

## ASCONIUS AND FENESTELLA

In the commentaries of Asconius on Cicero's speeches, Fenestella is the most frequently cited source after the *acta*. Fenestella is mentioned five times: once in the comments on the *in Pisonem*, once in those on the *pro Milone*, once for the *pro Cornelio*, and twice (on the same matter) for the *in toga candida*. The *acta* are mentioned six times<sup>1</sup>), but not with the same spread since all but one of the references come in the comments on the *pro Milone*<sup>2</sup>). Fenestella wrote at the close of the Augustan period, and perhaps under Tiberius; a notice in Jerome for the year A.D. 19 records his death when in his seventies (which would put his birth about 52 B.C.)<sup>3</sup>). On the other hand, Pliny puts the date of his death right at the end of Tiberius' principate<sup>4</sup>), which suggests that he died c. A.D. 36 and was born therefore about 35 B.C. (assuming that he was a septuagenarian when he died)<sup>5</sup>). But this would not fit the statement made by Plutarch that Fenestella says he saw one of the two slave girls sent to provide Crassus with the enjoyments appropriate to his years when he was in hiding in Spain after fleeing from the Cinna regime<sup>6</sup>); as this incident took place about 85 or 84 B.C.,

1) Ascon. 22.20 (= 19.4), 31.2 (= 31.13-14), 38.29 (= 44.9), 39.3 (= 44.13), 40.21 (= 47.1), 42.5 (= 49.7). References to Asconius are to the page and line number of Stangl's edition (Leipzig 1912), with those of Clark's edition (Oxford 1907) in brackets.

2) The *acta* could, of course, be used as a source for only two of the commentaries we have (those on the *pro Scauro* and the *pro Milone*), since they alone were delivered in the period after the institution of the *acta* in 59 B.C.

3) Hier. on anno Abr. 2035 = A.D. 19: *Fenestella historiarum scriptor et carminum septuagenarius moritur sepeliturque Cumis*. These dates for Fenestella's birth and death are accepted by, e.g., W.S. Teuffel, *A History of Roman Literature* (rev. L. Schwabe, trans. G.C.W. Starr), 5th edn. (London 1891) Vol. I pp. 534-535, and H. Peter, *Historicorum Romanorum Reliquiae* (Stuttgart 1906) Vol. II p. cx.

4) Plin. N.H. xxxiii 146: *sua memoria coeptum Fenestella tradit, qui obiit novissimo Tiberii Caesaris principatu*.

5) For further discussion of the dates, see G. Wissowa, *RE* VI (1909) 2177, and Peter, *HRR* Vol. II p. cx.

6) Plut. *Crass.* v 2-4. For discussion of the incident and of the length of Crassus' stay in Spain, see B.A. Marshall, *Crassus: a Political Biography* (Amsterdam 1976) pp. 11-12.

and as the girl was presumably in at least her mid-teens by then, she would have had to have been a very old woman indeed by the time Fenestella was old enough to have interviewed her, if the later date for his birth was accepted.

Fenestella wrote *annales* in at least twenty-two books<sup>7</sup>), of which an epitome was made<sup>8</sup>). He had an antiquarian interest (as shown by the passage of Pliny to be discussed below), which may have been displayed in works other than historical<sup>9</sup>), and an interest in anecdotal material<sup>10</sup>). He appears also to have had an interest in the Ciceronian period, but it may have been that there was a greater coverage of this period in his writings because of the greater abundance of material as he got closer to his own time.

The frequency with which Asconius refers to Fenestella (at least once in each commentary we have except that on the *pro Scauro*) suggests that he was used a good deal more than for the sections where his name is actually mentioned<sup>11</sup>). Asconius puts him on a par with Sallust and Livy, in a statement which hints at extensive use of all three<sup>12</sup>). Asconius is presumably following the usual ancient practice of using a source extensively, but only mentioning the name when there is some particular reason for doing so (such as disagreement).

There are one or two places where it is possible to suggest that Fenestella was a source for Asconius, though not actually named. Lichtenfeldt thinks that the comment at 33.26-27 (= 35.25-26), that because of delays in holding the consular elections rumour was increasing that Pompeius ought to be made dictator, comes from Fenestella via Asinius Pollio<sup>13</sup>). A similar statement is found in Appian<sup>14</sup>), with hints at the republican dislike for such an assumption of power which would have been typical of Pollio – and Pollio is known to have been

7) Peter, HRR, fr. 21 (= Non. s. v. 'rumor').

8) Peter, HRR, fr. 30 (= Diom. p. 365 K.).

9) Teuffel, op. cit. pp. 535-536.

10) As indicated by the sort of material taken from Fenestella by Plutarch at Sull. xxviii and Crass. iv-v.

11) C. Lichtenfeldt, de Q. Asconii Pediani fontibus ac fide (Breslau 1888) p. 55.

