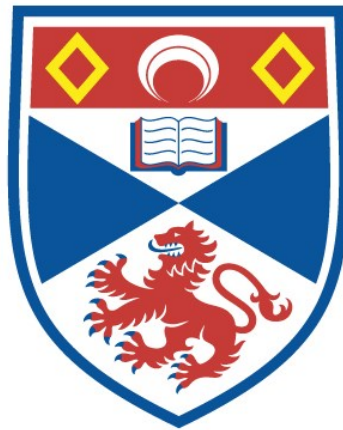


# The *togata* and the construction of 'Roman' identity in the mid Republic

Giuseppe Eugenio Rallo

A thesis submitted for the degree of PhD  
at the  
University of St Andrews



2022

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## Abstract

This thesis aims to be the first monograph in English on the *togata*, a 'Roman' dramatic genre, which I analyse as a source for the construction of 'Roman' identity in the mid Republic, that is to say, for the definition of the characteristics and beliefs that allegedly distinguished the identity of the Roman people (and their culture and literature) from (the identity of) others, according to the Romans themselves.

In my investigation of the *togata*, I search for elements of identity, understood as a construct that is both literary and cultural. That the *togata* was engaged with the construction of a literary identity is shown, above all, by the fact that, as far as the extant evidence shows, it was written in Latin, not in Greek (a fact which should not be taken for granted), and also by the fact that the fragments contain a restricted number of Greek borrowings. *Togata* plays were set in Rome or in Italian territory under the control of the Romans; the genre featured characters who had (often though not exclusively) Roman names; and it was anchored in a Roman literary tradition (above all that of Plautus) as regards themes, genre conventions, character-behaviour, style and language. The cultural dimension of this form of identity construction is shown, for instance, in the treatment of characters, some of whom display features that reflect specific traits of Roman society (such as the *uxor dotata*, that is, the dowered wife).

The construction of 'Roman' identity traceable in the *togata*, in both of the senses noted already, did not involve, however, a complete dissociation from sources of foreign influence, according to a monolithic conception of identity. Greek literary models exerted influence on the *togata* (in some cases this influence was explicitly recognised), and even provided the blueprint for the codification of what is (or should be) specifically Roman. Moreover, the world of the *togata* was multicultural and multilingual, featuring characters with non-Roman (especially Greek) names, who, nonetheless, were integrated into a hierarchical framework in which the Romans were at the top, socially and morally.

My main aim then is to explore the problematic corpus of the *togata* in search of evidence that may help to shed light on the complex process of constructing 'Roman' identity in the mid Republic. The results of my work contribute to current scholarly discourses on identity, Greek and Roman drama, and gender.

## **General Acknowledgements**

When I began this doctoral project, I asked myself, and was asked by others, to give answers to unanswered questions. Beppe Pezzini, my principal supervisor, was for me the best guide a young scholar could wish to work with. He guided me and helped me to refine my skills as a researcher. Without him, no word of this thesis would have ever been written. I thank Costas Panayotakis, my secondary supervisor, for his kindness, erudition, and magnanimous suggestions. He saw much in this thesis I would have never noticed otherwise. I also thank Tom Biggs, who, in the final writing of the thesis, read my work and provided me with very helpful feedback. I likewise thank Gianna Petrone and Maurizio Bianco: I do not have enough words to describe how constant and supportive their presence has been in my academic life. I also owe my gratitude to (mentioned in alphabetical order) Shadi Bartsch-Zimmer, Karen Bassi, Ruth Caston, Mattia De Poli, Emma Dench, Dorota Dutsch, Tom Geue, Sander Goldberg, Erich Gruen, Stephen Halliwell, Bob Kaster, Jason Koenig, Ioannis Konstantakos, Nikoletta Manioti, Laura McClure, Salvatore Monda, Tim Moore, Alan Sommerstein, Henry Stead, and Andrew Wallace-Hadrill. They read early drafts of some sections of the thesis and/or sent me some of their contributions (related or not to the thesis) especially during the pandemic and/or with whom I had fruitful email exchanges about my research and beyond. I really owe Carrie La Rocco, Alastair Lumsden, Jenny Messenger, Michael Sharp, and Matthew Shelton: they read parts of this work, and gave me some linguistic suggestions. I also thank all the people I have been very lucky to meet during my doctoral years, scholars, colleagues, students from all over the world: they have enriched me so much, and I shall never forget them.

## **Funding**

This work was supported by the SGSAH (that is, Scottish Graduate School for Arts and Humanities), and the University of St Andrews (School of Classics and St Leonard's College).

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*To my Mom, my Dad, and my Brother*

## Introduction

### 1. The *Togata*: Preliminary Foreword

The *togata* is normally defined as ‘comedy in *toga*’, named as such after the *toga*, the traditional mantle worn by Roman and, more generally, by Italian people. This adjective is often set in comparison with, and opposition to, the adjective *palliata*, which refers to ‘comedy in *pallium*’, the traditional Greek mantle.<sup>1</sup> Along with the *palliata*, the *cothurnata/crepidata* (‘tragedy in Greek shoes’), the *praetexta* (‘tragedy in Roman dress’), the *Atellana* (‘comedy associated with the town of Atella’), and the *mimus* (‘mime’), the *togata* can be thus considered a subtype of Roman drama.<sup>2</sup> Though it is difficult to establish precise dates for Titinius, Afranius, and Atta, the sole authors of the *togata* to whom *togatae* titles and fragments are attributed,<sup>3</sup> ancient sources suggest that the *togata* developed in the mid Republic, that is, between the middle/end of the third century BCE and the very beginning of the first century BCE.<sup>4</sup>

### 2. Historical Context: The Mid Republic

In the mid Republic, the Romans continued expanding their power over several peoples, such as the Latins, the Bruttians, the Carthaginians,<sup>5</sup> and, above all, a variety of Greek

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<sup>1</sup> As I have shown in Rallo 2021a: 174-190 and Rallo 2021b: 216-229, defining the *togata* as exclusively ‘comedy in *toga*’ is only partially correct, and the issue of the definition of the term deserves closer attention in scholarship. On this issue, see also the second part of the first chapter of the thesis, where I explore the multiple senses of the term *togata* through a scrutiny of the ancient sources.

In the thesis, I use both the singular form *togata* (and, for instance, *palliata*) and the plural form *togatae* (and, for instance, *palliatae*). When using the former term, I mean the genre as a whole and/or a single theatrical representation; when using the latter term, I mean all the theatrical representations (or those specifically mentioned in parts of the thesis) attributed to the authors of such dramatic performances.

<sup>2</sup> For a general introduction to Roman drama, see e.g. Beare 1964; Gratwick in Kenney and Clausen 1982: 77-137; Manuwald 2011; Petrone 2020; for a focus on Roman comedy, mandatory reading is Duckworth 1952.

<sup>3</sup> See I.1.1 and the Appendix to the thesis.

<sup>4</sup> On the Roman Republic, see e.g. Crawford 1978; Walbank 1981: esp. 227-251; Shipley 2000: 368-399; Flower 2004; Flower 2010: esp. 80-96 and 97-104; for a political approach to the subject, cf. e.g. Zecchini 2009; Moatti 2015: 10-44; Hodgson 2017; for a focus on economic and social change in mid Republican Rome, cf. Gabba 1988.

<sup>5</sup> Cf. Dench 1995: 67-108 about Roman cultural uses of stereotypes of Carthage in the mid Republic with a focus on Italians and Rome.

nations, who represented a constant presence in the history of the Romans, along with their culture and their 'identity'. By the term 'identity' I mean, in general, a construct that:

- provides individuals and communities with conceptions of the self and ways of viewing the world through differentiation;
- informs and is informed by literary,<sup>6</sup> cultural,<sup>7</sup> and broader socio-political<sup>8</sup> categories.

More specifically with reference to the theatrical form of entertainment known as *togata*, I take the term 'identity' to refer to the form and the content—that is to say, the distinctive characteristics—of the genre itself: in other words, I view 'identity' as a construct used both for the formal (linguistic, generic, poetic) and content-related features that make up the theatrical representations called in literary works *togatae*, and then for their presentation as 'Roman'.<sup>9</sup>

The usage of the term 'identity', here and throughout the thesis, requires some further clarification. This word is in fact not attested in Republican literature:<sup>10</sup> it is a modern construction "which undergoes changes as the social, political, and cultural circumstances of our lives change".<sup>11</sup> Over the last few decades, scholars such as Said,<sup>12</sup> Bauman,<sup>13</sup> Sen,<sup>14</sup>

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<sup>6</sup> By which I mean the distinctive characteristics of a language or style of writing suitable for, or typical of, a work of literature.

<sup>7</sup> By which I mean the elements featuring the culture of a particular society or group, its customs, and beliefs.

<sup>8</sup> By which I mean the features relating to society and politics.

<sup>9</sup> On the polysemy of this adjective, see my discussion in the next paragraph, and throughout the thesis.

<sup>10</sup> The term *identitas* (cf. the Greek term *ταυτότης*, attested from Aristotle onwards – Arist. *EN*. 1161b 31; then in Gal. 6.643 and Damasc. *Pr.* 423), which is translatable as 'identity', is attested for the first time in the Latin literature of fourth century CE, i.e. in Marius Victorinus (under the pseudonym of Candidus) *epist.* 2 (*identitatem naturae*), and in *adu. Arrium* 1.48, p. 1078A (*siue altera in identitate, siue eadem in alteritate*).

<sup>11</sup> Schmitz and Wiater in Schmitz and Wiater 2011: 22. On 'identity' (along with 'ethnicity') as modern terminology, see e.g. Dench in Barchiesi and Scheidel 2010: 267-268. Cf. also Hölscher 2008: 52 who notes that "the term 'identity', individual as well as collective, is a creation of the twentieth century, increasingly in use after World War II and in particular during the last generation, when it became a fundamental catchword of social and cultural studies".

<sup>12</sup> Said 1979: 54, "it is enough for 'us' to set up these boundaries in our own minds; 'they' become 'they' accordingly, and both their territory and their mentality are designated as different from 'ours'. To a certain extent modern and primitive societies seem thus to derive a sense of their identities negatively".

<sup>13</sup> Bauman 2004: 77, "identity comes to life only in the tumult of battle; it falls asleep and silent the moment the noise of the battle dies down".

Bourdieu,<sup>15</sup> and Elliott<sup>16</sup> have addressed identity in modern times, often without giving a strict definition of the term: rather, they have investigated social, religious, cultural, linguistic, and behavioural aspects of identity construction, which are indicative of identity formation. These scholars have illustrated how society, religion, culture, language, and behaviour exert influence on identity itself. This is the general theoretical framework in which I incorporate my above definition of identity, applying it to my argumentation about the *togata* and to the construction of the 'Roman' identity in the mid Republic.<sup>17</sup> I agree with what these scholars have written about the influence which elements such as society and culture have exerted on the construction of identity. This is what I too find in the identity formation of the *togata*, which refers to the way in which the genre is influenced by the various factors that make up Roman identity outside of literature.

After this preliminary clarification, I now move on to the historical context of the *togata*. One of the most important events of the mid Republic was the conquest of Tarentum in 272 BCE, which allowed the Romans to establish their power in the southern Italian peninsula, experience the local cultures of Greek colonies in this area, and reach the Mediterranean. The conquest of Tarentum did not represent the first time Romans met Greeks and their culture: this had already happened centuries before through the Etruscan filter.<sup>18</sup> What happens in the mid Republic is a further engagement with Greeks and their culture, an engagement which was consolidated by the aforementioned conquest of Tarentum and, three decades later, by the conquest of Sicily, at the end of the First Punic

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<sup>14</sup> Sen 2006: esp. 3-18, 20-41, 42-58 and 60-84. Sen reflects on how the question of identity is a complicated matter, especially when one discusses identity formation referring to religions, and when one thinks about the bond between 'us' and 'others'.

<sup>15</sup> Bourdieu 1991: 220-221, "struggles over ethnic or regional identity are a particular case of the different struggles over classifications, struggles over the monopoly of the power to make people see and believe, to get them to know and recognise, to impose the legitimate definition of the divisions of the social world and, thereby, to make and unmake groups. What is at stake here is the power of imposing a vision of the social world through principles of division which (...) establish meaning and a consensus about meaning, and in particular about the identity and unity of the group, which creates the reality of the unity and the identity of the group".

<sup>16</sup> See the volume edited by Elliott 2020 with several approaches concerning the matter (e.g. ethnicity, gender, media, politics, and death).

<sup>17</sup> On this, see below in this introduction, section 3.

<sup>18</sup> Cf. e.g. Feeney 2016: 104.

War in 241 BCE. In Sicily, the Romans created their first province,<sup>19</sup> thereby becoming further acquainted with Greek drama and culture.<sup>20</sup> The decades after the conquest of Sicily were likewise dense with pivotal events for the Romans: they continued to expand their hegemonic power and, at the end of the third century BCE, triumphed over the Carthaginians in the Second Punic War (219-202 BCE). These events brought a huge amount of luxury to Rome, which influenced Roman art and life.<sup>21</sup> Sumptuary laws were a consequence of those years,<sup>22</sup> “when Roman society was developing fast and tried to reassert its core values against influences from abroad”.<sup>23</sup>

Meanwhile, in the mid Republican period, Rome was expanding its power not only over the Italian peninsula and the Mediterranean but also in Greece and the East. One may cite here the First Macedonian War (215-205 BCE), in which the Romans prevailed over King Philip V, who wanted to extend his power in Illyricum, and the Second Macedonian War (200-197 BCE), when Philip V was again defeated by the Romans. Some years later, Rome defeated the Aetolian Confederacy, signed the Peace of Apamea (188 BCE), prevailed over Perseus of Macedon (Battle of Pydna, 168 BCE), sacked Carthage and Corinth (146 BCE), and besieged Numantia (133 BCE).<sup>24</sup>

The Roman history of this period is thus characterised by the strong influence of Greek culture and society, as in fact was the case from the very beginning of Roman history. As Feeney put it, “interaction with Greek culture was, from the start, a distinctive feature of the Romans’ relentlessly energetic modernism, marking them out from their peers as early as the seventh century”.<sup>25</sup> The increasing familiarity of the Romans with Greek culture explains various literary activities in the mid Republic such as the compositions of the playwright Liuius Andronicus, who probably came to Rome from Tarentum, after the

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<sup>19</sup> On this, see e.g. Cirucci in Lyons, Bennett, and Marconi 2013: 134-143.

<sup>20</sup> See e.g. Dearden 2004: 121-130; Brown in Fontaine and Scafuro 2014: 402-403; Feeney 2016: 122-123.

<sup>21</sup> See Gruen 1992: 84-130.

<sup>22</sup> On *leges sumptuariae*, see e.g. Daube 1969: 117-128; Sauerwein 1970: *passim*; Gruen 1990: 170-174, and 178-179.

<sup>23</sup> Manuwald 2011: 159.

<sup>24</sup> See also Gruen 1990: esp. 65-68, and 129-136. On these and other historical and cultural events, Conte 1987: 646-650 (on the third century BCE), and 650-656 (on the second and part of the first century BCE).

<sup>25</sup> Feeney 2016: 9.

conquest of the latter.<sup>26</sup> We will also see an intense engagement with Greek culture and society in the fragments and titles of the *togata*, for instance, in the Greek names of characters (i.e. prostitutes and slaves) populating the fictional plot of the extant *togatae*, and in the possible literary bond between the authors of the *togata* and the authors of Greek comedies, i.e. Middle and New Comedy. As I shall elucidate in the thesis, the *togata* testifies to how Roman culture was infused with Hellenic culture, and that, as happened with the works of Plautus and Terence, in the *togatae* motifs and characters with Greek names on stage likely played a role in helping audiences negotiate identity at Rome in an era of expansion and domination.

In what follows, I discuss the crucial trends in scholarship when it comes to identity construction in the mid Republic and show why and how they support my own approach. My main aim is in fact to offer an analysis of ‘Roman’ identity construction, and thus reveal how the *togata* may mirror onstage, or at least be influenced by, such identity construction of the Romans in the mid Republic.

### 3. ‘Roman’ Identity in the Mid Republic

At the start of this discussion I clarify the various ways in which I use the adjective Roman/‘Roman’ throughout the thesis, considering that defining *Romanus* in the mid Republic is not a simple task. Indeed, the term could be applied to several categories.<sup>27</sup> This variety is due to the complexity of the meaning of the word depending on the context of the discussion in which I incorporate it. In this study, I employ:

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<sup>26</sup> On Liuius Andronicus and the emergence of the *palliata*, see further remarks below in this introduction, section 4.

<sup>27</sup> Mid Republican sources use the term to refer, for instance, to *Romana iuuentus* (cf. e.g. Enn. *Ann.* 499), *res Romana* as belonging to the city of Rome and differentiating it from (that of) Latium (Enn. *Ann.* 466), *Romanus magistratus* (see e.g. Gracch. *Orat.* 48.9), and *populus Romanus* (cf. e.g. Lucil. 26.613M.). The term also denotes citizenship (Dench 2005: 222-297 and 298-361; Wallace-Hadrill 2008: 41 and 443; Ando 2015: 91-92), an indeterminate category (e.g. Dench 2005: 26-35), and, in the Imperial period, anything related to the Roman Empire or experienced as Roman (see e.g. Woolf 1998; Revell 2009 and 2015; Lavan in König, Langlands and Uden 2020: 37-57). However, it has to be noted that in the first centuries CE authors such as Pliny and Quintilian used *Romanus* to describe peoples and things still linked specifically with the city of Rome (Plin. *Pan.* 26.3-4; 31.3; Quint. *Inst.* 8.1.3.4: the passages imply that, as suggested by Adams 2003b: 194, the inhabitants of Rome are considered true Romans).

- Roman when the usage refers to the city of Rome or its people, and it continues the tradition of the *palliata* which Romanised Greek originals;
- 'Roman' in its loose sense, that is to say, when it refers to a plurality of Roman, Latin, Italian, and Greek elements.

As mentioned earlier,<sup>28</sup> there is strong engagement with Greek culture in the mid Republic, and this continues a process which had started centuries before. Such engagement offers us an opportunity to highlight the construction of 'Roman' identity in the mid Republic: in other words, how did the Romans in this period apparently construe their identity? What did they think of themselves? How and to what extent did Greek culture contribute to the construction of identity for the Romans at that time?

In the last few decades, there have been important studies dedicated to the construction of identity in the mid Republic. Scholars such as Gruen and Feeney have explained the construction of such identity as Hellenised. In *Studies in Greek Culture and Roman Policy* (1990) and *Culture and National Identity in Republican Rome* (1992), Gruen singles out how Roman culture was always profoundly Hellenised. He reflects on the role and impact of Greek culture in the Roman world, and discusses to what extent the Romans assimilated and adapted Greek culture, Greek literature, Greek religion, and Greek language into their society. According to Gruen, the Greeks culturally conquered Rome, and for this reason Romans are entirely Hellenised. Like Gruen, Feeney's investigation in *Beyond Greek: The Beginnings of Latin Literature* (2016) stresses the strong presence of Greek culture in the identity construction of the Romans in the mid Republic, though with a viewpoint different from that of Gruen. Feeney emphasises how the Romans conquered the Greeks, and not vice versa, as Gruen highlights. Feeney illustrates the 'aggressive' nature that characterises the Romans: the latter have always wanted to create a culture, appropriating

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<sup>28</sup> See section 2.



as well as creating their identity in comparison with, and opposition to, the 'others'.<sup>29</sup> In other words, Feeney clarifies how the Romans of that period wanted to foist their hegemonic power along with their values upon the Greeks. Though taking different views, Gruen and Feeney agree with the fact that Greek culture is determinant in the construction of the identity of the Romans, and it is thus impossible to imagine construing such identity without the presence of the Greeks and their culture. I agree with Gruen and Feeney, and I would argue that what they have pointed out in relation to the identity construction of the Romans in the mid Republic may be applied to, and is supported by, my analysis of the *togata*. This view is seen in the fragments and the titles of the *togata*, which testify to the fact that the Greeks, as well as their culture and literature, were a constant means of comparison for the Romans.

Meanwhile, there is a scholarly position which approaches identity construction by analysing the presence of elements which are native/indigenous (Habinek) and are said to uniquely belong to the Romans. This approach is taken in particular in *The World of Roman Song: From Ritualized Speech to Social Order* (2005), where one finds discussion of the *carmen* (that is, 'song') as an element characterising the identity of the Romans.<sup>30</sup> The work of Habinek is an example of an approach which uses supposedly native elements to reconstruct identity in the mid Republican period. His discussion is fruitful for my investigation related to the *togata*: indeed, as a 'Roman' literary genre, the *togata* reveals the presence of elements which are native,<sup>31</sup> and which then may be considered as distinctively featuring the Roman people. Such an approach is helpful for my analysis of the *togata*: the extant *togatae* portray indigenous elements which mark this theatrical genre as one at least partially committed to transmitting aspects of native culture.

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<sup>29</sup> In particular, Feeney 2016: 7 singles out how "in the Roman middle Republic (...) Romans, Greeks of different heritages, and many other peoples, encountered and reshaped each other in unprecedented ways"; see also Feeney 2016: 10, "the culture of the people we call the Romans is continually being reinvented and redescribed, in a process of ceaseless interaction with new groups with whom they are always coming into contact". On the concept of 'other-ness'/'alterity' in antiquity, Gruen 2011: *passim*.

<sup>30</sup> On this aspect, see also Fisher 2014: *passim*. The scholar points out the various Italian linguistic indigenous features that show Ennius integrating cultural and religious features of what is a hybrid identity.

<sup>31</sup> See below in this introduction, sections 5 and 6, and throughout the thesis.

Scholars have also considered the construction of identity in the mid Republic as plural/multivalent (Dench). In other words, the identity of mid Republican Romans has been seen as a complex mixture of cultural and ethnic elements. In *Romulus' Asylum: Roman Identities from the Age of Alexander to the Age of Hadrian* (2005), Dench investigates how the Romans thought of themselves, and focusses on how their identity was a plurality, a construct whose "plural, often virtual, and comparatively permeable quality discourages enquiry and evades definition".<sup>32</sup> Dench's approach is persuasive and supports my argumentation about the *togata*: 'Roman' identity may be in fact seen as formed by "immigration, mobility, and cultural fusion",<sup>33</sup> and the theatrical genre of the *togata*, as I shall show in the thesis, seems to filter such plurality by performing it onstage.

How does my thesis then further advance our knowledge of the subject? What kind of identity is provided for us when reading the titles and the fragments of the *togata*, which may be linked to what has already been explained about the mid Republic? How does analysis of the titles and fragments of the *togata* help to shed light on this construction? In the extant titles and lines of the *togata*, I see a combination of what has already been said in relation to the construction of the 'Roman' identity in the mid Republic. The literary discussion dealt with here supports my focus on the *togata* and its identity construction, in the sense that the titles and the fragments of the *togata* have the potential to offer us a view of how Titinius, Afranius, and Atta fabricated the identity of their dramatic works, an identity which reflects the identity construction in the mid Republic, being Hellenised, 'aggressive', native/indigenous, and plural/multivalent.

- Hellenised: this is suggested by the presence and characterisation of prostitutes and slaves with Greek names in the *togatae*, and more generally characters attested in the Greek comic tradition (either Middle or New Comedy); a literary synergy between titles of *togatae* and titles of Middle and New Comedy.

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<sup>32</sup> Dench 2005: 30. See also Dench 2010: 266-280.

<sup>33</sup> Dench 2005: 103.

- ‘Aggressive’: the *togata* seems to represent onstage how the Romans were ‘devouring’ other cultures.
- Native/indigenous: this is shown by the fact that the *togatae* were written in Latin,<sup>34</sup> the attestation of settings and themes exclusively concerning Rome and the Italian territory under the control of the Romans in the mid Republic; the presence of characters’ names only attested in the *togata* and not in other genres (in particular the *palliata*); the presence and characterisation of indigenous characters not attested elsewhere and alluding to the native flavour of the *togata*; the usage of Latin perceived, above all, as ‘elegant’, a terminology employed to describe the way in which the Romans of the mid Republic supposedly spoke, as reported by ancient authors.
- Plural/multivalent: this is suggested by the presence of multiculturalism and multilingualism onstage; a range of characters belonging to several traditions.

Reading the fragments and the titles of the *togata* through these categories is one of the central and original strands of my thesis, as no one so far has construed the *togata* in such a way. As I shall show, the *togata* offers the reader the possibility of further reconstructing ‘Roman’ identity in the mid Republican period. Before analysing the identity construction of the *togata*, in what follows I focus on the literary context of the mid Republic in which the *togata* is involved.

#### 4. The Literary Context of the Mid Republic

How did the Romans create their literature? What does it mean to develop Roman literature in the mid Republic? What are the main features of such literature? What kind of

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<sup>34</sup> When discussing the indigenous flavour of the *togata*, it would be possible to argue that the very name *togata* (representation ‘in *toga*’) suggests this theatrical genre viewed as a purely native genre. However, the name *togata* given to such dramatic representations is later than the theatrical performances themselves (on this, see my analysis at I.2.1, I.2.2, I.2.3, and I.2.4). In other words, it is reasonable to state that *togata* may not have been viewed as such by its actual playwrights.

relationship could one identify between the literary genres of the mid Republic and the *togata*?

Roman literature<sup>35</sup> is said to conventionally start in 240 BCE (that is, right after the end of the First Punic War),<sup>36</sup> a moment which “constitutes a milestone in Rome’s literary history”.<sup>37</sup> In that year, at the *ludi Romani*, a play (or a series of plays) by Liuius Andronicus was performed.<sup>38</sup> From this moment onward, Roman literature is supposed to have begun a process of imitating, appropriating, and assimilating Greek culture.<sup>39</sup> The construction of literary identity starts with a translation and adaptation project,<sup>40</sup> which was an artistic work,<sup>41</sup> and represented a revolutionary act characterising the Romans:<sup>42</sup> before 240 BCE there had in fact been no translations from Greek literature into another language.<sup>43</sup> This was then an exceptional moment in Roman history and culture at that time, a culture which, after a few decades, became “intimately connected with the preservation, importation, and circulation of texts”.<sup>44</sup>

The first author of Roman literature, Liuius Andronicus, translated Greek plays into Latin known as *cothurnatae/crepidatae*<sup>45</sup> and *palliatae*,<sup>46</sup> represented during the *ludi* in 240 BCE,

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<sup>35</sup> On the definition of literature (and its construction), see the detailed discussion in Goldberg 2005. In particular, the scholar stresses how (at 17-18) “in emphasizing what authors do in producing texts, traditional accounts of Roman literary history pay considerably less attention to the fact that literature requires readers as well as writers. It is not just the creation and collection of certain texts but an attitude toward those texts that mark them as literature”. Cf. also Wiseman 2015: *passim*.

<sup>36</sup> On the place and role of the First Punic War in the history of Roman literature, see e.g. Biggs 2020.

<sup>37</sup> Gruen 1990: 82. See also Leo 1913: 47.

<sup>38</sup> Cicero (*Brut.* 72) says that Liuius was the first to put on a play without specifying whether it was a comedy or a tragedy. On this and other sources, Manuwald 2011: 34-35.

<sup>39</sup> On the integration of Greek culture in second century BCE Rome, see e.g. Wardman 1976; Gruen 1992; Gruen in Rosenstein and Morstein-Marx 2010: 459-477; Brown 2014: 401-408 (focussing, in particular, on the beginnings of Roman comedy); Feeney 2016: 157-159.

<sup>40</sup> Feeney 2016: 17-44 and 45-64 discusses the translation and adaptation project as conveying a sense of centralised and organised goals in the production of Latin works in dialogue with Greek models.

<sup>41</sup> This is the scholarly idea from Leo 1895/1912: 88-89, and Leo 1913: 59-60 onward.

<sup>42</sup> Excellent discussion of the translation in Roman literature is found in McElduff 2013.

<sup>43</sup> See e.g. Conte 1987: 28; Paduano in Questa, Paduano, and Scandola 2011: 30; Manuwald 2011: 282; Feeney 2016: esp. 17-40.

<sup>44</sup> Habinek 1998: 37.

<sup>45</sup> On this, see e.g. Beare 1964: 70-84; Grimal 1975: 260-274; Aricò 1997; Schiesaro in Bushnell 2005: 269-286; Manuwald 2011: 133-140.

<sup>46</sup> The secondary literature on the *palliata* is massive: see e.g. Manuwald 2011: 144-156, quoting relevant secondary literature at 144 n. 51; more recently, Petrone in Petrone 2020: 111-148, and 149-196.

and was interested in the translation of Greek epic into Latin. He composed the *Odusia*,<sup>47</sup> which “was intended to open up a new genre for Roman literature”,<sup>48</sup> and was written in Saturnian verse, a Roman metre,<sup>49</sup> thus representing “a conscious choice that is part of an entire transformational strategy”.<sup>50</sup> From Andronicus onward, Roman literature can be defined as a sort of Graecising literature in Latin: that is to say, Liuius wrote something which—thematically—belongs to Greek literature (that is, the narration of the adventures of Odysseus), but in which—linguistically and stylistically—he was original, choosing Latin as a language for his work, and an indigenous metre, the Saturnian, and not the Homeric hexameter. The process of creating Roman literature then lies in a sort of hybridisation of Greek and Roman traditions, as was also the case for Naeuius and Ennius. These authors, like Andronicus, translated scripts from Greek tragedy and Middle and New Comedy into Latin: they used Latin as language for their theatrical works, which reflected Greek literature and culture. The case of Naeuius and Ennius is interesting: apart from the authorship of Greek plays in Latin, they were authors of works dealing with specifically Roman subjects in Latin. Naeuius authored the *Bellum Poenicum*, an epic composition in Saturnian verse dealing with Rome in the First Punic War.<sup>51</sup> He also composed *praetextae*,<sup>52</sup> such as *Romulus* and *Clastidium*. To Ennius are attributed works entitled *Sabinae* and *Ambracia*, which was perhaps a *praetexta*,<sup>53</sup> and the *Annales*, a celebration of Roman history in Homeric hexameter.<sup>54</sup> Ennius’ *Annales* deserves attention, as it introduces to Roman literature a specifically Roman theme using a Greek metre, the Homeric hexameter. Creating Roman literature thus means to cross the boundaries

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<sup>47</sup> On Liuius Andronicus’ *Odusia*, see Mariotti 1986; cf. also Traina 1974: 11-13, and Conte 1987: 28.

<sup>48</sup> Kaimio 1979: 273.

<sup>49</sup> On the importance of the Saturnian verse, cf. e.g. Luiselli 1967; Cole 1972: 3-5; Goldberg 2009: 431; McElduff 2013: 50.

<sup>50</sup> Feeney 2016: 59.

<sup>51</sup> On the *Bellum Poenicum*, mandatory readings are Mariotti 1955 and Barchiesi 1962.

<sup>52</sup> On this, see e.g. Grimal 1975: 27-29; Zorzetti 1980; Flower 1995: 170-190; Manuwald 2001b; Erasmo 2004: 52-70; Schiesaro 2005: 269-286; La Conte 2008; Manuwald 2011: 140-144.

<sup>53</sup> On Ennius’ *Ambracia* and Fulvius Nobilior, cf. e.g. Gruen 1990: 114; on the importance of *praetextae*, further remarks are found in Goldberg 2005: 16-17; more recently, Degl’Innocenti Pierini in Petrone 2020: esp. 76-78.

<sup>54</sup> See Conte 1987: 68; Gruen 1990: 123. On the *Annales*, Skutsch 1985; Gildenhard in Eigler, Gotter, Luraghi, and Walter 2003: 93-114; Fitzgerald and Gowers 2007; Fisher 2014; further remarks are found in Feeney 2016: 193-194.

between Greek and Roman literature, as we do also find the influence of the Greek model when talking of specifically Roman matters: Ennius introduces himself as the reincarnation of Homer (as we read in the *Annales*, 2-11 Sk.),<sup>55</sup> and he thus introduces the latter as his Greek model, alluding to a dependence on him.<sup>56</sup>

From its origins, Roman literature was created in relation to works composed in Greek and viewed as models on which the Latin adaptation was based, more or less loosely. This is proudly recognised in the prologue to the Terentian *Andria*. Indeed, Terence says that Naevius and Ennius (along with Plautus) ‘contaminated’ Greek plays in Latin (*An.* 15-21), thus revealing a practice where different authors of Roman literature were engaged; Plautus himself is mentioned in the prologue to another Terentian comedy, the *Adelphoe*, at 6-7, as a poet who has written his *Commorientes* taking material from Diphilus’ *Synapothnescontes*. This aside, Plautus and Terence themselves explicitly allude in their comedies to such a bond with the Greek models.<sup>57</sup> Plautus, in particular, in *Pl. As.* 10-11 and *Trin.* 18-19, declares he has ‘translated’ a Greek play into barbarian, using the verb *uertere* (that is, ‘to turn’);<sup>58</sup> Terence, in *Ter. An.* 9-16, refers to the practice of *contaminatio* (*contaminari...fabulas* – *Ter. An.* 16), thus emphasising the process of mixing up material taken from several plays.<sup>59</sup> Along with Plautus and Terence, one may also mention Caecilius Statius, to whom forty titles of *palliatae* are attributed, titles with either Greek or Latin form (e.g. *Gamos*, *Epicleros*, *Synaristōsae*, and also *Epistula*, *Pugil*), a feature which may further help us to figure out how the creation of Roman literature was in continuous conversation with Greek literature and culture.<sup>60</sup>

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<sup>55</sup> See e.g. Goldberg 1995: 89-90.

<sup>56</sup> Cf. also Feeney 2016: 166.

<sup>57</sup> It is worth clarifying that the playwrights of the *palliata*, especially Plautus, made several additions and changes to their originals: on this, Fraenkel 2007 (revised version): esp. 252-286. On the bond between Roman comedies and their Greek model(s), see e.g. Halporn in Scodel 1993: 191-213; Danese 2014: 35-51; Telò in Dinter 2019: 47-65.

<sup>58</sup> On *uertere*, cf. e.g. Traina in Cavallo, Fedeli, and Giardina 1989: 97; Bettini 2012: 39.

<sup>59</sup> Further remarks are found at I.3.1.3.

<sup>60</sup> Not only were comic authors involved in a literature which translated/adapted Greek models, but also tragic authors of the mid Republic, such as Pacuvius, who was author of *cothurnatae* (twelve surviving titles), and Accius, who likewise authored *cothurnatae* (forty surviving titles). On the importance of Greek tragedy for the Romans, Cowan 2010: 49.

That Greek models exerted influence on mid Republican Roman literature, not only from literary and metrical points of view but also on linguistic grounds, is testified by the usage of Greek language in Roman historiography: Fabius Pictor authored the *Annales*, the narration of events from the foundation of Rome to the end of the Second Punic War, and used Greek to reach Romans and non-Romans.<sup>61</sup> Other authors of *Annales* may be quoted, who likewise made use of Greek, such as Cincius Alimentus, Gaius Acilius, and Aulus Postumius, and in later times C. Acilius and Gn. Aufidius.<sup>62</sup> Roman historiography uses Greek to deal with Roman history: this further stresses how the creation of Roman literature, even when it focusses on indigenous matters, is influenced by Greek models. In such a scenario, however, one cannot fail to mention the first usage of Latin for the narration of Roman history: I allude to Cato's *Origines*, which dealt with the history of Italians and foreigners from the beginning of Roman history in Latin,<sup>63</sup> though it was clearly influenced by Greek models. In other words, even though the use of Latin in the *Origines* emphasises the national/nationalistic flavour of the work of a man who was considered the "arch-critic of Hellas and Hellenism",<sup>64</sup> Greek influenced Cato's work from a literary basis: the *Origines*, like the aforementioned literary genres of the mid Republic, "depended on Greek models and looked to Greek predecessors".<sup>65</sup>

Creating Roman literature means to develop, as already stressed above, a literature which is modelled upon Greek, both literally and linguistically. Even those literary genres, which at first seem not to have connections with Greek models owing to their national/nationalistic tone (e.g. historiography as seen through the *Annales* and the *Origines*), are deeply influenced by Greek. And even the *satira* by Lucilius, later described as 'totally' Roman (e.g. Hor. *Sat.* 1.10.46-49 and Quint. *Inst.* 10.1.93), is profoundly influenced by Greek, both on a literary and on a linguistic basis,<sup>66</sup> and provides us with an

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<sup>61</sup> On this, see e.g. Dillery in Miller, Damon, and Myers 2002: 1-23.

<sup>62</sup> On these, cf. Feeney 2016: 173-177.

<sup>63</sup> A good discussion is found in Sciarrino 2011.

<sup>64</sup> Gruen 1992: 52.

<sup>65</sup> Gruen 1992: 59.

<sup>66</sup> Gruen 1992: esp. 306-309; see also Chahoud 2004: 1-46; Chahoud in Oniga and Vatteroni 2007: 41-58.

“insight into the intellectual scene of late second-century Rome”,<sup>67</sup> which was Graeco-Roman.

The literary context of the mid Republic shows how the creation of Roman literature consisted of the usage of Greek literary models, which exert their influence on Roman literary genres of the mid Republic, and at the same time the insertion of uniquely Roman elements (e.g. themes and metres) not attested in Greek literature. This is the literary context in which the *togata* flourished, a scenario that makes a lasting impression on the formation of the *togata* as a ‘Roman’ literary genre. Like all the literary genres in the mid Republic mentioned here, the *togata*, as I shall illustrate in the following sections (and throughout the thesis), contributes to our knowledge of the creation—and development—of Roman literature in the mid Republic. In particular, we will see all the main features of mid Republican literature discussed here in the remaining *togatae*, including the usage of Greek literary models, though not on a linguistic basis—by this I mean that there is no usage of Greek words in the fragments and titles of the *togata*, and that the use of Greek-derived terms is relatively scarce.<sup>68</sup> I shall also show that there is a strong relationship between the *togata* and the Plautine *palliata*: my analysis will demonstrate that the *togata* continues the Roman literary and cultural tradition of the *palliata* of Plautus, also adding features not attested and/or not fully developed in the latter. Furthermore, for the first time in modern scholarship, I shall show how there is a creative synergy between Greek and Roman elements in the *togatae*, and how such a synergy plays a large part in my argumentation about the shaping and the identity of the *togata*, and also forms part of the misunderstandings and misconceptions that exist amongst many modern scholars about what *togata* may have been. One of my aims is then re-interpreting with fresh critical eyes the *togata*, posing identity questions which have not been considered so far, and which I believe may advance our knowledge of this theatrical genre. The *togata* offers examples of identity construction, which was literary and cultural, and I shall start by analysing the former.

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<sup>67</sup> Gruen 1992: 308.

<sup>68</sup> On this, see III.2.1, III.2.2., and III.2.3, where I discuss the main features of the lexicon of the extant *togatae*.



## 5. The Literary Identity of the *Togata*

In so far as we can tell from the extant fragments and ancient writers, the authors of the *togata* wrote their works in Latin, not in Greek. The usage of Latin for such theatrical performances should not be taken for granted: indeed, as shown earlier,<sup>69</sup> some mid Republican Roman authors (for example, Fabius Pictor and Cincius Alimentus) used Greek for their literary texts. That Latin was used for *togatae* is interesting to highlight as it may refer to a deliberate choice the playwrights of the *togata* made either on the basis of the nature of these theatrical works (that is to say, they are not historical works like the aforementioned ones) or the audiences themselves (that is to say, they are not written for an ‘international’ audience; rather they are written for a more ‘national’ – though not exclusively Roman – audience). The Latin of these *togatae*, especially of Afranius, as I shall show in my analysis, is perceived as ‘elegant’,<sup>70</sup> and may be compared with the manner in which the Romans of the mid Republic have spoken, namely with *elegantia*—‘word-choice’, according to ancient sources.<sup>71</sup>

The literary identity of the *togata* also has to do with the choice of settings and characters related to the city of Rome and, more generally, to the mid Republican ‘Roman’ world. Titles of *togatae* and internal pieces of evidence reveal how the *togatae* represented onstage elements openly connected to Rome. One may quote, for instance, titles such as *Megalensia* by Afranius and Atta, and *Compitalia* by Afranius,<sup>72</sup> which allude to Roman festivals celebrated in the city of Rome, and which were presumably settings for these *togatae*. There are also references to people coming from Latin or Italian places, for example the *togata* entitled *Setina* by Titinius<sup>73</sup> and the *togata* entitled *Brundisinae* by Afranius.<sup>74</sup> The presence of Roman settings in the *togata* differs from what is attested in the *palliatae*, whose settings are mostly Greek. The *togata* thus appears to portray onstage *domestica facta*, as

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<sup>69</sup> See section 4.

<sup>70</sup> See III.1.2.3.

<sup>71</sup> See III.1.3.

<sup>72</sup> See I.3.1.1.

<sup>73</sup> On this, see I.3.2.1.

<sup>74</sup> See I.3.3.1.

Horace reports in the *Ars Poetica*,<sup>75</sup> that is to say, indigenous elements,<sup>76</sup> whose attestation would make the *togata* more ‘Roman’ than the *palliata* (of Plautus, in particular).

Concerning characters, in the fragments and titles of the *togata*, one finds allusions to female and male characters who bear ‘Roman’ names (for example, Paula in Titin. *tog.* 109/110 R.<sup>3</sup>, and Titus in Afran. *tog.* 304/305 R.<sup>3</sup>),<sup>77</sup> names which are not attested in other genres of that period, as, for instance, in the *palliata* of Plautus, where names are mostly invented,<sup>78</sup> exotic and/or Greek.

The way in which the playwrights of the *togata* configured the identity of their theatrical works, however, is not only related to the representation of native settings and characters’ names. The authors of the *togata*, and Afranius in particular, were anchored with the Greek tradition of Middle and New Comedy. Even though scholars have so far assumed that the *togatæ* were not translations of Greek models and/or did not have connections with Greek plays, I shall show how their assumptions are probably incorrect. Indeed, there are at least three important elements which may testify to the relationship between *togatæ* and Greek models, thus having the potential to clarify how the *togata* was not merely a native Roman genre. Rather, it was a genre which closely looked at the Greek models, according to a process which makes the *togata* fit into a broader cultural and literary context.

First, in the prologue to the *togata Compitalia* (Afran. *tog.* 25-28 R.<sup>3</sup>), Afranius claims: . . .  
*fateor, sumpsi non ab illo modo, / Sed ut quisque habuit, conueniret quod mihi, / Quod me non posse melius facere credidi, / Etiam a Latino.*<sup>79</sup> The playwright boasts of having taken (note the verb *sumpsi*, a vague term since we do not really know what Afranius has ‘taken’)<sup>80</sup>

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<sup>75</sup> See Hor. *Ars* 288, which I analyse as a case study for the meaning of the term *togata* at I.2.4.

