Varro and Horace "Carm." 1. 9

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release him, let [the judge] condemn him to [a fine of] a stater for a free man and a drachma for a slave for each day until he do release him").

Two separate legal processes are prompted by seizure before trial. A scheduled fine is promptly (καταδικακσάτō) imposed and an order made, just as promptly (δικακσάτō), for release within a statutory period. If the order is infringed, the trespasser is under continuous daily obligation (καταδικαδδέτō) to pay further fines until he obeys the first order. The immediate action of the judge, made clear by the tense of the verb, is further emphasized in the specific case of the slave, whose status, unlike the free man's, is not in doubt. The ownership of the slave is in doubt and the doubt has to be settled by legal process. If the legal process is jeopardized by arbitrary action, infringement is automatically punished. Ownership is irrelevant and will be settled later. The point receives emphasis if we read ϝότι ἄγει. But ὅτι ἄγει adds nothing to the first sentence.

The prohibition here announced sharply distinguishes the Gortynian from either the Athenian or the Roman practice. It has been commonly assumed to be an innovation announced here for the first time. There was need for precision and emphasis.

Attic inscriptions have gen. sing. m. or n. ὅτου. There is a case for assigning the same double function to a differently inflected Cretan ϝότι.

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VARRO AND HORACE *CARM.* 1. 9

Professor E. Fraenkel's short treatment of Horace *Carm.* 1. 9 has elicited more criticism than a lengthy discussion would have.[1] The literary critic who is primarily a classical philologist welcomes a call to focus attention on the text of 1. 9, but he feels the need to bring to bear on this text further facts of literary history.[2] Fraenkel himself allows that though a poem is a self-contained whole, "unambiguous hints" in the text must be explored in order to understand the poem more completely.[3] Such an implication in the text of *Carm.* 1. 9 has remained overlooked in spite of excellent recent discussion provoked by Fraenkel's verdict on 1.9.[4] While investigation of this hint in no way invalidates these interpretations based on color and age imagery, a more multivalent reading of the poem is desirable. The new evidence here presented goes a long way toward both eliciting the intellectual unity of the text and reinforcing the image unity as defined by recent critics. It also suggests some detail about the scope of Horace's work in the *Odes*.

Fraenkel's stricture is briefly this: the ode falls short of perfection because the "'Hellenistic' ending of the ode and its 'Alcaean' beginning have not really coalesced."[5] All critics have accepted the existence of this dichotomy and have had to use this stricture as a starting point in their endeavors to establish the unity of the poem. The Alcaean lines have been what made earlier students call 1. 9 a "winter poem."[6] But the presence of Alcaeus translated and adapted is no more startling than the complete irrelevance of this drinking song to a poem which seeks to make a serious moral point in "Hellenistic," that is up-to-date terms.[7] Close examination reveals that what is specifically and solely Alcaean in the opening strophes is a great deal less than hitherto supposed. Further investigation shows that elements regarded as Alcaean share a more proximate source with elements in later strophes never conjectured to be Alcaean: in other words Alcaean and non-Alcaean material have a common source. Pasquali, in his perceptive discussion, saw along with Kiessling that the opening two and a half lines of the ode owe nothing to the Greek poet.[8] Likewise the particularization in lines seven and eight,

Sabina diota and the name Thaliarchus, are not from Alcaeus. By implication Alcaeus afforded the rivers choked with ice and the injunction *dissolve frigus* with the means specified: "throw wood on the fire *large*, draw wine *benignius*." It is now possible to show that Horace found topography and injunctions in a poet writing protreptically from a moral point of view using these terms and several others found in the ode. I refer to the Menippean satire *Sesculixes* or *Sesquiulixes* of M. Terentius Varro.[9]

The ode and the twenty-five fragments of the satire have several themes in common: "gelu flumina constiterint acuto" recalls Frag. 467: "Pieridum comes / quae tenent cana putri gelo montium / saxa,"[10] and the winds in strophe three of the ode find a parallel in Frags. 460, 471, and 472 which deal with winds and sea storms, especially 471 with its clear reference to Odysseus' home-coming. Frag. 466 "in Thespiadum choro / derepente" reminds us of the chorus mentioned by Horace at the end of the fourth strophe. It has been asked whether this dance is one in honor of Aphrodite or if the reference is to dancing at a feast.[11] A third and more probable hypothesis now appears: it refers to the dance of the Muses themselves. Horace urges upon his young friend not only *dulcis amores* but also the arts.

