S. 324,37 ff. Nobis ad certam regulam loqui fas est, ne uerborum licentia aetiam de rebus quae his significantur impiam gignat opinionem: Aug. ciu. 10,23 (CC 47 S. 297,23–26).
S. 333,11 (Nr. 7) punctus est ille inuidiae mucrone: Vitae patr. 5,14,17 (PL 73 S. 951 D).
S. 334,26 (Nr. 8) Rem potius ipsam dic, ac mitte male loqui: Ter. Andr. 873.
S. 355,14 (Nr. 7) Fama malum quod (statt qua od. quo) non alivd velotius ullam: Verg. Aen. 4,174.
S. 356,53 (Nr. 27) Musica in luctu importuna narratio: Siv. 22,6.

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WAS M. CAECILIUS METELLUS A RENEGADE?
A NOTE ON LIVY, 22.53.5.

In the course of his account of the battle of Cannae in 216 B.C., Livy (22.53.1–13) relates a curious incident which allegedly took place in the aftermath of the Roman débacle. Some refugees found their way to Canusium where they obtained shelter; once there, two military tribunes, Ap. Claudius Pulcher and P. Cornelius Scipio (later Africanus), were acknowledged the leaders.

Quibus consultantibus inter paucos de summa rerum nuntiat P. Furiosis Philus, consularis uiri filius, nequiquam eos perditam spem fovere; desperatam comploratamque rem esse publicam; nobiles iuvenes quosdam, quorum principem L. Caecilium Metelum, mare ac naues spectare, ut desertà Italia ad regum aliquidem transfugiant.

[5 L. (et in & 12) PCRMDA: M. H.J. Mueller ex Glareano (cf. 24.18.3; 27.11.12 et 36.9; 28.10.3) Caecilium P\(^1\) CRMDA]

(OCT 3, 1954, 22.53.4–6)
This dramatic move was averted and the panic overcome through the prompt intervention of Scipio who made the dissidents swear an oath of loyalty to Rome, after which they were confined under guard.1

In 214 a certain M. Caecilius Metellus was elected quaestor (Liv. 24.18.3–4), and from the text it is quite apparent that Livy was under the impression that this was the same man who advocated the desertion of Italy in 216.2 In due course, this politician was summoned for trial before the censors, P. Furius Philus and M. Atilius Regulus, and condemned for his treason (Liv. 24.18.4); the penalty was harsh, removal from his tribe and reduction of rank to aerarius.3 In the next year, however, this M. Metellus was elected tribune of the plebs (Liv. 24.43.2), whereupon he impeached the censors for their previous ruling, but was restrained from the indictment by his colleagues who intervened to save Philus and Regulus from acute embarrassment.4 Four years afterwards, in 209,5 the censors, M. Cornelius Cethegus and P. Sempronius Tuditanus, debarred M. Metellus from membership of the Senate since they considered him to be unacceptable to that body because of his behaviour after Cannae (Liv. 27.11.12).6 Still this reverse did not prevent him from becoming plebeian aedile in 208 (Liv. 27.36.8). Q. Caecilius Metellus secured the consulship for 206 (Liv. 28.10.2) after bringing news of the Roman victory at the Metaurus (Liv. 27.51.3), and probably as a result of his brother’s popularity M. Metellus was elected praetor.7 His confirmation as praetor urbanus (Liv. 28.10.9) suggests that his role in the Canusium conspiracy had at last been forgiven and forgotten especially as Livy, for the first time, omits to couple his name with the accusation of coniuration. Moreover, his later career, which included the position of legatus to Pergamum to request that the Magna Mater be brought to Rome (Liv. 29.10.4–5, 11.3) and member of a delegation to Greece at the end of the Second Macedonian War in 196 to assist Flamininus in negotiations with Philip V (Liv. 33.30.1, 35.1–2), was completely respectable.

Although opinions remain divided about the correct praenomen for the Metellus who was supposedly a conspirator in 216, then quaestor, tribune, plebeian aedile and praetor, some preferring the initial mention of a ‘Lucius’ to the other references to a ‘Marcus’, there has been a tendency to favour the latter name in more recent times.8 And it is now generally accepted that Livy’s ‘L. Metellus’ at 22.53.5 and 12 must either be an error on the part of the writer himself or of a copyist. With clear evidence of a career between 214 and 196, there is no good argument against a full cursus for M. Caecilius Metellus.