<sup>76</sup> On the indigenous tone of the *togata*, see also Beare 1940: 39.

<sup>77</sup> See I.3.1.2.

<sup>78</sup> On this, see I.3.1.2.

<sup>79</sup> Transl. from McElduff 2013: 218, “I confess it, I have not just taken what I believed I could not write better from that person [Menander], but from whoever seemed to have something suitable, even from a Latin [author]”. On this fragment, cf. Degl’Innocenti Pierini 1991: 242-246; Baier in Petrone and Bianco 2010: 79-80; Rallo 2020: 229-230; Monda in Cantore, Montemurro, and Telesca 2021: 205-211.

<sup>80</sup> On the verb *sumere*, see also Degl’Innocenti Pierini 1991: 244.

materials *ab illo*, that is from an author, who is likely Menander (especially keeping in mind what ancient sources suggest to us).<sup>81</sup>

Second, the connection between the *togatae* and the Greek comic tradition may be confirmed by the presence of characters not attested elsewhere in mid Republican Roman literature, but found exclusively in the *togata* and in Middle and New Comedy.<sup>82</sup> This suggests (some of) the authors of the *togata* knew Greek comedies and were somehow influenced by them in portraying characters onstage.

Similarly interesting (and this is my third point) is the correlation between titles of *togatae* and titles of Middle and New Comedy.<sup>83</sup> This connection may further suggest that the playwrights of the *togata* looked at the Greek comedies of the fourth and third centuries BCE, as did their *palliata* colleagues. It would be reasonable then to think that, as Beare put it, “the plots were largely based on New Comedy, and (...) most of the situations revealed by the fragments would be easy to fit into the framework of a *palliata*”.<sup>84</sup> The latter point also allows me to highlight the continuity between the *togata* and its Roman models: above all Plautus, as regards, for instance, characters and themes, and Terence, who is explicitly quoted by Afranius (Afran. *tog.* 29 R.<sup>3</sup>) as his possible Latin model.

The usage of Latin as the language of these theatrical works, the choice of native settings and characters with ‘Roman’ names, the influence which Greek literary models exert on the *togata*, and the fact that the *togatae* appear to be anchored in a well-consolidated Roman literary tradition (above all that of Plautus) are important indications as to the construction of identity of the *togata*, an identity which had also cultural implications.

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<sup>81</sup> Ancient sources, such as Cicero (*Fin.* 1.3.7), Horace (*Ep.* 2.1.57), and Macrobius (*Sat.* 6.1.4), notice the relationship between Afranius and Menander. On these passages here, see Petrone in Molina Sánchez, Fuentes Moreno, del Carmen Hoces Sánchez, de Miguel Mora, and Rodríguez Peregrina 2021: 547-551.

<sup>82</sup> See in particular II.2.3.

<sup>83</sup> On this, see table and further remarks at the end of the second chapter of the thesis.

<sup>84</sup> Beare 1940: 54.

## 6. The Cultural Identity of the *Togata*

References to Roman cultural identity are already attested, above all, in the *palliatae* of Plautus,<sup>85</sup> but not in those of Terence, where there are hardly any explicit references to Roman culture and society. As I shall highlight here and throughout the thesis, there is a continuity between what we read in Plautus and the playwrights of the *togata*; at the same time, however, the *togata* adds features which are not attested in Plautus, and which then make the *togata* not a mere copy of the Plautine *palliata*.

As in the *palliata* of Plautus, in the fragments of the *togata* one finds a distinction from a linguistic point of view between languages spoken in the Italian peninsula, as evident, above all, from Titinius (Titin. *tog.* 104 R.<sup>3</sup> *Qui Obsce et Volsce fabulantur: nam Latine nesciunt*).<sup>86</sup> Oscan and Volscian speakers, as we read in Titinius' fragment, do not know Latin, which is put on a different level from the former languages.<sup>87</sup>

Like the *palliata* of Plautus, the *togata* offers the reader the possibility of looking at characters not attested in other mid Republican Roman genres, or in the Greek comedy of the fourth and third centuries BCE: this is the case for the *uxor dotata*, strong and authoritative.<sup>88</sup> From a cultural point of view, there is thus a strong effort to portray onstage an element intrinsic to Roman culture, an element which may be either a comic exaggeration, and in any case a sign of how the authors of *togatae* continued the Roman literary tradition of Plautus, or a mirror of the condition of dowered Roman wives at that time.<sup>89</sup>

As in the *palliatae* of Plautus, textual evidence from the *togata* reveals a social hierarchy between characters. The *togata*, in particular, depicts a hierarchy between Romans and

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<sup>85</sup> See e.g. allusions to the *Lex Oppia* in Pl. *Aul.* 167-169, 475-535, *Ep.* 222-235, *Poen.* 210-231a, and the *aediles* in Pl. *Am.* 72, and *Capt.* 823; further allusions to Roman cultural identity are found in Pl. *Curc.* 462-486: on this, see e.g. Moore 1991: 343-362.

<sup>86</sup> Transl. from Adams 2007: 384, "those who speak Oscan and Volscian: for they do not know Latin".

<sup>87</sup> On this, further analysis may be found at I.3.3.2.

<sup>88</sup> See II.1.4.

<sup>89</sup> See II.1.5.

Greeks onstage: prostitutes and slaves in the *togata* have Greek names, for example *Moschis* (see Afran. *tog.* 136 R.<sup>3</sup>) and *Nicasio* (see Afran. *tog.* 189-191 R.<sup>3</sup>).<sup>90</sup> Evidence like this suggests that in the *togata* people are distinguished according to social backgrounds, and are put on a different, and inferior, level to Roman people. This point will be particularly interesting to deal with, as it will suggest how the *togata* might afford a glimpse into a new ethical code of Roman public behaviour which the *togata* may have promoted and advertised either implicitly or explicitly.

## 7. Thesis Outline

The first chapter discusses the most patent elements of ‘Roman’ identity construction traceable in the *togata*, focussing on its Roman playwrights, the sense of the word *togata*, settings, names, and motifs attested in the scanty *togatae*. In comparison with the playwrights of the *palliata*, the authors of the *togata*, in all likelihood, come from Rome, and are probably of noble origins, as the composition of their names suggests. The chapter then sheds light on the several senses of the term *togata*. An analysis of ancient sources, where the term *togata* with a theatrical sense is attested, will suggest how the sense of ‘comedy in *toga*’, which is widespread in modern scholarship, is only partially correct. Finally, the chapter moves on to an analysis of the *togata*, focussing on settings, names, and motifs found in its remains, and clarifying how the adjective ‘Roman’ (attributed to the *togata*) has not only a narrow meaning but also a multicultural and multilingual flavour.

The second chapter investigates a ‘deeper layer’ of ‘Roman’ identity construction in the *togata* focussing on the characterisation of female and male characters. I shall recover in the characters of the *togata* possible indications of the ‘Roman-ness’ of this theatrical genre.<sup>91</sup> Titinius, Afranius, and Atta represented characters attested in earlier and/or contemporary comic traditions, then appropriating what was staged in the Greek comedies of the fourth and third centuries BCE along with the *palliatae*; meanwhile, the playwrights of the *togata*

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<sup>90</sup> See II.1.3 and II.2.2 respectively.

<sup>91</sup> I employ the term ‘Roman-ness’ with caution: indeed, the term *Romanitas*, translatable as ‘Roman-ness’, does not exist in Republican literature. Its first attestation is in Tertullian, i.e. in *pall.* 4.1 = *PL* 2.1040 A. On this, cf. e.g. Kramer 1998: 81.

appear to have emphasised the identity of their theatrical representations with the employment of characters not attested elsewhere or not fully developed.

The third chapter discusses the 'Roman' identity construction of the *togata*, examining the ancient reception of the *togata*, and some important features of its lexicon. Focussing on the ancient reception of the *togata* further helps us to discern how the *togata* and its playwrights were perceived. I shall discuss the means of description and point out that there is a connection between the manner in which the *togata* is perceived and how the Romans themselves were perceived to speak in the mid Republic. The second part of the chapter explores the fragments and their characteristics from a lexical point of view. As I shall show, the linguistic identity of the *togata*, according to what is suggested by the titles and fragments, relies on *hapax legomena* and *primum dicta*,<sup>92</sup> as well as on the very infrequent usage, statistically speaking, of Greek borrowings and of rare Plautine terms and expressions.

## 8. Working on Fragments

Working on fragments is a challenging task.<sup>93</sup> As de Melo has correctly pointed out, "the difficult question that nobody with an interest in fragmentary authors can avoid is to what extent the remains that we have are representative of a work or an author as a whole".<sup>94</sup> In other words, one cannot have a full view of these authors and their texts. As a consequence, one has always to be careful when working with a fragmentary corpus: indeed, when extrapolating, conclusions must remain (and will inevitably remain) tentative. Concerning the *togata*, it must be acknowledged that the transmitted source material is very limited in scale: 186 lines and 15 titles, 434 lines and 43 titles, and 24 lines

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<sup>92</sup> By *hapax legomena* I mean terms which are 'only' attested in the *togata*. By *primum dicta* I mean terms attested 'for the first time' in the *togata*, and which then will be attested amongst other authors, also with a different meaning.

<sup>93</sup> On the difficulty of working on fragments, with a focus on Greek and Roman comic theatre, cf. *passim* the volume edited by De Poli, Rallo, and Zimmermann 2021. Cf. also the edited volume by Mastellari 2021, addressing a series of issues linked to fragments coming from scripts of Old, Middle, and New Comedy.

<sup>94</sup> de Melo in Fontaine and Scafuro 2014: 449.

and 12 titles for Titinius, Afranius, and Atta respectively. The majority of this material survives in the texts of later writers, particularly grammarians and lexicographers.<sup>95</sup> These writers had particular agendas and made their selections accordingly. Therefore, the data set we can consider from the genre of the *togata* has not been randomly sampled; rather, these later writers addressed their attention to peculiar items. As a result of this process, any kind of conclusion – along with the quantitative and qualitative analysis of the material we have –<sup>96</sup> necessarily has to be made with caution.

In any case, while it is problematic to work with fragments and identity issues related to them, it is nonetheless necessary and helpful for future research on the fragments of the *togata* and on the issue of identity in the ancient world. My main purpose is in fact to offer a clear picture of the *togata* and its ‘Roman’ identity construction to anyone interested in mid Republican drama, and ancient cultures in general. I am attracted above all to the ways in which one can describe the texts of the *togata* as having a ‘Roman’ characterisation. More specifically, in this thesis I highlight how one may draw some parallels with other literary genres for questioning whether literary practice was an important feature for constructing identity in the mid Republic. Presumably, if one had the texts of the *togata* in full there would be much more to say about the way in which the texts themselves dealt with problems of cultural affiliation, and then to think about where identity construction takes place. In any case, I shall illustrate that the extant titles and fragments of the *togata* offer the reader hints as to whether the question of ‘Roman’ identity was an important theme to grapple with. That is to say, one may point out indications of how these fragmentary texts are interested in cultural hybridism and meaning. I then use the titles and fragments of the *togata* as sources for the ‘Roman’ identity construction in the mid Republic. I strongly believe that, despite their paucity, the

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<sup>95</sup> On this, see the Appendix to the thesis.

<sup>96</sup> On the quantitative and qualitative analysis of the lexical items attested in the *togata* (in particular *hapax legomena*, *primum dicta*, Graecisms, and Plautine terms), see my analysis throughout the second part of the third chapter of the thesis.

fragments of the *togata* may offer invaluable clues as to how the playwrights of the *togata* apparently gave a 'Roman' flavour to their theatrical representations.

With regard to my use of fragments and the types of analysis I subject them to in the thesis, first of all, it is obvious to think that a doctoral work based on fragments requires a philological approach, and this is true. It is however worth clarifying that this thesis is not a commentary on the *togata*. While I approach the fragments from a philological point of view, and I take into account what previous editors have suggested on specific fragments that require explanation owing to their problematic status, this thesis is not a critical edition of the fragments of the *togata*. Thus, my readers should not be disappointed if they do not find exegetical interpretations of the fragments and/or philological discussions on the emendation of a specific fragment. Meanwhile, I use the fragments from a historicist perspective, by which I mean studying the snippets of the *togata* which may be somehow connected with what was happening in a specific historical context, for example the possible allusions to the *Lex Oppia* in some fragments of the *togata*.<sup>97</sup> One may thus find in the fragments references to the historical periods in which these *togatae* were written and/or to some earlier periods.<sup>98</sup> Apart from a philological and historicist perspective, I look at the fragments of the *togata* by applying to them a lexical approach, as in particular I do in the second part of the third chapter. There, I discuss the lexical features of the language employed in the extant *togatae* by applying to the lexicon of the *togata* de Melo's method, which suggests distinguishing those terms explicitly quoted by grammarians and lexicographers owing to their interests from those terms attested in fragments that are transmitted because of other terms attested in the same fragments. In addition to de Melo's method, I shall also keep in mind the lexical methodological analysis by Hine.<sup>99</sup> Hine's method in fact, which is applied to the corpus of Seneca's texts and focused on the attestation of 'poetic' terms in prose texts, has the potential to suggest to what extent the lexical items attested in the *togata* may or not be considered 'poetic'. Hine examined the

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<sup>97</sup> See I.1.1.

<sup>98</sup> The relationship between *togata* and history may be compared with the relationship between Plautine and Terentian comedy and history: on the latter, Leigh 2004: *passim*.

<sup>99</sup> Hine in Adams, Lapidge, and Reinhardt 2005: 212-237.



criteria for calling particular words 'poetic', pointing out that the mere fact a word occurs only in poetry, and in a particular corpus, or that it occurs in poetry before it is found in prose, is not sufficient to show a word is 'poetic' in a strong sense. In my study, I shall analyse the lexical items of the *togata* within the corpus of the *togata* itself and their relevance elsewhere in late Antiquity, trying to figure out their importance in connection to my argument on the 'Roman' identity of the *togata*.

As already stressed at the beginning of this section, extreme caution is always required when working on a fragmentary corpus, regardless of generic distinctions. It is then worth saying that one has to be aware of ancient sources, and of the fact that we do not have (and will never have) enough materials for a panoptic view of these texts. This means that there are actions one can do or not, depending on the reliability of ancient writers. As one may see by looking at fragments of the *togata*,<sup>100</sup> many of these fragments come down to us from ancient authors. It is likely that these writers understood the lexical meanings attested in the fragments they transmit to us. However, unlike moderns who know that language changes over time, antique lexicographers and grammarians were not fully aware of shifts in pragmatic and sociolinguistic nuance. In late antique lexicographical and grammatical cultures, a particular linguistic item might have been understood in a biased or anachronistic way. Despite the damages of time and the loss of texts, thanks to more systematic and objective modes of investigation and enhanced analytical tools, moderns are better able to identify and accommodate linguistic changes than ancient grammarians and lexicographers were.

In my study of the *togata*, I also take into account Maltby's analysis of the reliability of ancient writers like Donatus (and Eugebrius) on the Terentian comedies in terms of styles.<sup>101</sup> What I particularly find interesting and useful for my analysis of the *togata* is that, as Maltby has argued on authors like Donatus, an ancient writer' "comments throw an

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<sup>100</sup> See the Appendix to the thesis for a full list of the fragments of *togatae*.

<sup>101</sup> Maltby in Papaioannou 2014: 201-221. For a focus on the Greek in Donatus' Terence commentaries, see Maltby in Holmes, Ottink, Schrickx, and Selig 2020: 312-328.

interesting light on the literary perspectives of his own time with its keen awareness of generic boundaries".<sup>102</sup> Similar remarks may be made on the reliability of sources quoting the fragments of the *togata*, above all Nonius.<sup>103</sup> Indeed, the lexicographer is the source quoting the highest number of the fragments of the *togata*, and whose quotations may be considered reliable enough at least for two factors. First, Nonius is a secure source, for instance, for some of the most important authors of the mid Republican literature, as for example happens with Plautus, Terence,<sup>104</sup> and Varro:<sup>105</sup> the quotation Nonius makes for a line or passage is even preferred to the 'direct' tradition of the *ueteres*, as already previous scholars have shown.<sup>106</sup> Second, Nonius directly looked at previous works from other authors, who, very likely, consulted the *togatae* attributed to Titinius and Afranius,<sup>107</sup> as Lindsay analysed in *Nonius Marcellus' Dictionary of Republican Latin*. Nonius did draw upon ancient glossaries,<sup>108</sup> and then our knowledge of the fragments he transmits is filtered through the sources Nonius read.<sup>109</sup> For this, then, one may take for granted Nonius' quotations regarding Titinius, Afranius, and Atta.

## 9. Critical Editions of the *Togata*

The fragments of the *togata* were first edited by R. and H. Estienne (1564), *Fragmenta Poetarum Veterum Latinorum quorum opera non exstant a Roberto Stephano olim congesta, nunc autem ab Henrico Stephano digesta*. After editions focussing on only a selection of the

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<sup>102</sup> Malty 2014: 211, and see also 221.

<sup>103</sup> In the Appendix to the thesis (see below), I list the ancient sources quoting these fragments, and I start with the source transmitting the highest number of these fragments.

<sup>104</sup> Cf. e.g. Barabino in Taifacos 2006: 91-97 (on Plautus) and De Seta in Bertini 2005: 5-32 (on Terence).

<sup>105</sup> On this, see e.g. Mazzacane 1985: 189-211; Barabino 1991: 1223-1235; Piras 2016: 140-166.

<sup>106</sup> On *auctoritas* of ancient sources and Nonius, cf. e.g. Barabino in Bertini 2004: 21-31; Barabino 2005: 219-225.

<sup>107</sup> On this, see Welsh 2010b: 256 referring to Verrius Flaccus and *De significatu verborum*.

<sup>108</sup> Lindsay 1901: 1-10; Daviault 1981: 65-70 summarises the main points of Lindsay 1901 and reconstructs his survey. On the status of these fragments and the most important grammarians and lexicographers quoting them, see also Guardì 1985: 20-21. Further remarks are found in Welsh 2010b: 256 n. 11.

<sup>109</sup> I agree with Welsh 2010b: 257, "much material in later grammarians descends from other grammatical sources and glossographers who cannot now be identified. On the whole, though, the picture that emerges from the scholastic traditions is that the *togata* was quoted only when an excerpt conveniently presented itself to an author, such that he did not have to work very hard to make use of it for his own purposes. Rare indeed were authors, like Nonius Marcellus, who actually read the scripts of *togata* plays".

fragments of the *togata*,<sup>110</sup> J. Neukirch printed the first modern critical edition of the *togata* in 1833, entitled *De Fabula Togata Romanorum, Accedunt fabularum togatarum reliquiae*. Neukirch's edition was followed by three editions of O. Ribbeck, *Scaenicae Romanorum Poesis Fragmenta* (1855, 1873, and 1898), which also included fragments of *palliata*, *Atellana*, and *mimus*. In the thesis, though I am aware that Ribbeck's edition requires caution and revision at times, I utilise his edition (R.<sup>3</sup>) for the quotation of the fragments of the *togata*.

Meanwhile, I take into account modern critical editions of the fragments that have appeared over the last few decades. In 1981, A. Daviault translated into French and commented on all the fragments of *togatae* attributed to Titinius, Afranius, and Atta. Though his critical edition, *Comoedia Togata. Fragments. Texte établi, traduit et annoté*, has been criticised,<sup>111</sup> I find Daviault's commentary helpful for interpreting the *togata*. In 1983, A. López López edited the fragments of the *togata* in Spanish, entitled *Fabularum Togatarum Fragmenta (edición crítica)*, an edition which, however, presents very minimal commentary on the text. T. Guardì, in 1985, prepared a critical edition of the fragments of the *togata* attributed to Titinius and Atta, *Titinio e Atta. Fabula togata. I frammenti. Introduzione, testo, traduzione e commento*, with Italian translation and linguistic comments, but lacking detailed literary analysis.<sup>112</sup> In their editions, Daviault, López López, and Guardì also discuss the metrical forms of the fragments of the *togata*,<sup>113</sup> which I hope to systematically investigate in future. Forthcoming editions may also be quoted: J. Welsh is working on a new edition of the fragments of the *togata*; M. Deufert is working on the whole fragmentary corpus of Roman comedies, including the fragments of the *togata*, to replace the third critical edition of Ribbeck.

## 10. Note on Translation and Abbreviation

For ancient authors, standard critical editions and commentaries aside, I adopt the translations provided by other scholars, though in some cases I slightly modify them, and

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<sup>110</sup> On these, see Daviault 1981: 73-74.

<sup>111</sup> On this, Gratwick 1982: 725-733; Jocelyn 1982: 154-157.

<sup>112</sup> On Guardì 1985, see Jocelyn 1986: 608-611.

<sup>113</sup> Daviault 1981: 265-266; López López 1983: 171-179; Guardì 1985: 185-187.

I explicitly state *passim* when they are modified. I mostly do this in relation to the term *togata*, and I discuss what I find unconvincing in the translations. All the translations of the fragments of the *togata*, along with ancient texts lacking modern translations, are mine, unless indicated otherwise.

Concerning abbreviations, I use those provided by *Liddell-Scott-Jones* (for Greek authors and works) and by the *Oxford Latin Dictionary* (for Latin authors and works). However, though the fragments of the *togata* are abbreviated with *com.*, I use *tog.* throughout the thesis, as has already been the case for *togatae* fragments mentioned in this introduction. Given that defining the *togata* is complex,<sup>114</sup> I find *tog.* more neutral and acceptable than *com.*

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<sup>114</sup> See I.2.1, I.2.2, I.2.3, and I.2.4.

## Chapter I

### The Construction of the 'Roman' Identity of the *Togata*. Authors, Term, Elements.

In this chapter, I shall start to collect and analyse traces of a construction of 'Roman' identity of the *togata*.<sup>1</sup> The first part of the chapter will focus on Titinius, Afranius, and Atta, the only authors whose *togatæ* fragments and titles have survived. After discussing their chronology, I shall point out how the authors of the *togata* probably came from Rome, as suggested by their names, and presumably belonged to the Roman nobility – both in sharp contrast with the authors of the *palliata*.

The second part of the chapter will systematically analyse the term *togata* in ancient sources, and show that the sense 'comedy in *toga*', which has thus far been largely taken for granted by scholars, is only partially correct. I shall discuss the semantic complexity of the term *togata*, and problematize the theatrical identity of this genre through a taxonomic investigation of the different senses in which the term was apparently used. I shall show how the term may be alternatively used in the sense of 'play' (i.e. *fabula*),<sup>2</sup> '(type of) comedy',<sup>3</sup> and 'theatrical genre between comedy and tragedy',<sup>4</sup> and moreover that in many cases its exact meaning cannot be ascertained.<sup>5</sup>

In order to further investigate the identity construction of the *togata*, the third and final part of the chapter will discuss settings, names, and motifs found in the scanty fragments and titles of the *togata*. The analysis of these elements will help us to clarify to what extent the *togata* may be considered a 'Roman' dramatic genre.

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<sup>1</sup> On the construction of 'Roman' identity in the mid Republic, see the introduction to the thesis, section 3.

<sup>2</sup> See I.2.1.

<sup>3</sup> See I.2.2.

<sup>4</sup> See I.2.3.

<sup>5</sup> See I.2.4.

## Chapter I – Part I

### The Authors of the *Togata*: Chronology and Origin

The term *togata* is normally used to refer to a corpus of Latin comedies, which has come down to us in fragments, attributed, not always unproblematically,<sup>6</sup> to Titinius (186 lines), Afranius (434 lines), and Atta (24 lines). These three authors are usually described by *testimonia* (i.e. ancient sources) as playwrights of the *togata*, and are in fact the only authors to whom are attributed *togatae* lines and/or titles.<sup>7</sup> Atta seems also to have been an author of epigrams.<sup>8</sup>

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<sup>6</sup> For an overview of grammarians and lexicographers, and the transmission of ancient texts, see e.g. Zetzel 2018: esp. 95-119, 159-200, and 279-338. Mandatory reading is Kaster 1988, Deufert 2002 (with a focus on Plautine comedies). Cf. also De Nonno, De Paolis, and Holtz 2000.

<sup>7</sup> Other authors of *togatae* are known. However, their *togatae* are lost. Though it is difficult to verify owing to lack of evidence, Liuius Andronicus seems to have been the first author who composed *togatae* (Don. *Com.* 5. 4): *comoediam apud Graecos dubium est quis primus inuenerit, apud Romanos certum: et comoediam et tragoediam et togatam primus Liuius Andronicus repperit* (transl.: “it is doubtful who first among Greeks devised comedy; among the Romans, it is certain: Liuius Andronicus first discovered comedy, tragedy, and *togata*”). There are also some scholars who believed that Naeuius was the inventor of the *togata* (see e.g. Neukirch 1833: 61-62, Leo 1913: 92, Daviault 1981: 17-18, and more recently Monda 2020: 91), but one cannot be sure about this because of lack of evidence (see also Baier 2010: 86 n. 40). Suetonius (Suet. *Gram.* 21.5.1) refers to Melissus (on Melissus’ name, dates, and works, see Kaster 1995: 214-216) as the creator of a new category of *togatae* that he labelled (*fabula*) *trabeata*, which presumably referred to the dress uniform of equites (*trabea*): *C. Melissus, Spoleti natus ingenuus, sed ob discordiam parentum expositus, (...) ac Maecenati pro grammatico muneri datus est. (...) atque, ut ipse tradit, sexagesimum aetatis annum agens, libellos “Ineptiarum”, qui nunc “Iocurum” inscribuntur, componere instituit, absoluitque C et L, quibus et alios diuersi operis postea addidit. fecit et nouum genus togatarum inscripsitque trabeatas* (transl. adapted from Kaster 1995: 25, “Gaius Melissus, from Spoleto, was freeborn but had been exposed as an infant because of his parents’ marital problems (...) he was given as a gift to Maecenas, to serve as a grammarian. (...) In his sixtieth year, as he himself reports, he set about composing little books of *Follies* – they have the title *Jokes* nowadays – and finished 150 of them, to which he later added other books of a different sort. He also created a new kind of *togata*, which he called ‘trabea-plays’”. I slightly modify the translation from Kaster, who translates the term *togata* as ‘comedy in Roman dress’. Indeed, we do not have any clues as to the exact meaning of the term *togata* in this passage. For this reason, I prefer to maintain the Latin *togata*, and I shall add this passage to the section discussing the term *togata* as ‘term of unclear meaning’ in I.2.4 below). Melissus is also listed by Ps.-Acro (ad Hor. *Ars* 288) as an author of both *praetextae* and *togatae*, together with the names of other authors, such as Aelius Lamia and Antonius Rufus, whose profiles are uncertain: *praetextas et togatas scripserunt Aelius Lamia, Antonius Rufus, Gnaeus Melissus, Africanus* (leg. *Afranius*), *Pomponius* (transl.: “Aelius Lamia, Antonius Rufus, Gnaeus Melissus, Afranius, Pomponius, wrote *praetextae* and *togatae*”; on this passage, see Manuwald 2011: 159 n. 10). Interestingly, this list of authors also includes Pomponius, the author of *Atellana*, an Oscan genre associated with the Campanian Atella which, at least in its early oral form (third century BCE), may have influenced the *palliata* (and presumably the *togata*) (on the *Atellana*, cf. e.g. Frassinetti 1953; Beare 1964: 137-148; Panayotakis in Harrison 2005: 130-147; Monda in Raffaelli and Tontini 2010: 69-82; de Melo in Raffaelli and Tontini 2010: 121-155; Manuwald 2011: 169-177; Panayotakis in Dinter 2019: 32-46).

<sup>8</sup> Non. 298 L. On this, cf. Courtney 2003: 69.

### I.1.1 Chronology of the Authors of the *Togata*

In the introduction to the thesis, I highlighted that Titinius, Afranius, and Atta apparently lived in the mid Republic,<sup>9</sup> a period which saw the beginning and the growth of Roman literature based on Greek literary models.<sup>10</sup> In this part of the chapter, I shall investigate the *togatae* playwrights' chronology in detail, analysing first the internal pieces of evidence and then the external pieces of evidence. I shall then focus on the origin of these playwrights, comparing their origin with that of earlier and contemporary authors of Roman literature, and especially playwrights.

#### Titinius

As noted by scholars, little or nothing can be said about Titinius' life and birthplace.<sup>11</sup> The only internal piece of evidence from the *togata* regarding Titinius' chronology might be implicit allusions to the *Lex Oppia* (215 BCE, repealed in 195 BCE),<sup>12</sup> a sumptuary law which was introduced to restrict women's possession of gold, their ability to wear purple, and their use of carriages.<sup>13</sup> Though this is not certain, Titinius is perhaps referring to (the context of) this law in *Titin. tog. 1 R.<sup>3</sup> . . . inauratae atque inlautae mulieris*,<sup>14</sup> *Titin. tog. 2 R.<sup>3</sup> . . . prius quam auro priuatae purpuramque aptae simus*,<sup>15</sup> and *Titin. tog. 140-141 R.<sup>3</sup> uende thensam*

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<sup>9</sup> See introduction, section 1.

<sup>10</sup> See introduction, section 4.

<sup>11</sup> See Welsh 2012a: 125-153, at 126 n. 5, quoting previous scholars, such as Neukirch 1833: 100 and Daviault 1981: 31-32 who have claimed that Titinius' birthplace was the city of Rome, without giving us any clarification as to their reasoning; Mommsen 1850: 119 suggested southern Latium as Titinius' birthplace, followed by Rawson 1985: 106-107 (= 1991: 479-480). On general information about Titinius, Baier in Schütze 1997: 725-727; López López and Pociña Perez 2007: 270-271.

<sup>12</sup> Less convincing is Daviault's suggestion (Daviault 1981: 33-34) on another possible internal piece of evidence regarding Titinius' chronology, that is, the *togata Psaltria siue Ferentinatis*, which would have been staged around 187 BCE; on this, Welsh 2012a: 134-135.

<sup>13</sup> See Liv. 34.1.2-3. On the *Lex Oppia*, see e.g. Agati Madeira 2004: 87-99; Mastroso 2006: 590-611; Wallace-Hadrill 2008: 333-334 and 348-349.

<sup>14</sup> Transl. from Ehrman 2017: 815, "of a goldless and unwashed (or inelegant) woman". On this fragment, see also García Jurado 1997: 544-550.

<sup>15</sup> Transl. from Ehrman 2017: 813, "before we were deprived of gold and obtained purple".

*atque hinnulos. / Sine eam pedibus < suis > grassari, confringe eius superbiam.*<sup>16</sup> Even if this date might be taken as a *terminus post quem*, no more precise chronological indications can be inferred.

With regard to external pieces of evidence on Titinius' dates, Fronto, in *ad M. Caes.* 1.7.4 = p. 15.11 van den Hout,<sup>17</sup> reports:

*quid tale M. Porcio aut Quinto Ennio, C. Graccho aut Titio poetae,*<sup>18</sup> *quid Scipioni aut Numidico, quid M. Tullio tale usuuenit?*<sup>19</sup>

Müller emended the transmitted *Titio* into *Titinio*,<sup>20</sup> thus inferring that the playwright lived at the same time as C. Gracchus. However, this assumption is unconvincing, and it is more likely that Titius was the orator and tragic poet mentioned by Cicero (*Brut.* 167),<sup>21</sup> and described by Macrobius as *uir aetatis Lucilianae* (*Macr. Sat.* 3.16.14).<sup>22</sup>

Another author who mentions Titinius (this time more securely from the point of view of manuscript evidence) is Charisius *Gramm.* 315.3-6 B. (= Varro fr. 40 Funaioli). The grammarian provides a list of authors, quoting the *de Latino sermone* of Varro (5.60 G.-S.):

*ἦθη, ut ait Varro de Latino sermone libro V, nullis ali<is> seruare conuenit, inquit, quam Titinio Terentio Att<a>e; πάθη uero Trabea, inquit, Atilius Caecilius facile mouerunt.*<sup>23</sup>

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<sup>16</sup> Transl. from Ehrman 2017: 818, "sell the wagon and mules. Let her go on her own feet; crush her arrogance". On the possible relationship between these fragments and the *Lex Oppia*, see e.g. Perutelli in Paduano and Russo 2013: 73-75; cf. Ehrman 2017: 808-819.

<sup>17</sup> The passage is "one of the most famous and hotly debated in the study of Latin philology in the Republican period", as Cavarzere in Gray, Balbo, Marshall, and Steel 2018: 167 points out, quoting at n. 85 scholars' positions on it.

<sup>18</sup> On the passage, van den Hout 1999: 40.

<sup>19</sup> Transl. from Haines 1919: 167-169, "What fortune like this befell M. Porcius or Quintus Ennius, Gaius Gracchus, or the poet Titius? What Scipio or Numidicus? What M. Tullius, like this?".

<sup>20</sup> Cf. Müller 1867: 752, followed by Martina 1978: 20.

<sup>21</sup> See Bücheler 1915: 626-628.

<sup>22</sup> On this, see further discussion below in this part of the chapter.

<sup>23</sup> Transl. from Müller in Augoustakis and Traill 2013: 377, "as Varro says in the fifth book of the *On the Latin speech*, it is agreed that character delineation (*ethos*) is better attested in no other author than in Titinius, Terence, and Atta, whereas Trabea, Atilius, and Caecilius inspired the audience with their power to move them (*pathos*)".



Scholars have used this passage to argue that Titinius, Terence, and Atta are quoted in chronological sequence.<sup>24</sup> However, there is no evidence to support the view that Charisius, referring to Varro, follows a sequential order in the quotation of these authors. Indeed, Charisius normally quotes authors without any chronological concern.<sup>25</sup> It is likely that the order mentioning Titinius first, then Terence, and finally Atta, which is attributed to Varro, refers to a ranking of ἤθη attested in these authors' theatrical works.<sup>26</sup> That is to say, Titinius would have portrayed ἤθη best, then Terence would come second best, and finally Atta third best.

The third and final external piece of evidence on Titinius' chronology is no less problematic. The Byzantine scholar John the Lydian, in *Mag.* 1.40,<sup>27</sup> mentioned an author, whose name might be Titinius, following a passage which discussed a number of events during the late third century BCE, including Hannibal's invasion of Italy in 219 BCE. This is the text as printed in Bandy's edition:

Τότε Τιτίνιος ὁ Ῥωμαῖος κωμικὸς μῦθον ἐπεδείξατο ἐν τῇ Ῥώμῃ.<sup>28</sup>

The manuscripts had in fact a different reading for the beginning of this passage (τὸ τετίνιος), which is meaningless, and has been variously emended.<sup>29</sup> Both Fuss<sup>30</sup> and Bekker<sup>31</sup> print τότε Τίνιος for τὸ τετίνιος. Fuss suggests how Τίνιος *haud dubie corruptum. Forte legendum Τιτίνιος; licet enim Lydo errorem tribuere.* The choice of Τιτίνιος would clarify the reference to the author of *togatae* Titinius, although the passage reports that this author

<sup>24</sup> See e.g. Neukirch 1833: 99; Przychocki 1922: 180-188; Dénes 1973: 194; Minarini 1997: 53; Manuwald 2011: 158; Perutelli 2013: 71.

<sup>25</sup> For instance, Vergil and Ennius; Sallust and Terence; Vergil and Plautus; Varro, Terence and Plautus (*Char. de nom.* 15.7 – 61.13 B.); Cicero, Varro, Annianus Florus, Plautus, and Plinius; Gellius, Plautus and Ennius (*Char. de nom.* 63.21 – 141.24 B.).

<sup>26</sup> See Martina 1978: 5-25, in particular at 12-14; Welsh 2011: 490 stresses that “Varro at least identified Titinius, Terence, and Atta as three dramatists who paid careful attention to ἤθη”, and points out that (at 493) “the old argument that extracted chronologies of republican dramatists from Varro's lists of poets remains somewhat speculative”.

<sup>27</sup> See also I.2.2.

<sup>28</sup> Transl. from Bandy 1982: 61, “At that time Titinius, the Roman comic poet, presented a play in Rome”.

<sup>29</sup> As Bandy 1982: 60 reports in his critical edition, there are several possible readings of the problematic Greek text, such as e.g. τότε Τίμιος (A).

<sup>30</sup> Fuss 1812: 68.

<sup>31</sup> Bekker 1837: 152.

represented a more general μῦθον rather than specifically a τογᾶταν, a term John the Lydian uses later in the same passage. Wunsch emended the text to τότε Τιτίνιος,<sup>32</sup> and took τότε to refer to the events of 219 BCE (discussed by Lydus in the previous passage), thus concluding that Titinius lived in that period. In contrast, Reuvens<sup>33</sup> and Ossan,<sup>34</sup> probably on the basis of historical rather than textual considerations, emended the text to τότε Λίβιος, thereby interpreting the passage as referring to Liuius Andronicus, the pioneer of Roman literature.<sup>35</sup> Reuvens and Ossan were followed by Neukirch,<sup>36</sup> and Zorzetti,<sup>37</sup> and also, more cautiously, by Welsh.<sup>38</sup> In any case, no more can be said on the matter given the absence of any further information on the name and the works of the author (whoever he is) – information of the kind that John the Lydian gives elsewhere, for example, when he refers to Vergil, specifying the book of the *Aeneid*.<sup>39</sup>

Therefore, we know very little on the playwright Titinius and certain dates on him cannot be provided. However, overall evidence confirms Titinius lived in the mid Republic, and was hence participating in the development of Roman literature at that time, as was the other main author of *togatae*, Afranius, as the following section will explore.

### Afranius

Afranius mentions Terence (Afran. *tog.* 29 R.<sup>3</sup> *Terenti numne similem dicent quempiam?*),<sup>40</sup> and Pacuuius (Afran. *tog.* 7 R.<sup>3</sup> *Haut facul, ut ait Pacuuius, femina <una> inuenietur bona*),<sup>41</sup>

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<sup>32</sup> Wunsch 1903: 41, followed by Weinstock 1937: 1541, Vereecke 1968: 63 and Vereecke 1971: 156-157, Pociña Pérez 1975: 87, Daviault 1981: 32-33, López López 1983: 165, and Karakasis 2005: 222.

<sup>33</sup> Reuvens 1815: 27-29.

<sup>34</sup> Ossan 1816: 44.

<sup>35</sup> On this, see further remarks in the introduction to the thesis, section 4.

<sup>36</sup> Neukirch 1833: 98-99.

<sup>37</sup> Zorzetti 1975: 434-436.

<sup>38</sup> See Welsh 2012a: 130, who also says that “it is possible that Lydus simply had the wrong name”.

<sup>39</sup> Cf. e.g. Lyd. *Mag.* 1.7; 1.12; 1.25.

<sup>40</sup> Transl. from McElduff 2013: 218, “and now they say I am similar to Terence?”.

and this is a *terminus post quem*, which confirms that Afranius was contemporary of Terence and Pacuvius, or lived shortly after these authors. Another *terminus post quem* might be provided by very doubtful allusions to a law proposed by Metellus Macedonicus (210-116 BCE)<sup>42</sup> in 131 BCE that was intended to avoid a decrease in the population of Italians.<sup>43</sup> Macedonicus' proposal obliged men and women to marry and spouses to have children, which might seem to be echoed in Afranius' *Vopiscus*, especially in Afran. tog. 345 R.<sup>3</sup> *Consedit uterum, non ut omnino tamen*;<sup>44</sup> Afran. tog. 346-347 R.<sup>3</sup> *Non dolorum partionis ueniet in mentem tibi? / Quos <ne> misera pertulisti, ut partum proiceret pater?*;<sup>45</sup> Afran. tog. 354-355 R.<sup>3</sup> *Igitur quiesce, et quoniam inter nos nuptiae / Sunt dictae, parcas istis uerbis, si placet*;<sup>46</sup> Afran. tog. 376-377 R.<sup>3</sup> *Excludat uxor tam confidenter uirum? / Non faciet*.<sup>47</sup> As argued by Daviault<sup>48</sup> and Guardì,<sup>49</sup> the *togata Vopiscus* may refer or allude to this law. However, though the aforementioned fragments refer to topics such as marriage and childbirth, and might allude vaguely to the effects of a sumptuary law, there is no certain evidence to support that the playwright refers specifically to Metellus' law.

Regarding external pieces of evidence, one may begin with Cicero (*Brut.* 167), who refers to Afranius in relation to the Republican *orator* Titius:

*Eiusdem fere temporis fuit eques Romanus C. Titius, qui meo iudicio eo peruenisse uidetur quo potuit fere Latinus orator sine Graecis litteris et sine multu usu peruenire. Huius orationes tantum argutiarum, tantum exemplorum, tantum urbanitatis habent, ut paene Attico stilo scriptae esse uideantur. Easdem argutias in tragoedias satis ille quidem acute sed parum tragice transtulit.*

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<sup>41</sup> Transl. from Manuwald in Fontaine and Scafuro 2014: 593, "it is not easy, as Pacuvius says, to find just one good woman".

<sup>42</sup> On Metellus Macedonicus, cf. e.g. Morgan 1969: 422-446; Badian 1988: 106-112; Hillard and Beness 2012: 816-826.

<sup>43</sup> See e.g. Erler and Ungern-Sternberg 1987: 254-256.

<sup>44</sup> Transl.: "the uterus prolapsed/ (she) experienced uterine prolapse, not however entirely".

<sup>45</sup> Transl.: "will you not think about the pangs of childbirth? You, wretched, endured them, only for the father to abandon the child?".

<sup>46</sup> Transl.: "therefore, keep quiet, and since marriage has been pronounced between us, you should refrain from using these words, if you please".

<sup>47</sup> Transl.: "should a woman so audaciously shut her man out? She will not do it".

<sup>48</sup> Daviault 1981: 234 n. 1.

<sup>49</sup> Guardì 1985: 17.

