994) 21, from the third Ronald Syme Memorial Lecture (Wolfson College, October 1993). My hook to Syme was *Tacitus* (Oxford, 1958) 132: 'History at Rome took a long time to emerge from humble and documentary origins'.

³² E.g. 221–2 (Pina Polo), 334 (Di Fazio), 352, 357–8, 374 (Sandberg), 390–1, 396–8 (Cifani); Hölkeskamp (465), who prefers the term 'cultural memory', defines it merely as 'the current "talk of the town"'.

Part of the historic compromise of 367 was the creation of curule aediles to look after the *ludi Romani*, perhaps as a means of channelling patrician wealth to pay for them.³³ By the third century BC the spectacle had come to symbolise the city itself, as shown by king Hiero's visit *ad ludos spectandos* in 240 and by Fabius Pictor's detailed description of the procession for his Greek readers a generation later.³⁴ We have already noted the educative function of public festivals;³⁵ only one contributor alludes to that, and even he calls its effect merely incidental (Pina Polo, 223):

Obviously, it should be borne in mind that these [performances] were above all a theatrical spectacle intended to entertain the audience, and not essays concerned with historical accuracy. Nevertheless, even if the *fabulae praetextae* essentially did not have an educational purpose [*sic*], they served inevitably as a means of providing a limited selection of episodes of Roman history to a wide public composed of people from different social levels and with very dissimilar levels of education.

In fact *praetextae* did have an educational purpose, as did tragedies, and no doubt other performance genres too. Explicit evidence is hard to find (authors don't need to spell out what their readers take for granted), but it does exist, and should be taken seriously.³⁶ Essentially, I think the *ludi Romani* and the other 'scenic' festivals provided the 'public education' that Pina Polo (219) says did not exist.

What sort of things did Romans learn there, from what kind of entertainers and instructors? How much of it was in Greek? According to Callimachus, third-century Rome was part of 'pan-Hellas'; according to Eratosthenes, its founder Romulus was the son of Aeneas' son Ascanius; and the story of the twins' exposure, upbringing, and war of vengeance on the usurper Amulius was first told by Diokles of Peparethos, in the form of a Sophoclean drama plot with 'recognition by signs'.³⁷ Of course it would be nice to have a better

³³ Liv. 6.42.12–13, implying (as does Cic. *Verr.* 2.5.36) that previously the expense had fallen on the plebeians alone.

³⁴ Eutr. 3.1.2; D. Hal. *AR* 7.71–3 = Fabius Pictor, *FRHist* 1 F 15.

³⁵ Above, nn. 10–11; for the fourth century cf. Plato, *Laws* 10.887d.

³⁶ *Fabula praetexta*: Var. *LL* 6.18 (*docet populum*); Kragelund (2016) 25–8. Tragedy: Plaut. *Amph.* 41–5; Pol. 6.56.8 and 11, Cic. *Rab. Post.* 29 (*quae non ut delectemur solum legere et spectare debemus, sed ut ... discamus*).

³⁷ Call. *Aitia* 106 Pf.; Eratosthenes, *FGrHist* 241 F 45; Plut. *Rom.* 3–8 = Diokles, *FGrHist* 820 F 2 = Fabius Pictor, *FRHist* 1 F 4(b). Drama plot: Plut. *Rom.* 8.7 (*δραματικὸν καὶ πλασματῶδες*), D. Hal. *AR* 1.84.1 (*δραματικῆς μεστὸν ἀτοπίας*); cf. Ar. *Poet.* 1454b19–25 on *ἀναγνώρισις διὰ τῶν σημείων*, including the *σκάφη* used in Sophocles' *Tyros* and borrowed by Diokles (Plut. *Rom.* 7.6, 8.1–2; D. Hal. *AR.* 1.82.3–5).

understanding of all this, but at least contemporary evidence, minimal though it is, should offer an insight more authentic than the inevitably anachronistic picture of the middle republic provided by Cicero and Livy.

To us, it is a startling fact that Roman literature began with ‘half-Greeks’ writing epic and drama in Latin and Romans writing national history in Greek,³⁸ but at the time, for all we know, that may have been quite normal. (The innovation, I think, was the use of newly-available papyrus to archive the texts.) We may also find it surprising that historians wrote for audiences as well as readers; but we know from Polybius that they did,³⁹ and at Rome the *ludi scaenici* provided a venue. No doubt prose narrators pulled smaller crowds than poets, but they were all part of the same cultural phenomenon, educating and entertaining the Roman People.