The Horatian picture of a boy and his girl can be recognized as a refinement of an episode in Varro's satire, known to us only in Frag. 481: "qui se in ganeum accensum coniecit amicae." Perhaps we can abandon Pasquali's generous hypothesis about the girl in 1. 9; he found that "la bella bimba... un tipo di fanciulla che non si poteva incontrare prima dell' età ellenistica" was not a *meretrix* but a *libertina* or a *peregrina* "dal sontuoso tenore di vita" (a dangerous liaison for a *puer*!).[12] The *intimus angulus* of the last strophe makes good sense when referred to a cubicle in a brothel (*ganeum* here means *lupanar*), such as visitors to Pompeii will recall. But these speculations are not binding; conclusive proof of Horace's having Varro's *Sesculixes* in mind while composing 1. 9 is available. The phrases Horace uses to express his injunction to drive away the cold are: "large reponens, atque benignius / deprome." In Varro Frag. 461 we read "ipsum avide vino invitari poclis large atque benigne." Nowhere else in Latin literature do these two adverbs occur side by side.[13] Their use in a similar connection (even though Horace's adverbs refer to separate actions) may remove any lingering doubt that Varro stands behind this ode.

Varro and the *Varroniani* for Horace represented what was reactionary in contemporary literary taste.[14] However Varro in his Menippeans had displayed an approach to his subject not unlike Horace's in the *Satires*. We need not be reminded of Horace's concept of self-representation, central to both satires and odes. Varro's *Sesculixes* was largely autobiographical, and while his allegorizing of the *Odyssey* along personal lines has no parallel in Horace, still the two poets are not dissimilar in method.[15] The function of Varro's Menippeans was the dissemination of popularized philosophy. Horace's teaching spirit in the *Odes*, while much more elevated, is basically akin to Varro's. The philosophical preoccupations of the *Sesculixes* are those of the schools; Carneades is pitted against Zeno.[16] It is impossible to know in whose mouths Frags. 483 and 484 were placed; but some philosophical discussion of the better way of life, *virtus* or *bona corporis*,[17] formed a part of this satire. The question lingers in the Horatian ode, which has a frank interest in *bona corporis* without philosophical labels. Varro's antiphilosophical outlook would not be uncongenial to Horace, who himself displays so little trust in school philosophies that it is impossible to classify him formally.[18] Finally, Varro's style in the Menippeans, with its sudden changes in line of argument and of sentiment, is not foreign to Horace's in the *Satires*; indeed this stylistic habit, which has also been seen in *Carm.* 1. 9, "non conviene alla poesia del vecchio Alceo."[19]

Carm. 1. 9 has a philosophical orientation not present in the relevant Alcaean fragments. In Alcaeus winter is purely a state of weather. Horace deepens it into psychological frost and rigidity, and from this context puts forth his appeal for enjoyment of youth. The protreptic quality of the ode must not be lost sight of; just as a particular young man is addressed in the ode, so too a particular danger is signalized. What would Horace's silent Thaliarchus be doing if he does not participate in the pleasant actions Horace urges upon him? We can surely say he would be studying philosophy; he would, perhaps, be a pupil of a Stoic Damasippus, instead of the siren Horace.[20] *Desidia* has its uses; Horace, apologist here for the spontaneous life, which for a youth unencumbered by philosophical training is a life of pleasure, urges his charge to pour out wine *benignius*, more generously. The Kiessling-Heinze gloss is "als zu anderer Zeit nötig wäre." For the reader with Varro's line in mind there is more behind the comparative form of the adverb. Horace invites a comparison between the satire and the ode. Not only is philosophical speculation idle; it is positively harmful when it blocks *ipsum amicum invitare*. The wily Horace will dissolve his young friend's timorous reluctance to face experience with wine more abundant than that which distracted Cyclops from his less than human pursuits.[21]

Horace has filtered Alcaeus' lines through Varro. Alcaeus says πεπάγασιν [πεπάγαισιν] δ' ὐδάτων ῥόαι. Varro's "tenent cana putri gelo montium saxa" by its specificity is closer to Horace than Alcaeus' more general statement; so is Varro's *large atque benigne*: Alcaeus uses only one adverb, ἀφειδέως, in connection with the wine, and none with the fire. One probable point of connection between Varro and Alcaeus before Horace used them together is a common reference to Thracian mountains. Alcaeus set his poem on the Thracian coast.[22] Bücheler, apparently without connecting the Alcaeus fragment with Varro, remarks on Frag. 467, "sequebatur Thraces ut opinor nomen, quamquam de verbis numerisque parum constat." Significantly Horace changed this common setting into Soracte.