*Quem studebat imitari L. Afranius poeta, homo perargutus, in fabulis quidem etiam, ut scitis, disertus.*<sup>50</sup>

According to Cicero, Titius (praised as an excellence of native Roman rhetoric) was a model for Afranius' style.<sup>51</sup> The mention of Titius provides another approximate *terminus post quem* for Afranius' chronology. Cicero dates Titius to *eiusdem fere temporis* of the consulship of M. Herennius (93 BCE; cf. Cic. *Brut.* 166), who defeated L. Philippus in this electoral competition (cf. also Cic. *Mur.* 17). Other known testimony about Titius is the aforementioned Macrobius *Sat.* 3.16.14, who attests that Titius was a *uir aetatis Lucilianae*,<sup>52</sup> and who reports that he delivered a speech in favour of the *Lex sumptuaria* of Fannius, enacted in 161 BCE<sup>53</sup> (as we read in Macr. *Sat.* 3.13.13).<sup>54</sup>

Cicero's and Macrobius' passages testify to Titius' period; however, it is not possible to establish precise dates for Titius. Cicero's quotation is vague: he refers to Titius without providing any other references to him. Macrobius' testimony refers to the *Lex sumptuaria* of Fannius and to Titius' oration, but we do not know if it was actually written in 161 BCE, that is to say, when the law was approved, or later, with the purpose of defending it from

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<sup>50</sup> Transl. from Kaster 2020: 104-105, "About the same time there was the Roman knight Gaius Titius, who got about as far, I think, as a Latin-speaking orator could go without the benefit of Greek literature and much experience. His speeches were so adroit, so witty, so prolific in citing precedents that they almost seem to have been written with an Attic pen; he applied that same dexterity to writing tragedies, which were clever indeed, but not very tragic. The poet Lucius Afranius eagerly imitated him, a very adroit fellow and eloquent in his plays, as you both know".

<sup>51</sup> On this passage, see further analysis at III.1.2.1 and III.1.3.

<sup>52</sup> Macr. *Sat.* 3.16.14, *id ostendunt cum multi alii tum etiam C. Titius, uir aetatis Lucilianae, in oratione qua legem Fanniam suasit* (transl. from Kaster 2011: 115, "Among the many witnesses to the fact that I single out the speech that Gaius Titius, a contemporary of Lucilius, delivered in support of the law of Fannius"). On this, cf. Marchese 2011: 338; Cavarzere 2018: 154-156.

<sup>53</sup> See e.g. Gel. 2.24.2-6 (who reports that Fannius and Messala were consuls in that year). Information related to the *Lex sumptuaria* of Fannius is also found e.g. in Plin. *Nat.* 10.139 and Athen. 6.274c-e. Cf. e.g. Rosivach 2006: 1-15.

<sup>54</sup> Macr. *Sat.* 3.13.13, *ubi iam luxuria tunc accusaretur quando tot rebus farta fuit cena pontificum? Ipsa uero edulium genera quam dictum turpia? nam Titius in suasionem legis Fanniae obicit saeculo suo quod porcum Troianum mensis inferant; quem illi ideo sic uocabant, quasi aliis inclusis animalibus grauidum, ut ille Troianus 'equus grauidus armatis' fuit* (transl. from Kaster 2011: 95, "Where could there have been greater scope for denouncing luxury when a pontiffs' meal was stuffed with such things! How disgusting just to list the sorts of food! Indeed, Titius, in his speech supporting the law of Fannius, reproaches his contemporaries for serving Trojan pig, so called because it is 'pregnant' with other animals enclosed in it, just as the famous Trojan horse was 'pregnant with armed men'").

a proposed repeal.<sup>55</sup> Scholars have tried in different ways to solve the problems of Titius' chronology, whose life would seem to have been too long.<sup>56</sup> They have suggested, for instance, that two Gaii Titii existed,<sup>57</sup> that there were two different *leges Fanniae*,<sup>58</sup> that Titius flourished when a proposal to repeal the law took place, and was chronologically close to the *Lex Licinia sumptuaria* (130-110 BCE),<sup>59</sup> and that Titius' oration was presented at the time of C. Gracchus.<sup>60</sup> Recently, Cavarzere has also highlighted how this oration was delivered between 145 and 134 BCE when the *Lex Licinia's* approval took place,<sup>61</sup> and how consequently Titius' birth must have been around 180-170 BCE.<sup>62</sup> However, the whole picture remains muddled: given that establishing precise dates on Titius is impossible, nothing more can be said likewise on Afranius' chronology on the basis of the aforementioned pieces of evidence.

As a *terminus ante quem*, one may again quote Cicero, who refers to a precise historical period in which a *togata* was performed onstage. In Cic. *Sest.* 118,<sup>63</sup> Cicero mentions one of Afranius' *togatae*, allegedly performed during the *Ludi Apollinares* of 57 BCE, in the context of a discussion of the popular criticism against Clodius.<sup>64</sup> However, it could have been a revival of this *togata*, as usually happened in the city of Rome in Cicero's time (as in the early Empire, cf. e.g. Hor. *Ep.* 2.1.50-62). Indeed, in his works, Cicero refers to other theatrical performances which took place at his time, especially of Terence<sup>65</sup> (cf. e.g. Cic. *Cato* 65), and other authors such as Ennius and Pacuvius (cf. e.g. Cic. *Fin.* 1.4-5).

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<sup>55</sup> Cavarzere 2018: 161-162.

<sup>56</sup> Scholars such as e.g. Ercole 1888, Schanz 1890: 79, Fraccaro 1913: 126, Albanese 1992: 96-97 attribute a long life to Titius.

<sup>57</sup> Cf. e.g. Piderit 1862: 272; Rosivach 2006: 8 n. 33.

<sup>58</sup> See e.g. Nicolet 1974: 1041 n. 3; David 1992: 700.

<sup>59</sup> Cf. Cichorius 1908: 265-266. On the *Lex Licinia sumptuaria's* dates, cf. also Aste 1941; Baltrusch 1988: 88-93; Bottiglieri 2002: 155-160; Coudry in Ferrary and Moreau 2014.

<sup>60</sup> See Till in Sedlmayr and Messerer 1967: 49.

<sup>61</sup> Cf. Cavarzere 2018: 165-166.

<sup>62</sup> See Cavarzere 2018: 166; Sauerwein 1970: 85.

<sup>63</sup> On this passage, see also I.2.4 below.

<sup>64</sup> On Clodius and the political context in which he was involved, see e.g. Kaster 2006: 1-40; cf. also Fedeli 1990: 9-35 (with a focus on Cicero's *Pro Milone*).

<sup>65</sup> Cf. e.g. Manuwald in Papaioannu 2014: 179-200. On play revivals and their reception, Manuwald in Dinter 2019: 261-275.

Another potential external piece of evidence regarding Afranius' chronology is found in Velleius Paterculus (Vell. 1.17.1):

*Nam nisi aspera ac rudia repetas et inuenti laudanda nomine, in Accio circaque eum Romana tragoedia est; dulcesque Latini leporis facetiae per Caecilium Terentiumque et Afranium subpari aetate nituerunt.*<sup>66</sup>

Hence, it would seem to have been roughly the same period in which Caecilius (230 BCE-168 BCE), Terence (190/185 BCE-159 BCE), and Afranius reached their zenith. Paterculus' reference does not give a precise chronology for Afranius; however, the expression *subpari aetate nituerunt* suggests that Afranius flourished in that period. Moreover, (at Vell. 2.9.1-3) Afranius is quoted with Pacuuius (220-130 BCE) and Accius (170-84 BCE) in a passage in which Velleius mentions Scipio Aemilianus (185-129 BCE), Laelius (born in 188 BCE), Galba (190-135 BCE), and other orators.<sup>67</sup>

The complex question of Afranius' chronology can be summarised as follows: Afranius would have lived roughly between the 190s and 90s BCE, but it is not possible that both dates are correct. Most ancient sources place Afranius in the second half of the second century BCE because of his presumed chronological relation to Titius (Cic. *Brut.* 167),

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<sup>66</sup> Transl. from Shipley 1924 reprint: 43, "For, unless one goes back to the rough and crude beginnings, and to men whose sole claim to praise is that they were the pioneers, Roman tragedy centres in and about Accius; and the sweet pleasantry of Latin humour reached its zenith in practically the same age under Caecilius, Terentius, and Afranius". On this passage, Welsh 2012a: 138-140; cf. also my analysis at III.1.1.1.

<sup>67</sup> Tiberius Gracchus (163-133 BCE), Gaius Gracchus (154-121 BCE), Fannius (consul in 122 BCE), Carbo Papirius (consul in 120 BCE), Metellus Numidicus (died in 91 BCE), Scaurus (163-89 BCE), Crassus (114-53 BCE), Antonius (143-87 BCE), and *quorum aetati ingeniisque successere* Caesar Strabo (130-87 BCE), Sulpicius (121-88 BCE), Mucius (159-88 BCE). Vell. 2.9.1-3: *eodem tractu temporum nituerunt oratores Scipio Aemilianus Laeliusque, Ser. Galba, duo Gracchi, C. Fannius, Carbo Papirius; nec praetereundus Metellus Numidicus et Scaurus, et ante omnes L. Crassus et M. Antonius: quorum aetati ingeniisque successere C. Caesar Strabo, P. Sulpicius; nam Q. Mucius iuris scientia quam proprie eloquentiae nomine celebrior fuit. clara etiam per idem aevi spatium fuere ingenia in togatis Afranii, in tragoediis Pacuuii atque Accii (...)* (transl. adapted from Shipley 1924 reprint: 67-69, "At this same period flourished the illustrious orators Scipio Aemilianus and Laelius, Sergius Galba, the two Gracchi, Gaius Fannius, and Carbo Papirius. In this list we must not pass over the names of Metellus Numidicus and Scaurus, and above all of Lucius Crassus and Marcus Antonius. They were followed in time as well as in talents by Gaius Caesar Strabo and Publius Sulpicius. As for Quintus Mucius, he was more famous for his knowledge of jurisprudence than, strictly speaking, for eloquence. In the same epoch other men of talent were illustrious: Afranius in the writing of *togatae*, in tragedy Pacuvius and Accius (...)"). I slightly modify Shipley's translation of the term *togata* in this passage. I prefer to leave the Latin *togata* instead of Shipley's 'native comedy'. Indeed, I do not see any evidence of the comic sense of the word here, and for this reason I shall add the passage to the section on *togata* as 'term of unclear meaning' in I.2.4 below.

alongside Pacuuius and Accius (Vell. 2.9.1-3). To these, one may add Afranius' awareness of Terence, Pacuuius, and the very vague allusions to the law of Metellus. There is only one external piece of evidence attesting that Afranius lived in the same period of Caecilius and Terence (Vell. 1.17.1), which would indeed place him in the early second century BCE. As seen, the majority of the sources indicate that Afranius lived and flourished around the second half of the second century BCE. However, one should not easily dismiss the sole testimony suggesting that Afranius was a contemporary of Terence. Given the contradiction between the sources, it is not possible to come to a definite conclusion on the exact dates of Afranius; again, the only certain remark one can make with confidence is that he lived in the 2<sup>nd</sup> century BCE.

### Atta

The third and final author of *togatae* to whom are attributed *togatae* titles and lines is Atta. There is apparently no internal piece of evidence from Atta's extant *togatae* which may help the reader to establish the period in which Atta flourished. The sole external evidence is Jerome, who reports that Atta died in Rome in 77 BCE:<sup>68</sup>

*Chron. ad 77 BC: olympiade CLXXV anno tertio Titus Quintius Atta scriptor togatarum Romae moritur sepultusque uia Praenestina ad miliarium II.*<sup>69</sup>

This means that perhaps Atta was a contemporary of Accius and Pomponius. Apart from Jerome's testimony, however, there are no other pieces of evidence that could be used to date Atta. As shown, no chronological order can be inferred from the passage of Charisius, quoting Varro, discussed in the previous section.

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<sup>68</sup> See Jer. *Chron. Ad Ol.* 175, 3 = 77BC, 152 H.

<sup>69</sup> Transl.: "Chron. on 77 BC: in the third year of the 175<sup>th</sup> Olympiad, Titus Quinctius Atta, author of *togatae*, dies at Rome and he is buried in the via Praenestina, at the second mile".

### I.1.2 The Names and Origin of the Authors of the *Togata*

If the exact chronology of Titinius, Afranius, and Atta remains uncertain, as discussed in the previous section, more secure and interesting information can be inferred from their names, an element which scholars so far have not fully appreciated, as far as I know. An analysis of the names of the playwrights of the *togata* reveals that, in all likelihood, these authors shared a Roman origin, and presumably all belonged to a specific Roman *gens*.<sup>70</sup>

Titinius' name is probably an altered form of Titus, which originally indicated a Sabine origin (see, for instance, the case of the Sabine king Titus Tatius).<sup>71</sup> However, by the fifth century BCE, the name had come to refer to the *Titinia gens*, a plebeian family based in the city of Rome, whose members had been, for example, tribunes of the plebs,<sup>72</sup> a *magister equitum*,<sup>73</sup> a *legatus* of praetors,<sup>74</sup> and a *praetor urbanus*.<sup>75</sup> It would be reasonable to argue that Titinius belonged to the *Titinia gens*, and was probably of Roman origin.

The same origin can be inferred from the *praenomen* of Afranius, Lucius. This *praenomen*, probably originally derived from *lux*, is attested in Rome, and Afranius as a *nomen* is attested in Rome from at least the second century BCE. Indeed, the *Afrania gens* gave birth to, for instance, praetors (C. Afranius Stellio)<sup>76</sup> and consuls (Lucius Afranius).<sup>77</sup> It is possible then that Afranius was born in the city of Rome.<sup>78</sup>

With regard to Atta, Titus is the author's *praenomen*, Quinctius is his *nomen*. The *Quinctia gens* was originally a patrician family, one of the Alban houses relocated to Rome by

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<sup>70</sup> Cf. also Leo 1913: 376; Daviault 1981: 31 (with regard to Titinius), 38 (Afranius), and 47 (Atta).

<sup>71</sup> Plu. *Rom.* 23.1-3.

<sup>72</sup> M. Titinius in 449 BCE (Liv. 3.54.12-13); Sex. Titinius in 439 BCE (Liv. 4.16.5); M. and C. Titinius in 193 BCE (Liv. 35.8.9).

<sup>73</sup> M. Titinius in 302 BCE (Liv. 10.1.9; *Fasti Capit.*).

<sup>74</sup> P. Titinius in 200 BCE (Liv. 31.21.8-9).

<sup>75</sup> M. Titinius Curuus in 178 BCE (Liv. 40.59.5; 41.5.7).

<sup>76</sup> Liv. 39.23.

<sup>77</sup> Cf. e.g. Cic. *Att.* 1.18.8.

<sup>78</sup> Cf. Neukirch 1833: 167; Courbaud 1899: 36; Cacciaglia 1972: 216. On Afranius, see also Marx 1893: 708-710.



Tullus Hostilius,<sup>79</sup> whose members often held the highest offices in Rome.<sup>80</sup> Atta is a *cognomen*, as testified by Paulus, who used Festus as a source.<sup>81</sup>

Thus, we are presented with evidence which indicates that, for the first time in the history of Roman literature, authors who may have been native to the city of Rome engaged in theatrical writing. Indeed, during the mid Republic, authors of Roman origin apparently shunned this ‘popular’ genre, and were typically interested in other literary genres, especially historical writing, but not in comedy or, more generally, theatre,<sup>82</sup> as I shall show in what follows.

### I.1.3 Mid Republican Roman Authors

#### I. Foreign (= Non-native Roman) authors

One of the most distinctive features of the first authors of Roman literature is in fact their non-Roman origin. These authors, and especially authors of dramatic genres, were not from the city of Rome at all, as shown by the table below:

Foreign Authors	Literary Production and Social Status
Liuius Andronicus	He was known as <i>semigraecus</i> , <sup>83</sup> and came to the city of Rome as a prisoner of war. <sup>84</sup>
Naeuius	He was Oscan, <sup>85</sup> and fought as a soldier in the First Punic War. <sup>86</sup> He was author of both <i>praetextae</i> and <i>palliatae</i> .

<sup>79</sup> Liv. 1.30.1-2.

<sup>80</sup> Cf. e.g. T. Quinctius Capitolinus Barbatus, consul in 471 BCE (D.H. 9.43); L. Quinctius Cincinnatus, consul suffectus in 460 BCE (D.H. 10.17) and his son, who was consular tribune in 438 BCE (Liv. 4.16); T. Quinctius Cincinnatus Capitolinus, consular tribune in 388 BCE (Liv. 6.4); T. Quinctius Flaminius, augur in 213 BCE (Liv. 25.2.2).

<sup>81</sup> Paul. ex Fest. 11 L., *Attae appellantur, qui propter uitium crurum aut pedum plantis insistunt et adtingunt terram magis quam ambulant, quod cognomen Quintio poetae adhaesit* (transl.: “They are called Attae who, because of a defect of legs or feet, stand on their soles and touch the ground rather than walking, which is why, for the poet Quinctius, the nickname stuck”). On the name Atta, cf. also Paul. ex Fest. 11.20 L., *Attam pro reuerentia seni cuilibet dicimus, quasi eum aui nomine appellemus* (transl.: “we say Atta out of deep respect for any old man, as if we were calling him grandfather”). For a linguistic analysis regarding *Atta* (and other names), Prosdocimi 2009: 105-226.

<sup>82</sup> On the social status of the first poets in Rome, cf. e.g. Manuwald 2011: 90-97.

<sup>83</sup> Suet. *Gram.* 1.2.

<sup>84</sup> On Liuius Andronicus and the literary context of the mid Republic, see the introduction to the thesis, section 4.

<sup>85</sup> Gel. 1.24.

Ennius	He was born in ancient Calabria, <sup>87</sup> and came to the city of Rome with Cato from Sardinia. <sup>88</sup> He famously claimed to have ‘three hearts’. <sup>89</sup> Besides his <i>Annales</i> , he authored <i>praetextae</i> and <i>cothurnatae</i> .
Plautus	He was possibly Umbrian, <sup>90</sup> and a prolific author of <i>palliatae</i> .
Caecilius Staius	He was likewise an author of <i>palliatae</i> : he was from Gaul, perhaps from Mediolanum, <sup>91</sup> and was taken to Rome as a slave and set free <sup>92</sup> by his patron Caecilius. <sup>93</sup>
Publius Terentius Afer	He was probably of Punic origin, as suggested by the name Afer. According to tradition, he was brought to Rome as a slave, and owed his family’s name to Terentius Lucanus. <sup>94</sup>
Pacuvius	He was from Brundisium, <sup>95</sup> and came to Rome around 200 BCE. He mainly wrote <i>cothurnatae</i> (see e.g. <i>Antiope</i> , and <i>Chryses</i> ), and one <i>praetexta</i> ( <i>Paulus</i> ).

It is striking that all the playwrights listed above were not originally from the city of Rome and shared very humble origins. They mainly came from different places of the Italian peninsula, and more importantly were exposed to Greek literature, which they helped spread and accommodate in Rome. However, although they were not from the city of Rome itself, these authors were motivated “by a sort of linguistic nationalism (...) or at least by a desire to establish a specifically Roman literary language”, as Adams has singled

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<sup>86</sup> Gel. 17.21.45.

<sup>87</sup> Hor. *Carm.* 4.8.20.

<sup>88</sup> Nep. *Cato* 1.4.

<sup>89</sup> Gel. 17.17.1. The problem related to the interpretation of this passage, that is, if Ennius is an Oscan speaker rather than Messaic, or a Messaic speaker instead of an Oscan speaker, has been extensively discussed: see Adams 2003a: 116-117, in particular n. 21 and 22 for relevant secondary literature on the subject.

<sup>90</sup> An internal piece of evidence related to this may be Pl. *Most.* 769-770. For a reconstruction of Plautus’ life on the basis of ancient sources, de Melo 2011: xiv-xvii; see also e.g. Deufert 2002: 65-71.

<sup>91</sup> Jer. *Chron.* ad 179 BCE.

<sup>92</sup> Gel. 4.20.12-13.

<sup>93</sup> We do not know if Caecilius is M. Caecilius mentioned by Liv. 31.21.8.

<sup>94</sup> On Terence’s life, see e.g. Barsby 2001: 1-6.

<sup>95</sup> Jer. *Chron.* p. 142 H.

out.<sup>96</sup> In fact, some of these authors even engaged in the Roman experiment of producing texts concerning Roman history and culture, e.g. *Annales* and *praetextae*. In other words, though these authors were not of Roman origin, they contributed to the creation and development of a Roman literature, a literature which was in fact, despite the Roman patina, heavily Hellenised.<sup>97</sup>

## II. (Native) Roman Authors

It would be incorrect to say that there were no native Roman literary authors in the mid Republic. However, as mentioned, these were involved in non-theatrical Roman genres.

Q. Fabius Pictor, who belonged to the *Fabia gens*,<sup>98</sup> and L. Cincius Alimentus, Roman praetor<sup>99</sup> and promagistrate,<sup>100</sup> authored *Annales* and wrote in Greek.<sup>101</sup> M. Porcius Cato, who belonged to the *Porcia gens*,<sup>102</sup> and obtained important municipal offices,<sup>103</sup> was author of the *Origines*, the first historiographical work written in Latin.<sup>104</sup> C. Lucilius, who belonged to the *Lucilia gens*,<sup>105</sup> and whose clan seems to have enjoyed senatorial status,<sup>106</sup>

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<sup>96</sup> Adams 2003a: 372.

<sup>97</sup> On this, see further remarks in the introduction to the thesis, section 4. I address this issue, from a linguistic perspective, in the second part of the third chapter, where I discuss the language of the *togata*, with a focus on its lexicon. My analysis will further clarify the sense of the ‘linguistic nationalism’ of the playwrights of the *togata*, and what may be considered Roman in their lexical choices.

<sup>98</sup> This *gens* was attested in Rome from at least the fifth century BCE: cf. e.g. Quintus Fabius Vibulanus, who was consul (D.H. 9.59; Liv. 3.1).

<sup>99</sup> Liv. 26.23.1.

<sup>100</sup> Liv. 27.7.11-12.

<sup>101</sup> On F. Pictor and C. Alimentus, see e.g. Cornell 2013: 160-183; on the annalistic tradition, cf. also Oakley 1997: 21-108; von Ungern-Sternberg in Marincola 2011: 119-149. On this reference here, see also the introduction to the thesis, section 4.

<sup>102</sup> About the origins of this name, cf. Plu. *Publ.* 11.

<sup>103</sup> He was praetor in Sardinia in 198 BCE (Liv. 32.27.3-4) and consul in 195 BCE (Liv. 34.8.4).

<sup>104</sup> On Cato’s *Origines*, cf. e.g. Cornell 2013: 191-218. Cato is considered the most significant of Roman nationalism (i.e. the sense of belonging to Rome) theorists. He lambasted the negative impact of the Greek world on the Roman world, and gave “paramount importance to the maintenance of Roman dignity and the assertion of Roman superiority” (Gruen 1992: 72), though his attitude to Hellenic culture was ambivalent (see e.g. Grant 1970: 170-172; on the relation between Cato and the Greeks, cf. also Gruen 1992: 52-83).

<sup>105</sup> He seems to have been the first of his *gens* to have obtained ‘celebrity’. After him, this family name is attested in the late Republic (see S. Lucilius, tribune of the soldiers in 50 BCE. Cf. Cic. *Att.* 5.20.4).

<sup>106</sup> He was the uncle of Lucilia, who was of senatorial stock (see Vell. 2.29.2).

was author of *saturae*.<sup>107</sup> In sum, these authors of Roman origin were not engaged in theatrical writing, as instead was the case of the playwrights of the *togata* Titinius, Afranius, and Atta, as well as the playwright Accius,<sup>108</sup> a native Roman citizen *optimo iure*,<sup>109</sup> who belonged to the *Accia gens*, and authored both *praetextae* and *cothurnatae*.

That Titinius, Afranius, and Atta were in all likelihood native to Rome and authored theatrical works stands out from the analysis conducted so far. In comparison with other playwrights who did not come from Rome and had humble origin, the authors of the *togata* probably came from Rome and had possible noble origin. Meanwhile, in comparison with other authors of Roman origin who belonged to high social status, the authors of the *togata* were not devoted to literary genres such as historiography, but were involved in theatre. In the following part of the chapter, I shall continue my investigation of the identity construction of the *togata*, discussing the term *togata* itself.

## Chapter I – Part II

### The *Togata* and its Theatrical Identity: a Scrutiny of the Ancient Sources<sup>110</sup>

The *togata* is normally defined as ‘comedy in Roman dress’,<sup>111</sup> in comparison with, and opposition to, the *palliata*, ‘comedy in Greek dress’,<sup>112</sup> because the term alludes to the *toga*,

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<sup>107</sup> Lucilius highlights the contemporary political scene of the city of Rome, and refers to how at that time Romans were enemies of all Romans (Lucil. 1128-1234 M.), and were characterised by villainy, licentiousness, and prodigality (Lucil. 257 M.). Cf. Gruen 1992: 272-317.

<sup>108</sup> Gel. 13.2.2.

<sup>109</sup> Jer. *Chron.* ad 139 BCE.

<sup>110</sup> With regard to the methodology, I analyse ancient literary sources in which the word *togata* means ‘theatrical representation’, rather than ‘dressed in a toga’ (such as e.g. Gallia – Suet. *Gram.* 3.6.3 and Mela *Chor.* 2.59.3, and people – Mart. 6.48.1 and Prop. 4.2.56). On this part of the chapter, cf. also my discussion in Rallo 2021a: 174-190, where I investigate the sense of the term *togata* as ‘comedy’ and ‘hybrid genre between comedy and tragedy’; the subject is more specifically explored in Rallo 2021b: 216-229, in which I distinguish between the attestation of the term *togata* in ancient writers, who are likely to have watched this kind of theatrical performance and/or knew what they were talking about, and the employment of the term *togata* in the debates of later grammarians, who would have had no opportunity to watch this kind of theatrical representation.

<sup>111</sup> See e.g. Courbaud 1899: 30; López 1977: 331 (= 2000: 341); Daviault 1981: 7; Guardi 1985: 13; Stankiewicz 1991: 33; Stankiewicz 1996: 320; Manuwald 2011: 156.

the formal garment of Roman civilians, worn by actors on stage.<sup>113</sup> However, matters are more complicated than they might seem at first, considering that, as rightly noted by Manuwald, “no full-scale set of definitions for individual dramatic genres survives from the productive period of republican drama”.<sup>114</sup> That is to say, we actually do not have firm and fixed dramatic terminology, that is to say, the names of the genres of the mid Republic are not set in stone in this period of the history of Roman literature. Concerning the *togata*, an analysis of all attestations of this word in a theatrical sense reveals that ancient authors used the term in different senses. To illustrate the multivalent meaning of the term *togata*, both diachronically and synchronically, I shall use a taxonomic approach, which I believe will help in gaining an overall clearer picture of its complex semantics.

I start by focussing on a difficult passage from Diomedes, *G.L.* I p. 489, 14-19 K.<sup>115</sup> This passage, which is very problematic, is chosen as a sort of ‘inventory’ of all the possible senses of the term *togata*:

*initio togatae comoediae dicebantur, quod omnia in publico honore confusa cernebantur. Quae togatae postea in praetextatas et tabernarias diuidebantur. Togatae fabulae dicuntur quae scriptae sunt secundum ritus et habitum hominum togatorum, id est Romanorum (toga namque Romana est), sicut Graecas fabulas ab habitu aequae palliatae Varro nominari. togatas autem, cum sit generale nomen, specialiter tamen pro tabernariis non modo communis error usurpat, qui Afrani togatas appellat, sed et poetae, ut Horatius, qui ait ‘uel qui praetextas uel qui docuere togatas’. togatarum fabularum species tot fere sunt quot et palliatarum. nam prima species est togatarum quae praetextatae dicuntur, in quibus imperatorum negotia agebantur et publica et reges Romani uel duces inducuntur, personarum dignitate et sublimitate tragoediis similes. praetextatae autem dicuntur, quia fere regum uel*

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<sup>112</sup> See Manuwald 2011: 158, the *togata* “was understood as a reaction to the growing Hellenization and eventual decline of *palliatae*”, mentioning (at n. 97) scholars who have sustained this claim, such as Neukirch 1833: 66, Courbaud 1899: 17-27, and Cacciaglia 1972: 207-208. Pociña 1975: 79-88 holds a different position, arguing that the *togata* did not originate from the decline of the *palliata*, and thus that there is no reason to think of it as a reaction to the *palliata*.

<sup>113</sup> See Beare 1964: 254. Cf. also López 1977: 331-342 (= 2000: 341-353). With regard to the toga and its bond with Roman identity, see Rothe 2020.

<sup>114</sup> Manuwald 2014: 581.

<sup>115</sup> On Diomedes, cf. e.g. Gioseffi 1990: 279-284; Mazhuga 1998: 139-166; Dammer 2001.

*magistratum qui praetexta utuntur in eius modi fabulas acta comprehenduntur. secunda species est togatarum quae tabernariae dicuntur et humilitate personarum et argumentorum similitudine comoediis pares, in quibus non magistratus regesue sed humiles homines et priuatae domus inducuntur, quae quidem olim quod tabulis tegerentur, communiter tabernae uocabantur. tertia species est fabularum Latinarum quae a ciuitate Oscanum Atella, in qua primum coeptae, appellatae sunt Atellanae, argumentis dictisque iocularibus similes satyricis fabulis Graecis. quarta species est planipedis, qui Graece dicitur mimus. ideo autem Latine planipes dictus (...).*<sup>116</sup>

Different senses of the term *togata* can be inferred from this passage. The first sentence of Diomedes' passage (*initio togatae...cernebantur*) is difficult to understand. *Togatae* could be considered either the subject or the predicate of the sentence. However, a comparison with similar constructions in Diomedes, in which the predicate always follows the subject, suggests that we should interpret *togatae* as the subject and *comoediae* as the predicate.<sup>117</sup> That is to say, *togatae* were once identified with *comoediae*, because *omnia in publico honore*

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<sup>116</sup> Transl. from Manuwald 2010: 84, "In the beginning togatae were just called comoediae, since everything that was publicly respected was perceived without distinctions. These togatae were later divided into praetextatae and tabernariae. Togatae is the name for those dramas that are written according to customs and dress of men in the toga, i.e. the Romans (for the toga is Roman), just as, according to Varro, Greek dramas are named after the dress in the same way and called palliatae. This term 'togata', even though it is a general expression, is nevertheless used in a special sense instead of tabernariae, not only by common error, which calls Afranius' plays togatae, but also by that of a poet, such as Horace, who says 'both those who produced praetextatae and those who produced togatae'. There are basically as many forms of togata plays as there are also of palliata plays. For the first form of togatae are those plays that are called praetextatae, in which business of generals and public affairs are carried out and Roman kings or leaders are shown, similar to tragoediae in the dignity and elevation of the characters. And these are called praetextatae, since generally the deeds of kings and magistrates, who use the *toga praetexta* ('purple-bordered gown'), are presented in dramas of this type. The second form of togatae are those plays that are called tabernariae and are corresponding to comoediae in the humility of characters and the similarity of plot; in these dramas, instead of magistrates or kings, humble men and private dwellings are presented, which once upon a time were generally called *tabernae* ('huts') as they were covered with *tabulae* ('wooden tiles'). The third species of Latin plays are those that are called Atellanae after the Oscan community of Atella, in which they first began, in plot and jocular expressions similar to Greek satyr-plays. The fourth form is that of planipes, which is called *mimus* in Greek. But it is called *planipes* in Latin (...)"'. On this passage, see e.g. Neukirch 1833: 56-58; Lesky 1952: 358; Ussani 1981: 337-345.

<sup>117</sup> Cf. e.g. G.L. I, p. 481 K. *qui pes creticus κατὰ τροχάϊον dicitur*; p. 484 *hexameter uersus epos dicitur*; p. 507 *iambicus scazon idem hipponacteus ab auctore dicitur*; p. 524 *alter pentameter iambicus dicitur*. I already came to this conclusion in Rallo 2021b: 224.

*confusa cernebantur*.<sup>118</sup> Diomedes' passage testifies to an initial sense of the word, diachronically specified as an ancient use. Diomedes then refers to the fact that the word *togata* could apparently be used as a general term denoting either Roman tragedy or comedy (*in praetextatas et tabernarias diuidebantur*), comprising *praetextata*, *tabernaria*, *atellana*, and *planipes* (Diomedes' definition),<sup>119</sup> and as an imprecise synonym of *tabernaria* (*pro tabernariis...communis error*). In the latter case, it denotes a '(type of) comedy', which is different from Greek comedy, as Diomedes later reports:

*togata tabernaria a comoedia differt, quod in comoedia Graeci ritus inducuntur personaeque Graecae, Laches Sostrata; in illa uero Latinae. togatas tabernarias in scenam datauerunt praecipue duo, L. Afranius and C. Quintius. nam Terentius and Caecilius comoedias scripserunt.*<sup>120</sup>

The plurality of senses attested in Diomedes is confirmed by an analysis of the occurrences of this word in other *testimonia*. The term *togata* may be used to indicate a 'play', a '(type of) comedy', and a 'theatrical genre between comedy and tragedy'. Moreover, there are also passages in which the sense of the term *togata* is difficult to understand, and the content itself does not give us any clues as to what the term might mean.<sup>121</sup>

<i>Togata</i> as:	'Play'	'(Type of) Comedy'	'Theatrical genre between comedy and tragedy'
	<ul style="list-style-type: none"> <li>• Var. L. 6.18;</li> <li>• Ps.-Acro <i>Schol. in Ep.</i> 2.1.79.</li> </ul>	<ul style="list-style-type: none"> <li>• <i>Schol. Juv.</i> 1.3;</li> <li>• Don. <i>Com.</i> 6.1 and 5;</li> <li>• Ps.-Acro</li> </ul>	<ul style="list-style-type: none"> <li>• Sen. <i>Ep.</i> 8.8, and 89.7.3.</li> </ul>

<sup>118</sup> Perutelli 2013: 70 highlights the problematic meaning of this expression, arguing that "se il grammatico avesse semplicemente inteso affermare che i due generi all'inizio nell'opinione comune erano confusi, non avrebbe detto *publico honore*". On this, see also Ussani 1981: 341.

<sup>119</sup> On this, cf. Lesky 1952: 358.

<sup>120</sup> Transl. from Manuwald 2010: 86, "Togata tabernaria differs from comoedia in that in comoedia Greek customs are presented and Greek characters, like Laches or Sostrata, but in the former Latin ones. Togatae tabernariae for the stage were primarily produced by two poets, L. Afranius and C. Quintus. For Terence and Caecilius wrote comoediae". On the use of *fabula togata* and *fabula tabernaria*, Stankiewicz 1991: 33-35.

<sup>121</sup> See I.2.4.

		<p><i>Schol. De art. Poet.</i> 288;</p> <ul style="list-style-type: none"> <li>• <i>Lyd. Mag.</i> 1.40;</li> <li>• <i>Eugr. Comm. Ter. Eunch.</i> 769 and <i>Comm. Ter. Phorm.</i> 844.</li> </ul>	
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### I.2.1 *Togata* as ‘Play’

This section analyses ancient sources attesting the term *togata*, which I take with the sense of *fabula*. The earliest source is Varro (Var. L. 6.18):

*Nonae Caprotinae*,<sup>122</sup> *quod eo die in Latio Iunoni Caprotinae mulieres sacrificant et sub caprifico faciunt; e caprifico adhibent uirgam. Cur hoc, togata praetexta*<sup>123</sup> *data eis Apollinaribus Ludis docuit populum.*<sup>124</sup>

Here, Varro employed *togata* as a term (i.e. *fabula*) to be qualified by the specialisation *praetexta*. That is to say, as de Melo has rightly pointed out, “Varro uses *togata* as a technical term for any kind of Latin play. This is a purely technical usage and innovation”.<sup>125</sup>

As a second and final source, I quote Ps.-Acro, who, in *schol. in Ep.* 2.1.79, mentions Atta as an author of *togatae* tragedies and *togatae* comedies, presumably intending the term *togata* to mean ‘play’:

<sup>122</sup> For further remarks on this celebration, with a focus on female presence, Boëls-Janssen 2010: 121-122.

<sup>123</sup> On the interpretation of *togata praetexta* in this passage, Lesky 1952: 361-362. Though the word transmitted in the manuscripts is *togata*, some scholars have preferred *toga* instead: on this, see Rallo 2021b: 218 n. 16.

<sup>124</sup> Transl. from de Melo 2019: 367, “The *Nonae Caprotinae* ‘Nones of Caprotina’ got their name because on that day the women sacrifice to *Iuno Caprotina* in Latium, and they do so under a *caprificus* ‘wild fig tree’; from the fig tree they use a branch. As to why this was done, the *praetexta* play presented to them at the games for Apollo has taught the people”.

<sup>125</sup> de Melo 2019: 670-671.



*Atta <tog>atarum scriptor tragoediarum et comoediarum fuit antiquus (...).*<sup>126</sup>

In this section, my investigation has shown how ancient sources seem to have intended the term *togata* as ‘play’, thus revealing a sense of the word which may work either for tragic or for comic performances.

### I.2.2 *Togata* as ‘(Type of) Comedy’

Here, I include all those *testimonia* that use the term *togata* with the sense of ‘(type of) comedy’, which is, as clarified above, the sense currently given to the term *togata* without careful reflection by scholars. Such usage is attested in different authors, as in *Schol. Juu.* 1.3:

*Togatae sunt comoediae Latinae, quales Afranius fecit, palliatae Graecae,*<sup>127</sup>

and in Donatus (*Com.* 6. 1 and 5):

(1) *fabula generale nomen est: eius duae primae partes tragoedia et comoedia. <tragoedia>, si Latina argumentatio sit, praetexta dicitur. comoedia autem multas species habet: aut enim palliata est aut togata aut tabernaria aut Atellana aut mimus aut Rinthonica aut planipedia. (...)*

(5) *comoediarum formae sunt tres: palliatae Graecum habitum referentes, togatae iuxta formam personarum habitum togarum desiderantes, quas nonnulli tabernarias uocant, Atellanae salibus et iocis compositae, quae in se non haberent nisi uetustatum elegantias.*<sup>128</sup>

In this passage, the term *togatae* is mentioned along with *palliatae* and *Atellanae*, as a ‘(type of) comedy’, in which characters wear the *toga*. People also referred to *togatae* using the

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<sup>126</sup> Transl.: “Atta was an ancient author of *togatae* tragedies and *togatae* comedies (...)”.

<sup>127</sup> Transl.: “*Togatae* are Latin-style comedies, of the kind that Afranius wrote, *palliatae* (are) Greek-style (comedies)”.

<sup>128</sup> Transl. from Manuwald 2010: 88-89, “Play is a general term: its two foremost types are tragoedia and comoedia. Tragoedia, if the plot is Latin, is called praetexta. Comoedia, however, has many forms: for it is either palliata or togata or tabernaria or Atellana or mimus or Rinthonica or planipedia. (...) Of comedy there are three types: palliatae, reproducing Greek attire, togatae, requiring in addition to the type of characters the wearing of togas, which some call tabernariae, Atellanae, consisting of puns and jokes, which have nothing in them if not the elegance of age”.

term *tabernariae*, derived from *taberna*, which literally means wooden hut<sup>129</sup> – cf. Diomedes' passage analysed above (*togatas autem...pro tabernariis*).

Ps.-Acro (*schol. De art. Poet.* 288) also refers to the *togata* (= '(type of) comedy'):

*comoediarum genera sunt sex: stataria, motoria, praetextata, tabernaria, togata, palliata.*<sup>130</sup>

However, the passage is more complex than it seems at first, as it follows the previous comments of Ps.-Acro on what others said:

VEL QUI PRAETEXTAS. *Idest qui praetextas fabulas fecerunt uel togatas, meruerunt nimium decus. Praetextam quidam dicunt tragoediam, togatam autem comoediam. Alii autem dicunt praetextam et togatam comoedias esse, sed togatas, in quibus sunt Graeca argumenta, praetextas in quibus [sunt] Latina.*<sup>131</sup>

Ps.-Acro reports that some people refer to *togatae* as 'comedies with Greek subjects', which are different from the *praetextae*, here intended as 'comedies with Latin plots'. This testimony highlights the flexible boundaries between dramatic genres, and the uncertain definition of another genre, the *praetexta*, which is defined as a Latin comedy, rather than a Latin tragedy. In the specific case of the *togata*, it is interesting to note that it is said to have *Graeca argumenta*, a reference which alludes to the hybridity of this literary genre: though it is a very Roman one, it likewise includes Greek elements.

The sense of the term *togata* (= '(type of) comedy') is also attested in John the Lydian, in *Mag.* 1.40:<sup>132</sup>

Τότε Τιτίνιος ὁ Ῥωμαῖος κωμικὸς μῦθον ἐπεδείξατο ἐν τῇ Ῥώμῃ. ὁ δὲ μῦθος τέμνεται εἰς δύο, <εἰς τραγωδίαν καὶ κωμωδίαν· ὧν ἡ τραγωδία καὶ αὐτὴ τέμνεται εἰς δύο>, εἰς κρηπιδᾶταν καὶ πραιτεξτᾶταν· ὧν ἡ μὲν κρηπιδᾶτα Ἑλληνικὰς ἔχει

<sup>129</sup> See e.g. Tabacco 1975: 33-57; Guardi 1991: 209-211; Manuwald 2011: 156-157.

<sup>130</sup> Transl.: "there are six types of comedies: stataria, motoria, praetextata, tabernaria, togata, palliata".

<sup>131</sup> Transl.: "Or those who (composed) praetextae plays. That is to say, those who composed praetextae plays or togatae deserved much glory. Some people say that the praetexta (is) tragedy, whereas the togata comedy. Others say that the praetexta and the togata are comedies, but that the togatae (are those) in which there are Greek subjects, whereas the praetextae (are those) in which (there are) Latin (subjects)".

<sup>132</sup> I mention this passage at I.1.1, where I discuss the chronology of Titinius, along with Afranius and Atta.