4. The *Pontifices* Again

A century and a half after the reform of their college, as we know from Cato’s famously disparaging comment (*FRHist* 5 F 80), the *pontifices* were still posting their white board with the information the citizens needed to know about what the gods were doing. According to Cicero the practice continued ‘up to the *pontifex maximus* P. Mucius’ (i.e. P. Mucius Scaevola, who held the office from 130 to about 115 BC),⁴⁰ and it is generally assumed that Scaevola discontinued it. But since *usque ad* usually means ‘up to and including’, Cicero more probably meant that Scaevola was the last to keep up the custom, which his successors did not continue.

What was the reason for this change? Why should Rome’s citizens lose a necessary aid, a privilege their champions had wrested from the patricians in 300 BC? An answer can be found, but only by consulting an author whom the contributors to this volume conspicuously ignore. In over 500 pages there seem to be only two brief references to Sallust: the great historian of the late republic is mentioned only for his annalistic structure (Rich, 54–5) and his attribution of a speech to the tribune Licinius Macer (Cornell, 191). No-one shows any interest in his classic analysis of what corrupted the republic after 146 BC: ‘Avarice destroyed honesty, integrity, and all the other virtues; instead of them, it taught arrogance, cruelty, neglect of the gods, the belief that everything can be bought’ (Sall. *Cat.* 10.4).

³⁸ Cf. Feeney (2016) 4: ‘one of the strangest and most unlikely events in Mediterranean history’. Half-Greeks: Suet. *Gramm.* 1.2. Histories in Greek: D. Hal. *AR* 1.6.2 (*FRHist* 1 T 12, 2 T 2).

³⁹ Pol. 1.13.6, 2.59.5, 3.32.10, 9.1.2–6, 12.25h.4, 15.34.1, 36.1.7 (listeners); 3.31.12 (*ἀγώνισμα*, cf. n. 11 above).

⁴⁰ Cic. *De Or.* 2.52 (*usque ad P. Mucium pontificem maximum*) = *FRHist* T 2.

Arrogance, cruelty and neglect of the gods were spectacularly demonstrated in 133, when P. Scipio Nasica, himself *pontifex maximus*, led the lynch mob that beat to death a sacrosanct tribune in the public assembly, and claimed it was to save the republic. From then on the republic was split between two *partes*, the *pauci* or *nobilitas* in conflict with the *populus* or *plebs*.⁴¹ The victory of the *nobilitas* came with the brutal suppression of Gracchan supporters in 121 and the final reversal of the agrarian reform in about 115.⁴² That was when P. Scaevola died, and his successors as *pontifex maximus*, L. Metellus Delmaticus (115–107) and Q. Servilius Caepio (106–103), were certainly at the oligarchic end of the political spectrum.

That the obsolescence of the white-board notice was an aspect of ideological conflict (the *pontifices* being responsible for the People's religious needs) is suggested by the fact that the selection of *pontifices* immediately became a *popularis* issue.⁴³ A tribunician law in 104 established the principle of popular election, but Sulla reversed that, and from 81 to 63 the *pontifex maximus* was Q. Metellus Pius, loyal son of the man Sallust regarded as the quintessential arrogant aristocrat.⁴⁴ Only on his death could the political pendulum swing back again, with Labienus' tribunician law and the election of Caesar, the People's candidate, as *pontifex maximus*.⁴⁵

It is against that political background that we should consider the eighty-book edition of the *Annales Maximi* attested by Servius Danielis,⁴⁶ regarded by John Rich (24–5) as an insoluble problem. He rightly describes as 'unsubstantiated and implausible' Mommsen's idea that the eighty books were published by P. Scaevola in the 120s BC, though he still regards a 'Scaevolan edition' as a possibility.⁴⁷ But there is no reason at all to connect the eighty books with the lapsing of the white-board notice, nor, as we have seen, to attribute *any* innovation to Scaevola. Since the fragments of the numbered books, going back as far as Ascanius and Alba Longa, clearly imply a text quite different from the annual notices made public from 300 BC onwards, the task is simply

⁴¹ Cic. *Rep.* 1.31 (*partes*); Sall. *Cat.* 39.1, *Jug.* 5.1, 27.1, 30.3, 31.2, 31.20, 40.3–5, 41.5–7, 42.1, *Hist.* 3.48.28 (naming the two sides).

⁴² Sall. *Jug.* 16.2, 42.4 (*uictoria nobilitatis*); App. *BC* 1.27.123 (ὁ δῆμος ἀθρόως ἀπάντων ἐξεπέπτωκει); detailed argument in Wiseman (2009) 33–44.