While the evident confusion about Metellus’ praenomen can thus be considered to have been the product of an error in the MSS, a much more thorny problem is posed by Livy’s preoccupation with a conspiracy whose magnitude, on reflection, seems, at the very least, to have been exaggerated.
At some point in the composition of his account of the Second Punic War Livy became aware of what appeared to have been a notorious event after Cannae, but was unable to reconcile this episode with the continued success in elections to public offices of its major participant. With M. Metellus’ acquisition of a praetorship all defamatory comments cease, a puzzling fact and one not easily resolved. Livy, the earliest writer to mention this coniuratio, cannot have derived his information from either Polybius or Cicero, who, significantly, are utterly silent about a plan to desert Italy. Some mention in their works ought to have survived if it had really been as momentous as Livy seems to claim, especially since Polybius’s history, in chronological terms, is the source closest to the actual event, and Cicero undoubtedly would not have resisted using such infamous activities in his works. Still, three later sources refer to the same episode: Valerius Maximus, with evident uncertainty, mentions the involvement of a Marcus (2.9.8) and also a Quintus Metellus (5.6.7), Silius (10.418, 12.305) and Orosius (4.16.6) name a Caecilius Metellus, but provide no praenomen. Although Livy’s ultimate source for this period cannot be identified with any certainty, the most intriguing, and arguably most likely, possibility is the elder Cato’s Origins. This work was evidently employed by Livy elsewhere, and may well have contained references to cowardly behaviour after the battle of Cannae. Furthermore, it is possible that other senatorial historians, such as Cn. Gellius and Piso Frugi, in dwelling on this episode, magnified its historical relevance either for the glorification of Scipio Africanus and his family or for the vilification of the Caecilii Metelli who rose to great prominence in Roman political life. That two Caecilii Metelli were, by the end of the second century, lampooned in satirical verse is well established, so it is not beyond the bounds of possibility that other members of this family were also the victims of character defamation. The fame of Scipio Africanus must have survived in eulogies of some form through which it found its way into the tradition, while his illustrious descendant, by adoption, Scipio Aemilianus, the destroyer of Carthage, augmented the family glory and gave new opportunities for legends to be composed. It is not unlikely, therefore, that the first century annalists, Coelius Antipater and Valerius Antias, likewise, transmitted the story with considerable embellishments and influenced Livy’s own elaborate version.

Thus the leading role of M. Metellus in a conspiracy in 216 may be historical, but, considering his subsequent career, it appears very unlikely. Moreover, the whole question of the desertion of Italy by ‘nobiles iuuenes’ begins to look suspiciously like a later invention designed either to enhance the prestige of Scipio Africanus or to denigrate the Caecilii Metelli. And while no firm conclusion can be offered for the specific origin of Livy’s assertions against Metellus, though Cato is an obvious culprit, nor the exact reason for its emergence, it is painfully apparent that one M. Caecilius
Metellus of the Roman Republic has not fared particularly well due to a hostile tradition in the literary sources.

NOTES

1. For recent discussions of this episode see J. Van Ooteghem, Les Caecilii Metelli de la République, Brussels, 1967, 45-46; R.T. Ridley, "Was Scipio Africanus at Cannae?", Latomus 34 (1975) 161-165.

2. Election to the quaestorship must mean that Metellus was at least twenty-five years old, hence born about 240, a son of the cos. 251, L. Caecilius Metellus, Münzer, RE Caecilii no.72. The quaestor of 214 may well have been a military tribune at Cannae in 216.

3. On reduction to the rank of aerarius, Liv. 44.16.8 (P. Rutilius, trib. 169), 45.15.8; Val. Max. 6.5.3; R.M. Ogilvie, A Commentary on Livy, Books 1-5, Oxford, 1965, 573. The censors had the right to reduce the rank of an offender and remove him from his tribe to another (Liv. 45.15.3-4), but they could not disenfranchise a citizen without the approval of the people. This most extreme of penalties does not appear to have been enforced in 214.

4. Impeachment of censors was clearly not at all uncommon; thus C. Claudius Pulcher and M. Livius Salinator were indicted by the tribune Cn. Baebius in 204, Liv. 29.37.17, and C. Claudius Pulcher and Ti. Sempronius Gracchus were accused of perdulium by the tribune P. Rutilius in 169, Liv. 43.16.11. Metellus' failure to prosecute Philus and Regulus in 214 was not an unmitigated disaster since the former died soon afterwards and the latter abdicated with the lustrum incomplete, Liv. 24.43.4.