ὑποθέσεις, ἢ δὲ πραιτεξτάτα Ῥωμαϊκάς. ἢ μέντοι κωμωδία τέμνεται εἰς ἑπτὰ, εἰς παλλιᾶταν **τογάταν** Ἀτελλάνην ταβερναρίαν Ῥινθωνικὴν πλανιπεδαρίαν καὶ μιμικὴν· καὶ παλλιᾶτα μὲν ἔστιν ἡ Ἑλληνικὴν ὑπόθεσιν ἔχουσα κωμωδία, τογάτα δὲ ἡ Ῥωμαϊκὴν, ἀρχαίαν· (...).<sup>133</sup>

After explaining the way in which the *mythos* is divided, Lydus notes that tragedy consists of *crepidata* and *praetexta*, Latin tragedy with Greek and Roman themes respectively. John the Lydian then lists seven types of comedy, and illustrates the difference between *palliata* and *togata*, classifying these as sub-comic forms.<sup>134</sup>

Eugraphius, probably a contemporary of John the Lydian, testifies to the same usage of the term *togata*:

(*Comm. Ter. Eu.* 769) *Attolle pallium quoniam <haec> comoedia Athenienses personas habet, idcirco 'pallium' dixit. sunt enim <et> comoediae, quae togatae dicuntur et personas Romanas habent,*<sup>135</sup>

and

(*Comm. Ter. Ph.* 844) *saepe dixi istas comoedias esse palliatas, ubi [personae] sint Graecae, ut in Eunucho (IV 6, 31) 'attolle pallium'. sunt autem togatae, ubi personae Romanae sunt.*<sup>136</sup>

The sources discussed in this section of the chapter thus reveal that the term *togata* has been intended as a '(type of) comedy'. However, ancient sources did not intend the term

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<sup>133</sup> Transl. from Bandy 1983: 61-63, "At that time Titinius, the Roman comic poet, presented a play in Rome. A play is divided into two types: into tragedy and comedy, of which tragedy itself also is divided into two types: into *crepidata* and *praetextata*, of which the *crepidata* has Greek plots, while the *praetextata* has Roman plots. Comedy, however, is divided into seven types: into *palliata*, *togata*, *Atellana*, *tabernaria*, *Rhinthonica*, *planipedaria*, and miming. *Palliata* is a comedy which has a Greek plot, while *togata* is one which has a Roman plot of ancient type. (...)"

<sup>134</sup> On this, see also Lesky 1952: 365.

<sup>135</sup> Transl.: "Raise up the mantle because <this> comedy has Athenian characters, for that reason she said 'mantle'. Indeed, there are also comedies which are called *togatae* and have Roman characters".

<sup>136</sup> Transl.: "I often said that these comedies were *palliatae*, in which the [characters] are Greek, as in Eunuchus (IV 6, 31) 'raise up the mantle'. On the other hand, *togatae* are those in which characters are Roman".

*togata* only as ‘play’ and ‘(type of) comedy’, as I have explored so far. Indeed, there is also another possible sense of the term *togata*, as I shall show in what follows.

### I.2.3 *Togata* as ‘Theatrical Genre Between Comedy and Tragedy’

This section investigates the third possible meaning of the term *togata*, that is, a kind of theatrical genre between comedy and tragedy / *genus medium* or *medium quiddam*.<sup>137</sup>

Seneca, in *Ep.* 8.8,<sup>138</sup> claims that:

(...) *Quam multi poetae dicunt, quae philosophis aut dicta sunt aut dicenda! Non adtingam tragicos nec togatas nostras. habent enim hae quoque aliquid seueritatis et sunt inter comoedias ac tragoedias mediae. quantum disertissimorum uersuum inter mimos iacet!*<sup>139</sup>

Seneca seems to us to have intended to use the term *togata* to describe a theatrical genre that is situated between comedy and tragedy, and praised alongside mime as repository of hidden wisdom.<sup>140</sup> However, it is worth noticing that one cannot be totally sure whether Seneca gives a technical description of theatrical genres (i.e. comic and tragic genres) here or whether he simply refers to *togatae* as dramatic representations containing either serious or comic elements.

Here, one may also analyse another passage of Seneca (*Ep.* 89.7.3), which makes mention of *togatae antiquae*:

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<sup>137</sup> See Ussani 1969: 391-393.

<sup>138</sup> On this passage, cf. Richardson-Hay 2006: 271-272. On the philosophical constructions in Seneca’s *Epistulae*, cf. e.g. Schirok 2012: 2-17; Badali in Pesaresi 2015: 97-110; Früh in Früh, Fuhrer, Humar, and Vöhler 2015: 87-108; Star 2017: 60.

<sup>139</sup> Transl. from Graver-Long 2015: 39, “(...) So many poets say things that philosophers have said, or that they ought to have said! I need not refer to the tragedians or to the authors of our *fabulae togatae* (for those plays too have a serious element; they are in between tragedy and comedy). Plenty of highly eloquent verses are to be found even in the mime!”.

<sup>140</sup> Baier 2010: 83. See also Sandbach 1977: 115-116. On the usage of the adjective *nostrae* referring to *togatae*, see also Rallo 2021b: 221, “Here, the use of the adjective *nostrae* is attention-grabbing: *togatae nostrae* could refer to the fact that Seneca acknowledged the belief that these plays were not based on Greek originals, and perhaps aimed to emphasize a totally Roman literary genre”.

*Sapientia est, quam Graeci σοφίαν uocant. Hoc uerbo Romani quoque utebantur, sicut philosophia nunc quoque utuntur. Quod et togatae tibi antiquae probabunt et inscriptus Dossenni monumento titulus: Hospes resiste et sophian Dossenni lege.*<sup>141</sup>

Seneca mentions both *togatae* and philosophy, discussing the Roman use of *Sophia*.<sup>142</sup> He testifies that *togatae* contained elements of Roman *sapientia*. Seneca highlights wisdom as one of the themes of the *togatae*, and “a goal which is to be put into practice every day”.<sup>143</sup> Furthermore, this topic might be shared between *togatae antiquae* and *Atellanae*: Dossennus is the name of the smart hunchback of the *fabula Atellana*.

‘Play’, ‘(type of) comedy’, and ‘theatrical genre between comedy and tragedy’ are thus possible senses of the term *togata*. They reveal how defining such a theatrical genre is complex and becomes more intricate if one considers other ancient sources where the term *togata* is attested, as the following section will explore.

#### **I.2.4 *Togata* as ‘Term of Unclear Meaning’**

In the final section of this part of the chapter, I discuss sources using the term *togata* in a way which does not allow a certain semantic interpretation, though there are some cases, as I shall show below, in which the commentators provide a kind of explanatory gloss which may somehow help us. I first analyse—as case study—Cicero, *Pro Sestio* 118, which is in fact the first attestation of the term *togata*, and Horace, *Ars* 288. I then list in a table other sources where the term *togata* is attested, which I consider impossible for us to define properly.

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<sup>141</sup> Transl. adapted from Graver-Long 2015: 320, “*Sophia* is actually the Greek word for “wisdom”. Romans too used to speak of *sophia*, just as we still use the Greek word *philosophia*. You have evidence for this in our old *togatae* and in the inscription of the tomb of Dossennus: ‘Stop, traveller, and read the *Sophia* of Dossennus’”. Here, I modify the translation by Graver-Long, who propose ‘comedies’. Indeed, I do not find any clues in the passage which might reveal such a sense. For this reason, I rather prefer to maintain the Latin term *togatae*, as Seneca is likely referring to his previous definition of the term *togata* (see *Ep.* 8.8). On this passage, see e.g. Ussani 1969: 376-377; Baier 2010: 83-84.

<sup>142</sup> On *sophia/sapientia* mentioned here, cf. Petrone 2021: 556-557.

<sup>143</sup> Rallo 2021b: 221. References to philosophical topics in the internal pieces of evidence from the *togata* might confirm Seneca’s suggestions: cf. Rallo 2021b: 221-222.

## Case Study 1

The first case study is Cic. *Sest.* 118:<sup>144</sup>

*Sed quid ego populi Romani animum uirtutemque commemoro, libertatem iam ex diuturna seruitudine dispicientis, in eo homine, cui tum petenti iam aedilitatem ne histriones quidem coram sedenti pepercerunt? Nam cum ageretur togata 'Simulans', ut opinor, caterua tota clarissima concontentione in ore impuri hominis imminens contionata est: huic, Tite, / tua post principia atque exitus uitiosae uitae. Sedebat exanimatus, et is, qui antea cantorum conuicio contiones celebrare suas solebat, cantorum ipsorum uocibus eiciebatur. et quoniam facta mentio est ludorum, ne illud quidem praetermittam, in magna uarietate sententiarum numquam ullum fuisse locum, in quo aliquid a poeta dictum cadere in tempus nostrum uideretur, quod aut populum uniuersum fugeret aut non exprimeret ipse actor.*<sup>145</sup>

Cicero mentions a performance of a *togata* in 57 BCE, during the *Ludi Apollinares*. The use of *ut opinor*, as Kaster has highlighted, may “create an impression of plausible uncertainty regarding a detail he could not know from his own experience”.<sup>146</sup> I would suggest that one can be more precise about this. Indeed, Cicero definitely did not know of this *togata* from his own experience, but from other people: he was not in the city of Rome during the *Ludi Apollinares*, as he was returning from his exile.<sup>147</sup> The name of the theatrical performance, *Simulans*, can be attributed to Afranius, on the basis of a testimony of Antonius Panurgus, who quoted a fragment of this theatrical work.<sup>148</sup> During this

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<sup>144</sup> I mention it at I.1.1 while discussing the chronology of Afranius.

<sup>145</sup> Transl. from Manuwald 2010: 70, “But why should I recall the Roman people’s spirit and courage, when they were just discerning liberty after long servitude, in the case of this man, whom not even the actors have spared, when he was already a candidate for the aedileship and sitting before them? For when a *togata*, entitled *Simulans* (*The Pretender*), I believe, was being performed, the whole group of actors publicly harangued him in splendid harmony, bending towards the face of the polluted man: ‘This, Titus, is the sequel for you and the outcome of your vicious life!’ He sat there entirely put out of his senses, and he who previously used to fill his popular assemblies with abuse of hired singers was now driven off by the voices of actual singers. And since mention has been made of the games, I will not omit this detail, namely that amid the great variety of utterances there has never been a passage in which something said by the poet seemed to apply to our time that either escaped the whole populace or was not expressed by the actor himself”.

<sup>146</sup> Kaster 2006: 350.

<sup>147</sup> Petrone 2011: 134; Hanses 2020: 124-125.

<sup>148</sup> Antonius Panurgus lists a series of authors and their plays in a fragment quoted by Fest. 174 L.

theatrical representation, the lines *huic, Tite, / tua post principia atque exitus uitiosae uitae*<sup>149</sup> were said to Clodius.<sup>150</sup>

Because this is the first attestation of the term *togata*, it is necessary to further analyse the passage, and the Ciceronian use of the word *togata*.<sup>151</sup> The expression *cum ageretur togata* in particular deserves to be highlighted, as it seems to suggest that Cicero assumed from his audience a degree of familiarity with the term *togata*. In other words, Cicero could have preferred to use the word *togata* to define something known to his audience, or there could have been an aspect in this *togata* that he wanted to differentiate from the other theatrical works the audience has seen. Meanwhile, it is equally possible that Cicero may have been alluding to something alien to the Greek world and more easily recognisable to a Roman audience. In any case, what is important to stress is that there are no indications whatsoever that the term *togata* here refers to a '(type of) comedy', to a general 'play', or to a sort of 'theatrical genre between comedy and tragedy', that is to say, all the senses of the term I have highlighted in my taxonomic analysis above. Thus, the word *togata* in this passage of Cicero remains of unclear meaning.

## Case Study 2

The second case study is Hor. *Ars* 285-291:<sup>152</sup>

*Nil intemptatum nostri liquere poetae,  
nec minimum meruere decus uestigia Graeca  
ausi deserere et celebrare domestica facta,  
uel qui praetextas uel qui docuere togatas.*

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<sup>149</sup> On this fragment, Sandbach 1977: 116.

<sup>150</sup> This was not a unique occasion. Cicero reports that tragic verses were also used against Pompey during the *Ludi Apollinares* (cf. Cic. *Att.* 2.19.3). As Kaster 2006: 350 notes, "abuse of this sort skirted the principle that a person defamed by name from the stage could sue", and then adds that "the abused in any case usually preferred to appear to disdain the abuse as beneath contempt".

<sup>151</sup> For a general overview of the adjective *togatus* in Cicero and in other Latin sources, cf. López 1977: 331-342 (= 2000: 341-353).

<sup>152</sup> On the *Ars Poetica*, see e.g. Laird in Harrison 2007: 132-143; Hardie 2014: 43-54; Hajdú 2014: 85-96.

*nec uirtute foret clarisue potentius armis  
quam lingua Latium, si non offenderet unum  
quemque poetarum limae labor et mora.*<sup>153</sup>

The sense of the term *togata* in this passage is not clear. The line *uel qui praetextas uel qui docuere togatas* “is more difficult than it seems because the meaning of these terms is not agreed”.<sup>154</sup> That is to say, it is not possible to be sure about the sense of the word *togata* here.<sup>155</sup> It might mean ‘(type of) comedy’, thus in comparison with, and opposition to, *praetexta*,<sup>156</sup> or generic theatrical category, mistakenly associated with a sense of comedy (cf. the above-cited passage of Diomedes, who talks about *communis error* in relation to the usage of the word *togata* in Horace).<sup>157</sup> Whatever the term *togata* means in the Horatian line, the passage suggests that *togata* has nothing to do with *uestigia Graeca*, which seems to me to mean allusion to Greek literary models.

To conclude my taxonomic analysis, I list other ancient sources which contain passages where the word *togata* is a ‘term of unclear meaning’:

Source	Explanatory Text
Cic. <i>Sest.</i> 118	Case Study 1 (see above)
Var. <i>L.</i> 5.25.8	(...) <i>puticuli quod putescabant ibi cadauera proiecta, qui locus publicus ultra Exquilias. Itaque eum Afranius puticulos in togata</i>

<sup>153</sup> Transl. from Kilpatrick 1990: 79, “Our poets have left nothing untried, and not the least glory is due to those with the courage to abandon the Greeks’ footsteps and celebrate things done at home, or produce either *praetextae* or *togatae*. Nor would Latium have greater might in virtue’s field or arms’ renown than with its tongue, if all our poets were not repelled by labour and patience with file”. Here, I follow Kilpatrick’s translation; however, I would point out that the line *uel qui praetextas uel qui docuere togatas*, which Kilpatrick translates ‘or produce either *praetextae* or *togatae*’, may not be an alternative to *celebrare domestica facta* but an expansion/specification.

<sup>154</sup> Brink 1971: 319-320; see also Wiseman 2008: 194, “Horace clearly implies that *praetextae* and *togatae* were not the same thing”.

<sup>155</sup> See Rallo 2021b: 220.

<sup>156</sup> See e.g. López 1977: 341 (= 2000: 351); Perutelli 2013: 69, “Orazio era convinto che il teatro a temi romani si ripartiva fra un genere tragico, la *praetexta*, e uno comico, la *togata*”.

<sup>157</sup> See Lesky 1952: 358-359.



	<i>appellat, quod inde suspiciunt per puteos lumen.</i> <sup>158</sup>
Hor. Ars 288	Case Study 2 (see above)
Fest. Ep. Verr. Flacc. 352.12 <sup>159</sup>	<b>Togatarum</b> ... <i>omnium fastigi; quae</i> ... <i>quod togis praetextis rem</i> ... <i>ter̄ tabernariarum, quia</i> ... <i>cellentibus etiam humiles.</i> <sup>160</sup>
Vell. 2.9.3	(...) <b>in togatis Afranii</b> , in tragoediis Pacuuii atque Accii (...). <sup>161</sup>
Quint. Inst. 10.1.100	<i>adeo ut mihi sermo ipse Romanus non recipere uideatur illam solis concessam Atticis uenerem, cum eam ne Graeci quidem in alio genere linguae suae obtinuerint. <b>Togatis excellit Afranius</b>; utinam non inquinasset argumenta puerorum foedis amoribus mores suos fassus.</i> <sup>162</sup>
Suet. Nero 11.2.5	(...) <i>ludis, quos pro aeternitate imperii susceptos appellari ‘maximos’ uoluit, ex utroque ordine et sexu plerique ludicas partes sustinuerunt; notissimus eques R. elephanto supersidens per catadromum decucurrit; <b>inducta Afrani togata</b>, quae Incendium &lt;in&gt;scribitur, concessumque ut scaenici ardentis (...).</i> <sup>163</sup>

<sup>158</sup> Transl. from de Melo 2019: 269, “(...) they are *puticuli* because the dead bodies thrown in *putescebant* ‘used to rot’ there; this public burial place is beyond the Esquiline. Hence Afranius calls it the *puticuli* ‘pit-lights’ in a togata play, because from there they look up at the *lumen* ‘light’ through the *putei*”.

<sup>159</sup> On Verreius and Festus (along with Paulus), see e.g. Zetzel 2018: 96-98.

<sup>160</sup> Lindsay 1930: 442, *Togatarum... omnium fastigi, quae <praetextae uocantur> quod togis praetextis rem... tur tabernariarum, quia <in is cum hominibus ex>cellentibus etiam humiles* (transl.: “the best(?) of all the *togatae*, which <are called *praetextae*> because (they are performed?) with *togae praetextae* (and?) of *tabernariae*, because (they performed?) also humble people with excellent men”). The passage is lacunose, and its meaning is difficult to comprehend, let alone the reference to the term *togata*, which is unclear.

<sup>161</sup> See transl. at I.1.1.

<sup>162</sup> Transl. adapted from Russell 2001: 307, “nevertheless, we barely achieve a faint shadow, and I have come to think that the Latin language is incapable of acquiring that grace which was vouchsafed uniquely to the Athenians – for the Greeks too failed to achieve it in any other dialect of their language. In the *togatae*, the outstanding figure is Afranius. If only he had not defiled his plots with indecent paedophile intrigues, thereby exhibiting his own proclivities”. Russell translates *togata* as ‘Roman-dress comedy’; however, I prefer leaving the Latin term *togatae* in the translation, as we do not have any indication of the comic specificity of this word in Quintilian.

<sup>163</sup> Transl. adapted from Barton 1997: 247, “In the games which he instituted for the eternal duration of the empire, and therefore ordered to be called *Maximi*, many of the senatorian and equestrian order, of both sexes, performed. A distinguished Roman knight descended on the stage by a rope, mounted on an elephant. A togata, likewise, composed by Afranius and entitled *Incendium* was brought upon the stage (...)”. Barton translates *togata* as ‘Roman play’. However, I would argue that this is one of those cases in

Suet. <i>Gram.</i> 21.5	(...) <i>fecit et nouum genus togatarum inscripsitque trabeatas.</i> <sup>164</sup>
Fro. <i>Ant.</i> 2.2	<i>Vel graues ex orationibus ueterum <b>sententias</b> arriperetis uel dulces ex poematis uel ex historia splendidas uel comes ex comoediis uel urbanas <b>ex togatis</b> uel ex Atellanis lepidas et facetas.</i> <sup>165</sup>
Gel. 10.11.8, 13.8.3, and 20.6.5 <sup>166</sup>	(10.11.8) <i>Cum significandum autem est, coactius quid factum et festinantius, cum rectius ‘praemature’ factum id dicitur quam ‘mature’, sicuti Afranius dixit in <b>togata</b>, cui Titulus nomen est (...);</i> <sup>167</sup> (13.8.3) <i>Versus Afrani sunt in <b>togata</b>, cui Sellae nomen est (...);</i> <sup>168</sup> and (20.6.5) <i>Afranius in <b>togata</b>: Nescio qui nostri miseritust tandem deus.</i> <sup>169</sup>
Quint. <i>Ser. Lib. Med.</i> 58.1038	<i>alia praecepit Titini sententia necti, / qui ueteri <b>claras expressit more togatas.</b></i> <sup>170</sup>
Porph. <i>Comm. in Hor. Ep.</i> 2.1	<i>togatas enim scripsit Afranius, in quibus Menandri stilum uidetur imitari.</i> <sup>171</sup>
Porph. <i>Comm. in Hor. Ep.</i> 2.1	<i>Atta <b>togatarum</b> scriptor es&lt;t&gt;, qui in <b>fabula</b>, quae inscribitur Materterae (...).</i> <sup>172</sup>
Ps.-Acro <i>Schol. in Ep.</i> 2.1	<i><b>Afranius togatas comoedias scripsit: hoc est Latinas; nam Graecae palliatae dicebantur.</b></i> <sup>173</sup>

which the meaning of the term *togata* is unclear: we really do not know its sense, that is to say, if it is a ‘play’, a ‘(type of) comedy’, or a ‘theatrical genre between tragedy and comedy’. For this reason, in the translation I prefer to maintain the Latin word *togata*.

<sup>164</sup> See transl. at I.1.1.

<sup>165</sup> Transl. from Haines 1919: 305, “you could pluck either weighty thoughts from the speeches of the ancients or sweet thoughts from their poems, or splendid thoughts from history, or kindly ones from comedies, or courtly ones from the national drama, or witty and humorous ones from the Atellane farce”.

<sup>166</sup> On Gellius’ quotation of the lines of *togatae*, cf. Welsh 2010b: 257.

<sup>167</sup> Transl. adapted from Rolfe 1927 reprint.: 241, “But when we wish to indicate that anything has been done under too great pressure and too hurriedly, then it is more properly said to have been done *praemature*, or ‘prematurely’, than *mature*. Thus Afranius in his *togata* called *Titulus* says (...)”. I prefer the Latin term *togata* to Rolfe’s ‘Italian play’. Indeed, I do not see any evidence of the sense he gives to the word *togata*.

<sup>168</sup> Transl. adapted from Rolfe 1927 reprint.: 431, “The verses of Afranius are in a *togata* called *Sella* (...)”. As the previous translation, I keep the Latin term *togata*. Rolfe translates it as ‘Roman comedy’, which is imprecise because we do not have any information about the meaning of the term *togata* here.

<sup>169</sup> Transl. adapted from Rolfe 1927 reprint.: 439, “Afranius wrote in a *togata*: At last some god or other pitied us (*nostris*)”. The meaning of the term *togata* is unclear in this passage: for this reason, I maintain *togata* instead of ‘Italian play’, Rolfe’s original translation.

<sup>170</sup> Transl.: “the maxim of Titinius prescribed that garlic was woven, (Titinius) who composed famous *togatae* in the ancient manner”. On this passage, see discussion at III.1.2.4.

<sup>171</sup> Transl.: “indeed, Afranius wrote *togatae*, in which he seems to imitate the style of Menander”.

<sup>172</sup> Transl.: “Atta is an author of *togatae*, who, in a play which is entitled ‘Mother’s sisters’ (...)”.

Ps.-Acro ad Hor. Ars 288	<i>praetextas et togatas scripserunt Aelius Lamia, Antonius Rufus, Gnaeus Melissus, Africanus (leg. Afranius), Pomponius.</i> <sup>174</sup>
Seru. Comm. Aen. 11.160	uiuendo uici: id est superuixi: ueteres enim “uiuendo uincere” dicebant superuiuere, ut (Verg. Georg. 2.295) “multa uirum uoluens uiuendo saecula uincit”; nam et <b>in togatis</b> “uictrices” appellantur, quae uiros extulerunt. Plautus in Epidico (177): “quia tibi licuit eum uiuendo uincere” <sup>175</sup>
Don. Com. 5.4	comoediam apud Graecos dubium est quis primus inuenerit, apud Romanos certum: <b>et comoediam et tragoediam et togatam</b> primus Liuius Andronicus repperit. <sup>176</sup>
Don. Ter. Ad. praef. 1.1, Ter. Eu. 1.57, and Ter. Ph. 5.844 W.	(Ter. Ad. praef. 1.1) sed et Graeci nominis euphoniā perderet et <b>praeterea togata uideretur</b> ; <sup>177</sup> (Ter. Eu. 1.57), concessum est in palliata poetis comicis seruos dominis sapientiores fingere, quod idem <b>in togata</b> non fere licet; <sup>178</sup> (Ter. Ph. 5.844) recte, <b>quia palliata fabula est, non togata.</b> <sup>179</sup>
Don. Ter. Ad. 7 W.	(...) ut apud Graecos δράμα sic apud Latinos generaliter fabula dicitur, cuius species sunt tragoedia, comoedia, <b>togata</b> , tabernaria, praetexta, crepidata, <sup>180</sup> Atellana, μῆμος, Rhintonica. <sup>181</sup>

<sup>173</sup> Transl.: “Afranius wrote *togatae* comedies, which (are written in) Latin; indeed, the Greek ones were called *palliatae*”. This is a case in which the commentator provides an explanatory gloss, and which would seem to drive our attention to the comedic sense of the term.

<sup>174</sup> See transl. at I.1.1.

<sup>175</sup> Transl. from Welsh in Dutsch, James, and Konstan 2015: 165 n. 3, “vivendo vici [I have surpassed in life]: that is, I have outlived: the ancients used the term “vivendo vincere” [to surpass in life] to say “to outlive”, as in (Verg. Georg. 2.295) “rolling of many generations of men past, it surpasses in life”: also in the *togatae*, women who have buried their husbands are called “uictrices” [- “winners”]. Plautus in the *Epidicus* (177): “since you were able to overcome him by living”). On this passage, see discussion at II.1.

<sup>176</sup> See transl. at I.1.1.

<sup>177</sup> Transl.: “but it would lose the euphony of the Greek name and furthermore it would seem to be a *togata*”.

<sup>178</sup> Transl. from Feeney 2016: 181, “comic poets in the *palliata* had the license to represent slaves as wiser than their masters, which is normally not allowed in the *togata*”. On this passage, see II.2.2.

<sup>179</sup> Transl.: “rightly, because the play is a *palliata*, not a *togata*”. Though one cannot be sure about the exact sense of the term *togata*, the juxtaposition *palliata-togata* is meaningful, at least in the mind of the author and his readers, suggesting a possible comic context.

<sup>180</sup> On the usage of the word *crepidata*, Lesky 1952: 364-366.

<sup>181</sup> Transl.: “as ‘drama’ among Greeks, so among Latins *fabula* is used generally, the categories of which are tragedy, comedy, *togata*, tabernaria, praetexta, crepidata, Atellana, mime, Rhintonica”.

Euanth. <i>Fab.</i> 4.1	<i>illud uero tenendum est, post véav κωμωδίαν Latinos multa fabularum genera protulisse, ut <b>togatas</b> ab scaenicis atque argumentis Latinis, praetextatas a dignitate personarum tragicarum ex Latina historia, Atellanas a ciuitate Campaniae, ubi actitatae sunt primae, Rinthonicas ab auctoris nomine, tabernarias ab humilitate argumenti ac stili, mimos ab diuturna imitatione uilium rerum ac leuium personarum.</i> <sup>182</sup>
Jul.Vict. <i>Ars Rhet.</i> 105.5	<i>multum ad sermonis elegantiam conferent comoediae ueteres et <b>togatae</b> et tabernariae et Atellanae fabulae et mimofabulae, multum etiam epistulae ueteres, in primis Tullianae.</i> <sup>183</sup>
Jer. <i>Chr. ad Ol.</i> 175.3	<i>Chron. ad 77 BC: olympiade CLXXV anno tertio Titus Quintius Atta <b>scriptor togatarum</b> Romae moritur sepultusque uia Praenestina ad miliarium II.</i> <sup>184</sup>
Macr. <i>Sat.</i> 6.1.4 and 6.8.13	<i>(6.1.4) <b>Afranius enim togatarum scriptor in ea togata</b> quae Compitalia inscribitur, non inuerecunde respondens arguentibus quod plura sumpsisset a Menandro (...),</i> <sup>185</sup> and (6.8.13)

<sup>182</sup> Transl. from Manuwald 2010: 88, “But what has to be borne in mind is that, after New Comedy, the Latins have produced many kinds of dramas, such as *togatae* based on Latin actors and plots, *praetextatae* based on characters of tragic dignity and stories from Latin history, *Atellanae* named after a township in Campania, where they were first acted [i.e. Atella], *Rhinthonicae* called after the author’s name [i.e. Rhinthon], *tabernariae* with humble plot and style, *mimi* named after the constant imitation of cheap things and unimportant characters”. *Togatae* are the first theatrical category to be mentioned, and are put in continuity with New Comedy, along with other literary genres Euanthius mentions in his list. The grammarian specifies that the *praetextatae* are based on tragic Latin history (on the mention of *praetextata* in this passage, Cupaiuolo 1979: 191), and the *tabernariae* on *humilitate argumenti ac stili* (i.e. Latin comedies). The association between New Comedy and Latin genres is interesting: the *togata* is inserted within a theatrical catalogue linked to New Comedy, thus letting us suppose that Euanthius might have perceived in the *togatae* elements associated with New Comedy.

<sup>183</sup> Transl.: “ancient comedies, *togatae*, *tabernariae*, *Atellanae fabulae*, *mimofabulae*(?) contribute a lot to the choice of speech, as do also ancient epistles, primarily those of Tullius”. On this passage, see also III.1.2.3.

<sup>184</sup> See transl. in I.1.1.

<sup>185</sup> Transl. adapted from Kaster 2011: 5, “When Afranius, the author of *togatae*, was being accused of taking too much material over from Menander, he made the following very becoming reply in his *togata* titled *Compitalia* (...)”. Here, the sense of the term *togata* is unclear, and for this reason I prefer to leave the Latin term *togata* in the translation, in comparison with the sense Kaster gives to the word in his translation, i.e. ‘comedy in Roman dress’.

	(...) <i>sicuti Afranius dixit in togata, cui Titulus nomen est</i> (...). <sup>186</sup>
Ps.-Ascon. Pedian. ( <i>comm. in Diu.</i> 48, p. 200, 14 S.) <sup>187</sup>	<i>Nam Latinae fabulae per pauciores agebantur personas, ut Atellanae, togatae et huiusmodi aliae.</i> <sup>188</sup>
Ps.-Serg. gram. <i>In Expl. in art. Don. lib.</i> 1.524	<i>de quo Iuuenalis inpune mihi recitauerit ille togatam</i> (...). <sup>189</sup>

My taxonomic analysis suggests that it is not possible to give a single, general definition to the *togata*. The use of this term to describe ‘comedy in Roman dress’ is hence too rigid and misleading. One should be more careful in translating the term *togata* with a single English equivalent (‘comedy’), not least because there are several *testimonia* which employ the term in an unspecified way. In conclusion, the term must be considered in the different contexts of use and in many cases its meaning remains unclear.

## Chapter I – Part III

### The *Togata* and the Construction of its ‘Roman’ Identity Through Internal Pieces of Evidence<sup>190</sup>

Most of the *testimonia* discussed above assume that the *togata* was a *Roman* theatrical genre, either because they illustrate the typically Roman characteristics of the genre or they explicitly use the adjective *Romanus* or its Greek equivalent. Horace, for instance, stressed the national/nationalistic flavour of the *togata* (along with the *praetexta*), reporting that its playwrights left behind *uestigia Graeca* in order to focus on *domestica facta*: *togata* was then a

<sup>186</sup> Transl. adapted from Kaster 2011: 129, “(...) as Afranius said in his *togata*, titled *Titulus* (...)”. As with the previous one, I slightly modify Kaster’s translation: instead of ‘comedy in Roman dress’, I prefer the Latin *togata*. Indeed, there is no evidence that the sense of the term here is that of ‘(type of) comedy’.

<sup>187</sup> On Ps.-Asconius, Zetzel 2018: 68.

<sup>188</sup> Transl.: “Indeed, Latin plays were staged with fewer characters, as (were) *Atellanae, togatae*, and other plays of that type”. This testimony is also interesting as it refers to how there might have been few characters on the stage of the *togata*, as also happens with the *Atellanae* and other plays of such type, though nothing more can be added to this reference (on this, Manuwald 2011: 163).

<sup>189</sup> Transl.: “about whom the famous Juvenal will have read out a *togata* to me scot-free (...)”.

<sup>190</sup> The main body of this part of the chapter is a revised and extended version of Rallo 2020: 227-245.

Roman genre in the sense of being native. Similarly, according to Diomedes, *togatae* was the name for those dramas written for customs and dress of men in the *toga*. John the Lydian defined the *togata* as ‘Roman comedy in Roman dress’,<sup>191</sup> differentiating it from the *palliata*, comedy with Ἑλληνικὴν ὑπόθεσιν. Eugraphius likewise noted that the *togata* was a Roman comedy because of its Roman *personae*.

Ancient sources therefore describe the *togata* as a genre with some sort of ‘Roman’ identity, usually in contrast with genres with a Greek identity; but what does ‘Roman’ actually mean? In the final part of this chapter, I shall first employ Roman in the strict sense of ‘associated with the city of Rome’, searching for elements in the surviving titles and fragments of the *togata* which might justify defining *togata* as a Roman genre in this narrow sense.<sup>192</sup> Second, I shall broaden the semantic scope of the term, and look for non-Roman elements (that is to say, Latin, Italian, and Greek), which may be still construed as ‘Roman’ in different senses of the word, namely as meaning ‘under the domination of the city of Rome’. I shall thus argue that the *togata* can be in fact defined as a ‘Roman’ literary genre, but only if one gives to the word ‘Roman’ a different meaning from the one that scholars of the *togata* have normally given to the term.<sup>193</sup>

### I.3.1 Roman Elements

I begin my analysis focussing on Roman (*qua* ‘of the city of Rome’) settings, names, and topics in the extant *togatae*. As I shall show, elements specifically associated with the city of Rome are less present than one might expect.

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<sup>191</sup> The use of Roman by Lydus demands further consideration. John the Lydian lived in the sixth century CE in Byzantium, in a context in which Roman did not have a specific association with the city of Rome. Byzantines called themselves Romans (see e.g. Kaldellis in Grig and Kelly 2012: 387-404; cf. also Woolf 1998), and Byzantium “was meant to be Rome and was even imagined as a replica of it” (Kaldellis 2012: 399).

<sup>192</sup> On the usage of Roman/‘Roman’, see also the introduction to the thesis, section 3.

<sup>193</sup> See e.g. Daviault 1981: 7, “en effet, on devine aisément l’intention de ceux qui prirent l’initiative de monter une comédie avec des acteurs vêtus de la toge romaine”, and at 8, “la *Togata* prétendait offrir une image plus fidèle de la société de la Rome républicaine”; Guardì 1985: 13, “la *fabula togata* era un tipo di commedia così chiamata perché i suoi personaggi vestivano la toga, l’indumento tradizionale del cittadino dell’antica Roma, e perché la sua azione si svolgeva in ambiente romano o italico”; Stankiewicz 1997: 319, “la *fabula togata* est un genre de comédie romaine qui est apparu au II<sup>e</sup> siècle av. J.-C.”.

### I.3.1.1 Roman Settings

Indications of a Roman setting are found in the titles of *togatae*: two *togatae* attributed to Afranius and Atta are named after the Roman festival of *Megalensia*, another *togata* attributed to Afranius after the Roman *Compitalia*. It is reasonable to assume that these *togatae* were set during these festivals, and therefore in the city of Rome.<sup>194</sup> A Roman setting may also be found by analysing the title of a *togata*, that is, *Hortensius*, alongside its only one transmitted fragment, that is, Titin. *tog.* 60-61 R.<sup>3</sup> *in foro aut in curia / Posita potius quam rure apud te in clausa. . . .*<sup>195</sup> Though both *curia* and *forum* were not specifically Roman,<sup>196</sup> the title of this *togata* may suggest its Roman setting. Indeed, the name *Hortensius* is likely attested in the city of Rome (see below). Thus, the mention of *curia* and *forum* in a *togata* with this title suggests that the setting is, in all likelihood, Rome.

There is also an external piece of evidence for the Roman setting of one *togata* (i.e. Var. *L.* 5. 25. 8 *Itaque eum Afranius puticulos in togata appellat*).<sup>197</sup> Varro identifies something linked to the city of Rome in one of Afranius' *togatae*. He explains the meaning of *puticulos*, and mentions a public place beyond the Esquiline called *puticulos* by Afranius.<sup>198</sup> It is possible that this *togata* was set in Rome, although the possibility that this reference to the Esquiline might exist in other contexts cannot be totally excluded.

Out of 15, 43, and 12 remaining titles of *togatae* (Titinius, Afranius, and Atta respectively) there are only four extant *togatae*, for which we can reconstruct that the setting was the city

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<sup>194</sup> *Megalensia* were first instituted in the city of Rome in 193 BCE, and were established in connection with the Pergamene culture to celebrate the Magna Mater (see e.g. Gruen 1990: 5-33; Erskine 2001: 198-224; Satterfield 2012: 373-391; Van Haepere in Urso 2014: 299-321; Rolle in Baglioni 2015: 153-161; Belayche in Pironti 2016: 45-59), shipped from Asia Minor to the city of Rome in 205 BCE (Liv. 29.14, 34.54 and 36.36). It is not clear if it originally came from Pessinus (Liv. 29.10.5 and 11.7), Ida (Ov. *Fast.* 4.263-264) or Pergamum (Var. *L.* 6.15). It was located in the Temple of Victoria until the construction of a sanctuary on the Palatine (Liv. 29.37.2). With regard to *Compitalia*, the title alludes to celebrations of *Lares* (on *Lares*, cf. e.g. Bettini in Payen and Scheid-Tissinier 2012: 173-198; Flower 2017), guardian spirits of the Roman houses (see e.g. Pl. *Aul.* 2-9; Ov. *Fast.* 1.139), villages (D.H. 4.15.3), and roads (Pl. *Merc.* 865). For a general overview of Roman festivals and dramatic performances, Manuwald 2011: 41-49; Brown 2014: 406-407.

<sup>195</sup> Transl.: "located in the forum or in the *curia* rather than in the countryside among you in an enclosed space...".

<sup>196</sup> Cf. e.g. Cic. *Ver.* 2.4.119; Vitruv. 5.1.1 and 5.2.1; Liv. 24.24.5-9; Ov. *Met.* 13.197.

<sup>197</sup> See transl. at I.2.4.

<sup>198</sup> On *puteus*, *puteoli*, and *puticuli*, de Melo 2019: 670.

of Rome with some certainty. To these, one may add the reference provided by Varro, and then count five *togatae* of which the setting is likely to be Rome.

### I.3.1.2 Roman Names

Over the past years, scholars have discussed Roman nomenclature in general.<sup>199</sup> However, they have been inattentive to the names attested in the *togata*. The aforementioned *Hortensius* may allude to the *Hortensia gens*, attested in Rome since the fifth century BCE.<sup>200</sup> *Barbatus*, Titinius' *togata*, might be a Roman *cognomen*, linked, for example, to the *Scipio* family.<sup>201</sup> However, the title *Barbatus* is problematic, as different manuscripts read, for instance, *barratus*, *baratus*, *barnatus*, and *uarratus*.<sup>202</sup> Neukirch proposes *Barbatus* as a title,<sup>203</sup> which could mean vase for water (Var. *L.* 5.119) or a man who did not cut his beard.<sup>204</sup> Like *Barbatus*, *Vopiscus*, the title of a *togata* attributed to Afranius, might also allude to a Roman *cognomen*,<sup>205</sup> though one cannot rule out the possibility that *Vopiscus* means “a twin surviving in the womb after the death of the other by miscarriage or premature birth” (*OLD s.u. Vopiscus*). One may also consider the name *Postuma* in Titin. *tog.* 74-75 R.<sup>3</sup> *Rectius mecastor tpiculetae*<sup>206</sup> *Postumae / Lectum hodie stratum uidi scrattae mulieris*.<sup>207</sup> Its meaning could be last-born, and might have been used as either a Roman female *praenomen* (Var. *L.* 9.60-61),<sup>208</sup> or as a *cognomen*.<sup>209</sup>

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<sup>199</sup> Cf. e.g. Mommsen 1879; Schulze 1904; Rix 1972: 700-758; Panciera in Raepsaet-Charlier 1977: 191-203; Salomies 1987; Salway 1994: 124-145; Prosdociami in Poccetti 2009: 73-145; Solin in Poccetti 2009: 251-293; Solin in Haake and Harders 2017: 135-153.

<sup>200</sup> See e.g. Quintus Hortensius, tribune of the plebs in 422 BCE (Liv. 4.42.3). On the title of this *togata*, Daviault 1981: 108 n. 1; Guardì 1985: 130.

<sup>201</sup> Cf. Solin 2009: 255-258. On Latin *cognomina*, cf. also Kajanto 1965.

<sup>202</sup> See also Daviault 1981: 92 n. 1; López López 1983: 67; Guardì 1985: 103; Welsh 2010b: 268-269 discusses other titles of *togatae* in relation to Iulius Romanus' quotations.

<sup>203</sup> Neukirch 1833: 105.

<sup>204</sup> Przychocki 1922: 184-186.

<sup>205</sup> See e.g. Cic. *Phil.* 11.11.

<sup>206</sup> By contrast, Daviault 1981: 111, López López 1983: 76, and Guardì 1985: 52 print *Piculetae*.

<sup>207</sup> Transl.: “More rightly, by Castor, today I looked at the spread couch of *tpiculeta Postuma*, wretched woman”. On this fragment, Daviault 1981: 113 n. 4; Frassinetti 1982: 33-34.

<sup>208</sup> On this, de Melo 2019: 1150, “As Varro himself says, *Postuma* is still common in his day, as is *Postumus*”. See also Kajava 1994: 181, noting that “the existence of *Postuma* as a female *praenomen* in the Republican period is quite plausible, even if it has not been epigraphically attested”, and referring to the nomenclature *Postuma Cornelia* for Sulla's daughter as an example of *praenomen* (cf. also Kajava 1994: 111).



Other names are found in the *togata*, which were attested in the city of Rome but, as epigraphic evidence testifies, they were also attested in other places, including Latium especially and, more generally, the Italian peninsula.<sup>210</sup> These are *Caeso* in Titin. *tog.* 107 R.<sup>3</sup>; *Lucius* in Titin. *tog.* 179-180 R.<sup>3</sup>; *Manius* in Afran. *tog.* 210-211 R.<sup>3</sup> (that *Lucius* and *Manius* were *praenomina* is also attested in Var. *L.* 9.60);<sup>211</sup> *Paula* in Titin. *tog.* 109/110 R.<sup>3</sup>; *Quintus* (the title of a *togata* attributed to Titinius); *Seruius* in Afran. *tog.* 95 R.<sup>3</sup>; *Sextus* in Afran. *tog.* 20-21 R.<sup>3</sup> (that this was a *praenomen* along with the above *Quintus* is also attested in Var. *L.* 9.60);<sup>212</sup> *Titus* in Afran. *tog.* 304-305 R.<sup>3</sup>; *Varus* (a *togata* by Titinius which bears this title), though its exact meaning is difficult to understand (see *OLD s.u. Varus*).<sup>213</sup>

The *togata* thus portrayed characters with Roman names, whose occurrence suggests that these theatrical representations are *togatae* rather than *palliatae*.<sup>214</sup> These names are absent in the *palliata*, in which Greek, exotic, and/or invented names are found.<sup>215</sup>

### I.3.1.3 Roman Themes

In this section, I analyse the presence of Roman themes in the *togata*, by which I mean motifs which are specifically related to the city of Rome. I start with Afranius' *Deditio* (title of *togata*), which alludes to a Roman topic: indeed, *deditio* was the process according to which people surrendered to the *fides* of the Roman people, as stressed by Lavan.<sup>216</sup> Livy, for example, enumerates a series of *deditiones*, in which Rome was the protagonist.<sup>217</sup>

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<sup>209</sup> Kajanto 1965: 295; Salomies 1987: 42-44.