⁴³ Cic. *Agr.* 2.18, *Am.* 96.

⁴⁴ Vell. 2.12.3, Suet. *Nero* 2.1 (*lex Domitia*); Dio 37.37.1 (Sulla); Sall. *Jug.* 64.1 (*inerat contemptor animus et superbia, commune nobilitatis malum*) on Q. Metellus Numidicus.

⁴⁵ Dio 37.37.1; cf. 37.2 on the election (ἐν τῷ πλήθει τὴν ἐλπίδα αὐτῆς ... λάβων).

⁴⁶ Serv. Dan. *ad Aen.* 1.373 (*annuos commentarios in octaginta libros ueteres rettulerunt*) = *FRHist* F 3.

⁴⁷ Hans Beck (98–9) accepts it as gospel, and even attributes to Scaevola 'a commentary that elaborated on the subject matter and helped people through the convoluted text'.

to suggest a context for its composition. Who would have created it, and when, and why?

Bruce Frier suggested Augustus, but I think Caesar's pontificate is a more likely context, for three reasons. First, it was the earliest opportunity to provide for the citizens what the optimate *pontifices* had denied them for fifty years, an authoritative record of divine interventions in mortal life, now extended back to the very earliest times. Second, the scale of the enterprise is consistent with Caesar's famous intellectual energy; as an analogy we may note his instructions to the commissioners administering his neo-Gracchan agrarian reform in 59, which began with a historical account of how the science of land surveying originated.⁴⁸ Third, it fits in with the remarkable concentration in the fifties BC of substantial treatises about the gods and the various Roman priesthoods' ways of interacting with them: for instance the *Pontificalia* and *Auspicia* of L. Caesar, consul in 64; Varro's *Antiquitates diuinae* and Granius Flaccus' *De indigitamentis*, both dedicated to Caesar as *pontifex maximus*; Trebatius' *Religiones* and Cornificius' *De etymis deorum*, both by authors who served on Caesar's staff; and the *Auspicia* and *Quaestiones pontificales* of Catullus' learned friend Veranius.⁴⁹

My suggestion is that Caesar commissioned the eighty books, perhaps as part of a general programme to make knowledge of the gods accessible to all and not restricted to the erudite few. However, 'such views bristle with difficulties' (Rich, 26):

Why, instead of claiming the credit of authorship, should the compiler or compilers of so ambitious a work have sought to pass it off as the *pontifex maximus*' chronicle, although its character was patently altogether unlike that of the genuine record?

The answer, surely, is that this was not a literary work for which the credit of authorship could be claimed, but a single multi-volume document available for public consultation, and that its difference from what the old *pontifices* provided was not in its essential form but in its size and totalising content. The

⁴⁸ Cited in *Demonstratio artis geometricae* 395–6 (ed. K. Lachmann (1848–52)); cf. Plin. *HN* 7.91 (*animi uigore praestantissimum arbitror genitum Caesarem dictatorem*).

⁴⁹ L. Caesar: *FRHist* I.641 (Cornell). Dedications: Lact. *Inst.* 1.6.7, Augustine *City of God* 7.35.2 (Varro); Censor. *De die nat.* 3.2 (Granius). Trebatius: Macr. *Sat.* 1.16.28. Q. Cornificius: [Caes.] *B. Alex.* 42–3 (Caesar's *quaestor pro praetore* in Illyricum), Cic. *Fam.* 12.17.3 (*summum ingenium* and *studia optima*), with Rawson (1978). Veranius: Festus 366L, Macr. *Sat.* 3.20.2, cf. Cat. 9.6–8 (*ut mos est tuus*), with Wiseman (1985) 266–9.

evident emphasis on the Alban dynasty (*FRHist* F 1–3) is another reason to suppose that Caesar was responsible for it.⁵⁰

5. All from the Same Song-Sheet?

Meanwhile, in the century and a half from Fabius Pictor to Aelius Tubero, a tradition had developed of *res gestae* narratives in prose, beginning *ab urbe condita* and normally continuing to the author's own time. The story was retold over and over again, but evidently from new angles; as Livy pointed out (*praef.* 2), even though it had been done so often there were always new authors offering something different.