5. The censors of 209 were the first to complete the lustrum for at least a decade, since although the censors of 220, L. Aemilius Papus and C. Flaminius, are believed to have completed their term of office there is actually no evidence for that assumption. The censorial pair of 220 are missing from the fasti, thus only the censors of 225, C. Claudius Centho and M. Iunius Pera, are entered there with 'l(ustrum) f(ecerunt)', CIL 1² 24; Inscr. Ital. 13.1.45. L. Veturius Philo and P. Licinius Crassus were elected for 210, but the former died soon after and the latter abdicated, Liv. 27.6.18.

6. On exclusion of names from membership of the senatorial order compare Liv. 40.51.1.

7. Q. Caecilius Metellus was one of the three legates chosen to deliver the good news to Rome of the victory. Of the other two, L. Veturius Philo was also elected consul for 206, Liv. 28.9.19-10.2.

8. The text of Livy at 22.53.5 was first emended by H.J. Müller in the Teubner edition of 1909. Cf. Münzer, RE Caecilii no.73; W. Drumann – P. Groebe, Geschichte Roms, Leipzig, 1899-1929, 2.16; F. Sobek, Die Quaestoren der römischen Republik, Breslau diss., 1909, 7; G. Niccolini, I Fasti dei Tribuni della Plebe, Milano, 1934, 92-93; T.R.S. Broughton, Magistrates of the Roman Republic, New York, 1951-52, 1.260 and n.2, 1.285; Ridley (above note 1) 161 who fails to account for Metellus' plebeian aedilic peace in 208. It is important to note, however, a point missed by some recent works, viz that both Münzer, RE Suppl. 3.221-222, and Broughton, 2.538, changed their opinion about this matter. See also R.J. Evans, 'Q. Caecilius Metellus Macedonicus', Acta Classica 29 (1986) 100; Van Ooteghem (above, note 1) 45; H.H. Scullard, Roman Politics 220-150 B.C., Oxford, 1973², 54, n.4.

9. The change of tone is extremely abrupt and noticeable within the space of one book. Thus Liv. 27.11.12 refers to Metellus with the, by now familiar, connection
with Canusium, but at 28.10.3 his election as praetor draws no comment whatsoever from the author.

10. The *coniuratio* features in Dio, fr. 57.28; Zon. 9.2; *de Vir. Ill.* 49.5; but is treated cursorily with the focus on Scipio, the only figure named.

11. Thus Livy's account of the repeal of the *lex Oppia* in 195 includes a speech by Cato in opposition to the motion (34.2.1–4.20). This oration although not directly copied from Cato, has sufficient reminiscences to show that Livy probably had access to the original. On this issue see D. Kienast, *Cato der Zensor*, Roma, 1973, 21–24; A.E. Astin, *Cato the Censor*, Oxford, 1978, 213, 302–307, and 237: 'It still does not follow with absolute certainty that Livy had actually seen those speeches, but there is obviously a strong possibility that he had done so'.

12. Lucilius, fr. 232–4 (Warmington) = 676–9 (Marx), an attack on C. Caecilius Metellus Caprarius, cos. 102, for being a 'rustic praetor'; fr. 636–7, 644–5 (Warmington) = 676–9 (Marx), Q. Caecilius Metellus Macedonicus, cos. 143, cens. 131, satirised for his speech, while censor, on the desirability of marriage and propagation. Cf. Liv. *Per.* 59; Suet. *Aug.* 89.2; Gell. *NA.* 1.3.1–3. It should be remembered, of course, that Macedonicus had four sons and two daughters who survived infancy. Note also Naevius' earlier *altercatio* with the Caecilii Metelli, Pseud-Ascon., ad Cic., *Verr.* 1.10.29 = Warmington 2.155: 'Fato Metelli Romae flint consules'.

13. Scipio Aemilianus was the benefactor and patron of Polybius who emphasised the lofty character of Africanus in Book 10 of his history, especially at 10.2.1–5.10; Ridley (above note 1) 165. Other litterati associated with Aemilianus may have written similar accounts at a time when *inimicitia* is attested between him and Macedonicus, Cic. *de Amic.* 21.77; *de Off.* 1.25.87; A.E. Astin, *Scipio Aemilianus*, Oxford, 1967, 24, 312–315, on the literary circle of Aemilianus, 294–306.

14. Ridley (above note 1) 165 is inclined, on the whole, to accept the Canusium conspiracy as historical, but admits that the heroic action of Scipio is dubious, and perhaps designed to add further lustre to his career.

15. If the major role given to Metellus in 216 is a fabrication, then it would necessarily call into question the activities of the censors in 214 and 209, at least as far as these were concerned specifically with this politician. Such deliberate or accidental falsification of Roman history in the ancient literary sources is, of course, easily discernible, thus R.J. Evans, 'Quis erat Nunnius?' *AHB* 2 (1988) 42–48.
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