<sup>210</sup> On this, see Rallo in de la Escosura, Kurilić, and Rallo 2023 (forthcoming).

<sup>211</sup> See de Melo 2019: 1149-1150.

<sup>212</sup> See de Melo 2019: 1149.

<sup>213</sup> Cf. Guardì 1985: 155.

<sup>214</sup> de Melo 2014: 459.

<sup>215</sup> Secondary literature on the names in the *palliata*, especially of Plautus, is massive. See e.g. Ritschl 1877 (= 1978): 301-351; Schmidt 1902: 173-211, 353-390, 608-266; Salvatore 1987; López López 1991; Petrone 2009: 13-41; Manuwald in Papaioannou and Demetriou 2020: esp. 158-162.

<sup>216</sup> See Lavan 2013: 187-189; see also e.g. Sanz in Grass and Stouder 2015: 87-105; Tarpin in Aberson, Biella, Di Fazio, Sanchez, and Wullschleger 2016: 183-200.

<sup>217</sup> Cf. e.g. Liv. 32.2.5 and 34.35.10. There are also cases in which Livy does not mention *fides* in the *deditio* (e.g. Liv. 1.38.1-2 and 7.31.4).

Afranius' *Proditus* (title of *togata*)<sup>218</sup> may also suggest a Roman theme: *proditio* refers to a wartime betrayal, and alludes to surrendering certain Roman places and people to enemies.<sup>219</sup> Afranius' *Emancipatus* (title of *togata*) deals with *emancipatio*, which Gaius specified as a Roman matter, focussing on how children cease to be under the authority of their own father through emancipation (Gaius *Inst.* 1.132.1).<sup>220</sup>

Within the lines of Afranius' *togatae*, one finds mentions of other Roman playwrights. Afranius mentions Terence in Afran. *tog.* 29 R.<sup>3</sup>, and Pacuuius in Afran. *tog.* 7 R.<sup>3</sup>, though these quotations need some clarification.<sup>221</sup> Afranius quotes Terence in the prologue to the *togata Compitalia*, admitting to having joined together a Greek model (Menander) (Afran. *tog.* 25-28 R.<sup>3</sup> . . . *fateor, sumpsi non ab illo modo, / Sed ut quisque habuit, conueniret quod mihi, / Quod me non posse melius facere credidi, / Etiam a Latino*),<sup>222</sup> and a Latin one (Terence) (Afran. *tog.* 29 R.<sup>3</sup> *Terenti numne similem dicent quempiam?*).<sup>223</sup> He is then likely to have engaged in *contaminatio*.<sup>224</sup> Mention of Terence in the prologue to this *togata* could be compared with the previous dramatic tradition. Terence in *An.* 13-21 mentions other Roman authors, declaring that not only did he adapt Menander's *Andria*, but that he had also transferred some parts of another play (Menander's *Perinthia*) into Latin.<sup>225</sup> Terence also suggests that such 'mingling' was used by Naeuius, Plautus, and Ennius, who are mentioned in *An.* 18.<sup>226</sup> The mention of other authors in the prologue is thus already attested.<sup>227</sup> However, what seems to me to be unique now is the explicit quotation of the name of a Roman

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<sup>218</sup> On this title, Daviault 1981: 211 n. 1.

<sup>219</sup> On *proditio*, Fuhrmann 1969: 1221-1230.

<sup>220</sup> On this *togata*, see also Bianco in Bisanti and Casamento 2010: 28.

<sup>221</sup> On these quotations, see also I.1.1.

<sup>222</sup> See transl. in the introduction to the thesis, section 5.

<sup>223</sup> See transl. at I.1.1. On this quotation here, Baier 2010: 79-80. There would be some thematic connections between Terence and Afranius: for example, Terence's and Afranius' thoughts about the relation between fathers and sons are similar (cf. Ter. *Ad.* 57-58 and Afran. *tog.* 33-34 R.<sup>3</sup>), as are their suggestions regarding human life (cf. Ter. *Hau.* 77 and Afran. *tog.* 289-290 R.<sup>3</sup>).

<sup>224</sup> On the authors of the *togata* and the *contaminatio*, see Daviault 1981: 21-22 and n. 1. On the concept of *contaminatio*, Schwering 1916: 167-185; Goldberg 1986: 91-122; Fraenkel 2007: 173-218; Manuwald 2011: 150-156; Questa 2010: 37-39; de Melo 2011: xxxi-xxxiv; Christenson 2020: 14 n. 72; Papaioannou in Papaioannou and Demetriou 2020: 23-49.

<sup>225</sup> See also Goldberg 2019: 16-17.

<sup>226</sup> Naeuius and Plautus are both also mentioned in Ter. *Eu.* 25; Plautus alone is mentioned in Ter. *Ad.* 7 and 9. On the Terentian quotation of these authors, see also Deufert 2002: 26-27.

<sup>227</sup> On this, see further remarks in the introduction to the thesis, section 4.

author, that is, Pacuuius in Afran. *tog.* 7 R.<sup>3</sup> (coming from the *togata Auctio*) within a line spoken by a character from a fragment cited above: *Haut facul, ut ait Pacuuius, femina <una> inuenietur bona.*<sup>228</sup> This character reports what Pacuuius presumably said about women. The fragment is attributed to Afranius by Ribbeck, Daviault, and López López in their critical editions, though one cannot rule out the possibility that it might be a Pacuuian fragment (*ut ait Pacuuius*), and that the speaker of the Afranius fragment means that Pacuuius said these words in one of his tragedies or in real life. It potentially alludes to a sort of rhetoric of misogyny,<sup>229</sup> and perhaps served to develop motifs already established in the *palliata* of Plautus.<sup>230</sup>

Not only are Roman authors mentioned in the fragments of the *togata*, but it is also possible to identify apparent allusions to Roman literary genres, such as *Satura* (the title of Atta's *togata*) and *planipes* (Atta's term). The meaning of Atta's *Satura* is unclear due to the meanings of the term *satura* itself, which could denote a noun, in the sense of a dish of mixed ingredients (Var. *Gram.* 52), the Roman literary genre of satire,<sup>231</sup> or an adjective used in reference to a 'fat' woman who is pregnant (as may be the case in Pomponius' *Satura*). It is possible that Atta's use of *Satura* referred the homonymous literary genre, and that this *togata* drew attention to its connection with another Roman literary genre. *Planipes* is attested in Atta's *Aedilicia*: Atta *tog.* 1 R.<sup>3</sup> *Daturin estis aurum? exultat planipes.*<sup>232</sup> An anonymous character refers to a *planipes*, a term which may allude to a mime actor who performed without wearing the comic *soccus* or the tragic *cothurnus* (Diom. *G.L.* I, p. 490.3-5 K.). Guardì has interpreted the term in this way,<sup>233</sup> and it is possible to assume that

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<sup>228</sup> See transl. at I.1.1. On this fragment, see Zorzetti 1973: 71-75; more recently, Petrone 2021: 555.

<sup>229</sup> On this, see also II.1.6.

<sup>230</sup> See Pl. *Curc.* 591-592: Curculio vaguely alludes to what an old unknown dramatist wrote about two women being worse than one. Cf. Dutsch 2008: 81-85.

<sup>231</sup> On Roman satire and Lucilius, see Cichorius 1908; cf. also Coffey 1976; Manuwald 2001a; Freudenburg 2005; Breed, Keiter, and Wallace 2018.

<sup>232</sup> Transl.: "will you not give gold? The *planipes* exults".

<sup>233</sup> Guardì 1985: 173.

Atta could thus have alluded to the Roman genre (= *planipedia* or *mimus*) equivalent to the Greek μῖμος,<sup>234</sup> staged in the city of Rome during the *Ludi Florales* (e.g. V. Max. 2.10.8).

Also of interest is Afranius' *Libertus*,<sup>235</sup> which may allude to an ex-slave who had become free through *manumissio*, which was a "Roman institution, unique in antiquity".<sup>236</sup> Although the Greeks observed this practice,<sup>237</sup> they did not permit slaves to become completely free, and citizen status was not conferred by manumission, as documented, for instance, by evidence from Delphi.<sup>238</sup> In contrast, in Roman Italy<sup>239</sup> manumission was instead strictly related to citizenship,<sup>240</sup> and implied "the award of full civic privileges":<sup>241</sup> in other words, the uniqueness of manumission in the Roman system was found in the practice of granting automatic citizenship to manumitted slaves. Unfortunately, it is not possible to determine whether Afranius alludes to the Roman *manumissio* or to the Greek conception of the term.<sup>242</sup>

Other apparently typical Roman motifs are also present in the *togata*. One, for example, is the mention of months of the Roman calendar,<sup>243</sup> like *September* in Afran. *tog.* 163 R.<sup>3</sup>, and *Martium* in Atta *tog.* 18 and 19-20 R.<sup>3</sup> There are also allusions to Roman wedding practices (Atta *tog.* 8-9 R.<sup>3</sup>),<sup>244</sup> Roman religion (*Bona fortuna* in Afran. *tog.* 428-429 R.<sup>3</sup>, and *Omen* – Afranius' *togata*),<sup>245</sup> and Roman religious solemnities (*Gratulatio* and *Supplicatio* – titles of *togatae* attributed to Atta).<sup>246</sup> The reference to Roman religion also includes the presence of

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<sup>234</sup> On mime in Rome, see e.g. Duckworth 1952: 13-15; Beare 1964: 149-158; Panayotakis 2010: 1-105; Manuwald 2011: 178-183; Panayotakis 2019: 35-37; Zimmermann in Petrone 2020: 269-279.

<sup>235</sup> On this, Daviault 1981: 194 n. 1.

<sup>236</sup> Gruen 2010: 464.

<sup>237</sup> See e.g. Rädle 1969; Albrecht 1978; Zelnich-Abramovitz 2005.

<sup>238</sup> Hopkins 1978: 133-171.

<sup>239</sup> See e.g. Hopkins 1978: 115-132.

<sup>240</sup> About *manumissio*, cf. e.g. Corbeill in Cairns 2005: 157-174; Querzoli 2009: 203-220; on *manumissio* and *ciuitas Romana*, see e.g. Frascchetti 1982: 97-103; Marcattili 2013/2014: 29-45.

<sup>241</sup> Gruen 2010: 465.

<sup>242</sup> There are also several references to *manumissio* in the *palliata*, as one finds at the end of Terence's *Adelphoe*, and in Plautus' *Menaechmi*. On this, along with other themes attested in Roman comedy, mandatory reading is Duckworth 1952: 139-176.

<sup>243</sup> See Feeney in Barchiesi and Scheidel 2010: 882-894.

<sup>244</sup> Guardì 1985: 177.

<sup>245</sup> *Bona fortuna* is also attested in Pl. *Aul.* 100; *Omen* is attested in Pl. *Am.* 722, *Cas.* 410, *Ep.* 396, and *Merc.* 274.

<sup>246</sup> Guardì 1985: 176-177 and 181-182.

*augur* (the title of a *togata* attributed to Afranius), whose role was linked to the interpretation of phenomena,<sup>247</sup> and the inauguration of a city.<sup>248</sup> The already mentioned *Aedilicia* gives us an opportunity to reflect on another Roman topic. The title refers to *aediles*, who took care of the *cura urbis*, *cura annonae* and *cura ludorum*.<sup>249</sup> Regarding the latter function, it seems that the authors of dramatic works sold their plays to the *aediles*,<sup>250</sup> who became ‘owners’ of them until the end of the performances.<sup>251</sup> That this *togata* is entitled *Aedilicia* and refers to *planipes* betrays an attempt at defining its Roman connotation.

The *togatae* may also refer to Roman laws. As mentioned earlier, there might be apparent allusions to (the context of) the *Lex Oppia*<sup>252</sup> in e.g. *Titin. tog.* 1 and 140-141 R.<sup>3</sup> Very uncertain is the allusion in Afranius’ *Vopiscus* to the Roman law proposed by Metellus Macedonicus about getting married and then giving birth to children in order to combat depopulation.<sup>253</sup>

There are also several elements which are Roman, though they are likewise attested elsewhere. An example is the reference to *repudium* in Afranius’ *Repudiatus*, and *diuortium* in Afranius’ *Diuortium*: either the former or the latter may represent Roman elements onstage. However, one cannot be sure if Afranius alludes to the Roman *repudium* and *diuortium*, or to their equivalent Greek concepts.<sup>254</sup> Another example is the mention of *ludi*

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<sup>247</sup> Cic. *Leg.* 2.20.

<sup>248</sup> Liv. 1.18.6-10. Although *augures* were Etruscan in origin and experts in their lore (cf. Gruen 2010: 465), they were by this time Roman: indeed, they had been integrated into Rome by the second century BCE (see Gruen 1990: 85).

<sup>249</sup> *Curatores ludorum* is attested in Pl. *Poen.* 36.

<sup>250</sup> Ter. *Eu.* 20: (...) *postquam aediles emerunt*; Suet. *Vita Terenti* (p. 28 Reifferscheid = Donatus pp. 4-5 W.) *Andriam cum aedilibus daret* (...). At the same time, it seems that the actor-manager could also buy comedies, as we read in Ter. *Hec.* 9-57. This would represent a kind of inconsistency between sources, as Terence’s *Eunuchus* and Suetonius, on the one hand, and Terence’s *Hecyra*, on the other, make different statements (see Lucarini in Javier Velaza 2016: 10-11).

<sup>251</sup> Cf. Lucarini 2016: 16. On the role of magistrates in the organisation of dramatic performances, see e.g. Manuwald 2011: 49-54.

<sup>252</sup> See I.1.1.

<sup>253</sup> See I.1.1.

<sup>254</sup> It is not possible to know if Afranius’ *Repudiatus* refers to a *pater familias* who repudiated his son or to a man repudiatus by his wife (Daviault 1981: 216 n. 1). The latter case would represent an exaggeration, given

in Afran. *tog.* 265 R.<sup>3</sup>: indeed, it is impossible to ascertain if the character pronouncing the line alludes to the Roman games, such as *Ludi Romani*, *Megalenses*, and *Apollinares*,<sup>255</sup> or refers to other *ludi*, such as the *ludi Graeci* at Rome,<sup>256</sup> *ludi Osci*,<sup>257</sup> or *ludi Etrusci*.<sup>258</sup> Afranius' *Talio* would refer to the 'law of talion', although nothing more can be added by analysing the sole fragment transmitted, i.e. Afran. *tog.* 328-329 R.<sup>3</sup> That this law, attested already in Rome in the Twelve Tables (*Tab.* VIII.2), is not specifically Roman is confirmed by a comparison with, for instance, the Old Testament.<sup>259</sup> The mention of *mitrae* in Afran. *tog.* 37 R.<sup>3</sup> also refers to a multicultural custom. Indeed, though the *Salii* wore *mitrae*,<sup>260</sup> these were also, for instance, worn in Lydia.<sup>261</sup>

### I.3.2 Latin Elements

In this section, I shall broaden the semantic scope of the adjective Roman, focussing on elements in the titles and fragments of the *togata* which can be considered 'Roman' in a broad sense (*qua* 'of Latium').

#### I.3.2.1 Latin Settings

The title of the *togata Setina* attributed to Titinius seems at first to refer exclusively to 'a girl coming from *Setia*';<sup>262</sup> however, one cannot exclude that such a *togata* title also alludes to the physical setting of this theatrical representation. Namely, this *togata* may be set in the Latin city of *Setia*, a proposal that is corroborated by textual evidence, i.e. Titin. *tog.* 106 R.<sup>3</sup>

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that in Rome, and in Athens as well, with a process called *apopempsis* (Cantarella 1987: 47), men repudiate their own brides (Mastrososa 2016: 65-87).

<sup>255</sup> They were evidently a showpiece for Rome in front of foreign visitors (D.H. 7.72.1).

<sup>256</sup> Plu. *Mar.* 2.1, cf. *ILLRP* 803.11 *Graeca in scaena*.

<sup>257</sup> Cic. *Fam.* 7.1.3; Strabo 5.3.6.233.

<sup>258</sup> Var. *L.* 5.55.

<sup>259</sup> See e.g. *Leuiticus* 24.19-20 and *Exodus* 21.24-27.

<sup>260</sup> D.H. 2.70; Plu. *Numa* 13.4.

<sup>261</sup> Cf. e.g. Alc. 1.32; Sapph. 98 a.b D.

<sup>262</sup> See Daviault 1981: 122 n. 1; Guardi 1985: 145. See also López López 1983: 230 who translates the title *Setina* as 'La mujer de Setia'.

*Accede ad sponsum audacter, uirgo nulla est tali' Setiae.*<sup>263</sup> The title of the *togata Veliterna* attributed to Titinius is more difficult to understand: indeed, it is impossible to ascertain whether it only refers to a *puella Veliterna*, as so far has been taken for granted,<sup>264</sup> or also to the physical setting of this *togata*, that is, the Latin city of *Velitrae*. Differently from the *togata Setina*, there is no textual evidence of the *togata Veliterna* which can somehow help us to understand further its meaning. A possible reference to Latin setting seems to be found in the title of the *togata Psaltria siue Ferentinatis* attributed to Titinius.<sup>265</sup> Indeed, while *Psaltria* alludes to a female player on a plucked instrument, *Ferentinatis* may refer to *Ferentinum* as the setting of this *togata*, mention thereof is *Titin. tog. 85 R.*<sup>3</sup> *Ferentinatis populus res Graecas studet.*<sup>266</sup>

### I.3.2.2 Latin (and Italian) Names

Oscan and south-Italian names also appear within the lines of *togatae*, such as *Numisius* in *Afran. tog. 294-295 R.*<sup>3</sup>, which was a Latin *praenomen*, attested epigraphically in Latium and Campania,<sup>267</sup> and *Numerius* in *Afran. tog. 272 R.*<sup>3</sup>, as previous scholars have pointed out.<sup>268</sup>

### I.3.2.3 Toga as Latin Dress

The main reason why scholars normally construe the *togata* as a Roman genre is because of the link between the *toga* and the Roman people.<sup>269</sup> In fact, from the third century BCE, as attested in Ennius,<sup>270</sup> “the connection between the toga and the Romans specifically has

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<sup>263</sup> Transl.: “agree to the engagement courageously, no girl is of such a kind in Setia”. On this, see also Leigh 2004: 10 n. 34, suggesting that lines 120-121 of the *togata Setina* may also refer to *Setia* as the setting of this theatrical performance.

<sup>264</sup> Daviault 1981: 131 n. 1 and Guardì 1985: 157 argue that the *togata* would have been named after a girl from this place. Likewise, López López 1983: 232 intends the title in this way, given that she translates *Veliterna* as ‘La mujer de Velitras’.

<sup>265</sup> Nonius transmits *Psaltria* as title for this *togata*; Priscianus either *Psaltria* or *Ferentinatis*. On this, Guardì 1985: 139.

<sup>266</sup> Transl.: “The people of Ferentinum concentrate on Greek lifestyle”.

<sup>267</sup> *CIL* 1.03034.

<sup>268</sup> Manuwald 2011: 162. On this name, cf. also Salomies 1987: 274.

<sup>269</sup> Previous scholarship on the Roman toga is discussed by Rothe 2020: 12-16; with regard to the history of the Roman toga, Rothe 2020: 17-36; cf. e.g. Dench 2005: 35 and 274-276; Wallace-Hadrill 2008: 38-57.

<sup>270</sup> *Enn. frag.* 1.61 G-M. (*Fest.* p. 394.6-9).

established itself".<sup>271</sup> The Romans are depicted as *gens togata*, for instance, in Verg. *A.* 1.282, and Prop. 4.2.9-12. On the contrary, forgetting the *toga* means forgetting Roman identity. Horace, in *Carm.* 3.5, refers to Marsus and Apulus, two Romans who evoke their morality and forget shields, name, and *toga*; Athenaeus, in *Deipn.* 5.213b, refers to the decline of morality when the Romans forsook the *toga* to wear *himation*, the mantle worn by Greeks, identified as *gens palliata* (see e.g. Pl. *Curc.* 288).<sup>272</sup> 'Roman-ness' and the *toga* were closely identified already in antiquity.

At the same time, these passages invite the reader to reflect on the difference between the *toga* as a dress form, worn by people living in a shared geographical and cultural context, and *toga* as a dress code, which instead "transmits a clear message to a defined target population about conscious affiliation or identity".<sup>273</sup> As Wallace-Hadrill has pointed out, only in the city of Rome was the *toga* "a marker quite specifically of citizenship",<sup>274</sup> and "a laden symbol of Roman pride",<sup>275</sup> in opposition to a dress form (as it was elsewhere), as testified, for instance, by a surviving statue of a *togatus*, the Arringatore of Florence, an Etruscan magistrate,<sup>276</sup> and a grave relief from the Via Statilia.<sup>277</sup> The *toga* as a dress form was widespread throughout central Italy, and thus "seems to be a more general Italian phenomenon before it is marked as 'Roman'".<sup>278</sup>

In the fragments of the *togata*, there is a reference to the *toga* as a dress form used in Latium, as, for instance, one may read in Titin. *tog.* 138-139 R.<sup>3</sup> *tunica et togula obunctula / Adimetur, pannos possidebit fetidos.*<sup>279</sup> Indeed, these lines come from the *togata Veliterna*, whose title presumably refers to 'a girl coming from *Velitrae*',<sup>280</sup> a Latin colony, with the

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<sup>271</sup> Rothe 2020: 21.

<sup>272</sup> On the *Graeci palliati* in *Curculio*, see Leo 1912: 103; see also Petrone in Petrone 2009: 171.

<sup>273</sup> Wiessner 1983: 257.

<sup>274</sup> Wallace-Hadrill 2008: 51. Cf. Rothe 2020: 6, 81-82, and also 126-130 (the latter about Roman citizenship and provinces). With regard to the relationship between the *toga* and Roman masculinity, Rothe 2020: 37-69.

<sup>275</sup> Wallace-Hadrill in Austin, Harries, and Smith 1998: 87.

<sup>276</sup> Wallace-Hadrill 2008: 43; cf. also Dohrn 1968; Crawford 1996: 418-420; Dench 2005: 278.

<sup>277</sup> On these, see e.g. Stone 1994: 40; Rothe 2020: 29-34.

<sup>278</sup> Wallace-Hadrill 2008: 45.

<sup>279</sup> Transl.: "a tunic and a perfumed *toga* will be taken away, (s)he will have foul-smelling garments".

<sup>280</sup> On this, see discussion at I.3.2.1.



*toga* not belonging to the inhabitants of Rome specifically. Nothing more, however, can be added to this because of the lack of the context.

### I.3.3 Italian Elements

This part of the chapter further analyses the presence of elements attested in the remaining *togatae* which I likewise construe as ‘Roman’ broadly speaking (*qua* ‘of the Italian peninsula’). The presence of these elements suggests how the *togata* may be seen as reflecting those cultural, social, and political interactions between the city of Rome and Italian communities.

#### I.3.3.1 Italian Settings

No certain information on Italian settings is found in the titles of *togatae*. One may consider the title of the *togata Brundisinae* attributed to Afranius, a title which means ‘women coming from *Brundisium*’.<sup>281</sup> Meanwhile, one might wonder whether the iconic presence of Brundisian women might suggest that the *togata* was set in Brundisium after all. The meaning of *Aquae Caldae* attributed to Atta is more difficult to understand: it is not clear whether the title is a mere geographic reference, alluding to a spa presumably in Italian territory, or if it is the setting of the *togata*.<sup>282</sup> In Afranius’ *Epistula*, an anonymous character mentions the Tyrrhenian sea (Afran. *tog.* 109 and 112 R.<sup>3</sup>).<sup>283</sup> This quotation suggests the Italian flavour of this *togata*, as does the mention of *Tarentum* in Titin. *tog.* 183 R.<sup>3</sup>: in both cases, however, it is not possible to be certain that they were the settings of these *togatae*. Finally, one may quote the title of the *togata Prilia* attributed to Titinius, a title which has been transmitted in several ways,<sup>284</sup> and which does not allow us to figure out whether it might allude specifically to the main female character of this *togata* (i.e. *puella Prilia*, in the

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<sup>281</sup> See López López 1983: 237, who translates the title as ‘Las mujeres de Brindisi’.

<sup>282</sup> On this title, Daviault 1981: 255; Guardì 1985: 174; Leigh 2004: 10 n. 40. The same title seems to have been given to one of Laberius’ mime (on this, Panayotakis 2010: 125).

<sup>283</sup> On the aforementioned lines, Daviault 1981: 171 n. 5, and 172 n. 7.

<sup>284</sup> Cf. Daviault 1981: 111 n. 1; López López 1983: 75; Guardì 1985: 133.

sense of ‘girl coming from *Prilius*’), or also to its possible setting, that is, the lake *Prilius* itself in Etruria.

### I.3.3.2 Italian Motifs

There is a piece of evidence in Titinius’ *togatae* which refers to one of the most important cultural phenomena of the Italian peninsula in the mid Republic, that is, multilingualism:<sup>285</sup> Titin. *tog.* 104 R.<sup>3</sup> *Qui Obsce<sup>286</sup> et Volsce fabulantur: nam Latine nesciunt.*<sup>287</sup> The character speaking the line seems to allude to a linguistic hierarchy,<sup>288</sup> by staging a motif attested, for instance, in Plautine comedies, and which then makes the *togata* in continuity with the *palliata* of Plautus.<sup>289</sup> The fragment may be construed as “a disparaging reference to non-Latin speakers”.<sup>290</sup> Oscan and Volscian speakers would not have spoken Latin, and the speaker of these lines could make fun of them, according to Petrone.<sup>291</sup> I would argue that, by distinguishing languages in contact with Latin, the fragment may testify to languages put on different levels; in particular, Latin is likely to have been perceived as a language of power.<sup>292</sup> Based on this reading of the fragment, while there was linguistic (and cultural) plurality in the *togata*, there was still a hierarchy amongst these languages, with Latin put at the top.

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<sup>285</sup> Cf. e.g. Mullen and James 2012. On bilingualism, see e.g. Weinreich 1953: 1; Hamers and Blanc 1989: 6-30; excellent discussion is found in Adams 2003a: *passim*.

<sup>286</sup> On this form and its meaning(s), Fest. 204 L.; Paul. ex Fest. 205 L.

<sup>287</sup> See transl. in the introduction to the thesis, section 6.

<sup>288</sup> On this, Dench 2005: 315 n. 48.

<sup>289</sup> See Pl. *Truc.* 688-691, TR. *rabonem habeto, uti mecum hanc noctem sies. / AS. perii! ‘rabonem?’ quam esse dicam hanc beluam? / quin tu ‘arrabonem’ dicis?* TR. *‘a’ facio lucre, / ut Praenestinis ‘conea’ est ‘coconia’* (transl. from de Melo 2013: 343-345, “Take this: have it as a posit, so that you’ll spend the night with me. / I’m dead! ‘Posit?’ What beast should I say this is? Why don’t you say ‘deposit?’ / I’m saving the ‘de’, just as a woodpecker is a ‘pecker’ for the people of Praeneste”). These jokes refer to the fact that “there must have been a widespread sense that Praenestine Latin was different from that of the City, and inferior” (Adams 2007: 121; cf. also de Melo 2014: 455, who quotes these lines along with Naeu. *pall.* 21-24 R.<sup>3</sup>). That is to say, Plautus reveals a hierarchical differentiation between the Latin spoken in Praeneste (see also e.g. *Bac. fr.* xi and *Capt.* 882), which is linguistically inferior, and the Latin spoken in the city of Rome, linguistically superior.

<sup>290</sup> Adams 2003a: 121 n. 53.

<sup>291</sup> Petrone in Albin and Petrone 1992: 477-478.

<sup>292</sup> See, in particular, Adams 2003a: 545-576.

Titinius' *Fullonia* or *Fullones*<sup>293</sup> possibly refers to *fullones*, specialist cleaners of woollen-fabric who worked day and night without resting (Titin. *tog.* 27 R.<sup>3</sup>),<sup>294</sup> and who washed materials with water and urine.<sup>295</sup> *Fullonia ars* was widespread in Italy.<sup>296</sup> However, it was also attested in Greece, as suggested by *Κναφεύς*, a comedy of Antiphanes which bears the title.<sup>297</sup> One cannot then know whether this *togata* might have referred to the Greek concept of the Italian *fullones*. In any case, I interpret this reference as an indication of the broad sense of 'Roman' when it comes to define the *togata* a 'Roman' genre. In other words, I take this to mean that the *togata* embraces Italian and Greek elements, and it is in fact not a narrow category: it is rather a multicultural and multilingual construct.

### I.3.4 Greek Elements

The presence of Greek elements in the titles and fragments of the *togata* may reflect the Greek influence on this theatrical genre,<sup>298</sup> as already established with Roman literature more generally.<sup>299</sup> That Greek literature and culture exert influence on the *togata* is also attested in ancient sources, mentioned earlier. Euanthius, in *Fab.* 4.1,<sup>300</sup> claimed that after New Comedy there was the production of Latin literary genres, such as the *togata*, thus explicitly referring to a connection between the former and the latter; Ps.-Acro, in *schol. De art. Poet.* 288,<sup>301</sup> referred to what other people thought of theatrical genres, and admitted that *togatæ* kept many Greek features.

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<sup>293</sup> Ancient sources transmit the title in a different way. Accordingly, Ribbeck 1898: 160 prints *Fullonia*, Daviault 1981: 96-97 and Guardì 1985: 110-111 print *Fullones* and *Fullonia uel Fullones* respectively; López López 1983: 69 prints *Fullonia*. On this title, see also Welsh 2015: 167 n. 23.

<sup>294</sup> See Guardì 1978: 37-45; Welsh 2012c: 741-745.

<sup>295</sup> See e.g. Plin. *Nat.* 28.174 and 28.91.

<sup>296</sup> This is testified by e.g. murals on the House of the Vettii, and in the fulling mill of Veranius Hypsaesus (Pompeii VI VIII 20-21).

<sup>297</sup> On this and other titles of Middle and New Comedy compared with titles of *togatæ*, cf. the table at the end of the second chapter.

<sup>298</sup> When I speak of Greek influence, I allude both to the literary influence of Greek texts on the *togata*, and the real-life presence of Greek people who lived in the Italian peninsula at the time, and who were portrayed in the *togata*.

<sup>299</sup> Cf. e.g. Toynbee 1965: 416-434; Rawson 1989: 422-476; Wallace-Hadrill 2008: 17-28.

<sup>300</sup> See I.2.4.

<sup>301</sup> See I.2.2.

In the *togatae*, as I shall show here, and in the second and third chapter, the attestation of Greek elements seems to have assumed a specifically hierarchical connotation, which is seen through the dichotomy Greeks vs. Romans, and then helps us to better understand the 'Roman' identity construction of the *togata*.

#### I.3.4.1 Greek Names and Motifs

Let us begin with Greek names attested in the *togata*.<sup>302</sup> In the titles and lines of the *togata*, Greek names seem to be used to mark a social difference. For instance, *Moschis* in Afran. *tog.* 136 R.<sup>3</sup> is the name of a prostitute coming from the Greek Naples, like *Thais* (a *togata* attributed to Afranius which bears the title). That the name of prostitutes in Afranius' *togatae* is a Greek stereotype may suggest an attempt at accentuating the idealisation of the character of Roman women.<sup>303</sup> Greek names in the *togata* were not only given to females, but also to males. For instance, *Nicasio* in Afran. *tog.* 189-191 R.<sup>3</sup> is the name of a slave: as with the prostitutes, a Greek name may refer to a sort of hierarchical differentiation, as shown below (Chapter 2).<sup>304</sup> However, given the very small size of the corpus of the *togata*, it is impossible to know whether or not the attribution of Greek names to slaves and prostitutes was consistent.

Another remarkable aspect in the *togatae* is the motif of behaving 'like Greeks', already typical in the *palliata*, and attested in Titin. *tog.* 85 R.<sup>3</sup> *Ferentinatis populus res Graecas studet*,<sup>305</sup> and in Titin. *tog.* 175 R.<sup>3</sup> . . . *hominem improbum! nunc ruri pergraecatur*.<sup>306</sup> *Res Graecas studet* in the former line, and *pergraecatur* in the latter line allude to typical Greek life-style, where the banquet has a strong role,<sup>307</sup> and it is possible to love, drink, and live 'like Greeks' (cf. Pl. *Poen.* 603).<sup>308</sup> Plautus coined *pergraecari* and *congraecare* (never used by

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<sup>302</sup> On the usage of Greek names in Rome, mandatory reading is Solin 1971.

<sup>303</sup> On this, see II.1.3. On the terms used by Plautus and Terence in labelling prostitutes, Fayer 2013: 377-405.

<sup>304</sup> On this, see II.2.2.

<sup>305</sup> See transl. at I.3.2.1.

<sup>306</sup> Transl.: "Dishonest man! He/everyone now lives in the countryside like a Greek". On this, see also Leigh 2004: 105 n. 40.

<sup>307</sup> See Petrone in Petrone 2009: 147-153 on *Pseudolus* and *Stichus*.

<sup>308</sup> On the symposium in Greek comedy, Konstantakos 2005: 183-217; cf. also Guardi in Castagna and Riboldi 2008: 777-780, with a focus on Roman comedies.

Terence),<sup>309</sup> verbs alluding to “extreme hedonism, moral irresponsibility”.<sup>310</sup> In the *togata* these references to Greek motifs allow us to discern in more detail what was supposedly felt as Roman and non-Roman. Indeed, as Manuwald has rightly singled out, “in a Roman environment ways of life that are simply present in *palliatae* can be defined as ‘Greek’ and are thus contrasted with Roman customs”.<sup>311</sup>

Another relevant reference is Afran. *tog.* 272-273 R.<sup>3</sup> *Nam me pudet, ubi mecum loquitur Numerius, / Aliquid sufferre*<sup>312</sup> *Graece: irridet me ilico*,<sup>313</sup> which “indicates a contrast between a character who is open to Greek influences and another character who is ignorant or does not approve of them”.<sup>314</sup> It seems that there is an allusion to the Greek language,<sup>315</sup> and to those behaving like Greeks. The speaker feels ashamed about talking to Numerius and introducing anything Greek,<sup>316</sup> owing to the possible judgement of the latter. The lines are likely to refer to a kind of code-switching, perhaps to a similar extent as in Plautine *palliatae*, in which lower-status characters, and in particular slaves, switch into Greek.<sup>317</sup> Regardless of the language used by the speaker pronouncing these lines, (s)he implicitly refers to a comparison with the Greek spoken and/or acknowledged by Numerius, as well as testifying to a linguistic differentiation portrayed onstage.

As I have shown in my discussion above, the *togata* can be considered as a *Roman* genre, but only if ‘Roman’ is used in a broad sense, as denoting a fluid concept removed from strict geographical and cultural connotations. One may thus consider the ‘Roman’ *togata* as hybrid as was the Italian peninsula in the mid Republic, with the Romans in an ongoing

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<sup>309</sup> See e.g. Segal 1968: 33; Manuwald 2020: 169.

<sup>310</sup> Zagagi in Glucker and Burnett 2012: 21-22.

<sup>311</sup> Manuwald 2011: 166.

<sup>312</sup> On the meaning of this verb in comparison with Plautus and Terence, Karakasis 2005: 215.

<sup>313</sup> Transl.: “Indeed, when Numerius talks to me, I am ashamed to introduce anything Greek: he ridicules me on the spot”.

<sup>314</sup> Manuwald 2011: 166.

<sup>315</sup> See Petrone 2021: 554.

<sup>316</sup> On these lines, see also Leigh 2004: 10-11.

<sup>317</sup> See e.g. Pl. *Cas.* 728-730; *Cap.* 880-882; *Ps.* 484-485 and 488. Cf. Adams 2003a: 351-354, with n. 100, 101, and 105 (with a focus on the analysis provided by Jocelyn 1999 and Shipp 1979). More generally on code-switching, see Adams 2003a: 18-29, along with the extensive discussion at 297-416. On the different types of code-switching (in more modern times), cf. e.g. Poplack 1980: 581-618.

relationship with 'others'.<sup>318</sup> It is in this wide sense, and not exclusively in the narrow sense of 'specifically associated with the city of Rome', that the theatrical genre of the *togata* may be defined as 'Roman'. To use an analogy, the *togata* may be considered as 'Roman' as the *satira* of Lucilius:<sup>319</sup> multiculturalism and multilingualism are, in fact, inherent features of the *satira*, which nonetheless remains wholly 'Roman' (Quint. *Inst.* 10.1.93).

### Some Concluding Remarks

After focussing on the timeframe in which the playwrights of the *togata* lived, and highlighting, on the basis of internal and external pieces of evidence, the impossibility of setting up precise dates for them (Atta's date of death aside), I have analysed the origin of the authors of *togatae*. Titinius, Afranius, and Atta were probably native to Rome, and of noble origin, which is a noteworthy element. For the first time in the history of mid Republican Roman literature, authors of Roman origin, and not low-status people, were writing on theatrical matters, and not, for instance, on history, as other authors of Roman origin did. I have then focussed on the sense of the word *togata*. My research shows how ancient sources appear to have thought of this theatrical genre in different ways. The term *togata* could mean 'play' (as, for instance, attested in Var. *L.* 6.18), '(type of) comedy' (as, for example, testified by Don. *Com.* 6.1, and 5, and Lyd. in *Mag.* 1.40), and 'theatrical genre between comedy and tragedy' (as Seneca claims in *Ep.* 8.8). Furthermore, I have analysed other ancient sources in which the term *togata* is attested (e.g. Cicero, Quintilian, and Macrobius), though its sense remains impossible for us to understand. In the third part of the chapter, I have identified the titles and the fragments relevant to the 'Roman' identity construction of the *togata*, and I have organised them systematically to build my case for the *togata* as a 'Roman' genre that reaches beyond a narrow entity. Internal pieces of evidence from the *togata* reveal how the *togata* is instead a dramatic genre that

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<sup>318</sup> Syed in Harrison 2005: 360-371; Gruen 2010: 459-477.

<sup>319</sup> On the *satira* of Lucilius, cf. e.g. Chahoud 2004: 1-46; Chahoud 2007: 41-58; Chahoud in Clackson 2011: 367-384.

incorporates elements from diverse traditions and cultures (i.e. Roman – from Rome, Latin, Italian, and Greek).

This chapter then contributes to our understanding of the literary and cultural identity construction of the *togata*, in relation to the beginnings and growth of Roman literature in the mid Republic. Titinius, Afranius, and Atta worked in a theatrical genre which openly dealt with the city of Rome and the multicultural and multilingual Italian world of the mid Republic, and which may be considered an important channel through which ‘Roman’ identity in the mid Republic was fabricated.

## Chapter II

### The Construction of the 'Roman' Identity of the *Togata*. Female and Male Characters.

How can the choice and the characterisation of *dramatis personae* in the *togata* be linked to the construction of the 'Roman' identity itself of this theatrical genre? Could one find in the portrayal of characters attested in the *togatae* elements which are somehow related to the process of identity construction which the authors of the *togata* were engaged in? In other words, since the extant *togatae* were set in a 'Roman' world (in the broad sense outlined in the previous chapter), what supposedly 'Roman' features were their female and male characters given to distinguish them from characters who belonged to the Greek world (real or fictional) of the *palliata*?

This chapter will closely analyse the construction of the 'Roman' identity of the *togata* by focussing on characters, and their supposed 'Roman' connotation. These characters, as I shall show, are likely to offer clues as to how the authors of the *togata* gave a 'Roman' flavour to their theatrical representations, a flavour which should in theory be stronger than that of the *palliata* of Plautus.<sup>1</sup>

I shall analyse female (part 1) and male (part 2) characters in the *togata*. I shall start with female characters: a reading of the titles of *togatae* and a comparison of them with those attested in the *palliatae* suggest that women seem to have been granted significant space and attention in the *togatae*, especially of Titinius and Atta (less so in those of Afranius), although the titles alone can not indicate the extant roles and characters of the lost work.

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<sup>1</sup> As Dutsch 2008: 1-2 highlights, "the male and female personae of Roman comedy (...) would have been shaped by (and would have in turn shaped) the ways in which Roman people (and characters) projected their identities". However, the distinction between Greek and Roman in the Plautine *palliata* is controversial. Plautus' comedy may simultaneously function at both levels, that is to say, the Greek and the Roman (on this, see e.g. Sharroch 1996: 173, pointing out that Plautus writes *palliatae* "that are self-consciously both Greek and Roman"; Zagagi 2012: 21 focusses on how Plautus "operates in a uniquely imaginative comic world which moves incessantly between two cultural poles, the Greek and the Roman"; more recently, see Manuwald 2020: 153-172). Plautine female and male figures are inscribed in this hybrid mode. By contrast, the remaining *togatae* seem to depict something different in relation to the representation of characters onstage. They seem to respond to the stereotypes of the Plautine *palliatae*, with allusions to settings which are 'Roman' (see the third part of the first chapter).



That female characters are important in the *togata* is also reported by ancient authors. Fronto claims that Atta was an expert *in muliebribus (uerbis)*; Seruius testifies to the presence of *uiduae* as 'winners' in the *togatae*.<sup>2</sup> I shall then investigate female characters in the *togata* to trace elements which may be related to the construction of identity the playwrights of the *togata* were involved in. These items are:

- stock female characters who display features attested in earlier and contemporary comic authors;<sup>3</sup>
- female characters attested in the previous and contemporary comic tradition, but who are distinguished from other types of characters according to nationality and social and moral status;<sup>4</sup>
- female characters with features attested only in the *palliata* of Plautus (and Caecilius Statius), not in Terence or New Comedy or Middle Comedy, i.e. the *uxores dotatae*;<sup>5</sup>
- female characters not attested elsewhere, testifying to the greater rootedness/indigeneity of the *togata*.<sup>6</sup>

The second part of this chapter will focus on male characters. In particular, it will explore:

- stock male characters;<sup>7</sup>
- male characters already attested in the earlier and contemporary comic tradition, but who are distinguished from other types of characters according to nationality and social and moral status;<sup>8</sup>
- male characters, who are new for the Roman tradition, especially when it comes to familial relationships, but not for the Greek, where they are already attested.<sup>9</sup>

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<sup>2</sup> On these testimonies, see below at II.1.