According to Kaj Sandberg, however (354–5), 'there is no evidence that anyone of the annalists ever challenged any of the mainstream collective perceptions of the Roman past'; 'no-one ever attempted to present revisionist views in the manner characteristic of modern, critical research'. If true, that would be surprising. Most of the authors were senators, and Roman senators were not always in agreement with each other about the *res publica*. On the contrary: Cato was famously quarrelsome, and Piso Frugi, who had been consul in 133 BC, once ostentatiously presented himself for the corn dole, to claim his share of what Gaius Gracchus had taken from the public treasury.⁵¹ One would not expect their histories to present merely a bland consensus.

But Tim Cornell, in a recent volume on parties and factions in Roman politics, has argued for precisely that—a 'Whiggish story of progress' on which they were all agreed.⁵²

For historians in the late republic it was easy to take a detached, moderate, conservative and essentially apolitical view of issues that no longer meant much to anyone, and to celebrate the reforms and compromises by which liberty was achieved and the balanced constitution was formed.

He cites with approval a comment by Isobel Henderson about 'the polite *popularis* orthodoxy of the seventies—an ideal supremacy of the people, with no detriment to the authority of a benevolent Senate', noting its similarity to Robert Morstein-Marx's idea of 'the "ideological monotony" of political

⁵⁰ For the importance of Caesar's Alban descent, see for instance Suet. *Iul.* 6.1, Dio 43.43.2; the Alban dynasty now became a challenging theme for ambitious poets (Prop. 3.3.1–4; Serv. *ad Ecl.* 6.3).

⁵¹ Liv. 39.40.9 (*simultates nimio plures et exercuerunt eum et ipse exercuit eas*); Cic. *Tusc.* 3.48.

⁵² Cornell (2009), quotations from pp. 26 and 27.

debate in the late republic'.⁵³ With the greatest respect to all three scholars, I find this utterly incredible.

The most fundamental of the 'reforms and compromises', granting political powers to the tribunes of the *plebs*, was reversed by Sulla after 400 years, and restored only after a determined campaign of *popularis* agitation. How the issue was viewed at the time is best seen from what a plebeian aedile-elect said to the senatorial *iudices* in 70 BC (Cic. *Verr.* 2.5.175):

This citizen body endured that regal domination of yours as long as it could and as long as it had to, in the courts and the whole *res publica*. But on the day when the tribunes of the *plebs* were restored to the Roman People, just in case you haven't yet realised it, all that was removed and torn away.

Not polite, and not monotonous. So why shouldn't historians be forthright too?

The strongest part of Cornell's argument is his demonstration that the late annalists 'went back to the beginning but unlike their predecessors gave renewed attention and vigour to the early republic, and particularly to its political history, which they refashioned in the light of the experiences of the post-Gracchan age'.⁵⁴ The weakest part of it is the presumption that their work must have been like that of Livy and Dionysius: 'they were rather homogeneous, each telling much the same story and in much the same way'; 'there was a common received tradition more or less faithfully reproduced in the works of the annalists, and transmitted by them to Livy and Dionysius'.⁵⁵ But Livy and Dionysius were writing when the struggle was over, the issue decided, and the oligarchs defeated; as Cornell himself observes, their accounts contain 'nothing remotely comparable to Sallust's denunciation of the nobility and the murderers of the Gracchi in the *Jugurthine War*, or to Diodorus' viciously hostile account of Gaius Gracchus'.⁵⁶

Once again, Sallust is our key witness. The corruption he identified led to a popular backlash (*obuiam itum est*) against the arrogant oligarchy, and that in turn led to the sequence of civil wars that were still raging when he wrote.⁵⁷ A tipping point had been passed in the history of the republic, after which

⁵³ Cornell (2009) 21, citing Henderson (1957) 85, and Morstein-Marx (2004) 230–40.

⁵⁴ Cornell (2009) 3–14, quotation from p. 14.

⁵⁵ Cornell (2009) 16–20, quotations from p. 20.

⁵⁶ Cornell (2009) 18, on Sall. *Jug.* 41.6–42.5 and Diod. 34/5.25: 'the former is an explicitly "authorial" passage, while the latter probably reproduces the optimate sympathies of its source'.

⁵⁷ Sall. *Jug.* 5.1–2, where *uastitas Italiae* must refer to the war of 41 BC.

political crises could be resolved with impunity by murderous violence (assassination or military intervention). He himself had been tribune when the corpse of murdered Clodius was brought to Rome; he had seen the People's fury, and the *optimates'* satisfaction. How could a historian in the first century BC *not* be influenced by such events?