Once the thread of Varro's *Sesculixes* has been seen running through all of *Carm.* 1. 9, another kind of unity can be discerned. The poem's key imagery is that of color referring to age. But poems also have intellectual unity. In this ode such homogeneity is secured by the protreptic point of view from which every strophe is written. The first word, *vides*, is of great importance: the silent addressee of the poem is present from the beginning; it is to him that all ethical preoccupations in the poem must be referred. Horace makes the invitation to Thaliarchus central to the ode; but he uses these specifics to offer a more general ethical statement: love and live life while young. Alcaean the opening may ultimately be; but the Greek lyric is adapted in the light of the Menippean satire. Alcaeus' strangeness is attenuated in this "Hellenistic" poem by the way his lyric is made to recall one of Varro's Menippeans, as well known as Alcaeus to Horace's audience. There is a touch of mordant humor in Horace's use of Varro, with whom he disagreed so strongly about the true course of Latin literature. It is especially ironic to find Varro here in the opening section of Book 1 of the *Odes*, where Horace displays his metrical genius to such great effect. Another side of Horace's lyric talent can be more readily discerned in *Carm.* 1. 9. Working with such disparate material as Alcaeus and Varro, Horace wrote a lyric as strongly unified as it is expressive of his hedonistic assertions.

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NOTES

1. E. Fraenkel, *Horace* (Oxford, 1957), pp. 176–77; n. 4 below.

2. Cf. A. D. Leeman, "Some Comment on Fraenkel's Horace," *Mnemosyne*, XI (Ser. 4) (1958), 244–50.

3. Fraenkel, *op. cit.* (above, n. 1), p. 26.

4. E.g., M. P. Cunningham, "*Enarratio* of Horace *Odes* 1. 9," *CP*, LII (1957), 98–102; M. G. Shields, S. J., "*Odes* 1. 9: A Study in Imaginative Unity," *Phoenix*, XII (1958), 166–73.

5. Fraenkel, *op. cit.* (above, n. 1), p. 177; cf. A. Y.

Campbell, *Horace* (London, 1924), pp. 224–25; L. P. Wilkinson, *Horace and His Lyric Poetry* (Cambridge, 1951), pp. 129–31; V. Pöschl, "Horaz," in *L'Influence grecque sur la poésie latine de Catulle à Ovide*, Fondation Hardt, *Entretiens sur l'antiquité classique*, II (1953; publ. Geneva, 1956), 93–127, esp. 100–101. Perhaps the best discussion is by G. Pasquali in *Orazio lirico* (Florence, 1920), pp. 75–86.

6. Cf. Wilkinson, *op. cit.* (above, n. 5), p. 129.

7. Pasquali, *op. cit.* (above, n. 5), pp. 81–82, correctly maintains that Alcaeus, *P Oxy.*, 1233, col. 2, need have little or nothing to do with Horace's development of the relevant Alcaeus passage, Frag. 62 Reinach-Puech; 34 Bergk.

8. Pasquali, *op. cit.* (above, n. 5), pp. 75ff.; A. Kiessling, "Horatius," *Philol. Untersuchungen*, II (1881), 62ff.

9. Ed. Bücheler in *Petronii Satirae*[3] (Berlin, 1882), Frags. 460–84. To the best of my knowledge no scholar has confronted this satire with Horace's ode. For further discussion of the *Sesculixes* and of Varro's Menippeans in general see U. Knoche, *Die römische Satire*[2] (Göttingen, 1957), pp. 34–45, 114, esp. 40; A. Marzullo, *Le "Satire Menipee" di M. Terenzio Varrone* (Modena, 1958), pp. 53–55 adds very little new. F. Della Corte, *Varrone: Il terzo gran Lume Romano* (Genoa, 1954) is generally useful, esp. pp. 44ff. on V.'s philosophical development (but cf. H. Dahlmann, *Gnomon*, XXVII (1955), 176–81.) Della Corte also discusses the *Sesculixes* in his *La poesia di Varrone Reatino ricostituita, Memorie della Reale Accademia delle Scienze di Torino*, Ser. 2a, LXIX, Part 2, 1937–1939 (Torino, 1938), pp. 43–44.

10. But also cf. Mueller's emendation of 467: "Pieridum comes / quae cavata tenent gelo / saxa putria montium," Non. Marc. 3. (Leipzig, 1903), p. 789 L. (492. 3).

11. Horaz[2], ed. Kiessling-Heinze, I (Berlin, 1958) *ad v.*; cf. *Carm.* 4. 1. 25; Pasquali, *op. cit.* (above, n. 5), pp. 84, 85. Varro elsewhere uses *Thespiades* to mean *Musae*: *LL* 7. 20.