<sup>3</sup> See II.1.2.

<sup>4</sup> See II.1.3.

<sup>5</sup> See II.1.4.

<sup>6</sup> See II.1.7. See also Stankiewicz 1997: 319. For further remarks on the *togata* as an indigenous genre, Rallo in Lucarini, Melidone, and Russo 2022: 163-179.

<sup>7</sup> See II.2.1.

<sup>8</sup> See II.2.2.

<sup>9</sup> See II.2.3.

From my analysis, it will be clear how the *togata* was a hybrid dramatic genre embracing characters coming from several theatrical traditions (i.e. Middle and New Comedy, and the *palliata*), and characters who are not attested elsewhere and/or have not been fully developed, a sign of the *togatae* authors' originality and will of making their theatrical performances native.

## Part I – Female Characters

### II.1.

Building on studies of identity construction in the mid Republican period,<sup>10</sup> and engaging with discussions of gender in Roman drama,<sup>11</sup> this part of the chapter analyses female characters in the *togata*, looking for traits of 'Roman' characterisation which may distinguish them from the characters attested in the Greek world (real or fictional) of the *palliata*.

Women are portrayed in the *togata*, as suggested by the titles of *togatae*, which not only bear women's names, but also refer to female kinship terms, female professions, and are nouns or adjectives in the feminine describing women's relationships to, and interaction with, other people.

The prominence of female titles is attested in particular in the theatrical works of Titinius and Atta:

Titinius' extant titles of <i>togatae</i>	Titinius' <i>togatae</i> named after females <sup>12</sup>	Titinius' <i>togatae</i> named after males
15	8: <i>Gemina</i> , <sup>13</sup> <i>Iurisperita</i> , <sup>14</sup>	6: <i>Barbatus</i> , <sup>20</sup> <i>Caecus</i> , <sup>21</sup> <i>Fullonia</i>

<sup>10</sup> See the introduction to the thesis, section 3.

<sup>11</sup> See e.g. Adams 1984: 43-77; James 2005; Dutsch 2008; Dutsch, James, and Konstan 2015; Dutsch in Dinter 2019: 200-216, quoting secondary literature on this topic at 200 n. 2 and n. 3, and at 216 (further reading). For a general investigation of gender in classical antiquity, see e.g. Foxhall 2013.

<sup>12</sup> As discussed above, the title of *togatae* such as Titinius' *Setina* (see I.3.2.1) may refer not only to women, but also to the setting of a *togata*.

	<i>Prilia</i> , <sup>15</sup> <i>Priuigna</i> , <sup>16</sup> <i>Psaltria</i> <i>siue Ferentinatis</i> , <i>Setina</i> , <sup>17</sup> <i>Tibicina</i> , <sup>18</sup> and <i>Veliterna</i> . <sup>19</sup>	or <i>Fullones</i> , <sup>22</sup> <i>Hortensius</i> , <i>Quintus</i> , and <i>Varus</i> . <sup>23</sup>
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Atta's extant titles of <i>togatae</i>	Atta's <i>togatae</i> named after females	Atta's <i>togatae</i> named after males
12	4: <i>Conciliatrix</i> , <sup>24</sup> <i>Matertera</i> or <i>Materterae</i> , <sup>25</sup> <i>Nurus</i> , <sup>26</sup> and <i>Socrus</i> . <sup>27</sup>	2: <i>Aedilicia</i> , <sup>28</sup> and <i>Tiro proficiscens</i> . <sup>29</sup>

The playwright Afranius offers a different picture:

Afranius' extant titles of <i>togatae</i>	Afranius' <i>togatae</i> named after females	Afranius' <i>togatae</i> named after males
43	8: <i>Abducta</i> , <sup>30</sup> <i>Brundisinae</i> , <sup>31</sup>	18: <i>Aequales</i> , <sup>37</sup> <i>Augur</i> , <i>Cinerarius</i> ,

<sup>13</sup> Cf. Daviault 1981: 102 n. 1; Guardì 1985: 121-122.

<sup>14</sup> See II.1.7.

<sup>20</sup> See I.3.1.2.

<sup>21</sup> As Guardì 1985: 110 suggests, it is not possible to infer anything about the plot of this *togata*. Neukirch 1833: 106 argued that *caecus* may have been an old man. In any case, the title is interesting as it reminds Plautus' *Caecus uel praedones*, from which we can read fragments (on other fragmentary plays ascribed to Plautus, though without absolute certainty, see e.g. de Melo 2013: 419-421). On Titinius' *Caecus*, cf. Daviault 1981: 15, who intends the title as referring to a victim of a hoax. This is an unconvincing interpretation, as Panayotakis 2010: 152 correctly notes: "*caecus* tends to be applied to the passion which blinds a person's judgement, not to the person himself/herself".

<sup>15</sup> See I.3.3.1.

<sup>16</sup> See II.1.7.

<sup>17</sup> See I.3.2.1.

<sup>18</sup> See Daviault 1981: 129 n. 1; Guardì 1985: 155.

<sup>19</sup> See I.3.2.1.

<sup>22</sup> See I.3.3.2.

<sup>23</sup> See I.3.1.2.

<sup>24</sup> On this title, Daviault 1981: 256 n. 1; Guardì 1985: 176.

<sup>25</sup> See II.1.7.

<sup>26</sup> On the uncertainty over attributing this *togata* to Atta, see Daviault 1981: 259 n. 1; Guardì 1985: 180.

<sup>27</sup> Guardì 1985: 181 suggests that in this *togata* Atta might have portrayed the character of the mother-in-law falsely accused and, at the end of the theatrical performance, exculpated, as happens, for example, in Menander and Terence.

<sup>28</sup> See I.3.1.3.

<sup>29</sup> On this title, Daviault 1981: 261 n. 1 and 2; Guardì 1985: 182.

	<i>Fratrīae,</i> <i>Materterae,</i> <sup>32</sup> <i>Sorores,</i> <sup>33</sup> <i>Suspecta,</i> <sup>34</sup> <i>Thais,</i> <sup>35</sup> and <i>Virgo.</i> <sup>36</sup>	<i>Consobrini,</i> <sup>38</sup> <i>Emancipatus,</i> <sup>39</sup> <i>Exceptus,</i> <sup>40</sup> <i>Inimici,</i> <sup>41</sup> <i>Libertus,</i> <sup>42</sup> <i>Mariti,</i> <sup>43</sup> <i>Pantelius,</i> <i>Priuignus,</i> <sup>44</sup> <i>Prodigus,</i> <sup>45</sup> <i>Proditus,</i> <sup>46</sup> <i>Promus,</i> <sup>47</sup> <i>Repudiatu,</i> <sup>48</sup> <i>Simulans,</i> <sup>49</sup> <i>Temerarius,</i> <sup>50</sup> and <i>Vopiscus.</i> <sup>51</sup>
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The prominence of female characters in the titles of *togatae* attributed to Titinius (8 out of 15, that is to say, 1 out of 1.87 *togatae*) and to Atta (4 out of 12, that is to say, 1 out of 3 *togatae*), but not in titles of *togatae* attributed to Afranius (8 out of 43, that is to say, 1 out of 5.37 *togatae*), is noteworthy especially when this is compared with their rarity in the works of some of the authors of the *palliata*. For instance, out of 21 Plautine comedies, only 2 (i.e.

<sup>30</sup> Daviault 1981: 142 n. 1 compares the title of this *togata* with that of other plays, and cautiously suggests that “les trois fragments conservés ne nous apprennent rien sur le sujet de la pièce, mais le titre évoque un rapt amoureux”.

<sup>31</sup> See I.3.3.1.

<sup>37</sup> Daviault 1981: 143 n. 1 suggests that this *togata* presented a love story. However, such a reading appears speculative to me, given the lack of evidence.

<sup>32</sup> See II.1.7.

<sup>33</sup> See Daviault 1981: 225 n. 1.

<sup>34</sup> Cf. Daviault 1981: 226 n. 1.

<sup>35</sup> See II.1.3.

<sup>36</sup> See Daviault 1981: 231 n. 1.

<sup>38</sup> See II.2.3.

<sup>39</sup> See I.3.1.3.

<sup>40</sup> On the title, Daviault 1981: 175 n. 1 notes that the *exceptus* would be a young man who threw himself into the sea because of his heartbreak. See also Ribbeck 1898: 214.

<sup>41</sup> On the title of this *togata*, Daviault 1981: 193 n. 1.

<sup>42</sup> See II.2.3.

<sup>43</sup> Daviault 1981: 195 n. 1 argues that the title of this *togata* may refer to men struggling with their wives. Unfortunately, we do not have enough internal pieces of evidence to reconstruct the plot (only one fragment is transmitted, i.e. Afran. *tog.* 206 R.<sup>3</sup>).

<sup>44</sup> See II.2.3.

<sup>45</sup> On its meaning, Daviault 1981: 211 n. 1.

<sup>46</sup> See I.3.1.3.

<sup>47</sup> See II.2.3.

<sup>48</sup> See I.3.1.3.

<sup>49</sup> On this title, Daviault 1981: 221 n. 1.

<sup>50</sup> Daviault 1981: 229 n. 1 suggests that the title would have alluded to a man in love, making a comparison with a passage of the Plautine *Mercator* about *temeritas* (see Pl. *Merc.* 26).

<sup>51</sup> See I.3.1.3.

*Casina* and *Bacchides*) are named after a woman (1 out of 10.5);<sup>52</sup> in Naevius out of 33 extant *palliatae* only 6 (i.e. *Astiologa*, *Carbonaria*, *Commotria*, *Corollaria*, *Paelex*, and *Tarentilla*) are named after a woman (which means 1 out of 5.5); in Caecilius Statius, out of 42 comedies 8 are entitled after a woman (i.e. *Andria*, *Epicleros*, *Harpazomene*, *Karine*, *Meretrix*, *Philumena*, *Synaristosae*, and *Titthe*) (1 out of 5.25). However, comedies bearing female names are more prominent amongst other authors of *palliatae*. In Terence, out of 6 *palliatae*, 2 (i.e. *Andria* and *Hecyra*) are named after a woman (i.e. 1 out of 3),<sup>53</sup> and in Sextus Turpilius, out of 13 *palliatae*, 6 are entitled after a woman (i.e. *Epiclerus*, *Hetaera*, *Lemniae*, *Leucadia*, *Lindia*, and *Paraterusa*) (which means 1 out of c. 2.16). Because of the fragmentary status of other authors of *palliatae*, it is difficult to reach a robust conclusion about the prominence of comedies bearing female titles.<sup>54</sup>

The attention Titinius and Atta gave to the female characters could be justified by the fact that it was not acceptable in the plots of a specifically national genre (as the *togata* apparently was) to continue mocking free citizen male characters (that is to say, old and young men) onstage, as was common in the comedies of Plautus, where the distancing effect of a Greek setting offered some sort of licence and justification. In the Plautine *palliatae*, slaves are represented as outwitting and even manipulating their masters because the actions take place within the so-called “Plautopolis”,<sup>55</sup> a mostly imaginary, exotic, and Greek world where everything may happen, even a distortion of the norms of the hierarchical society. This most notably occurs when the slave-master relationship is

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<sup>52</sup> The focus of my analysis concerns the titles of theatrical representations. It is worth clarifying that, although in Plautus we do not find many comedies with a female title, women have a strong role onstage, as for instance happens in Plautus’ *Asinaria* and *Rudens*, namely, comedies with titles not referring to a woman or, in general, female matters at first glance. This then shows that titles do not necessarily indicate main roles.

<sup>53</sup> It has to be noted that in Terence’s *Eunuchus*, though the comedy is named after a male character, the real protagonist is a female character, that is, *Thais*.

<sup>54</sup> In Liuius Andronicus, out of 3 extant *palliatae*, none is named after a woman. In Ennius, out of 2 extant plays, *Caupuncula* seems to be named after a female character (on this, Goldberg and Manuwald 2018: 210-211). No examples are found in the comedies attributed to Atilius, Aquilius, Lucinius Imbrex or Luscius Lanuuius. Iuuentius’ only comedy is named after a female (*Anagnorizomene*), but this evidence does not mean much, given that we cannot establish any percentage. Cf. also *Burra* (presumably the name of a prostitute) by Vatronius, as we read in Placidus gloss. CGL. V 8.50 G.

<sup>55</sup> Gratwick 1993: 15.

reversed. Such a premise was apparently not possible in the *togata*, where the Romans are depicted within a scenario more closely related to Roman life. There is some explicit evidence suggesting that social filters applied more severely in the *togata* rather than in the *palliata*: according to Donatus, slaves in the *togata* do not do whatever they fancy against their masters, although the remnants of the *togata* do not depict a homogeneous picture.<sup>56</sup> In the *togatae* there would be then a lack of attention towards the buffoonery of the slaves and their relationships with their masters. For this reason, one may cautiously argue that the authors of the *togata* were somehow forced to find an alternative target in order to laugh at someone onstage, and the theatrical works of Titinius and Atta might reveal that women were often the target. In any case, though none may say with certainty that these women were effectively ridiculed onstage, it is already interesting to point out that that much attention was paid to female characters in the *togata*, as suggested by the extant titles mentioned here.

Apart from the titles of *togatae*, external pieces of evidence suggest that (some of) the authors of the *togata* were interested in the portrayal of women. As already mentioned, Fronto<sup>57</sup> reports that Atta was an author specialising in *muliebribus (uerbis)*, that is to say, an expert in the language of women.<sup>58</sup> The passage deserves to be quoted in full:

*Quam ob rem rari admodum ueterum scriptorum in eum laborem studiumque et periculum uerba industrius quaerendi sese commiserere. Oratorum post homines natos unus omnium M. Porcius eiusque frequens sectator C. Sallustius; poetarum maxime Plautus, multo maxime Q. Ennius, eumque studiose aemulatus L. Coelius, nec non Naeuius, Lucretius, Accius etiam, Caecilius, Laberius quoque. Nam praeter hos partim scriptorum animaduertas particulatim elegantes, Nouium et Pomponium et id genus in uerbis rusticanis et iocularibus ac ridiculariis, **Attam in muliebribus**, Sisennam in lasciuis, Lucilium in cuiusque artis ac negotii propriis.*<sup>59</sup>

<sup>56</sup> See further remarks at II.2.2.

<sup>57</sup> Fro. *Ad M. Caes. et inuicem* 4.3.2 = 56.18-57.4 van den Hout. On the passage, Zetzl 2018: 79.

<sup>58</sup> Kruschwitz 2012: 199-200; Perutelli 2013: 78-79; Rallo 2018: 29.

<sup>59</sup> Transl. from Haines 1919: 5, "Wherefore few indeed of our old writers have surrendered themselves to that toil, pursuit, and hazard of seeking out words of especial diligence. M. Porcius alone of all the orators of all time, and his constant imitator C. Sallustius are among these; of poets Plautus especially, and most especially

Due to the paucity of *togatae* lines attributed to Atta, it is difficult to infer anything more on the playwright's expertise in this area. Indeed, out of 24 surviving lines, only one verse referring to women seems to be delivered by a woman, perhaps a matron:<sup>60</sup> *Atta tog. 3 R.<sup>3</sup> Quam meretricie em lupantur nostro ornatu per uias!*<sup>61</sup> The verb *lupantur*,<sup>62</sup> which is used to criticise women who prostitute themselves,<sup>63</sup> is very rare, like the adverb *meretricie*, a specifically Plautine term.<sup>64</sup> *Lupor* has the same meaning as *scortor*, and its only other occurrence is Lucil. 270 M. (*impune luperis*). The use of *nostro ornatu* might be used to differentiate matrons and prostitutes, who, despite being dressed in the same manner, maintain a moral and/or physical separation.<sup>65</sup>

The second source is Seruius, *Comm. Aen.* 11.160 (*in togatis "uictrices" appellantur, quae uiros extulerunt*).<sup>66</sup> Seruius reports that in the *togatae* the appellative *uictrices*, that is to say, victorious (*OLD s.u. uictrix*), refers to women who have buried their husbands. Because of the almost complete absence of widows in the comedies of Plautus<sup>67</sup> and Terence,<sup>68</sup> Welsh

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Q. Ennius and his zealous rival L. Coelius not to omit Naevius and Lucretius, Accius, too, and Caecilius, also Laberius. Besides these, certain other writers are noticeable for choiceness in special spheres, as Novius, Pomponius, and their like, in rustic and jocular and comic words, Atta in women's talk, Sisenna in erotics, Lucilius in the technical language of each art and business".

<sup>60</sup> See Daviault 1981: 255 n. 2; Guardì 1985: 174.

<sup>61</sup> Transl.: "how in the style of a prostitute they prostitute themselves in the streets, dressed like us!". Ribbeck 1898: 189 is the only one to have printed *quam* in the critical edition; Daviault 1981: 254, López López 1983: 155, and Guardì 1985: 91, following the manuscripts' tradition, printed *cum*.

<sup>62</sup> On its meaning, *ThLL* VII 1851, 67-72.

<sup>63</sup> Guardì 1985: 174. See also Daviault 1981: 255 n. 2.

<sup>64</sup> On rare Plautine terms and linguistic expressions attested in the scanty *togatae*, see III.2.3.

<sup>65</sup> The fragment, however, does not add anything about the way(s) matrons and prostitutes are accustomed to dressing. Other lines of *togatae* seem to stress differences in garments between matrons and prostitutes, as, for instance, Afran. *tog. 133-134 R.<sup>3</sup> Meretrix cum ueste longa? – Peregrino in loco / Solent tutandi causa sese sumere* (transl.: "a prostitute with a long dress? They are used to wear this abroad to protect themselves"). Here, we find an allusion to *uestis longa*, a matron's garment sometimes worn by prostitutes to resemble matrons. To better figure out matrons' and prostitutes' costumes, one can look at the *palliata*. For example, a general garment worn by matrons and prostitutes is the *palla*: see e.g. Pl. *Men.* 130, *Most.* 282, and *Tru.* 536 (on matrons' and whores' costumes, see e.g. Olson 2006: 186-204; Boëls-Janssen in Briquel, Février, and Guittard 2010: 93-94).

<sup>66</sup> See transl. at I.2.4.

<sup>67</sup> We only find allusions to the condition of being a widow: cf. e.g. Pl. *Curc.* 37.

<sup>68</sup> The only widow is Sostrata in *Adelphoe*. Cf. also a very vague allusion to a *uidua* in Naeu. *pall.* 53 R.<sup>3</sup>

argued that the presence of this female character in the *togata* would have been significant.<sup>69</sup>

Following Welsh's suggestions, I would argue that the presence of this specific female character in the *togata* would have been noteworthy also because of its absence in the Greek comic tradition.<sup>70</sup> However, the only reference to *uiduae* is Afran. *tog.* 52-54 R.<sup>3</sup> o <in>*dignum facinus! adolescentis optumas / Bene conuenientes, <bene> concordes cum uiris / Repente uiduas factas spurcitia patris,*<sup>71</sup> in which *uidua* means 'divorced woman' rather than 'widow'.<sup>72</sup> Indeed, the fragment does not refer to widows as *uictrices*. Rather, it is their father's wickedness that has made these women *uiduae*, and then 'divorced women'. They seem to be denied the chance of resisting the authority of their father, as opposed to the way in which they are portrayed in the *palliata* of Plautus and in New Comedy,<sup>73</sup> but not in the fragments of Middle Comedy.<sup>74</sup>

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<sup>69</sup> Welsh 2015: 156.

<sup>70</sup> The *uidua* is not attested in Middle Comedy. With regard to Menander, it is not certain if Myrrhine in the *Georgos* and Myrrhine in the *Perikeiromene* are widows.

<sup>71</sup> Transl. from Welsh 2015: 163, "Oh, how awful! Excellent young women, getting along well and of one mind with their husbands, suddenly made husband-less by their father's wickedness!". On this fragment, Welsh 2015: 168 n. 33.

<sup>72</sup> There are also cases in Plautine *palliatae* in which the term *uidua* is connected with divorce: on this, cf. Welsh 2015: 156, quoting Matrona in Plautus' *Menaechmi* and the sisters in Plautus' *Stichus*.

<sup>73</sup> The scene seems to portray young women having a good relationship with their husbands but being deprived of their men because of their fathers. In the fragment, there is no opposition towards the father's wickedness, as occurs, for instance, in the Plautine *Stichus*. In Pl. *St.* 48-54, Panegyris says to her sister that, although her marriage is not something she now regrets or has any reason to desire it to be changed, their father has absolute authority on the matter (on the *pater familias* in Plautine *Stichus*, see e.g. Petrone 1977: *passim*; Feltoovich in Dutsch, James, and Konstan 2015: 129-134). However, in a dialogue with the father (*St.* 128-129) who declares that friends advise him to take his daughters away to his own home, one of his daughters says that, because they are dealing with their situation, they will act differently. The daughters proclaim themselves owners of their wedding. The topic underlined in Plautus' *Stichus* seems to mirror a Greek passage (Pap. Didot 1), in which a father had more than persuasion to rely upon: he could override his daughter's wishes and divorce her from her husband (see Hunter 1985: 83-84). However, "she could be quite devoted to her marriage and be willing to argue with her father on her husband's behalf" (Cox in James and Dillon 2012: 286). This suggests that a daughter may make the final decision over whether or not she stays with her current husband (as in *Stichus* – on the similarities between *Stichus* and Pap. Didot 1, Petrone in Petrone 2009: 183-191). Menander's *Epitrepontes* portrayed a similar situation: the wife explains to her father why she does not want to divorce her husband, whose main aim is to devour her dowry (Traill 2008: 178). Pamphile discusses her *kyrios* (on a father's legal authority to end the marriage of his daughter, Traill 2008: 180 n. 8 for further bibliography) and comes to the conclusion that her husband has power over her, not her father. Smikrines argues that she should divorce her delinquent man – especially because his daughter's life will be a losing battle with a whore (*Epitr.* 790-796), and in such a way he aims to incite his daughter's



Titles of *togatae* and external pieces of evidence suggest that in the *togata* women were given importance. This is corroborated by the surviving fragments, where there are indications of the ‘Roman’ characterisation of such women, which can testify to the ‘Roman’ identity construction itself of the *togata*. I shall now analyse the presence of female stock characters in the remains of the *togata*: such a presence may suggest how the playwrights of the *togata* represented onstage female stock characters who one finds in the previous and contemporary comic genres, either Greek or Roman. By integrating these characters into *togatae*, Titinius, Afranius, and Atta put their theatrical works in continuity with Greek and Roman comic traditions.

### II.1.2 Female Stock Characters in the *Togata*

In the fragments of the *togata*, one finds female stock characters, perhaps wearing masks,<sup>75</sup> who are inherited from the *palliata*,<sup>76</sup> and ultimately from Middle and New Comedy.<sup>77</sup> For instance, in the lines of the *togata* we find the character of the *meretrix*, who is attested as a

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jealousy (cf. Traill 2008: 187). However, she answers she will not do it, saying to him (*Epitr.* 820) that her marriage is a lifetime bond. Knemon's daughter in the *Dyskolos* also displays some tendency to do things contrary to her father's will. She meets and converses with a young stranger, against her father's prescriptions.

<sup>74</sup> It is not easy to detect plot patterns, such as a woman resisting her father's authority, in the scanty fragments of Middle Comedy. Indeed, owing to the fragmentary nature of these comedies, the detection of such situations, which would require ample dramatic time to unfold, is difficult.

<sup>75</sup> The characters of Roman comedies wore costumes onstage, as one can reconstruct from e.g. the comedies of Plautus and Terence, the commentary of Donatus, paintings in Pompeii and terracottas (see Duckworth 1952: 88; cf. also Bieber 1961: 147-160; for a focus on manuscripts and illustration of Plautus and Terence, see Radden Keefe in Dinter 2019: 276-296). With regard to the usage of masks, the issue is complex owing to conflicting details in ancient sources. While Cicero, in the *de Orat.* 3.221, for example, mentioned Roscius as the first mask-wearing actor, Festus (Fest. 238 L.) reported that Naeuius' *Personata* was already being performed by actors with masks; Donatus (*Com.* 6.3) noted that Cincius Faliscus was the first to introduce masks in comedy, and Minucius Prothymus in tragedy.

Secondary literature on the usage of masks is massive: see e.g. Beare 1964: 184-195, 303-309; Gratwick 1982: 83-84; Questa 1982: 9-64; Petrone 1992: 371-393; Monda in Bianco and Casamento 2018: 181-199; Monda in Petrone 2020: 46-53; on the issue related to the continuity of the masks' system used from New Comedy to the comedy of Plautus, cf. Marshall 2006: 126-158; on actors' costumes and masks, see also e.g. Manuwald 2011: 75-80. For a general overview of the masks in Greek Comedy, see Webster 1995: 6-51.

<sup>76</sup> On the Plautine stock characters, de Melo 2011: xxxv-xl.

<sup>77</sup> On the stock characters attested from Middle Comedy onwards, see e.g. Konstantakos in Chronopoulos and Orth 2015: 159-198; Konstantakos in De Poli, Rallo, and Zimmermann 2021: 137-190.

stock character from Middle Comedy onwards,<sup>78</sup> and might be considered an elaboration of the Greek *hetaira*, though the identification is more complex than it seems:<sup>79</sup> e.g. Afran. *tog.* 136 R.<sup>3</sup> *Vbi hinc Moschis, quaeso, habet, meretrix Neapolitis?*<sup>80</sup> and Titin. *tog.* 67-68 R.<sup>3</sup> *seueriter / Hodie sermonem amica mecum contulit.*<sup>81</sup>

Moreover, in the extant *togatae* there are allusions to other female characters, such as, for instance, the *anus*, the *ancilla*, and the *nutrix*.<sup>82</sup> For the *anus*, I quote Afran. *tog.* 276 R.<sup>3</sup> *Tu senecionem hunc satis est si seruas, anus,*<sup>83</sup> and Afran. *tog.* 378-382 R.<sup>3</sup> *Si possent homines delenimentis capi, / Omnes haberent nunc amatores anus. / Aetas et corpus tenerum et morigeratio, / Haec sunt uenena formosarum mulierum: / Mala aetas nulla delenimenta inuenit;*<sup>84</sup> regarding the *ancilla*, I report, for example, Titin. *tog.* 91-92 R.<sup>3</sup> . . . *contemplari ancillas, quam arbitrer / Illarum subcubonem esse . . . .,*<sup>85</sup> Afran. *tog.* 282-283 R.<sup>3</sup> *Non sum tam criminosa, quam tu,*

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<sup>78</sup> The *hetaira* is a female stock character in Middle Comedy: see e.g. Antiphanes' *Hydria* fr. 210, Antiphanes' *Agroikos* or *Boutalion* fr. 69, Anaxilas' *Neottis* fr. 21 and fr. 22 (on these, Henry 1985; Auhagen 2009; Henderson 2002: 78-87). It has to be said, however, that the *hetaira* is already a recurrent character in Old Comedy, and may be well on the way of becoming a stock character, as one may find, for instance, in Pherekrates (see Κοριαννώ, in particular fr. 73, 74, 75, 76, and fr. 77, 78 K.-A.; see also e.g. 'Επιλήσμων ἢ Θάλαττα fr. 56-63 K.-A.) (on the *hetaira* in Pherekrates and Old Comedy, cf. Auhagen 2009; see also Henderson in Harvey and Wilkins 2000: 135-150; Henderson 2002: 78-87).

<sup>79</sup> On the differences between *hetaira* and *meretrix*, Halporn 1993: 201-202; see also Brown 1987: 181-202 and Brown 1993: 189-205; on the word *hetaira* and its meaning, see Traill 2008: 7-9; on the difference between *hetaira* and *porne*, cf. e.g. Lape 2004: 79-81; McClure 2020: 107; on the presence of concubines in Menandrian comedies as different from the courtesans, and a comparison with some *palliatae* passages of Plautus and Terence, Konstan in Scodel 1993: 139-160; on prostitutes in the Roman comedies of Plautus and Terence, Duncan in Faraone and McClure 2006: 257-269. Cf. also Rosivach 1998: 107-139 (with a focus on *hetairai* / *meretrices* as 'independent' women).

<sup>80</sup> Transl.: "Where is the house of Moschis, the courtesan of Naples, I ask?"

<sup>81</sup> Transl.: "today the mistress spoke to me harshly". On *amica* as 'mistress', 'courtesan', cf. *ThLL* I, 1912, 54-84, quoting the aforementioned fragment and specifying its sense (i.e. *amica uiri: paelex, concubina, scortum*).

<sup>82</sup> The *anus* and the *nutrix* can be already seen in the comic terracottas: see Konstantakos 2021: 137-190; see also Green 1994; for a collection of passages related to these female characters, see Oeri 1948 and Arnott 1996; on older women, cf. also Henderson 1987: 105-129; for nurses, see Alexis' Τίτθη and Eubulus' Τίτθη, with Arnott 1996: 647-654, and Hunter 1983: 209-212 respectively. The *ancilla* is not well attested in Greek comedy. Female slaves in the fragments of Middle and New Comedy are usually either old women or slave prostitutes. In the comedies of Menander, there are several female slaves mentioned in the script and some of them appear as mute characters. Only Doris, Glycera's maid in the *Perikeiromene*, has a speaking part in the comedy.

<sup>83</sup> Transl.: "you, old woman, if you look after such an old man, it is enough". On this, Daviault 1981: 212 n. 2.

<sup>84</sup> Transl. from Welsh in Keith and Edmondson 2016: 204, "If men could be snared by 'charms', every old woman would now have a lover. Youthful age, a tender body, and compliance: these are the weapons of beautiful women; old age has no 'charms'". On this fragment, Daviault 1981: 240 n. 15; Welsh 2016: 203-220.

<sup>85</sup> Transl.: "maids contemplating how I might think to be their paramour". On the line, see Guardi 1985: 141.

*uipera: / Gannire ad aurem numquam didici dominicam*,<sup>86</sup> and Afran. *tog.* 386-387 R.<sup>3</sup> *noui non inscitulam / Ancillulam, uestrae hic erae uestispicam*;<sup>87</sup> for the *nutrix*, one may cite e.g. Afran. *tog.* 179-180 R.<sup>3</sup> *Mea nutrix, surge si uis, profer purpuram: / Praeclauium contextumst*.<sup>88</sup> Aside from these examples, there are cases in which it is not possible to establish if a female portrayal refers to a specific character.<sup>89</sup>

The presence of stock female characters in the remnants of the *togata* is hence noteworthy. The playwrights of the *togata* apparently continued to look to Middle and New Comedy along with the *palliata*, thus inserting their theatrical genre within an established comic tradition. The following paragraph will analyse what I consider another possible indication of the identity construction of the *togata*, that is to say, prostitutes with Greek names.

### II.1.3 Prostitutes in the *Togata*

Internal pieces of evidence from the *togatae* suggest that at least two prostitutes were presumably stereotyped as Greek in this theatrical genre. The first is Moschis in Afran. *tog.* 136 R.<sup>3</sup> *Vbi hinc Moschis, quaeso, habet, meretrix Neapolitis?*<sup>90</sup> The second is Thais: she could likewise be a prostitute with a Greek name, portrayed in an eponymous *togata* by Afranius. Her name was already known in the *palliata*, as suggested, for instance, by Thais in Terence's *Eunuchus*,<sup>91</sup> and in Menander,<sup>92</sup> and also seems to be a real name, as

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<sup>86</sup> Transl.: "I am not as full of accusations as you, viper: I have never learnt to yelp to our lady's ear". On the linguistic peculiarities of the fragment, Daviault 1981: 214 n. 2.

<sup>87</sup> Transl.: "I knew a young maid who was not ignorant, the wardrobe maiden of your mistress in this place". On the usage of *inscitulus* and *uestispica*, Daviault 1981: 242 n. 22.

<sup>88</sup> Transl.: "My nurse, get up if you please, bring me the purple: the *praeclauium* has been woven". On this fragment, Daviault 1981: 188 n. 15.

<sup>89</sup> See e.g. Afran. *tog.* 65 R.<sup>3</sup> *Disperii, perturbata sum, iam flaccet fortitudo* (transl. from Welsh 2016: 213, "I'm done for! I'm such a wreck! Now my boldness is drooping"); Afran. *tog.* 312 R.<sup>3</sup> *Me miseram! numero ac nequiquam egi gratias* (transl.: "How wretched am I! I gave thanks quickly and in vain").

<sup>90</sup> See transl. at II.1.2. On the fragment, cf. Daviault 1981: 179-180 n. 11 arguing that "Son nom grec a valeur d'authenticité et illustre bien l'origine de cette courtisane, qui vient d'une ville fondée par les Grecs". See also Leigh 2004: 10.

<sup>91</sup> She is a *meretrix*, "who appears to be the standard mercenary prostitute, but in fact is sincere and 'good faith'" (Duncan 2006: 266, quoting Goldberg 1980: 22 and 117-119).

<sup>92</sup> See Men. fr. 163-169 K.-A. Cf. also Leigh 2004: 10 n. 42.

mentioned in the corpus of Republican inscriptions.<sup>93</sup> It is thus interesting to note how literature and reality are intertwined and influence each other, and it is then not possible to establish whether the dramatic character is derived from the ‘real’ or vice versa. Owing to the lack of internal pieces of evidence, nothing can be inferred about the behaviour of such prostitutes as it is portrayed in the fragments of the *togata*.<sup>94</sup> However, something can be said on the moral and social separation in the characterisation of matrons<sup>95</sup> and prostitutes<sup>96</sup> in the fragments of the *togata*. The latter reveal that such a separation is emphasised through a focus on the matrons’ chastity, loyalty, and correctness, all characteristics already attested in the Greek comic tradition,<sup>97</sup> and in the *palliata* of Plautus and Terence.<sup>98</sup> *Togatae* characters allude to such a portrayal of matrons, as, for example, in

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<sup>93</sup> See e.g. *CIL* 1.02686; *CIL* 1.02708.

<sup>94</sup> This can instead be better analysed in the *palliatae* of Plautus and Terence. On the categories of courtesans in Plautus, see Duckworth 1952: 258, distinguishing “(1) the ones who are clever and experienced but mercenary and unfeeling; (2) younger girls who, devoted to their lovers, have already become their mistresses or who are hoping to be purchased and freed”. The picture is different in Terence, who “follows his general tendency of presenting his characters as decent and reputable persons” (Duckworth 1952: 259). With the exception of Bacchis (in *Heautontimorumenos*), Terentian courtesans are good *meretrices*: see Thais in *Eunuchus* and Bacchis in *Hecyra*, “women who are actively generous and anxious to help others and who boast of doing what no ordinary *meretrix* would do” (Duckworth 1952: 260). Cf. Duncan 2006: 257-269.

<sup>95</sup> On Roman matrons, the bibliography is enormous. Cf. e.g. Dixon 1988 and 2001: *passim*; Treggiari 1991: *passim*; Cenerini 2009: *passim*.

<sup>96</sup> On the opposition between matrons and prostitutes, see e.g. Boëls-Janssen 2010: 89-129; Strong 2016: *passim*.

<sup>97</sup> In Menander we can distinguish between two categories: the mothers of young babies, as, for instance, Pamphile in Menander’s *Epitrepontes*, who, as Traill 2008: 223 stresses, “is cherishing an ideal self-image, playing the loyal wife with limitless tolerance of ‘slips’ and ‘misfortunes’, ready to ‘bear’ all without a murmur and stoutly opposed to divorce”; the mothers of young adults: this is a common character in Menander, though sometimes it is a small or even non-speaking part: *Dyskolos* – Sostratos’ mother; Myrrhine, the mother of Gorgias; *Samia* – Plangon’s mother; *Perikeiromene* – Myrrhine; *Georgos* – Myrrhine. In all cases, the standard image is that of a woman staying at home and being mistress of the household.

<sup>98</sup> In Plautus we find the portrayal of a matron who is mistress of the household: Eunomia in *Aulularia* is a matron respecting customs (Konstan 1983: 41-42); Panegyris and her sister, in *Stichus*, continue to have the same regard for their (absent) husbands as when they were present because of their *pudicitia* (Pl. *St.* 99-100) (see e.g. Petrone 1977: *passim*; Boëls-Janssen 2010: 93-94); Alcumena in Plautus’ *Amphitruo* is portrayed as a woman proud of her modesty (see Bettini in Questa and Raffaelli 1996: 11), and as “the epitome of the respected Roman *matrona*” (Hunter 1985: 126; see also Dutsch 2008: 153-156; Boëls-Janssen 2010: 92-93). In Terence we find Sostrata in *Hecyra* (see e.g. *Hec.* 355-357) (Konstan 1983: 130), who is a very positive character, thinking that the best thing is for her to go to the countryside with her husband, and avoid being the cause of trouble for her son and her daughter-in-law, and Sostrata, the mistress of the household in *Heautontimorumenos*.

Afran. *tog.* 326 R.<sup>3</sup> *Tuam maiestatem et nominis matronae sanctitudinem*,<sup>99</sup> and Afran. *tog.* 241-242 R.<sup>3</sup> *Vxorem quaerit firmamentum familiae: / Scias abesse ab lustris ingenium procul*;<sup>100</sup> likewise, references to the opposition between matrons and prostitutes are found, for instance, in Afran. *tog.* 116-117 R.<sup>3</sup> *Nam proba et pudica quod sum, consulo et parco mihi, / Quoniam comparatum est, uno ut simus contentae uiro*,<sup>101</sup> Titin. *tog.* 58 R.<sup>3</sup> *Sin forma odio <nunc> sum, tandem ut moribus placeam uiro*,<sup>102</sup> and Titin. *tog.* 59 R.<sup>3</sup> *Eu ecastor, si sitis moratae ambae ibus pro ut ego moribus*.<sup>103</sup>

The characterisation of prostitutes in the surviving *togatae* thus deserves consideration. That the name of prostitutes is Greek is likely to be related to elements of identity construction of the *togata*, consisting in a differentiation between characters, based on social background (Greek vs. Roman), as happens with the slaves in the *togata*.<sup>104</sup> Therefore, portraying prostitutes with a Greek name is an attempt at further emphasising the identity of the *togata*: less reputable women (i.e. female sex workers) are foreigners, and are far from the respect of Roman customs and from the prototype of the perfect matron.

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<sup>99</sup> Transl.: “your grandeur and the sanctity of matron’s name”. The usage of *maiestas* and *sanctitudo* deserves to be singled out. Indeed, these terms are prevalently attested in Roman tragedies (on *maiestas*, Andr. *trag.* 13 R.<sup>3</sup> and Acc. *trag.* 648 R.<sup>3</sup>; on *sanctitudo*, Acc. *trag.* 593 and 646 R.<sup>3</sup>, and the only attestation in the *palliatae* Turp. *pall.* 114 R.<sup>3</sup>). In the aforementioned fragment, both terms refer to a matron and her behaviour (on *maiestas*, Schmitzer in Cowan 2011: 189-191; Salvo in Bagnall, Brodersen, Champion, Erskine, and Huebner 2013: 4236-4238; on *sanctitudo*, Pasquazi Bagnolini 1977: 60), a behaviour which might be compared with the behaviour of historical Roman matrons, as e.g. Cornelia (Plu. *Gai. Gracc.* 4.3, 19.1-3; *Tib. Gracc.* 1.2-5) (see Von Hesberg-Tonn 1983: 70; cf. also Roller 2018: 197-232; Hallett in Gray, Balbo, Marshall, and Steel 2018: 309-318; see also McClure 2020: 211), and Tertia Aemilia (V. Max. *Mem.* 6.7.1).

<sup>100</sup> Transl. from Welsh 2012b: 205, “he looks for a wife as a support for the family: you should know that his nature is far removed from the brothels”. On this fragment, cf. Leo 1913: 379, Daviault 1981: 204 and 206 n. 7, and Welsh 2012b: 205-206.

<sup>101</sup> Transl. from Welsh 2016: 214, “For since I am virtuous and chaste, I am tending to my own interests and looking after myself, since it has been established that we [women] be content with just one man”. This anonymous matron declares that she is happy to have one husband (on Roman matrons as *uniuirae*, see e.g. Treggiari 1991: 231-238; Strong 2016: 192).

<sup>102</sup> Transl. from Welsh 2015: 160, “If he hates the way I look, at least I can please my husband with my *mores*”. On this fragment, Guardì 1985: 125-126.

<sup>103</sup> Transl. from Welsh 2015: 160, “Great, if you both are concerned with those *mores* as much as I am”. On this fragment and its linguistic peculiarities, Guardì 1985: 126-127.

<sup>104</sup> On this, see II.2.2.

Setting aside the hierarchical and ethnic differentiation among various female characters, the scanty fragments reveal another clue as to the construction of ‘Roman’ identity of the *togata* when it comes to its characters, that is to say, the *uxor dotata*, as I shall show in what follows.

#### II.1.4 The *Uxor Dotata* in the *Togata*

As scholars have pointed out, the dowered wife has a prominent presence in Roman *palliatae*.<sup>105</sup> This female character in the *togata* was presumably inherited from Plautine and Caecilian comedies.<sup>106</sup> There are, in fact, seemingly no references to *uxores dotatae* in the fragmentary texts of the earliest authors of *palliatae*. Though female figures may be present in these authors’ works, as suggested by some of their surviving titles,<sup>107</sup> there is no instance in which even one line refers to an *uxor dotata*. In the *palliatae* of Terence, there is likewise no attestation of dowered and powerful wives.<sup>108</sup> The only woman not under male control, though she also wants to have a protector, is the aforementioned Thais in *Eunuchus*,<sup>109</sup> but she is a prostitute. Rather, the Terentian wife is normally submissive (see e.g. Philumena in *Hecyra*).<sup>110</sup>

The *uxor dotata* in Plautus, Caecilius, and the fragments of the *togata* may be somehow related to the Greek *epikleros*,<sup>111</sup> examples of which can be found, for instance, in Menander,<sup>112</sup> and in Middle Comedy, though it is impossible to ascertain whether this

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<sup>105</sup> See e.g. James in Faraone and McClure 2006: 224-262; Dutsch 2008: 79-81; James in Dutsch, James, and Konstan 2015: 108-127.

<sup>106</sup> Cf. Caecilius’ *Plocium*, in particular Caecil. *com.* 142-157 R.<sup>3</sup> On the *uxor dotata* in Caecilius Statius, see e.g. Duckworth 1952: 46-49; Beare 1964: 85-90; Wright 1974: 87-126; de Melo 2014: 456-457. Cf. also Bartholomä in Dinter 2019: 232-234.