The ideological conflicts of the fifth century BC were self-evidently relevant to those of the first.⁵⁸ The tribunes' powers were either 'a weapon for freedom provided by our ancestors' or 'created in sedition and for sedition' and rightly suppressed by Sulla.⁵⁹ Both in his own voice and in the speeches he gave to the popular spokesmen in his narrative, Sallust explicitly linked the political crises of the early republic (in particular the secessions) with those of the 'post-Gracchan age'.⁶⁰

One of those spokesmen was Licinius Macer, tribune in 73. In his chapter in this volume (191–2) Cornell shows that I went beyond the evidence in assuming the identity of the tribune and the historian,⁶¹ but his own arguments for non-identity (192–7) are not strong. It is true that Cicero doesn't mention Macer's history at *Brut.* 238 ('decisive', 197), but we know that Cicero thought Macer's history hardly worth mentioning anyway: *nam quid Macrum memorem?* (Cic. *Leg.* 1.7 = *FRHist* 27 T 1). The fact remains that the historian could have been the tribune, and even if not was certainly a close relative.

One of the things Cicero disliked about Macer's history was the *summa impudentia* of the speeches in it, and *impudentia* was a quality Cicero liked to impute to those whose words and deeds he disapproved of.⁶² Simply as a possibility, a historian with views similar to those of the tribune Licinius Macer might have attributed to fifth-century plebeian leaders speeches too obviously applicable to the politics of his own time. Such a procedure would not have been to Cicero's taste, but the speeches themselves would have been helpful for Livy and Dionysius as they composed their early-republican political debates.⁶³ Of course the hypothesis cannot be proved; but neither can it be

⁵⁸ See for instance Asc. 76–7C = Cic. *Corn.* fr. 48–59 Crawford (65 BC).

⁵⁹ Respectively Sall. *Hist.* 3.48.12 (Macer in 73 BC) and Cic. *Leg.* 3.19 and 22 (Q. Cicero, with Atticus in agreement).

⁶⁰ Sall. *Hist.* 1.11 (*iam inde a principio*); *Cat.* 33.3–4 (C. Manlius), *Jug.* 31.6 and 17 (C. Memmius), *Hist.* 1.55.23 (M. Lepidus), 3.48.1 and 15 (Licinius Macer).

⁶¹ The references at nn. 48 and 50 should be to Wiseman (2009), not (1998).

⁶² E.g. *Verr.* 2.1.1–2 (Verres), *Agr.* 2.36 and 3.10 (Rullus), *Har. Resp.* 1 (Clodius), *Top.* 94 (Caesar); cf. also Sall. *Jug.* 33.2 on the tribune C. Baebius.

⁶³ Cornell (2009) 17: 'The passages which express sympathy with the viewpoints of one side or the other are mostly rhetorical, and occur in accounts of how the two sides represented their own positions ... It hardly needs to be said that Roman historians were perfectly capable of composing convincing speeches to place in the mouths of leading persons in the drama, and that they made them speak in character.' The question is, did

ruled out on the arbitrary assumption that no late-republican historian ever wrote anything politically contentious.

6. The *Ludi Scaenici* Again

Five passing comments by three separate authors attest an important and neglected fact: in the late republic it was normal to ‘read or hear’ history.⁶⁴ One of those passages, part of Cicero’s proof that the love of knowledge is innate in human nature (*Fin.* 5.52), adds something more:⁶⁵

What of the fact that people of humble station, with no expectation of a public career, and even artisans, take pleasure in history? We can see that the people most eager to hear and read about historical events are those whose age deprives them of the opportunity to take part in them.

What is important is the casualness of the observation: evidently it was common knowledge that the poor, as well as the old, were keen on learning history.

I assume they did so at the *ludi scaenici*, not just from historical dramas (‘hearing’ does not suggest watching plays), and not just from narrative poets (though they did indeed teach the citizens history),⁶⁶ but also from the prose historians themselves. A generation after Cicero, Dionysius of Halicarnassus took it for granted that historians wrote for listeners as well as readers,⁶⁷ and his essay on Thucydides, who did *not* do that, reveals by contrast that other historians ‘entranced the masses’ with legendary stories, writing in a style accessible to ‘people in the *agora*, craftsmen and artisans’.⁶⁸ That is close enough to Cicero’s ‘people of humble station, even artisans’.

they invent all the material from scratch, or did they exploit speeches already available in their sources?

⁶⁴ *res gestas audire aut legere*: Cic. *Fam.* 8.15.1 (Caelius), *Fin.* 5.52, *Sen.* 20; Sall. *Cat.* 53.2, *Jug.* 85.13.