12. Pasquali, *op. cit.* (above, n. 5), 84, 85.

13. The parallels are Accius *Trag.* 282 "benigne ei pro beneficio largi[re]"; interestingly Lucilius couples *invitati* with *benigne*, 1147; Livy 22. 30. 64, *benigne* with *inviti*. Sen. *Ben.* 6. 291 uses *benigne* with the gerund *largiendum*. Cf. *TLL*.

14. *Epp.* 2. 1. 50ff.; Fraenkel, *op. cit.* (above, n. 1), pp. 387, n. 4, and the literature there cited.

15. Knoche, *op. cit.* (above, n. 9), p. 40; Marzullo, *op. cit.* (above, n. 9). p. 53. On Varro's confronting past and present in *Sesculixes*, cf. Della Corte, *La poesia...ricostituita* (above, n. 9), pp. 43–44; cf. Hor. *Sat.* 2. 5; Menippus speaking in Lucian *Necyomantia* 8; Diog. Laer. 6. 101.

16. "Unam viam Zenona munisse duce virtute, hanc esse nobilem. alteram Carneadem desubulasse bona corporis secutum," 483; "alteram viam deformasse Carneadem virtutis e cupis acris aceti," 484; cf. "quod Minerva propter stet, id significare eum propter doctrinam," 470.

17. Specifically sexual at one point (perhaps in reference to Epicureanism to judge from 482: "quid enim est quod homo masculus lubentius videre debeat bella uxore?").

18. On Varro's antiphilosophical activity and his philosophical relativism cf. Dahlmann's discussion, RE, Suppl. V (1935), 1259ff., and esp. 1270ff. Della Corte, *La poesia... ricostituita* (above, n. 9), pp. 46–47: cynicism with Menippus had become a literary pretext with which various school philosophies could be ridiculed. Varro "con le sue satire antifilosofiche prendeva posizione contro tutte le dottrine" (p. 47). Recent attempts to chart Horace's philosophical outlook in terms of schools remain largely unconvincing (e.g., K. J. Reckford, "Horace, Augustan and Epicurean" (Diss. Summ., *HSCP*, LXIII [1958], 524–26). The best discussion of the influence of the cynic diatribe on Roman satire is C. Schneider's dissertation, *Juvenal und Seneca* (Würzburg, 1930), pp. 9–20. For its influence on Varro see Knoche, *op. cit.* (above, n. 9), pp. 35ff.

19. Pasquali, *op. cit.* (above, n. 5), p. 82.

20. *Sat.* 2. 3. 14ff.; see also W. S. Anderson, "Horace's Siren," CP, LVI (1961), 105–8.

21. Della Corte, *La poesia...ricostituita* (above, n. 9), p. 43 draws attention to the relationship between *Od.* 9. 345f. and Frag. 461. The context of the adventure with Cyclops can safely be assigned to 461. Other direct echoes of the *Odyssey* in *Sesculixes* are: 460 (5. 292); 471 (17. 290ff.); 468 (9. 159). Could a line near Frag. 461 have mentioned the wooden stake heated in the fire and hence parallel Alcaeus' fire and stand behind Horace's *ligna super foco*?

22. Kiessling, *op. cit.* (above, n. 8), p. 62.

TWO NOTES ON DIOPEITHES THE SEER

I

The view that Diopeithes, the proposer of the impiety decree recorded in Plutarch *Pericles* 32, was an oligarch, or at least an extreme conservative, has often been expressed and is perhaps even more widely assumed. Even Jacoby and Busolt have accepted and helped promulgate this belief.[1]

Yet Plutarch himself lends no support to this view, for he does not label the source of the opposition to Pericles which, in his view, caused the decree. Indeed, in all the ancient testimony[2] there is no explicit indication of Diopeithes' political views. Only one statement even suggests that he was a supporter of the right wing. The scholion on Aristophanes *Knights* 1085 says: ... ἦν δὲ καὶ Νικίου ἑταῖρος. It is not clear that the word *hetairos* is here used in its technical sense of a member of an antidemocratic association.[3] Nor is there any indication of the source of the scholion. The testimony, assuming that it is reliable, probably simply means that Diopeithes was one of the sayers of oracles often consulted by Nicias. It is certainly no proof of his oligarchic persuasion.

The literary evidence, scanty as it is, might equally well be used to support an opposite view. It is curious, for instance, that the comic poets should be so ill disposed toward a gentleman allegedly so conservative. Aristophanes, as is noted by