<sup>107</sup> See II.1.

<sup>108</sup> Cf. Fantham in Dinter 2019: 252 who discusses the power of Chremes’ wife in *Heautontimorumenos*, and argues that “she is an *uxor dotata* (...) though Terence never uses the term”.

<sup>109</sup> See II.1.3.

<sup>110</sup> Cf. e.g. Gruen in Fontaine and Scafuro 2014: 612.

<sup>111</sup> See e.g. Treggiari 1991: 210; cf. also Paoli 1943: 19-29.

<sup>112</sup> Cf. e.g. Menander’s *Plokion* (fr. 297 K.-A.), in which an anonymous character speaks to another, and says that he married an *epikleros*, who is labelled outright as mistress of the house and of the fields (κυρίαν τῆς οἰκίας / καὶ τῶν ἀγρῶν) and a pain to everybody (ἅπασι δ’ ἀργαλέα ἴστίν). In this passage, as de Melo 2014: 457 points out, “the married man calls his wife an heiress, in reference to her dowry, and a witch; she is said to be domineering and to control both husband and children. Thus the main complaint the man has is

female character appeared onstage or whether she was only mentioned.<sup>113</sup> In the comedies of Plautus, the dowered wife is an upper-class woman,<sup>114</sup> described with Roman traits, such as “her financial powers to exert abnormal influence over her henpecked husband and sons”.<sup>115</sup> She usually has an unfaithful husband, as do, for example, Artemona in *Asinaria*,<sup>116</sup> and Cleostrata in *Casina*,<sup>117</sup> or who wrongly suspects her husband of being unfaithful, as does Dorippa in *Mercator*,<sup>118</sup> and who complains about her marriage because of her husband squandering the dowry.<sup>119</sup> Men lament their unlucky condition, saying that they are under the power of their wives, as we read, for instance, in Pl. *As. 87 argentum accepi, dote imperium uendidi*;<sup>120</sup> wives are also said to be *feroces*, as attested in Pl. *Men. 766-767 ita istaec solent, quae uiros superseruire. sibi postulant, dote fretae, feroces*.<sup>121</sup>

Allusions to the *uxor dotata* are also found in the *togata*, as in e.g. Titin. *tog. 15-16 R.*<sup>3</sup> *Ego me mandatam meo uiro male arbitror, / Qui rem disperdit et meam dotem comest*.<sup>122</sup> The anonymous dowered wife speaking these lines thinks that she has been badly married, and that her

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that his wife, because of her dowry, has assumed too much power in the relationship”. See also Men. fr. 802, 804, 805 K.-A. We might even have an early and vague version of such a female type in Strepsiades’ wife in Aristophanes’ *Nubes*, in which the playwright portrayed this woman as high-born and mighty, arguing with her husband when deciding what name to give their son (*Nu. 60-62*).

<sup>113</sup> See, for instance, Konstantakos in Frangoulidis, Harrison, and Manuwald 2016: 153 n. 34, quoting e.g. Anaxandrides fr. 53; Antiphanes fr. 270; Alexis fr. 150; Diodorus fr. 3.

<sup>114</sup> On this, see e.g. Schuhmann 1977: 45-65. For a general discussion of the *uxor dotata* in Plautus, cf. also González-Vázquez in De Martino 2012: 115-150.

<sup>115</sup> Strong 2016: 58. See also Saller 1994: 221.

<sup>116</sup> See e.g. Pl. *As. 888-889 ille ecastor suppilabat me, quod ancillas meas / suspicabar atque insontis miseris cruciabam* (transl. from de Melo 2011: 239, “Good god, he’s the one who was robbing me! And I suspected my maids and tortured the poor creatures even though they were innocent”).

<sup>117</sup> See e.g. Pl. *Cas. 248 immo age ut lubet bibe, es, disperde rem* (transl. from de Melo 2011: 35, “Go on, drink as you like, eat, throw away your money”).

<sup>118</sup> See e.g. Pl. *Merc. 700-704 miserior mulier me nec fiet nec fuit, / tali uiro quae nupserim. heu miserae mihi! / em quoi te et tua quae tu habeas commendes uiro, / em quoi decem talenta dotis detuli, / haec ut uiderem, ut ferrem has contumelias!* (transl. from de Melo 2011: 89, “No woman will be or has ever been more wretched than me because I married such a husband. Poor, wretched me! Here is the man to whom you can entrust yourself and your possessions! Here is the man to whom I brought ten talents in dowry! Just in order to see this, just in order to bear these humiliations!”).

<sup>119</sup> On love and marriage in Middle Comedy, Konstantakos 2002: 141-171; on the same topic in New Comedy, see e.g. Brown 1993: 189-205; on marriage and divorce in the Roman comic drama, with a focus on Plautus’ *Amphitruo* and *Menaechmi*, and Terence’s *Hecyra*, Braund in Smith 2005: 39-70.

<sup>120</sup> Transl. from de Melo 2011: 151, “I took the money and sold my authority for the dowry”.

<sup>121</sup> Transl. from de Melo 2011: 505, “They’re always like that, those women who expect their husbands to act as their slaves, relying on their dowries and generally savage”.

<sup>122</sup> Transl. from Welsh 2015: 161, “I think that I have been badly married to my husband, who is diminishing our property and devouring my dowry”.

husband is taking away her property and dowry.<sup>123</sup> Men seem to be willing to do anything in order to take possession of the riches of their wives. The wife's dowry is their main goal, as Titin. tog. 70/72 R.<sup>3</sup> alludes to, *Verum enim dotibus deleniti ultro etiam uxoribus ancillantur*.<sup>124</sup> The fact that the *togata* focusses on *uxores dotatae* and their relationships with their husbands, as we also read in Titin. tog. 55 R.<sup>3</sup> *Mulier credo aduersum illum res suas conqueritur. . .*,<sup>125</sup> reflects what the playwrights of the *palliata*, and especially Plautus, had already done. In this way, then, the *togata* looks at the Roman literary tradition of Plautus, developing the conflicts between husbands and wives staged by the *palliatae* author with attacks on the dowry.<sup>126</sup>

The fragments of the *togata* appear to portray wives with powerful traits. Examples are Titin. tog. 140-141 R.<sup>3</sup> *uende thensam atque hinnulos. / Sine eam pedibus <suis> grassari, confringe eius superbiam*,<sup>127</sup> and Titin. tog. 17-19 R.<sup>3</sup> *uideram ego te uirginem / Formonsam, sed sponso superbam esse, forma / Ferocem*.<sup>128</sup> In the first fragment, an anonymous character invites someone to break the pride of a powerful woman, thus inviting the other character to sell the carriage and mules, as well as letting her walk on her own feet. The second fragment describes a woman, who is said to be *superba* and *ferox*, performing a theatrical theme which is attested in the *palliata* of Plautus.<sup>129</sup> Moreover, Afran. tog. 100-101 R.<sup>3</sup> is likely to allude to powerful women being able to terrify their husbands, <O> *quam beatae*

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<sup>123</sup> On this fragment, Guardì 1985: 112; on Roman dowry and the complex questions relating to it, see e.g. Treggiari 1991: 323-264.

<sup>124</sup> Transl.: "but indeed soothed by dowries, they even voluntarily act as handmaid to their wives". On the linguistic peculiarities of the fragment, Guardì 1985: 133-134.

<sup>125</sup> Transl. from Welsh 2015: 167 n. 19, "the woman, I think, is complaining to him about her property".

<sup>126</sup> Cf. e.g. Konstantakos 2016: 153 n. 34 (on Megadorus in *Aulularia*). See also Rei in Joshel and Murnaghan 1998: 96.

<sup>127</sup> See translation at I.1.1.

<sup>128</sup> Transl. from Welsh 2015: 161, "I had seen you, a beautiful maiden, being haughty towards your fiancé, relying on your beauty". On this fragment, Daviault 1981: 100 n. 10; Guardì 1985: 114-115.

<sup>129</sup> Cf. e.g. again Pl. *Men.* 766-767, in which *uxores dotatae* are described as *feroces*.



*scenicae mihi uidentur mulieres, / Quae iurgio terrent uiros desubito et beniuolentia.*<sup>130</sup> Less certain are the references to authoritative *uxores dotatae* in other fragments.<sup>131</sup>

Why were ‘bossy’ wives so typical of Roman humour? A possible explanation is to consider this as an example of the pattern whereby the hierarchies that govern the Roman world are inverted,<sup>132</sup> and therefore are analogous to the domineering role of the slaves in the *palliata*, and of Plautus in particular.<sup>133</sup> Wealthy and masculine women appear to dominate their husbands just as the cunning slaves subdue and best their masters. In this way, then, I am inclined to think that the authors of the *togata*, when portraying onstage the character of the *uxor dotata*, are following the literary tradition of the *palliata* of Plautus.

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<sup>130</sup> Transl. from Welsh 2015: 156, “I think women in comedies are really lucky: with a quarrel and with their will they terrify their men in the blink of an eye!”. On this fragment, see also Baier 2010: 82.

<sup>131</sup> See e.g. Titin. *tog.* 36 R.<sup>3</sup> *Euerrite aedis, abstergete araneas* (transl.: “Sweep out the house, get rid of the cobwebs”); Titin. *tog.* 130 R.<sup>3</sup> *Verrite <mi> aedis, spargite, munde facite in suo quique loco ut sita sint* (transl.: “Sweep the house, sprinkle (the ground?), neatly make sure that everything is in its own place”); Titin. *tog.* 45-46 R.<sup>3</sup> *Parasitos amoui, lenonum <eum> aedibus absterrui, / Desueui, ne quod ad cenam iret extra consilium meum* (transl.: “I made the parasites go away, I drove the procurer off from the houses, I put a stop to his custom of going out for dinner without my permission”). In the first two fragments, an authoritative woman might be giving orders to other people, as Cleostrata did in the Plautine *Casina* (see Pl. *Cas.* 144-146). However, one cannot exclude a male character doing the same, as suggested by analysing Plautus’ comedies (cf. Pyrgopolynices the soldier in Pl. *Mil.* 1, Ballio the pimp in Pl. *Ps.* 133, and Periplectomenus the old gentleman of Ephesus in Pl. *Mil.* 160-161), and Terence (see Simo the old man in Ter. *An.* 28). In the third fragment, a woman might have pronounced the line (see Guardì 1985: 127), but again we do not have any evidence supporting this interpretation. One may also quote Titin. *tog.* 22-23 R.<sup>3</sup> *Da pensam lanam: qui non reddet temperi / Putatam recte, facito ut multetur malo* (transl.: “give the weighted wool: (s)he who does not return at the right time the estimated (wool), punish him/her with a fine”) and Titin. *tog.* 30-31 R.<sup>3</sup> *Si quisquam hodie praeterhac posticum nostrum pepulerit, / Patibulo hoc ei caput diffringam* (transl.: “if furthermore anyone today knocks on our backdoor, I shall break up (his/her) head with this bar”). Indeed, it is impossible to ascertain whether a powerful dowered wife pronounces these lines or anyone else. See also Titin. *tog.* 43-44 R.<sup>3</sup>, which might refer to an authoritative woman threatening her husband not to go to the countryside with a prostitute, *Si rus cum scorto constituit ire, clauis ilico / Abstrudi iubeo, rusticae togai ne sit copia* (transl. from Welsh 2015: 167 n. 17, “If he has decided to go to the country with his prostitute, then I’ll order that the keys be hidden away, so he can’t have access to the country house”). The fragment is remarkable because of the mention of the (house) key made by a character who might be a powerful matron (Ribbeck 1873: 140). If she is a matron and the owner of the house key, this is a unique case. In the *palliata*, the only reference to a house key is made by the courtesan Selenium in Pl. *Cist.* 111. However, one cannot be sure about the identity of such a character here. Indeed, it is also reasonable to assume that the speaker is an old man who obliged his son to stay at home and not to go to the countryside to have fun with prostitutes (see Guardì 1985: 127). Moreover, if *rustica toga* was intended as toga used in the countryside (Ribbeck 1873: 140; Vereecke 1968: 73) rather than countryside-house (Bücheler 1884: 422-423 (= 1930: 32-33); Pugliarello 1977: 249-251), the speaker would not allude to the house key, but could allude to the wardrobe-keys, as Cleostrata in *Casina*. On the usage of *scortum* to label a prostitute (and common in classical Latin), Adams 1983: 321-327.

<sup>132</sup> Barrios-Lech 2016: 62-63. Cf. also Petrone 1977; Segal 1987.

<sup>133</sup> On this, see II.2.2.

Because such a specific female type exists in the *palliata* of Plautus, and because the *togata* has inherited it from Plautus, there is indication for the construction of a Roman (= Plautine) identity in the *togata*. Furthermore, there is also evidence to show that female empowerment and masculinity were not only comic exaggerations—like slaves in Roman comedies whose portrayals were not true to life—<sup>134</sup>or typical ways of describing Roman women and their features.<sup>135</sup> That is to say, female empowerment and masculinity might have been also real possibilities.<sup>136</sup> I shall show in the following section how there may be a strong element of real life in the fragments of the *togata*, when it comes to the strong and authoritative portrayal of women in Roman family and society. *Uxores dotatae* in the scanty *togatæ* are hence an indication of the literary and cultural identity construction of this theatrical genre.

### II.1.5 Roman Women in Daily Life

There is something very Roman about the figure of the *uxor dotata* (and the domineering woman in general), and whatever her exact treatment in the extant *togatæ* is, its presence resonated more with a Roman rather than with a Greek audience, as my following brief survey shows. This will start from a passage of Cornelius Nepos (Nep. *Pref.* 6-7), who

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<sup>134</sup> Duckworth 1952: 253. On the slave in the comedies of Plautus, cf. e.g. Moore 1998; McCarthy 2000; Richlin 2017. Further secondary literature is quoted at II.2.2.

<sup>135</sup> Masculinity was a key characteristic of the description of paradigmatic Roman women as Lucretia (V. Max. 6.1.1. – *cuius uirilis animus*) (see Hemelrijk 1999: 89; Culham in Flower 2004: 139), Veturia and Volumnia (see e.g. Liv. 2.40 and Plu. *Cor.* 33-34). That Roman women are described as able to exercise power over their husbands is also suggested by a speech which Cato the Elder delivered in support of the Voconian Law in 169 BCE (cf. Cato, *Orat.* 40). An excerpt is reported by Gellius (17.6.1): the wife is depicted as powerful because of her dowry and (...) *ubi irata facta est, seruuum recepticium sectari atque flagitare uirum iubet* (transl. from Rolfe 1927 reprint.: 223,“(…) becoming angry with him, she orders a servus recepticius, or ‘slave of her own’, to hound him and demand the money”). Plutarch (Plu. *Cat. Ma.* 8.2) reported that Cato discussed the power of women, and that he might have said that the Romans were the only ones to be controlled by their wives: *περι δὲ τῆς γυναικοκρατίας διαλεγόμενος “πάντες”, εἶπεν, “ἄνθρωποι τῶν γυναικῶν ἄρχουσιν, ἡμεῖς δὲ πάντων ἀνθρώπων, ἡμῶν δ’ αἱ γυναῖκες”* (transl. from Perrin 1914 reprint.: 323, “discoursing on the power of women, he said: ‘All other men rule their wives; we rule all other men, and our wives rule us’”; as specified by Plutarch later in the same passage, such a sentence of Cato would be a translation from Themistocles’ sayings – Plu. *Them.* 18.4). Other Roman women of the mid/late Republic are described with power(s), such as Terentia (see Plu. *Cic.* 20 and 29; on Terentia and other powerful women in the last period of the Republic, see e.g. Brennan 2012: 354-366; cf. also Treggiari 2007, in particular 30-39; on Terentia and Tullia, Treggiari 2007: 40-55), Caecilia Metella (Plu. *Pomp.* 9), and Sassia (Cic. *Clu.* 12-14), who had their daughters divorce their husbands.

<sup>136</sup> Baier 2010: 82, quoting Stärk 1990: 76.

portrays the attitude of the Romans taking their wives out to dinner, thus illustrating a cultural feature and stressing more the dichotomy Greeks and Romans:

*Contra ea pleraque nostris moribus sunt decora quae apud illos turpia putantur. Quem enim Romanorum pudet uxorem ducere in conuiuuium? Aut cuius non mater familias primum locum tenet aedium atque in celebritate uersatur? Quod multo fit aliter in Graecia; nam neque in conuiuuium adhibetur nisi propinquorum, neque sedet nisi in interiore parte aedium, quae gynaeconitis appellatur, quo nemo accedit nisi propinqua cognatione coniunctus.*<sup>137</sup>

Nepos drives the readers' attention to the differences between Roman and Greek women in relation to their daily lives. However, as far as the condition of women in Greece is concerned, it is impossible to reach a sole conclusion, because, for instance, the condition of women in Gortyn and in Sparta was as not the same as in Athens.<sup>138</sup> Here, I shall not analyse women's conditions in Greece, but only make a case study, focussing on women in Athens; I shall then compare them with Roman women, stressing the differences between the former and the latter.

In Athens, Athenian women had not been allowed admittance to dinner parties. The majority of them lived in a separate part of their house,<sup>139</sup> and their function was primarily restricted to the reproduction of offspring, as we read in Demosthenes (D. 59.122 - *Against Neaira*), remaining indoors, as attested in Xenophon (X. *Oec.* 7.30.6-21.1),<sup>140</sup> and being

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<sup>137</sup> Transl. from Horsfall 1989: 29-30, "On the other hand, there are numerous actions decent by our standards which are thought base by them. For what Roman is ashamed to take his wife to a dinner party? Where does the lady of the house not occupy the place of honour, and receive guests? This is all very different in Greece: she is only invited to dinners of the family and sits only in the inner part of the house, which is called the women's quarters: no one enters unless bound by ties of kinship". Secondary literature on Cornelius Nepos is extensive: see, for instance, Millar 1988: 40-55; Narducci 2004: 145-189; Anselm 2004; Stem 2012.

<sup>138</sup> As suggested by, for example, a reading from the Gortyn Law Code (II.45 G.), Gortyn's women are likely to be more independent than Athenian ones – cf. Lacey 1968: 208-216 (on the Gortyn laws, see also Davies in Gagarin and Cohen 2005: 305-327; Gagarin and Perlman 2016). It is also worth mentioning the status of women in Sparta, who could rule men, as found in Plu. *Lyc.* 14-15 (see e.g. Fantham, Peet Foley, Boymel Kampen, Pomeroy, and Shapiro 1994: 56-127; on the role played by Spartan women in everyday life, see e.g. Lacey 1968: 202-208; Kunstler 1987: 31-48; see also McClure 2020: 53-54). On the relationship between women, state, and city in Greece and Rome, see e.g. Henry and James 2012: 84-95.

<sup>139</sup> On the female gender and domestic space in the Graeco-Roman world, cf. Trümper in James and Dillon 2012: 288-303.

<sup>140</sup> Cf. also Pomeroy 1994: 281.

subject to their husband, as evident in the contracts alluding to the maintenance of an obedient wife by her husband.<sup>141</sup> Such a cultural norm is reinforced by the depiction of Athenian women in Attic pottery.<sup>142</sup> With the exception of religious rituals,<sup>143</sup> Athenian (upper-class) women were absent from public spaces,<sup>144</sup> and law courts.<sup>145</sup> Even after the Periclean citizenship law,<sup>146</sup> women were excluded from participating in political life,<sup>147</sup> and tied to a biological function. They were not allowed to educate their children, as happened in Rome: indeed, children's education was a male matter in Athens.<sup>148</sup>

In a similar manner to married Athenian woman, the Roman wife was also mistress of the household, who "shared with her husband responsibility for the supervision of the religious cult of the family".<sup>149</sup> However, in comparison with her Athenian counterpart, the Roman wife had "many effective rights which had little or no basis in formal law".<sup>150</sup> That is to say, though in Rome the *paterfamilias* exercised authority and his power was enshrined in law (see e.g. the Twelve Tables, IV2a, on a father's authority to put his son to death),<sup>151</sup> the schema which proposed a rigid subordination of families to the *paterfamilias* was "a convenient epistemological tool for studying a set of customary rules rather than a representation of a real society".<sup>152</sup> In other words, the Roman woman likewise had powers which were not *stricto iure* but *de facto*. Women had private rights roughly equivalent to those of men, and by the second century BCE at the latest "between husband

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<sup>141</sup> VÉrilhac-Vial 1998: 267-279.

<sup>142</sup> On this, see Lewis 2002: 59-90. On women's outdoor activities depicted by Attic pottery, Lewis 2002: 91-129.

<sup>143</sup> Fantham, Foley, Boymel Kampen, Pomeroy, and Shapiro 1994: 83-96; McClure 1999: 28; Levick in James and Dillon 2012: 101. On religious festivals attended by women, cf. also Stehle in James and Dillon 2012: 191-203; McClure 2020: 121-124.

<sup>144</sup> McClure 1999: 264; Johnstone in Joshel and Murnaghan 1998: 234; Goldhill 1992: 41; cf. also Loraux 1987: 323 and Segal 1993: 124.

<sup>145</sup> Levick 2012: 103.

<sup>146</sup> Lape 2004: 244-246. See also e.g. Patterson in Gagarin and Cohen 2005: 278-285; McClure 2020: 88.

<sup>147</sup> See e.g. Pomeroy 1975: 130-131. Cf. also Just 1989: 13-25; van Bremen 1996; Shipley 2000: 102-106.

<sup>148</sup> See Cantarella in Gagarin and Cohen 2005: 250.

<sup>149</sup> Balsdon 1962: 45.

<sup>150</sup> Dixon 1988: 43.

<sup>151</sup> On the *paterfamilias* and his powers, see e.g. Lamberti 2014: 2-12, with further secondary literature quoted at 2 n. 1.

<sup>152</sup> Treggiari in Kleiner and Matheson 1996: 119. Cf. also Hölkeskamp in Flower 2004: 113-138.

and wife reciprocal affection and respect were the social norm".<sup>153</sup> Indeed, by c. 100 BCE, even married women remained under the authority of their fathers (marriage *sine manu*). They thus had income and property separate from those of their husbands. This was markedly different from the rights that married women were afforded during the early Republic, when the bride came under the control of her husband (marriage *cum manu*).<sup>154</sup> That a woman was only subordinate to her father, and no longer to her husband, testifies to a change in Roman life in that period.<sup>155</sup>

Moreover, the issues related to the marriage and power of an *uxor dotata* offer an opportunity to delve into what happened in Athenian and Roman daily life when, for instance, the father or husband of a woman died. In both Athenian and Roman society, a woman needed a representative in legal situations. However, while in Athens a widow could not dispose of patrimony, and the authority of her guardian was the same as that of the authority of her father,<sup>156</sup> in Rome there was the possibility for a woman to become *sui iuris*. As Strong has argued, "in practice many Roman women managed their own business affairs with little male supervision".<sup>157</sup> Becoming *sui iuris* hence establishes a difference between Roman and Athenian women. In comparison with, and opposition to, the latter, Roman women "could inherit and bequeath their patrimony to their children or to other heirs, and were allowed (...) to manage their own finances and property".<sup>158</sup>

These examples highlight the differences between Roman and Athenian wives in relation to their private life. Likewise, one may deal with Roman women and their public life. I have already mentioned Roman laws which restricted the power of women in the second century BCE (e.g. the *Lex Oppia*). Roman laws intended to reduce the power of women testify to how female power was not utopian. It may be that women were acquiring a

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<sup>153</sup> Treggiari 1996: 119.

<sup>154</sup> Hunter 1985: 92; Cantarella 1987: 116-132 (on the legal and social status of women in the period of the kings and the Republic); Sealey 1990: 101-103. For marriage and *manus*, see also Levick 2012: 98-99; Lamberti 2014: 23-28; cf. also Christenson 2019: 25-26; McClure 2020: 176-177.

<sup>155</sup> See Carcopino 1941: 90. Cf. Gratwick in Craik 1984: 30.

<sup>156</sup> See Gratwick 1984: 40. Cf. also Blundell 1998: 30; on the legal capabilities of widows in Athens, see also Just 1989: 26-27.

<sup>157</sup> Strong 2016: 58; cf. also Dixon 1985: 149-150.

<sup>158</sup> Fraschetti 1994: 4-5.

greater degree of power and freedom and that their position no longer conformed to Roman laws. By contrast, in Athens we do not find anything like a law to limit the power of women.

It is then possible to draw a comparison between Roman women (in association with their dowries) and the aforementioned *epikleros*, who was an heiress,<sup>159</sup> though the terms *epikleros* and heiress are not equivalent.<sup>160</sup> Perhaps it would be more correct to translate *epikleros* as female orphan.<sup>161</sup> The main function of the *epikleros* “was to marry her next of kin on the male side”,<sup>162</sup> an obligation far from the condition of the dowered Roman wives, for whom it seems there would not have been any such rules. In other words, the *epikleros* just avoided that families “did not die out through lack of descendants (...)”.<sup>163</sup> Sadly, we do not have any evidence related to Athens in the Hellenistic period about the status of the *epikleros*.<sup>164</sup>

It would be reasonable to assume that the portrayal of powerful and dowered wives attested in the surviving fragments of the *togata* (and the *palliata* of Plautus and Caecilius Statius), described as empowered by their dowries,<sup>165</sup> may mirror, or seem to be influenced by, such real cultural aspects of Roman society. They are then an important source to figure out the role of the *uxores dotatae* within the Roman family and society at that time. Furthermore, they seem to be a more faithful source than what is attested, for instance, in

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<sup>159</sup> Levick 2012: 100. On the *epikleros*' condition, cf. also Lacey 1968: 139-145; MacDowell 1978: 95-108; Schaps 1979: 25-47; Just 1989: 95-104; Cantarella 2005: 247-248; Maffi in Gagarin and Cohen 2005: 256-257.

<sup>160</sup> See Lacey 1968: 24; MacDowell 1978: 95.

<sup>161</sup> Sealey 1994: 17. On the meanings of the word *epikleros*, Schaps 1979: 25-26.

<sup>162</sup> Lacey 1968: 139. Also, MacDowell 1978: 95.

<sup>163</sup> Lacey 1968: 139.

<sup>164</sup> The earliest Athenian inscription referring to a woman who might be the owner of land or a property is dated to the Hadrianic period (cf. *IG II<sup>2</sup>*, 2776). Consequently, almost nothing can be inferred about the economic condition of Athenian women in relation to their inherited dowries. For the Hellenistic period, the (only literary) evidence is very sporadic, and mentioned because of familial situations, as in the case e.g. of *D. Aphob.* 1.44 (cf. VÉrilhac and Vial 1998: 142), and within the narration of civil wars in which men were involved in conflicts regarding *epikleroi* (see *Arist. Pol.* 1303b 18 and 1304a 4-13). Cases such as these are not attested elsewhere and “may be apocryphal” (Schaps 1979: 33).

<sup>165</sup> Cf. also Hunter 1985: 92, “Roman dowries were, on the whole, larger than Attic ones, and this helped to emphasise the discomfort of comic husbands locked in a private, married hell”.

Menander regarding the *epikleros*.<sup>166</sup> It is thus clear how the extant *togatae* are apparently linked to the Roman world, and that what we read in their remains is not something merely invented as in the case of the Greek tradition, both tragic or comic, as the next section investigates.

### II.1.6 The Portrayal of Powerful and Masculine Roman Women in the *Togata*: Positive, Negative, Either, Neither?

The differences between the perceived 'realism' of masculine and authoritative women in Athenian and Roman theatre and society can also be confirmed by looking at their characterisation. There is a tradition of masculine women in Athenian drama, both in tragedy and in comedy. For instance, Clytemnestra in Aeschylus' *Agamemnon* may be considered a standard reference point. Indeed, this woman "is repeatedly characterized as speaking like a man".<sup>167</sup> She had *kratos*, masculine authority, ὦδε γὰρ κρατεῖ / γυναικὸς ἀνδρόβουλον ἐλπίζον κέαρ (Ag. 10-11),<sup>168</sup> and her speech resembles a man's γύναι, κατ' ἄνδρα σῶφρον' εὐφρόνως λέγεις (Ag. 351).<sup>169</sup> Other masculinised women include Euripides' *Medea*,<sup>170</sup> a foreign woman, representative of a culture in which women command, and manly maidens such as, for instance, *Antigone*.<sup>171</sup> In Greek tragedies,

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<sup>166</sup> It is not possible to find a direct correlation between the *epikleros* performed in New Comedy (especially in Menander) and the society of that historical and cultural period. Scafuro 1997, Krieter-Spiro 1997, and Lape 2004 struggle with the use and interpretation of Menander's comedies as a possible historical source to better understand laws, society, and politics in Hellenistic Athens. Laws, society and politics, as seen through Menander, seem to match what we know of Athenian reality. For example, in Menander's *Dyscolos* we might find allusions to the social and legal norms of that period (cf. e.g. Zagagi 1994: 95-113), and in *Epitrepontes* the playwright, as pointed out by James in Sommerstein 2014: 35, "provides a very realistic portrayal of how women respond to rape". However, it is far from clear that their implementation is realistic. As Traill 2008: 127 argues, "we cannot assume a strict correlation between what is presented as acceptable on stage and what was considered acceptable in real life".

<sup>167</sup> McClure 1999: 3. Cf. also Sommerstein 2010: 181-193, who highlights how Clytemnestra and Athena are characterised by male traits going against the socially defined conventions of being male and female. See also Foley 2001: 201-242; Lanza in Raffaelli 1995: 31-42, in particular at 37 on the portrayal of Clytemnestra.

<sup>168</sup> Transl. from McClure 1999: 73, "So a woman who thinks like a man rules with expectant heart". On this passage, see Raeburn and Thomas 2011: 67.

<sup>169</sup> Transl. from McClure 1999: 74, "You have spoken sensibly like a self-controlled man". Cf. Raeburn and Thomas 2011: 108, on the words of the Coryphaeus who "credits Clytemnestra with a man's good sense".

<sup>170</sup> The classic piece on *Medea* as adopting typically male heroic traits is Knox 1977: 198-225.

<sup>171</sup> The scholarship on Euripides' *Medea* and Sophocles' *Antigone* is enormous. For the former, cf. e.g. Sourvinou-Inwood in Clauss and Johnston 1997: 253-296; Foley 2001: 243-271; Mossman 2011: 1-58; for the latter, see e.g. Sourvinou-Inwood 1989: 134-148; Foley 2001: 172-200; Carter in Markantonato 2012: 111-129.

manly features associated with feminine characters are regarded as negative. What is attested in Greek tragedies “reflects a profound disparagement of women mixed with an invincible fear of their negative power”,<sup>172</sup> given that “they could wield tremendous power over their husbands by robbing them of their sons”.<sup>173</sup> Masculine women are thus morally negative. For this reason, over the past decades, scholars such as Foley,<sup>174</sup> Zeitlin,<sup>175</sup> and McClure,<sup>176</sup> have pointed out how classical drama is a problematic source for the lives of women (and men) in Athens.

In the comedies of Aristophanes, the masculinity of women is seen as negative, transgressing social and legal norms. In *Lysistrata*, *Ecclesiazusae*, and above all *Thesmophoriazusae*, we find female characters who allude to their manly will for conquering public spaces.<sup>177</sup> These comedies present women’s attitude as negative. Scenes in which a woman like Praxagora even uses a male participle in reference to Woman B (ἀνήρ ὄν, *Ec.* 158), are seen as negative for the Athenian society of that period, in which women were relegated to the home.<sup>178</sup> The result is thus absurd.<sup>179</sup> Even the potential authoritativeness of the *epikleroi* in New and Middle Comedy, as remarked above, owing to their inherited dowries, is probably negative, and in any case different from the masculine characterisation of women found in Plautus and the fragments of the *togata*.

In Plautus, the strong and powerful portrayal of Roman women is not always negative, exotic, or absurd. For instance, Cleostrata in the Plautine *Casina* is an example of a rich and powerful *uxor dotata* giving orders onstage (*Pl. Cas.* 144-146), “shielding her ward against her own husband”,<sup>180</sup> and whose behaviour relies on correctness and loyalty. Because of her idealised portrayal as a perfect matron, she wants to punish her husband, a depraved

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<sup>172</sup> Cantarella 1987: 63.

<sup>173</sup> Blundell 1998: 52.

<sup>174</sup> Foley 1981: 127-168.

<sup>175</sup> Zeitlin 1985: 63-94 and 1996.

<sup>176</sup> McClure 1999.

<sup>177</sup> On the relationship between obscenity and women in Aristophanic women, cf. McClure 1999: 205-259.

<sup>178</sup> See II.1.5.

<sup>179</sup> See Halliwell 1998: 153; cf. also Cantarella 1987: 71; Levick 2012: 98 on the absurdity of Athenian women being members of the Greek Ekklesia.

<sup>180</sup> Dutsch in Dinter 2019: 200-216.



old Greek man and negative character.<sup>181</sup> Cleostrata is a positive Roman character,<sup>182</sup> because she wins at the end of the comedy, pardoning her husband.<sup>183</sup> In comparison with the masculine portrayal of women in Greek drama, as well as in other Plautine comedies, her portrayal is thus seen as less negative, probably because Plautus, as Christenson has rightly pointed out, “in *Casina* refrains from raising any spectre of a dowry lurking behind Cleostrata’s and Lysidamus’s marital relationship”.<sup>184</sup>

In the fragments of the *togata* the apparently higher status of Roman women made them prone to both a positive characterisation as *firmitas familiae* (see Afran. *tog.* 241-242 R.<sup>3</sup>),<sup>185</sup> and to a negative one, with a degree of comic exaggeration, yet without falling into absurdity. Given the representation of domineering women,<sup>186</sup> the *togata* could have elaborated a kind of rhetoric of misogyny, already attested in Greek<sup>187</sup> and Roman<sup>188</sup> literature, and which will be also attested later, as, for instance, in the satirical tradition of the first century CE.<sup>189</sup>

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<sup>181</sup> Cf. e.g. Pl. *Cas.* 155-161. On the character of the *senex amator* in the Plautine *Casina*, cf. e.g. Cody 1976: 453-476. On Plautus’ *Casina*, see also Raffaelli-Tontini 2003.

<sup>182</sup> Myrrine is also depicted as a good wife (see Petrone in Petrone 2009: 216).

<sup>183</sup> See Pl. *Cas.* 1004-1008. Cf. Christenson 2019: 96-97 on the portrayal of Cleostrata who “has successfully led a solidarity movement to defeat her foolish, phallogocentric and philandering husband”.

<sup>184</sup> Christenson 2019: 27.

<sup>185</sup> See transl. at II.1.3.

<sup>186</sup> See II.1.4.

<sup>187</sup> The portrayal of women as being characteristically bad is already attested in early Greek literature, such as in Hesiod’s (*Th.* 590-612 M.) reference to men living in a bad condition owing to their wives. Semonides (*On Women W.*) likewise portrayed women as miserable creatures, with bad attitudes. Hipponax (fr. 68 W.) notes that one of the best days for a woman is when her dead body is carried by her husband to the grave. Euripides (*Hipp.* 615-655) has Hippolytus say that he does not want a woman to think more than she ought to, and that women make evil plans (on Hippolytus’ insulting attack on all women, cf. e.g. Rabinowitz 1987: 127-140).

<sup>188</sup> This misogynistic style was widespread among playwrights of mid Republican Roman literature, such as Andr. *trag.* 1 R.<sup>3</sup> and Acc. *trag.* 86 R.<sup>3</sup> As far as Roman comedy is concerned, cf. e.g. Pl. *Curc.* 591-598, Pl. *Mil.* 189-194 and 887-890.

<sup>189</sup> See e.g. Juvenal’s sixth satire (on this, Braund 1992: 71-86; Nadeau 2011; Watson and Watson 2014; on a general overview of the author and his satires, see also Keane 2015; Geue 2017), esp. Juv. 6.457-465, which refers to a woman being haughty and arrogant; Juv. 6.425-433 which portrays a woman behaving with unfemininity; Juv. 6.398-401, in which a woman “does not have the attribute of a woman who behaves within the scope of her gender role, (...) she also lost the characteristics of the wife (...) the loss of visible femininity” (Centlivres Challet 2013: 96).

In Afran. *tog.* 7 R.<sup>3</sup> *Haut facul, ut ait Pacuuius, femina <una> inuenitur bona,*<sup>190</sup> Afranius quotes Pacuuius, and reports that it is not easy to find a good woman. It seems that Afranius could have been inspired by Pacuuius (*ut ait Pacuuius*) in terms of performing misogyny onstage, thus portraying a motif inherited from Greek tragedies through Roman tragedies. Other references to misogynistic motifs in the *togata* are Titin. *tog.* 74-75 R.<sup>3</sup> *Rectius mecastor tpiculetae Postumae / Lectum hodie stratum uidi scrattae mulieris,*<sup>191</sup> where a woman is labelled as *scratta*.<sup>192</sup> Moreover, Afran. *tog.* 57-58 R.<sup>3</sup> *Mulier, nouercae nomen huc adde impium, / Spurca gingiuast, gannit hau dici potest,*<sup>193</sup> refers to a step-mother with detestable behaviour, who is portrayed with canine features.<sup>194</sup> Finally, one may quote Afran. *tog.* 202 R.<sup>3</sup> *Multa atque molesta es: potin' ut dicta facessas?*<sup>195</sup> which portrays an anonymous female character as *multa atque molesta*, stereotyping her as a cause for concern.

Thus, both a positive and an exaggeratedly negative portrayal of compelling women are found in the *togata*. An issue that is directly relevant to the perception of these women onstage is the nature of the audience of the *togatae*: were there women watching those *togatae* in which the aforementioned misogynistic remarks are attested? Did women laugh at the characterisation the playwrights of *togatae* made of them? Perhaps they complained about them? It would have been helpful to find evidence on this, but unfortunately nothing can be postulated.<sup>196</sup> I would only argue that it would not be unreasonable to assume that the same audience who went to see *palliatae* went also to see *togatae*. After all, a *togata* was not as low in the theatrical hierarchy as a literary *mimus*.

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<sup>190</sup> See transl. at I.1.1, and further discussion at I.3.1.3.

<sup>191</sup> See transl. at I.3.1.2.

<sup>192</sup> On this, see III.2.3.

<sup>193</sup> Transl.: "Woman, add here the impious name of step-mother, she has a dirty gum, she snarls in a way that cannot be described".

<sup>194</sup> On these lines, Bianco 2006: 10-11.

<sup>195</sup> Transl.: "You are really troublesome: can you not do what you say?".

<sup>196</sup> There are pieces of evidence related to the audience of the *palliata*, as we read in the prologues to Plautus' *Poenulus* (5-35), and Terence's *Hecyra* (28-48). For further remarks on Roman theatre audience, see e.g. Duckworth 1952: 79-82; Beare 1964: 173-175; Chalmers in Dorey and Dudley 1965: 21-50; Marshall 2006: 73-82; Manuwald 2011: 98-108; Feeny 2016: 179-183; Brown 2019: 654-671.

### II.1.7 New Female Characters in the *Togata*

As discussed above, the *togata* is in close continuity with the Plautine tradition, expanding and enhancing elements already present in the comedies of Plautus: namely, the playwrights of *togatae* inherit from Plautus and make prominent elements which could already be construed as Roman (such as the *uxor dotata*)<sup>197</sup> and which are in fact absent or toned down in the more Graecising/universalising *palliata* of Terence. However, closer scrutiny of the remaining *togatae* reveals that the theatrical genre of the *togata* cannot be merely considered a copy of what staged in the *palliata* of Plautus, when it comes to the characterisation of *dramatis personae*. This section focusses on the presence of female characters in the extant *togatae* who are not attested in earlier and/or contemporary Roman literary genres, in particular the *palliata* of Plautus. Their presence testifies to the originality of the playwrights of the *togata*, who were not only imitators of their predecessors and contemporary colleagues, but also pioneers in the creation of characters onstage, characters who contribute to make the *togata* a native genre. Here, I distinguish two kinds of new female characters, that is to say, familial characters such as *Matertera*, *Priuigna*, *Nouerca*, *Fratraria* and *Vidua*, and professional characters, such as *Iurisperita* and *Vilica*.

Let us begin with the *matertera* ('maternal aunt'). The only mention of a mother's sister in the *palliata* is Pl. *Curc.* 602 (*atmea...matertera*), a line spoken by Curculio the parasite. However, such a mention is inconsequential and considered nonsensical (Pl. *Curc.* 604 – *nugas garris*). We do not know anything about the *togata Materterae* by Afranius and the *togata Matertera* or *Materterae* by Atta because of the near-complete lack of internal pieces of evidence related to these female characters.<sup>198</sup> In any case, that both *togatae* bore this title

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<sup>197</sup> See discussion at II.1.4.

<sup>198</sup> With regard to the aforementioned *togata* by Afranius, see Daviault 1981: 196 n. 1. The only internal reference to *materterae* is Afran. *tog.* 207-209 R.<sup>3</sup> *postquam se uidet / Inibi esse, gnatam paruulam sororibus / Commendat* (transl.: "after (s)he sees that (s)he is in there, (s)he commits the young daughter to sisters' care"). No fragment of *Matertera* or *Materterae* by Atta is transmitted. The title itself is doubtful (see Daviault 1981: 259 n. 1; Guardì 1985: 179).

suggests that Afranius and Atta might have given importance to this character,<sup>199</sup> and to its indigenous flavour.

Like the *matertera*, other family members were given emphasis on the stage of *togatae*, as the character of the step-daughter portrayed in the *togata Priuigna* attributed to Titinius,<sup>200</sup> a character mentioned also in Titin. *tog.* 155 R.<sup>3</sup> *Laudor quod osculaui priuignae caput*,<sup>201</sup> and the character of the *nouerca*, attested in the *togata Diuortium* attributed to Afranius.<sup>202</sup> In Plautine *Pseudolus* there is reference to a step-mother, but the comic context suggests that this mention is fictional (*Ps.* 313-314),<sup>203</sup> and not likely real, as it may be in Afran. *tog.* 57-58 R.<sup>3</sup> *Mulier, nouercae nomen huc adde impium, / Spurca gingiuast, gannit hau dici potest*,<sup>204</sup> in which a step-mother is regarded as evil and terrifying because of her terrible reputation. In other words, the mention of a step-mother in Afranius concerns an actual step-mother character.