⁶⁵ I first pointed this out long ago, in Wiseman (1981) 383–4 = (1987) 252–3.

⁶⁶ Ennius, fr. 45 Courtney (Cic. *Tusc.* 1.34): *aspicite, o ciues, senis Enni imaginis formam.* | *hic uestrum panxit maxima facta patrum.*

⁶⁷ D. Hal. *AR* 1.1.1, 1.8.3, 11.1.3, *Th.* 16 (οἱ ἀκούοντες); cf. n. 39 above.

⁶⁸ D. Hal. *Th.* 6 (εἰς ἀπάτην καὶ γοητείαν τῶν πολλῶν), 50 (οὐ γὰρ ἀγοραίοις ἀνθρώποις οὐδ’ ἐπιδιφρίοις ἢ χειροτέχναις). For legendary stories in the Roman tradition, see for instance *FRHist* 1 F 4c (Fabius Pictor), 14 F 12–18 (Cn. Gellius), 25 F 8 (Valerius Antias).

There is no paradox here. The Latin for 'Roman history' is *res gestae populi Romani*,⁶⁹ and it is only a modern prejudice that restricts it to 'historiographical narratives written by retired senatorial amateurs addressing themselves to a narrow circle of educated peers in the know' (Sandberg, 357).⁷⁰ Everywhere in the ancient world, public festivals were where communities came together to honour their gods, instruct their citizens, and celebrate their sense of their own identity. At Rome, the audiences at the public *ludi* were normally described as *populus Romanus*, or even *populus Romanus uniuersus*;⁷¹ notionally at least, everyone was there together, high and low, rich and poor, educated and illiterate, and Roman history was for all of them.

As it happens, we have glimpses of two historians in action there in the second half of the first century BC, both rich men of senatorial family and very likely senators themselves.⁷² Octavius Ruso required those who owed him money to come and listen to him reciting his histories *in spectaculo* (*FRHist* 48 T 1 = *schol. Hor. Sat.* 1.3.86–9), while Cornutus' huge audiences—much larger than Livy's—consisted of those who hoped he would leave them money in his will (*FRHist* 54 T 1 = *Suda* K 2098). That Livy presented his work to the Roman People is implied by the admiring comment of a fellow-historian, the elder Pliny (*HN praef.* 16):

It was surely fitting that he composed his work for the glory not of himself but of the world-conquering people and the Roman name; it would be more creditable that he persevered with it from love of the work than from self-satisfaction, and rendered this service not to himself but to the Roman People.

Where and how did Livy render that service? The *ludi scaenici* provided the only practical opportunity to address the citizen body as a whole.

It is surprising that none of the contributors to this volume mentions the observation ascribed to Atticus (*Cic. Leg.* 1.5) that 'history above all is work for an orator', or Cicero's own description of epideictic oratory as 'a genre that is close to history' (*Or.* 66). He calls its practitioners *sophistae*, includes history and panegyric in their subject matter, and describes their activity as something

⁶⁹ *FRHist* 5 F 1b (*populi Romani gesta describere*), T 7 (*ea quae sunt rerum gestarum populi Romani*); *Sall. Cat.* 4.2 (*statui res gestas populi Romani ... perscribere*); *Liv. praef.* 1 (*si a primordio urbis res populi Romani perscripserim*), 2.1.1 (*liberi iam hinc populi Romani res pace belloque gestas ... peragam*).

⁷⁰ A quotation from Hölkeskamp (2006) 481.

⁷¹ E.g. *Cic. Sest.* 106, 116–23, *Pis.* 65, *Att.* 2.19.3, 14.3.2, *Har. Resp.* 22–5, *Phil.* 1.36; *Plin. HN* 36.119–20.

⁷² Octavius Ruso (*FRHist* 48): cf. *Sall. Jug.* 104.3 (Cn. Octavius Ruso, quaestor in 105 BC). Cornutus (*FRHist* 54): cf. *Cic. Red. Sen.* 22–3 (C. Caecilius Cornutus, praetor in 57), *CIL* 6.32338 (M. Caecilius Cornutus, *frater Arualis* in 21–20).

belonging not to the political arena but to ‘games and festivals’.⁷³ For Cicero this was merely part of the orator’s education, not the real business of oratory itself. But there were plenty of educated Romans who did not have his taste for the cut and thrust of the Forum,⁷⁴ and performance at the *ludi scaenici* would be a less dangerous way of displaying their oratorical talent.