12) Ascon. 53.21-24 (= 66.23-67.3): quoted below at n. 23.

13) Lichtenfeldt, op. cit. pp. 56-57 (the argument is tortuous); cf. Stangl, n. on 33.26-28.

14) App. B.C. ii 20.

used as a source by Appian<sup>15</sup>). It is more likely then that Asconius got the comment on the rumour about Pompeius direct from Pollio<sup>16</sup>); Asconius was on friendly terms with Pollio's son Gallus<sup>17</sup>), and would presumably have been familiar with his work. The *annales* which at 30.4 (= 30.4) Asconius says he used as a source for the background to the trial of Milo may therefore have included the history written by Asinius Pollio, which began with events of the year 60 B.C.<sup>18</sup>). They will also most likely have included the *annales* of Fenestella, since he is mentioned early in the background comments at 31.3 (= 31.14-15), and this would be indicative of the extensive use which Asconius made of Fenestella's work.

Another point at which it can be suggested that Fenestella was used as a source is the comment on the condemnation of the Vestal Virgins in 113 B.C.<sup>19</sup>). Macrobius, deriving his information from Fenestella, records the dates of two of the trials<sup>20</sup>); obviously Fenestella's account, which is typical of his interest in antiquarian and religious matters, would have been fuller than just dates of trials, and in view of Asconius' extensive use of Fenestella, it is most likely that his comment on this incident is derived from Fenestella<sup>21</sup>).

From the five passages where Asconius actually names Fenestella, it is clear that he disagrees with him more often than he agrees. At 13.22-23 (= 5.9) he voices no disagreement with Fenestella's record that P. Rutilius Nudus, an officer serving under M. Aurelius Cotta in Bithynia in 74 B.C., was Piso's father-in-law<sup>22</sup>), nor does he find fault at 53.21-24 (= 66.23 ff.) with Fenestella's record of the major item of C. Aurelius Cotta's legislation during his consulship in 75 B.C. (the lifting of the bar on tribunes' standing for higher office)<sup>23</sup>).

15) Ibid. ii 82; cf. P. J. Cuff, *Historia* 16 (1967) 185-188.

16) J. Humbert, *Contribution à l'étude des sources d'Asconius dans ses relations des débats judiciaires* (Paris 1925) p. 114 n.

17) Serv. on Verg. *Ecl.* iv 11: *Asconius Pedianus a Gallo audisse se refert hanc eclogam in honorem eius factam.*

18) Hor. *Carm.* ii 1.1 and 14.

19) Ascon. 39.27-40.5 (= 45.27-46.6). Other references to the trials of the Vestals can be found in T. R. S. Broughton, *MRR* Vol. I pp. 534 and 536-537.

20) Macrobi. *Sat.* i 10.5.

21) Cf. Stangl, n. on 40.1-2.

22) *Ipsius Pisonis, contra quem haec oratio est, socerum Rutilium Nudum Fenestella tradit.*

23) *Nam neque apud Sallustium neque apud Livium neque apud Fenestellam*

There are two stated disagreements. At 31.1-3 (= 31.13-15) Asconius points out Fenestella's wrong date for Milo's journey to Lanuvium<sup>24</sup>); that the date should be 18th January (and not a day earlier as Fenestella states) is confirmed by the speech itself (Cic. Mil. xxvii) as Asconius says. At 66.14-16 and 67.8-11 (= 85.13-17 and 86.15-18) Asconius produces some arguments to say why it is clear that Cicero had not defended Catilina on the extortion charge in 65 B.C.; Fenestella apparently claimed that he did<sup>25</sup>).

Some other disagreements can be found. Aulus Gellius records that Asconius made reference to Fenestella's mistake over the age of Cicero when he delivered the *pro Sexto Roscio*<sup>26</sup>). At 20.23-24 (= 16.5-56) Asconius records the view that Pompeius was the first to exhibit an elephant fight (at the games which marked the opening of his theatre in 55 B.C.), a view which is followed by Seneca<sup>27</sup>). Pliny records, however, that Fenestella gives a different version, that C. Claudius Pulcher was the first to put on an elephant fight in 99 B.C.<sup>28</sup>). It is interesting to speculate whether Asconius knew Fenestella's version; if he did, we might have expected him to point out his disagreement.