A *sophistês* of two centuries later shows what was involved: ‘All eyes will be on you, and whenever you happen to speak the multitude will listen to you open-mouthed in amazement, and congratulate you on the power of your words’ (Luc. *Somnium* 12). The task for the historian was to find a style ‘which the many can understand and the educated can applaud’, and still serve the truth by remembering ‘not just those who are listening to you now, but those who hereafter will make the acquaintance of your writings’.⁷⁵ Lucian’s essay on how to write history is evidence not only for its immediate context, the way historians dealt with the Parthian war of AD 162–6, but for historiography in general, Roman as well as Greek, from Herodotus onwards. In particular, he took it for granted that historians should have a double aim: to please their immediate audience, a cross-section of the whole population, and at the same time to satisfy the future readers of a published text.

7. Documentary Evidence

This sketch of a history of Roman historical writing has addressed only one of the two items in the subtitle of the volume. What about ‘historical *evidence* in republican Rome’? The questions are formulated as follows (Smith, 1):

What were the building blocks from which Roman writers constructed their idea of the past; to what extent did those building blocks emerge from contemporary knowledge of or information about the past; and to what extent did Roman writers and thinkers feel obliged to respect that knowledge and information?

On this my only contribution has been negative, disqualifying the *annales maximi* as an authoritative document for the history of the fifth and fourth

⁷³ Cic. *Or.* 37–42 and 65–8, esp. 37 (*laudationum et historiarum et talium suasionum*), 42 (*uerum haec ludorum atque pompae*), 68 (*seiuunctus ... a philosophorum eloquentia, a sophistarum, ab historicorum, a poetarum*); cf. Brunt (1993) 199–201.

⁷⁴ Cic. *Or.* 42: *orationis genus ... pompae quam pugnae aptius ... nos autem iam in aciem dimicationemque ueniamus.*

⁷⁵ Luc. *hist. conscr.* 44, 39; cf. also 10 (*ἦν μὴ τὸν συρφετὸν καὶ τὸν πολὺν δῆμον ἐπινοῆς, ἀλλὰ τοὺς δικαστικῶς καὶ νῆ Δία συκοφαντικῶς προσέτι γε ἀκροασαμένους*).

centuries BC. Our most reliable evidence for early Rome is archaeological and iconographic, material the Roman historians could use only with difficulty, if at all.

The volume's title, *omnium annalium monumenta*, is a quotation from Livy (7.21.6). It occurs in an episode of 352 BC which Livy presents as a sequel to the achievement of plebeian consuls in 367: fifteen years on, the plebeians were insisting on the terms of the *lex Licinia*, and after strong resistance the patricians were eventually worn down and conceded.⁷⁶ This time there was an extra dimension, the plebeians' suffering caused by debt and heavy interest payments, but the newly-elected consuls (one of them plebeian) addressed the problem:⁷⁷

The State assumed the responsibility for the liquidation of the debts, and five commissioners were appointed, who were charged with the management of the money and were hence called *mensarii* [= 'bankers']. The impartiality and diligence with which these commissioners discharged their functions make them worthy of an honourable place in every historical record. Their names were: C. Duilius, P. Decius Mus, M. Papirius, Q. Publilius and T. Aemilius.

The clear implication of this passage is that the five men's names were *not* in every historical record, but that they should have been. So where did Livy find them?

Chris Smith (12) infers a documentary source: 'Livy parades his accurate learning, and capacity to draw on impeccable sources'. Maybe so; but usually when a historian found documentary evidence he took care to specify *where* he had found it—as it might be, 'in the treasury of the aediles', 'in the temple of Moneta', 'at the Volcanal', 'on a bronze pillar in the temple of Diana', 'in the temple of Dius Fidius'.⁷⁸ Livy himself did not undertake such research; his knowledge of the 'ancient law' about hammering a nail on the Ides of

⁷⁶ Liv. 6.42.9–12 (367), 7.21.1–5 (352); the passages are linked by common phraseology (*certamina/certare*, *discordia/concordia*, etc.) and the repeated reference to the *lex Licinia* (three times in twelve lines) at 7.21.1–4. For 6.42.9–11 see the note in Kraus (1994) 330, accepting Licinius Macer as the likely source; cf. n. 19 above for a probable third item in the same sequence.

⁷⁷ Liv. 7.21.3 (*propior dolor plebi faenoris ingrauescentis erat*); 7.21.5–6 (Everyman Library translation, 1914).

⁷⁸ Respectively Pol. 3.26.1 (the treaties with Carthage), Licinius Macer, *FRHist* 27 F 21 (the *libri magistratum* written on linen), and the source(s) of D. Hal. *AR* 2.54.2 ('*res gestae* of Romulus'), 4.26.5 (treaty with Latins), 4.58.4 (Gabii treaty).

September, for instance, came from L. Cincius, *diligens talium monumentorum auctor*.⁷⁹

In this case, the emphasis on Licinius Stolo's legislation immediately suggests Licinius Macer, whose work was conspicuous for *quaesita propriae familiae laus* (*FRHist* 27 T 2). The magistrate list he found in the *libri lintei* could have named the five *mensarii*, just as it evidently named the prefect L. Minucius along with the consuls of 440 and 439 BC (*FRHist* 27 F 19). So if 'this passage sums up a great deal of what follows in this volume' (Smith, 12), the way it does so may need a bit more explanation. In fact, it seems to have been unusual for narrative historians to seek out documentary sources for themselves.

Duncan MacRae's chapter argues that Roman 'antiquarianism' is an anachronistic concept invented in the sixteenth century. 'The fragments of the so-called antiquarian works may not look exactly like Livy, but the closer one looks at them, the harder it is to distinguish them from the wider phenomenon of history writing at Rome' (MacRae, 150). Granted: but whether we call them antiquarians or just historians of a particular kind, the fact is that authors like L. Cincius were not doing the same sort of thing as authors like Livy and Dionysius, and on early Rome, for better or worse, Livy and Dionysius are what we have.

It seems to me that the greatest unsolved problem in the study of Roman historiography is the creation of the early-republican magistrate lists that were used by Diodorus, Livy, Dionysius, and the compilers of the Augustan *fasti consulares*. Of course one can always argue in a circle, as if the very existence of such lists proved that the *Annales Maximi* went back to the fifth century BC, but that can be no more than a declaration of faith. The earliest indication of a continuous record of magistrates going back to the beginning of the republic may be Piso Frugi's 'year-by-year chronicle' or Sempronius Tuditanus' *Magistrates*, both composed in the second half of the second century BC.⁸⁰ But who was it who had found the names and arranged them in order?

Some such project of research and reconstruction was essential, because no authentic record had survived; it was assumed that the documentation had been lost in the sack of the city by the Gauls. For us, of course, the issue is not whether that really happened (not even archaeology can provide an answer), but why Roman authors in the first century BC believed it *must* have happened. When Dionysius was working out his chronology, he began with the Gallic sack, which was reliably dated by Greek authorities to 387 BC; but he could only get back to the beginning of the republic on the strength of a census held two years before the sack, which was dated 'in the 119th year after the

⁷⁹ Liv. 7.3.5–7; and he knew of the inscribed corselet in the temple of Jupiter Feretrius only from Caesar Augustus, *templorum omnium conditor ac restitutor* (4.20.7).

⁸⁰ *FRHist* 9 FF 16, 18, 27 (ἐνιαύσιοι ἀναγραφαί or ἐνιαύσιοι πραγματεῖαι); 10 F 1 (*libro tertio magistratum*, on the Decemvirs).

expulsion of the kings' (*AR* 1.74.5–6)—and that information came from the private archive of the family of one of the censors. Why would such research be necessary, if the magistrate list that he himself used was an authoritative original document?

We needn't assume that the names were invented (though some of them may well have been), and in general the use of pejorative terminology like 'invention'—or worse, 'falsehood' or 'forgery'—is not helpful. It was surely done for the best of reasons; the problem is that we have no idea how or where the names were found, or on what criterion they were put in order. It clearly mattered that the republic should have a continuous annual magistrate list, just as, a century later, it mattered that the Sibyl's required period for *ludi saeculares* should now be 110 years rather than 100. In the latter case, an appropriate reconstruction of history was produced by the *quindecimviri sacris faciundis*,⁸¹ and though we don't know who was responsible for the magistrate list, it may have been a similar type of project.

Writing Rome's past could be done in all kinds of different ways, including some that even the wide-ranging contributors to this volume have not considered.

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⁸¹ *Cens. De die nat.* 8–11 (cf. *FRHist* 25 FF 22, 26, 64). Usually attributed to the Augustan college, but the complete absence of Diana, so prominent at the *ludi* of 17 BC, from the Sibyl's instructions as reported in our sources (Phleg. Trall. *FGrHist* 257 F 37.V.4, Zos. 2.6.1) makes it more likely that the initiative was Caesar's.

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