In view of Asconius' regular habit of pointing out where Fenestella was wrong, some editors have suggested that his name should be inserted in some passages where Asconius points out a mistake but where the name of the person making the statement is missing in our text. At 11.6 (= 1.7) the name of the author who claimed that the *in Pisonem* was delivered at the end of the consulship of L. Domitius Ahenobarbus and Ap. Claudius Pulcher (i.e. 54, when it was delivered in 55 B.C.) is missing in the text. Fenestella was first suggested in the *editio princeps*

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*ullius alterius latae ab eo legis mentio praeter eam quam in consulatu tulit invita nobilitate magno populi studio ut eis qui tr. pl. fuissent alios quoque magistratus capere liceret.*

24) *A.d. XIII Kal. Febr. (acta etenim magis sequenda et ipsam orationem quae actis congruit puto quam Fenestellam qui a.d. XIII Kal. Febr. tradit)...*

25) For a discussion of this particular error by Fenestella, see R. Syme, *JRS* 37 (1947) 202.

26) Gell. xv 28.4: *in qua re etiam Fenestellam errasse Peditanus Asconius animadvertit, quod eum scripserit sexto vicesimo aetatis anno pro Sex. Roscio dixisse*. This passage suggests, by the way, that Asconius wrote a commentary on the speech *pro Sex. Roscio*, and helps to extend the known range of commentaries written by Asconius (cf. the edition of Kiessling and Schoell [Berlin 1875] intro. pp. xv-xxi).

27) Sen. Brev. Vit. xiii 6.

28) Plin. N.H. viii 19.

(Venice 1477), and this has been followed by Poeth, Lichtenfeldt, and Peter<sup>29</sup>); other suggestions are Tiro and Nepos<sup>30</sup>). The strongest argument against accepting Fenestella as the missing authority here is the length of the lacuna; the three main manuscripts are agreed that the missing name occupied four or five letter spaces.

At 56.2-4 (= 70.9-13) something has been left out at the end of the passage quoted from Cic. Har. Resp. xxiv, dealing with the setting aside of special seats for senators at the Megalesian Games by Scipio Africanus in his second consulship in 194 B.C., and at the beginning of Asconius' comment where he says that an author (name missing) also wrote that the seats were set aside by the consuls Africanus and Sempronius Longus, without mentioning the Megalesian Games but recording them simply as votive games. Kiessling and Schoell suggest that Fenestella is the missing author<sup>31</sup>), again presumably on the grounds that this represents a typical disagreement of Asconius with Fenestella. Further, discussion of games and the origin of the reservation of special seats would have been the sort of thing on which Fenestella is likely to have written, given his known antiquarian interest. Variation in Cicero's accounts is also likely to have been of interest to Fenestella, since the citations of him by Asconius and Aulus Gellius show him to have been regarded as a Ciceronian expert.

Perhaps there was a reason for Asconius' almost constant disagreement with Fenestella. In the case of Cicero, Asconius can be critical also, but even so he tries to find excuses: e.g. at 14.8-10 (= 5.16-6.8) he justifies the incorrect figure of forty years given by Cicero for the interval from the killing of Saturninus to his own consulship (when it should have been thirty-seven) as being a rounded figure, and at 55.17-56.14 (= 69.21-70.25) he says that the variant versions given by Cicero about Scipio Africanus' reservation of seats for senators at public games are a mark of his oratorical skill because he altered the story to suit his audience. In the case of Fenestella, Asconius seems to go out of his way to be critical<sup>32</sup>). Why should Asconius

<sup>29</sup>) J. Poeth, in Stangl, n. on 11.6; Lichtenfeldt, op. cit. p. 56; Peter, HRR Vol. II p. cxii.

<sup>30</sup>) Kiessling and Schoell, intro. pp. xii-xiii (cf. n. ad loc. on p. 1); J. P. Hildebrandt, de scholiis Ciceronis Bobiensibus (Berlin 1894) p. 15 n. 3.

<sup>31</sup>) N. ad loc. on p. 62.

<sup>32</sup>) Syme, op. cit. p. 202, is more gentle in his assessment of Asconius' criticism of Fenestella: "Asconius expresses his doubts [about Fenestella's

have done this? Perhaps, writing a generation later, he took an almost donnish delight in pointing out the errors of a man who laid claim, like himself, to being a scholar. There are numerous instances where scholars tried to outdo each other in learning, or to find errors in each other's work<sup>33</sup>): e.g. Gellius' pointing out of the mistake of Cornelius Nepos and of Fenestella over the age of Cicero when he delivered the *pro Sextio Roscio* in the passage dealt with earlier, or his account of Favorinus (N. A. iv 1) and of Apollinaris (N. A. xviii 4) pointing out the shortcomings of boastful but ignorant teachers. Perhaps Asconius' constant criticism of Fenestella is an example of this academic rivalry.

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view that Cicero defended Catilina], quietly and firmly... Asconius, who eschews offensive superiority or elaborate refutations, elsewhere names him with respect. About the source of Fenestella's error he has not cared to inquire. It does not look like sheer invention or mere malice."

33) See, for example, the discussion in M. L. Clarke, *Higher Education in the Roman World* (London 1971) p. 24, and A. Gwynn, *Roman Education* (Oxford 1926) pp. 198-199.