Also of interest is Afranius' *togata* entitled *Fratriae* ('sisters-in-law'). By analysing the lines of this *togata*, it is difficult to infer more about the role these anonymous sisters-in-law played onstage;<sup>205</sup> however, the title of this *togata* already deserves attention. In fact, there is no other work in extant Roman Republican drama which bears this title. Afranius would have then introduced a new female character onstage, concentrating on familiar relationships, and then representing onstage characters taken from (fictionalised) real life. As analysed above,<sup>206</sup> in the *togatae* the character of the *uidua* could have played an important role and may likewise mirror the position of widowed women in Roman

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<sup>199</sup> For an analysis of the *matertera* in other Latin sources, Hallett 1984: 180-188.

<sup>200</sup> This *togata* may have dealt with the question relating to a step-daughter, but unfortunately nothing more can be added because of the near-complete lack of internal pieces of evidence.

<sup>201</sup> Transl.: "I am praised because I kissed the head of the step-daughter".

<sup>202</sup> On this *togata*, see I.3.1.3.

<sup>203</sup> See also Welsh 2015: 168 n. 29, "In the *palliata*, by contrast, Phanostrata in the *Cistellaria* is a step-mother but that aspect of her character is inconsequential".

<sup>204</sup> See transl. at II.1.6.

<sup>205</sup> Daviault 1981: 182 n. 1.

<sup>206</sup> See II.1.

society.<sup>207</sup> However, the only textual evidence from the *togata* is the already mentioned Afran. *tog.* 52-54 R.<sup>3</sup>, where the meaning of *uidua* is ‘divorced woman’ rather than ‘widow’.

Regarding professional female characters, one may begin with the *Iurisperita* by Titinius. The noun *iurisperita* might testify to the relation between women and law(s).<sup>208</sup> Unfortunately, the only two fragments attributed to this *togata*, that is to say, Titin. *tog.* 62 R.<sup>3</sup> *Numquamne mihi licebit hodie dicere?*<sup>209</sup> and Titin. *tog.* 63-64 R.<sup>3</sup> *Nunc adeo uisam: rem magnam aibat uelle se mecum loqui, / Et commode eccum exit,*<sup>210</sup> cannot add anything to better understand this female character. Perutelli has argued that the relationship between female characters and laws in the *togata*, and especially in the theatrical works of Titinius, might have alluded to female revolutions,<sup>211</sup> modelled on women in Aristophanes’ comedies,<sup>212</sup> and that Aristophanes might have been a model for Titinius. However, there is no evidence to support the connection between Titinius and Aristophanes. Indeed, it is unlikely that there was much knowledge of Aristophanes’ plays in Rome at such an early

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<sup>207</sup> See, for instance, Dixon 1988: e.g. 35, 41, 47-50, 59, 66, 88. Cf. also Frascchetti 1994: 8.

<sup>208</sup> Such a relation is possibly also attested in the fragments of other *togatae*, such as Titin. *tog.* 2 R.<sup>3</sup> (mentioned at I.1.1), a line which, according to Frassinetti 1982: 32-33, could have been pronounced by a matron, one of those protesting against the repeal of the *Lex Oppia*; Titin. *tog.* 6-7 R.<sup>3</sup> *quod quidem pol mulier dicet, / Namque uni collegi sumus* (transl.: “by Pollux that is certainly what a woman will say, for we belong to the same club”) (on these lines, see Guardì 1985: 107); more caution is required for Titin. *tog.* 60-61 R.<sup>3</sup> *in foro aut in curia / Posita potius quam rure apud te in clausa* (see I.3.1.1): one cannot be sure about the interpretation of this fragment, whether *posita* alludes to a female character or to something else (see Guardì 1985: 130; Perutelli 2013: 76 suggests that *posita* could refer to a kind of money box).

<sup>209</sup> Transl.: “Perhaps I will never be allowed to speak today?”. Guardì 1985: 132 argues that this line could have been pronounced by a husband, presumably obliged by his wife not to speak more. However, this interpretation should not be taken for granted, especially compared with Pl. *Rud.* 1117, in which we find roughly a similar line spoken by a man and referring to another man, within an exclusively male context (see Rallo 2018: 32).

<sup>210</sup> Transl.: “Now I will truly see: he said that he wants to talk with me about an important matter and behold at the crucial moment he exits from his house”. On the linguistic features of this fragment, see Guardì 1985: 132-133.

<sup>211</sup> See Perutelli 2013: 80.

<sup>212</sup> See e.g. *Ec.* 590-591, in which Praxagora speaks about the possibility of sharing goods within society; see also *Lys.* 37-41, in which there is an allusion to a female programme to save Greece and a female meeting (as we find at *Lys.* 93); cf. also *Lys.* 538: women are aware of what they are able to do, and they want to decide what is really important; *Th.* 81-84 portrays female meeting and conspiracy. On the relationship between women and politics in Aristophanes’ comedies the bibliography is massive: cf. e.g. Loraux 1991: 119-130; Halliwell 1998: 81-94 and 145-154; Nieddu 2001: 199-218; Orfanos in Andrisano 2011: 169-187; Olson in Marshall and Kovacs 2012: 69-81; Andrisano 2013: 105-134; Bertelli in Bultrighini 2014: 733-758; Halliwell 2015: 87-101; McClure 2015: 54-84; Rutherford 2015: 60-68; Méndez Dosuna 2016: 163-171; Zimmermann in Mariano 2017: 23-32.

date.<sup>213</sup> Although there might have been people who knew something about Aristophanes in Rome,<sup>214</sup> influence on the genre of the *togata* strikes me as very far-fetched. Rather, it is more likely that the *Iurisperita* was one of the other new characters introduced by Titinius, in this particular case a new professional character with legal capacity.<sup>215</sup>

The second professional female character is the *uilica*.<sup>216</sup> The *palliata* suggests that a young girl might eventually be the wife of a *uilicus* (as one reads in Pl. *Cas.* 52-54).<sup>217</sup> However, the context reveals that everything is set up by an old man to have fun with a young girl at the expense of his wife. In *Atta tog.* 17 R.<sup>3</sup> (coming from the *togata Tiro Proficiscens*)<sup>218</sup> *Pater uilicatur tuus an mater uilica est?*<sup>219</sup> someone refers to a *uilica*, letting us imagine that this character here might have had its theatrical space in the plot.

The *togata* thus performed onstage familial and professional characters, including e.g. aunts, step-daughters, and female lawyers, in comparison with, and addition to, the elitism of Greek comedies. Such complicated family relationships, beyond the central family core of parents and children, are not exploited in Greek comedy. Indeed, by analysing the extant internal pieces of evidence, one can see how either Middle or New Comedy authors were more focussed on the central core of the family, as were the authors of the *palliata* (in particular Terence), with fathers and sons, mothers and daughters, brothers and sisters populating the theatrical world of their comedies. However, regarding the representation of female characters onstage, they do not explore collateral

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<sup>213</sup> The same issue involves Plautus and Aristophanes: cf. Faure-Ribreau 2018.

<sup>214</sup> Cf. the claim about Lucilius in Hor. *Sat.* 1.4 which Halliwell 2015: lxviii interprets as “a mock-formal arrogation of Greek pedigree for his own literary genre”. On this, see also Ruffell in Olson 2014: esp. 293-295; cf. Ferriss-Hill 2015.

<sup>215</sup> On law and Roman comedy, see e.g. Gaertner in Fontaine and Scafuro 2014: 615-633.

<sup>216</sup> On the *uilica*'s duties, see e.g. Cato *Agr.* 143. As Culham in Flower 2004: 153 singles out, “the *uilica* herself was either a slave or a freedwoman. She supervised other female slaves in such traditional women's tasks as making clothing for the field slaves and cooking”.

<sup>217</sup> I quote the transl. from de Melo 2011: 19, “The father has commissioned his overseer to ask for her in marriage. He hopes that if she's given to him, he'll have night watches ready for himself outside, behind his wife's back”.

<sup>218</sup> Daviault 1981: 261 n. 1 and Guardì 1985: 182 cautiously suggest that the title of this theatrical work might be a sort of parody of Naeuius' *Hector proficiscens*. Their suggestion is interesting, however impossible to demonstrate.

<sup>219</sup> Transl.: “Perhaps your dad manages a farm and your mother is a farmer's wife?”.

relationships so far as we can tell on the basis of not only the fragments themselves but also the *testimonia* on the *togata*. Therefore, I would suggest that the dramatic exploitation of more extended family relations was a tendency of the authors of the *togata*, a feature of the different familial form and focus of Roman society. That is to say, the *togata* portrayed onstage characters with a kind of real flavour which seems to refer to “a certain flexibility of Roman family [and society] patterns”.<sup>220</sup>

The first half of this chapter has dealt with the construction of the ‘Roman’ identity of the *togata* by looking at female portrayals. As it has shown, the authors of the *togata* aimed to stress the identity of their theatrical performances as simultaneously traditional and innovative. Apart from taking characters from the Greek tradition and being anchored with the Plautine *palliata* in particular, there is evidence to prove that the *togata* gave emphasis to indigenous characters in its plots, thus making itself a native literary genre.

## Part II – Male Characters

### II.2.

This part of the chapter focusses on the characterisation of male characters attested in the *togata*. Along with the first part, its aim is to highlight insights about the construction of the ‘Roman’ identity of the *togata*. Such examples are found in the presence of male characters already attested in the previous and/or contemporary comic traditions,<sup>221</sup> the presence of slaves with a Greek name,<sup>222</sup> and finally male characters not previously attested in the earlier and/or contemporary Roman tradition.<sup>223</sup> As before argued in relation to female characters in the *togata*, I shall note that—when it comes to male characters—the playwrights of the *togata* seemingly emphasised the identity of theatrical works not only being anchored in the Greek comic tradition of the fourth and third

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<sup>220</sup> Dixon 1988: 34.

<sup>221</sup> See II.2.1.

<sup>222</sup> See II.2.2.

<sup>223</sup> See II.2.3.

centuries BCE and the *palliata*, but also contributing to the creation of characters for the Roman stage.

## II.2.1 Male Stock Characters in the *Togata*

This section investigates the presence of male stock characters in the remains of the *togata*, where we find, for instance, the *adulescens* in love in Titin. *tog.* 106 R.<sup>3</sup> *Accede ad sponsum audacter, uirgo nulla est tali' Setiae*,<sup>224</sup> and, though less evidently, in Afran. *tog.* 104-106 R.<sup>3</sup> *quis tu es uentoso in loco / Soleatus, intempesta noctu sub Ioue / Aperto capite, silices cum findat gelus?*<sup>225</sup> in which a young man might defy the cold to see his girlfriend.<sup>226</sup>

There are also allusions to the character of the slave,<sup>227</sup> who is another example of a male stock character. One also finds allusions to other characters, such as the *parasitus* in Titin. *tog.* 45-46 R.<sup>3</sup> *Parasitos amoui, lenonum <eum> aedibus absterrui, / Desueui, ne quod ad cenam iret extra consilium meum*,<sup>228</sup> Titin. *tog.* 99-100 R.<sup>3</sup> *Quod ea parasitus habeat, qui illum sat sciat / Delicere et noctem facere possit de die*,<sup>229</sup> and Afran. *tog.* 366-368 R.<sup>3</sup> *equidem te numquam mihi / Parasitum, uerum amicum aequalem atque hospitem / Cotidianum et lautum conuiuiam domi*;<sup>230</sup> the *leno* is found, for instance, in the aforementioned Titin. *tog.* 45-46 R.<sup>3</sup>; the character of the *senex* is attested, for example, in Afran. *tog.* 276 R.<sup>3</sup> *Tu senecionem hunc satis est si seruas, anus*.<sup>231</sup> As for female characters,<sup>232</sup> in the lines of the *togata* there are cases in which it is not possible to understand who the male character is.<sup>233</sup>

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<sup>224</sup> See translation at I.3.2.2.

<sup>225</sup> Transl.: "who are you in a windy place, wearing sandals, in the dead of night in the open air, bareheaded, when the cold could split rocks?".

<sup>226</sup> See Cacciaglia 1972: 274; Bianco 2006: 5-6. On the affinity between the aforementioned fragment and Menander's prologue to *Misoumenos*, Brown 1981: 25-26.

<sup>227</sup> See II.2.2.

<sup>228</sup> See transl. at II.1.4.

<sup>229</sup> Transl.: "because the things the parasite should have, who should know that man well enough, can entice (him) and turn day into night". The sense of this fragment is uncertain: see Daviault 1981: 120 n. 6; Guardì 1985: 143-144.

<sup>230</sup> Transl.: "Truly you (were?) never a parasite to me, but an equal friend and a guest, and a distinguished table companion at home".

<sup>231</sup> See transl. at II.1.2.



Such characters are typical of the *palliata*<sup>234</sup> and are found as male stock characters from Middle Comedy onwards.<sup>235</sup> Therefore, the attestation of these characters as, for instance, the young man in love, the parasite, and the pimp in the *togata* reveals how the authors of the *togata* portrayed characters already found in the previous and the contemporary comic traditions. The *togata* is thus a literary genre which looks at its Greek models often through the mediation of the *palliata*.

Male stock characters aside, scrutiny of the fragments reveals other features in the characterisation of male characters in the *togata*. The following section will investigate the characterisation of male characters inherited from the previous and the contemporary comic traditions, who in the *togata* apparently receive a different treatment: they seem to be markedly distinguished according to social and moral status.

## II.2.2 Slaves in the *Togata*

As with the prostitutes,<sup>236</sup> the presence of slaves with a Greek name may suggest a hierarchical structure of characters in the *togatae*, a sort of ranked framework in which

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<sup>232</sup> See II.1.2.

<sup>233</sup> Cf. e.g. Titin. *tog.* 137 R.<sup>3</sup> *Lotiolente! – Flocci fiet. – Culi cultor* (transl.: “Impure! He will amount to nothing. Arse worshipper”) (on the fragment, Guardì 1985: 156-157); Titin. *tog.* 32-33 R.<sup>3</sup> *Perii hercle uero: Tiberi, nunc tecum obsecro, / Ut mihi subuenias, ne ego maialis fuam* (transl.: “by Hercules certainly I am done for: Tiber, I now implore you to come help, so that I might not become a gelded boar”). I interpret the term Tiberis here as the river Tiber, and in this interpretation I follow Beare 1940: 44 and Guardì 1985: 119; other scholars interpret the term as Tiberius (cf. e.g. Daviault 1981: 98; López López 1983: 225).

<sup>234</sup> On the *adulescens* in love, cf. e.g. Calidorus in *Pseudolus*, Phaedromus in *Curculio*, Pamphilus in *Andria*, and Aeschinus in *Adelphoe* (on this character in the *palliata*, Duckworth 1952: 237-242); on the slave, see my discussion in the following section; on the parasite, see e.g. Curculio in *Curculio*, and Phormio in *Phormio* (on the role of the parasite in Plautus’ comedies and a comparison between the former and the spider, Petrone in Petrone 2009: 43-66); on the pimp, cf. e.g. Ballio in *Pseudolus*, and Dordalus in *Persa*; on the old man, see e.g. Periplectomenus in *Miles gloriosus*, Nicobulus and Philoxenus in *Bacchides*, Demea and Micio in *Adelphoe* (on the character of *senex* in the *palliata*, see e.g. Duckworth 1952: 242-249; Bianco 2003: *passim*).

<sup>235</sup> With regard to the young lover, see e.g. Alexis’ *Phaidros* fr. 247, Eubulus’ *Kampilion* fr. 40 and fr. 41, Alexis’ *Agonis* or *Hippiskos* fr. 2; with regard to the elderly father (*senex amator*), see e.g. Alexis’ *Kouris* fr. 113, Philetaerus’ *Kynagis* fr. 6; on the slave, see e.g. the witty slave in Antiphanes’ *Boutalion* fr. 69. Other male stock characters are attested in the lines of Middle Comedy, as the *leno* – see e.g. Eubulus’ *Pornoboskos* with Hunter 1983: 179-181, and the parasite – see e.g. Alexis’ *Parasitos* fr. 183. For an overview of these male characters, see e.g. Konstantakos 2002: 141-171, Konstantakos 2020: 1-20, and Konstantakos 2021: 137-190. In general, on the stock characters of Middle Comedy, see Nesselrath 1990: 280-330; on New Comedy and the equivalent Roman type, see Manuwald 2011: 151-152; de Melo 2011: xxxv-xl.

<sup>236</sup> See II.1.3.

Greeks and Romans are not on the same level, either socially or morally. This section thus focusses on (1) the national characterisation of slaves in the *togata*, (2) and their theatrical portrayal.

### 1. National Characterisation

The *togatae*, in so far we can date Titinius, Afranius, and Atta,<sup>237</sup> were composed from the end of the third century BCE. During this period, Rome was continuing to affirm itself as hegemonic power, with political and military activities in the Hellenistic and Mediterranean world.<sup>238</sup> Rome's supremacy was primarily founded on slaves, whose trade "gradually came to be one of the single most profitable enterprises (...) that existed in the Roman Mediterranean".<sup>239</sup> Slaves were at the core of Roman power. They were fundamental agents in Rome's economy and were important within the realm of the Roman household, in some cases because they were employed to educate their masters' children: their role was then to contribute to their formation.<sup>240</sup> Owing to their Greek identity, they populate the plots of their plays with Greek slaves, giving them an important role, a prominent element of Plautine comedy. As attested in the *palliata* of Plautus, in the fragments of the *togata* slaves (and teachers of their masters' children) have Greek names, as found in Afran. *tog.* 93-94 R.<sup>3</sup> *Vetuit me sine mercede prosum Pausias / Remeare in ludum*,<sup>241</sup> and in Afran. *tog.* 189-191 R.<sup>3</sup> . . . *seruus est mihi Nicasio, / Sceleratus curiosus, is cum filio / Coiecerat nescio quid de ratiuncula*.<sup>242</sup>

With regard to the first male name, Ribbeck reported that Afranius was accustomed to naming enslaved people with Greek names (*nam Graecis nominibus usus est Afranius*) in

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<sup>237</sup> On their chronology, see I.1.1.

<sup>238</sup> On this, see further remarks in the introduction to the thesis, section 2.

<sup>239</sup> Shaw in Flower 2014: 189. Secondary literature on slaves is massive: see e.g. Finley 1980; Treggiari 1991: 43, 52-54; Parker in Joshel and Murnaghan 1998: 152-173 (discussing slaves and women); Marrone 2004: esp. 125-127; Lavan 2013: esp. 73-123, 176-210; Shaw 2014: 187-212; Bernard 2018: esp. 160-192.

<sup>240</sup> See e.g. Feeney 2016: 65-69.

<sup>241</sup> Transl.: "Pausias absolutely forbade me to return to school without fees". On these lines, Bianco 2010: 29 n. 36.

<sup>242</sup> Transl.: "I have a slave whose name is Nicasio, criminal, meddlesome, he had planned with my son something about a small financial account".

order to justify the decision to write Pausias.<sup>243</sup> Like the latter, Nicasio is a Greek name, that refers to a slave. Names such as these are not stereotypical or invented, as, for instance, happens in slaves' onomastics in Plautus' *palliata* (e.g. Chrysalus in *Bacchides* and Pseudolus in *Pseudolus*),<sup>244</sup> but they are Greek names, as also attested in the Plautine *palliata* (see e.g. Leonida in *Asinaria* and Messenio in *Menaechmi*), and they are real names, as confirmed by Greek inscriptions.<sup>245</sup>

That in the fragments of the *togata* we find slaves with Greek names to the same extent as in the *palliata* of Plautus is interesting: indeed, it may suggest that, also in the case of slaves' onomastics, Plautus was a literary model for the playwrights of the *togata*, and specifically for Afranius. Furthermore, I take the presence of Greek names given to slaves in the *togata* to be an indication of how this theatrical genre distinguished people on the basis of their background,<sup>246</sup> by making a differentiation between Romans and non-Romans onstage, with the former put at the top, socially and morally. The identity of the *togatæ* is hence also shown by the predominance of slaves with Greek names, a stereotype

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<sup>243</sup> Pausias is a correction made by Ribbeck 1898: 208, followed by Daviault 1981: 166. Manuscripts read *paucias* or *paucius*; Stephanus reads *paucis*, and Scaliger *Paccius*.

<sup>244</sup> See e.g. Petrone in Petrone 2009: 13-41, discussing the attestation of speaking names in the Plautine *palliata*.

<sup>245</sup> On Pausias, see e.g. *IG I<sup>3</sup> 1184* and *IG II<sup>2</sup> 2858*; on Nicasio, cf. e.g. *IG I<sup>3</sup> 1186* and *IG II<sup>2</sup> 7346*. The interpretation of the name *Pantelius*, which is the title of a *togata* attributed to Afranius, is complex. On the one hand, *Pantelius* seems to be a speaking name, and it could be considered as stereotypical as the aforementioned names of *palliatae* slaves. Indeed, a name such as *Pantelius* could be appropriate for the role usually played by a slave onstage, and this might mean that in the *togata* slaves also had fictional names. On the other hand, it would be possible to assume that such a name might be real (on this name, cf. also López López 1983: 252 n. 4) because it is attested in Greek inscriptions (see *IG IX, 1.303*).

<sup>246</sup> See also Afran. *tog.* 284 R.<sup>3</sup> *Gallum sagatum, pingui pastum taxea* (transl.: "a fattened Gaul, fed with bacon-fat"). Though it is impossible to ascertain who this character is, or if it is just a mention and not a character at all, the line may refer to the fact that, in the *togata*, non-Romans are distinguished from Romans. The former are portrayed negatively and put on an inferior level. In this case, a Gaul is stereotyped as fattened (Daviault 1981: 214 and López López 1983: 236 mean the term *sagatum* as wearing a *sagum*, perhaps without considering what suggested by *OLD s.u. sagatus*, where one reads that in this context the meaning of *sagatus* is that of *saginat*, 'fattened for eating'). Afranius is likely to portray in a negative way such *Gallus sagatus* because of his non-Roman identity. A Roman cannot be in fact described in such unsuitable manner. He is foreigner, and is stereotyped accordingly, suggesting a Roman view of foreigners' ethnicity (cf. Dench 1995: 72-80). This is a motif recurrent in the Plautine comedies, in particular the *Poenulus*. Since the beginning of the comedy (see e.g. Pl. *Poen.* 112-113) we find reference to how Romans thought of Carthaginian people (see also Pl. *Poen.* 1032-1034), stereotyped with characteristics which cannot be Roman (on the *Poenulus*, see e.g. Leigh 2004: 28-37; de Melo 2012: 2-14; Gazzarri 2015: xvii-xxiv; cf. also Petrone in Petrone and Bianco 2010: 33-45 on the linguistic characteristics of the characters attested in the *Poenulus*, quoting further secondary literature on the subject at n. 18).

that may be linked to the 'Roman' cultural identity construction itself in the mid Republic, where "the Greek experience served to throw Roman distinctiveness into high relief".<sup>247</sup> In other words, the *togata* offers the possibility to see how the Romans apparently stressed their 'Roman' identity through the non-Roman elements portrayed onstage, in this case the presence of slaves with Greek names populating the *togatae*.

## 2. The Theatrical Portrayal of Slaves in the *Togata*

Textual pieces of evidence from the *togata* show that slaves were onstage. Based on the fragments, it is possible to say that slaves apparently do not speak,<sup>248</sup> and this is already a possible hint to how far away we are from what happened in the *palliata*, where slaves speak 35.7% of the overall lines, as Moore has pointed out.<sup>249</sup> In the fragments of the *togata*, slaves are likely to be punished<sup>250</sup> and given orders,<sup>251</sup> a picture confirmed by Donatus (Ter. *Eun.* I 1, 12 W.):

*concessum est in palliata poetis comicis seruos dominis sapientiores fingere, quod idem in togata non fere licet.*<sup>252</sup>

Donatus refers to something different portrayed in the *togatae*, in comparison with, and opposition to, the *palliatae*. In particular, the role of the slave was central in the majority of

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<sup>247</sup> Gruen 1992: esp. 83 and 263-264.

<sup>248</sup> I do not find even one line pronounced by a slave with certainty (and in general one has to admit that in the fragments of the *togata* very few lines can securely be assigned to specific character roles - see e.g. my analysis of the *uxor dotata* at II.1.4). An example might be Afran. *tog.* 251 R.<sup>3</sup> *Viuax uetus quam duriter nunc consulis tergo meo!* (transl.: "having lived a long time and being old, how harshly you now plan harm to my back"). According to Daviault 1981: 208 n. 12, this line alludes to the lamentation of a slave onstage. However, I am sceptical about Daviault's suggestion, because I do not see any evidence to better understand whether the aforementioned line is spoken by a slave or anyone else. Another example might be Titin. *tog.* 122-123 R.<sup>3</sup> *statui statuam / Publicitus* (transl.: "I erected a statue at public expense"). It is impossible to ascertain whether this character is a slave, taking into account what happens in Pl. *Bac.* 640 with the slave Chrysalus (on this, see de Melo 2014: 459), or another character on the stage. For this reason, there is no certain evidence when it comes to the lines pronounced by slaves in the fragments of the *togata*.

<sup>249</sup> Moore 2012: 385.

<sup>250</sup> See Titin. *tog.* 131-132 R.<sup>3</sup> *lassitudo / Conseruum, rediuiae flagri!* (transl.: "Fatigue of fellow slaves, hangnails of the whip"; on this, cf. Daviault 1981: 127 n. 14; Guardì 1985: 154), and Afran. *tog.* 391 R.<sup>3</sup> *tu flagrionibus* (transl.: "you with the whipped").

<sup>251</sup> See e.g. Titin. *tog.* 130 R.<sup>3</sup>, transl. at II.1.4.

<sup>252</sup> See translation at I.3.4.1.

Plautine *palliatae*,<sup>253</sup> according to a schema which “had been made tolerable only by the exotic nature of that type of drama”.<sup>254</sup> Guardì has suggested that Donatus’ statement might allude to a sort of ‘downsizing’ of the role of slaves because the dignity of Roman characters should not have been diminished in terms of power(s) held by the slaves.<sup>255</sup> By relying on the aforementioned lines, and on the testimony of Donatus that the slaves in the *togatae* were not allowed to appear cleverer than their masters, one may argue that the playwrights of the *togata* depicted onstage a hierarchical society where slaves cannot ridicule their Roman masters. In opposition to Plautus’ slaves, who, as in the case of Pseudolus and many others,<sup>256</sup> do not submit to their masters and are smarter than the latter, and the Terentian slaves, who are likewise tricky “in an interesting and unusual fashion”,<sup>257</sup> the slaves of the *togata* are likely to respect their masters and be under their control. However, this picture is not always homogeneous, in the sense that the condition of slaves in the *togata* is not exclusively so passive, as supported by reconsidering Donatus’ testimony. Donatus notes that one cannot come to an overall conclusion when discussing the role of the slaves in the *togata*. This is evident from the usage of *fere* (‘commonly’) in the passage.<sup>258</sup> *Fere* means that one cannot rule out the possibility that also in the *togatae* slaves might have had a powerful role, in the sense of being portrayed as smarter than their masters, and even prevail over the latter. At least one internal piece of evidence from the extant *togatae* may refer to this attitude. This is the aforementioned Afran. *tog.* 189-192 R.<sup>3</sup>: Nicasio is portrayed as *sceleratus* and *curiosus*, while preparing something to poke fun at his master. Nicasio’s portrayal reminds the portrayal of slaves in the Plautine *palliata*.

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<sup>253</sup> It has now been roughly a century since Fraenkel made his first step in the scholarship of Plautine *palliatae* about the central role of the slave (Fraenkel 2007: 159-172; see also Manuwald 2011: 230-231). Slaves such as the aforementioned Chrysalus in *Bacchides* and Pseudolus in *Pseudolus* are talkative and boastful. They are “the cunning masters of the intrigue” (Duckworth 1952: 250). On the presence and role of slaves in the Plautine *palliata* the bibliography is enormous: cf. e.g. Petrone 1983; McCarthy 2000; Lefèvre in Petrone and Bianco 2007: 27-40; Monda 2014: 65-85; Richlin 2017; Fitzgerald in Dinter 2019: 188-199.

<sup>254</sup> Beare 1964: 132.

<sup>255</sup> Guardì 1985: 17.

<sup>256</sup> Pseudolus is one of the best examples of clever slave in Plautus, with whom the playwright identifies himself. On the identification of playwright-slave in Plautus, Sharrock 2009: 131-140.

<sup>257</sup> Duckworth 1952: 250; see Duckworth 1952: 249-253 for a comparison between slaves in Plautus and in Terence.

<sup>258</sup> See e.g. Leigh 2004: 9; Vereecke 1968: 70.

Slaves in the *togata* are thus not depicted in a unique manner. There are slaves that are portrayed as passive, others stereotyped as Greek, and characterised in the Latin script similarly as their Plautine counterparts. There is no contradiction in this picture; rather, what we read in the fragments of the *togata* may be related to the construction of the literary and cultural 'Roman' identity of the *togata*: it is literary, because the aforementioned slaves seem to call to mind the Plautine tradition, in the sense that the *togata* (and in this case Afranius) thematically follows the *palliata* of Plautus. Meanwhile, it is cultural, as these slaves have a Greek name, and are described in a bad light, thus alluding to a dichotomy between Greeks and Romans, who are not put on the same level, socially and morally.

Setting aside male stock characters and slaves with Greek name, I shall now investigate a further indication of the identity construction of the *togata*, i.e. the presence of male characters not attested and/or not fully developed in other mid Republican theatrical genres (in particular the *palliata*).

### II.2.3 'New' Male Characters in the *Togata*

As with familial and professional female characters,<sup>259</sup> there are also male characters in the surviving *togatae* who are not attested elsewhere or not fully developed, characters who apparently make the *togata* a native literary genre. In this final section of the chapter, I explore the presence of these characters on the stage of the extant *togatae*, focussing first on familial characters and then on professional characters.

It seems that in the *togata* more importance was placed on the representation of members of the same family. Nonius (Non. 894 L.) makes mention of Afranius as being specialised in *propinquitias*. Such a specialisation is corroborated by textual pieces of evidence, as Afranius' *Consobrini*, which is the only Roman Republican work to bear the title. The sole reference to cousins in the *palliata* is Ter. *Hec.* 459 (*consubrinus noster*), and Ter. *An.* 801

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<sup>259</sup> See II.1.7.

(*Crito, sobrini Chrysidis?*). However, we do not know anything about the role these cousins had onstage. Instead, that a *togata* is named as such may reveal that Afranius gave importance to their role onstage, thus introducing something new to the Roman drama. Another familial character attested in the theatrical works of Afranius is the *Priuignus*, a *togata* which bears this title.<sup>260</sup> No other works of the Republican period have such a title – the only exception is Titinius' *Priuigna*,<sup>261</sup> a feminine form. It is thus interesting to highlight that this theatrical performance was named after a *priuignus* ('step-son'), which I understand as a further indication of the fact that Afranius was keen on portraying kinship onstage.

The case of *Consobrini* and *Priuignus* potentially adds evidence for new characters on the Roman stage, that is to say, members of the Roman family. However, it has to be said that if these characters are not attested in the Roman tradition, this is not true for its Greek counterpart. Indeed, comedy titles such as Menander's Ἀνεψιοί and Anthiphanes' Πρόγονοι might testify to the presence of such characters in the Greek comic tradition,<sup>262</sup> and to the fact that Greek literary models exerted influence on the *togatae*. In other words, these characters seem to be taken from those Greek literary models and inserted within a very 'Roman' scenario.

Professional male characters are also found in the *togata*. The *palliatae* of Plautus (but not Terence) already refer to Roman jobs, as we read, for instance, in Plautus' *Aulularia* (Pl. *Aul.* 508-522). However, in the *togatae* there would have been a further development of what Plautus had already performed onstage. I start with the title *Cinerarius* by Afranius, which might allude to a newly created professional character, given that there is in fact no attestation of the hairdresser in the *palliata* (before Afranius, the term is attested once in Lucil. 6.249 M.).<sup>263</sup> However, as with the cases of *Consobrini* and *Priuignus*, some caution is needed. If *Cinerarius* might be considered totally new for the Roman theatrical tradition,

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<sup>260</sup> On Afranius' *Priuignus*, see Welsh 2012b: 201-210. On the titles *Priuigna* by Titinius and *Priuignus* by Afranius, Welsh 2015: 162.

<sup>261</sup> See discussion at II.1.7.

<sup>262</sup> On these titles, see the table below in this chapter.

<sup>263</sup> On its meaning, see Var. *L.* 5.129.

this is not true for the Greek, where the feminine equivalent is attested (cf. Alexis', Amphis', and Antiphanes' Κουρίς). The *togata Augur* by Afranius also deserves to be highlighted. Though the concept of *augurium* is found in Plautus,<sup>264</sup> no *palliata* bears this title. That Afranius gave his *togata* the title and that an *augur* is also mentioned in Afran. *tog.* 8-9 R.<sup>3</sup> *Modo postquam adripuit rabies hunc nostrum augurem, / Mare caelum terram ruere ac tremere diceres*<sup>265</sup> could suggest that the playwright might have aimed to portray a specifically indigenous character onstage. Indeed, as mentioned in the first chapter,<sup>266</sup> the *augur*—although his origins are Etruscan—was perfectly integrated into the Roman world, and was represented in other Roman genres, as confirmed by an *atellana* by Pomponius and a mime by Laberius which bear the title *Augur*.<sup>267</sup> Another professional male character is the fuller, possibly portrayed in *Fullonia* or *Fullones* by Titinius, the first Republican work to bear the title (cf. for instance *Fullones* and *Fullones Feriati* by Nouius, and *Fullones* by Pomponius; *Fullo* by Laberius).<sup>268</sup> Fullers are already mentioned in the *palliata* of Plautus, though the reference is inconsequential.<sup>269</sup> What is interesting to note is that a *togata* bears such a title, portraying a character who “contributes to locating plots in everyday life”.<sup>270</sup> Characters such as *Augur* and *Fullones* hence testify to the identity construction of the *togata*, revealing the representation of characters who are Roman, though one has to take into account to what extent these characters might have been influenced by their possible Greek counterparts (for the *augur*, see e.g. Alexis' Μάντεις, and Antiphanes' Οἰωνιστής; for the *fullones*, see Antiphanes' Κναφεύς).

Also of interest are the following cases, which potentially would refer to new characters. The first is the *scriblitarius* ('tart-baker', 'pastry-cook') in Afran. *tog.* 161-162 R.<sup>3</sup> (coming

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<sup>264</sup> See Pl. *St.* 463.

<sup>265</sup> Transl.: “just after madness took possession of our seer, you would say that the sea, sky, and earth were rushing and trembling”.

<sup>266</sup> See I.3.1.3.

<sup>267</sup> On this, see Panayotakis 2010: 134-135.

<sup>268</sup> On this, see Panayotakis 2010: 254-255.

<sup>269</sup> See Pl. *As.* 907 and *Ps.* 702 which attest the concept of *fullonia* and *fullonius* respectively, and *Aul.* 515 (*petunt fullones*).

<sup>270</sup> Manuwald 2011: 165. Cf. also Pociña and López 2001: 185.



from the *togata Fratriciae*) *Pistori nubat? cur non scriblitario, / Vt mittat fratris filio lucuntulos?*<sup>271</sup> *Scriblitarius* may be considered a new professional character unattested in the *palliata*. While the cook is a character already attested in the previous Roman comic tradition (for instance in Plautus' *Pseudolus*), and in the Greek comic tradition,<sup>272</sup> there is no mention of pastry-cook as a specialised character. The second example is *scurra* in Afran. *tog.* 185 R.<sup>3</sup> . . . . . *o sacrum scurram et malum!*<sup>273</sup> already attested in Plautus (cf. e.g. *Most.* 15 *tu urbanus uero scurra, deliciae popli*).<sup>274</sup> It is tempting to see here another proper character onstage; however, we do not know if in this *togata* (i.e. the *togata Fratriciae*) *scurra* is a character or not.

Male characters such as these have the potential to reflect the familial and social variety of the mid Republic. In comparison with the fantastic and exotic world performed by Plautus in his *palliatae*, the world of the *togata*—though likewise fictionalised—seems to be closer to the real life of that period, as previous scholars have suggested,<sup>275</sup> depicting onstage “the life of ordinary Italian folk”,<sup>276</sup> and their Greek slaves.

In the second part of this chapter, I embarked on an investigation of male characters to find further indications of the ‘Roman’ identity construction of the *togata*. As I have shown, male stock characters, slaves with a Greek name, and characters not attested (or not fully developed) elsewhere in other Roman literary genres may be considered as signs pointing to the identity construction of the *togata*. When it comes to male characters, as I have illustrated in the first part of the chapter in relation to female characters in the *togatae*, the playwrights of the *togata* appear to have been either traditional or innovative, in the sense that, on the one hand, they make their *togatae* look at Greek literary models, and, on the other, stage indigenous characters, although it has to be said that – regarding ‘new’

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<sup>271</sup> Transl. from Welsh 2015: 158, “She’s marrying a baker? Why not a cake-maker, so she could send her nephew *lucuntuli*?”.

<sup>272</sup> See Konstantakos 2020: 1-20.

<sup>273</sup> Transl.: “execrable city loafer and nasty”.

<sup>274</sup> Transl. from de Melo 2011: 319, “What? You city loafer, you darling of the streets”.

<sup>275</sup> Dénes 1973: 188-189; see also Daviault 1981: 8; Stankiewicz 1997: 319; Manuwald 2011: 161.

<sup>276</sup> Beare 1964: 134.

male characters in the *togata* – it is difficult (if not impossible) to see whether these characters fit or not into pre-existing stock types.

### Some Concluding Remarks

By further exploring the ‘Roman’ identity construction of the *togata*, this chapter has analysed the theatrical portrayals of female and male characters in the *togata*, portrayals which allow us to glimpse the ways in which the *togata* was a ‘Roman’ theatrical genre.

More specifically, women in the *togata* were apparently given more attention than those in the *palliata*. This is suggested by *togatae* (especially of Titinius and Atta, and not Afranius) which bear female titles, and by the role itself they apparently had onstage. Women in the scanty *togatae* appear to be strong and authoritative.<sup>277</sup> As shown in my analysis, this female characteristic might have been not only a comic exaggeration, and in any case a sign of how the authors of the *togata* thematically followed the *palliata* of Plautus (the *uxor dotata* is in fact attested in the comedies of Plautus—and Caecilius Statius—and not Terence), but also a mirror of the condition of such women in ‘Roman’ life at that time, a condition different from that of the Athenian woman, analysed as a case study.<sup>278</sup>

The analysis conducted within this chapter has also focussed on slaves in the fragments of the *togata*, whose passive position might at first reflect the structure of Roman society, with the subordination of slaves to their masters. However, the lines of the *togata* offer examples of slaves portrayed in a similar way as the slaves of the Plautine *palliata*, who are stereotyped as Greek, and described in a negative way (Nicasio is said to be *sceleratus* and *curiosus* in Afran. *tog.* 189-191 R.<sup>3</sup>), a piece of evidence which may refer to how Romans and Greeks are put on a different level in the *togata*. In this way, the playwrights of the

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<sup>277</sup> See the *uxor dotata* at II.1.4.

<sup>278</sup> See II.1.5.

*togata* appear to be involved in the process of identity construction which characterised other Roman authors of the mid Republic, especially Plautus and his *palliatae*.<sup>279</sup>

By analysing female and male characters in the *togata*, evidence emerges to prove that Titinius, Afranius, and Atta were not merely imitators of their predecessors and contemporary colleagues,<sup>280</sup> but also pioneers in the creation of characters. However, in my investigation of the *togata* I have clarified that the presence of characters such as cousins and step-sons is, in fact, new for the Roman literary tradition but not for the Greek, where these characters are already attested. This is evident from a comparison between titles of *togatae* and of Middle and New Comedy:

Titles of <i>togatae</i>	Titles of Middle and New Comedy
Titinius' <i>Fullonia</i> or <i>Fullones</i>	Antiphanes' Κναφεύς
Titinius' <i>Gemina</i>	Aristophon's Δίδυμαι ἢ Πύραυνος; Antiphanes' Αὐλητρὶς ἢ Δίδυμαι; Menander's Δίδυμαι
Titinius' <i>Priuigna</i>	Anthipanes' Πρόγονοι
Titinius' <i>Psaltria siue Ferentinatis</i>	Dromon's and Eubulus' Ψάλτρια; Anaxandrides' Κιθαρίστρια; Diodorus' Αὐλητρὶς; Antiphanes' Αὐλητρὶς ἢ Δίδυμαι; Menander's Ἀρρηφόρος ἢ Αὐλητρὶς; Phenicides' Αὐλητρίδες
Titinius' <i>Tibicina</i>	Antiphanes' Αὐλητρὶς ἢ Δίδυμαι; Menander's Ἀρρηφόρος ἢ Αὐλητρὶς; Diodorus' Αὐλητρὶς
Afranius' <i>Abducta</i>	Antiphanes' Ἀρπαζομένη
Afranius' <i>Aequales</i>	Alexis' Συντρέχοντες; Menander's, Apollodorus', Euphron's Συνέφηβοι; Alexis', Damoxenos', Diphilus', and Poseidippos' Σύντροφοι
Afranius' <i>Augur</i>	Alexis' Μάντεις; Antiphanes' Οἰωνιστής; Antiphanes' Μηναγύρτης/ Μητραγύρτης; Philemon's Ἀγύρτης; Menander's Μηναγύρτης
Afranius' <i>Cinerarius</i>	Alexis', Amphis', and Antiphanes' Κουγίς

<sup>279</sup> See further remarks in the introduction to the thesis, at sections 4, 5, and 6.

<sup>280</sup> See above female and male stock characters attested in the *togata* at II.1.2 and II.2.1 respectively.

Afranius' <i>Consobrini</i>	Menander's Ἀνεψιοί
Afranius' <i>Depositum</i>	Sophilos', Timotheus', Timostratos', Sosicrates', and Menander's Παρακαταθήκη
Afranius' <i>Epistula</i>	Alexis', Machon's, and Timocles' Ἐπιστολή
Afranius' <i>Incendium</i>	Menander's Ἐμπιπραμένη
Afranius' <i>Priuignus</i>	Anthipanes' Πρόγονοι
Afranius' <i>Prodigus</i>	Timostratos' Ἄσωτος; Antiphanes' Ἄσωτοι
Afranius' <i>Sorores</i>	Antiphanes' Ἀδελφαί
Afranius' <i>Thais</i>	Hypparchus' and Menander's Θαίς
Atta's <i>Aquae Caldae</i>	Amphis', Timocles', and Diphilus' Βαλανεῖον
Atta's <i>Conciliatrix</i>	Eubulus' and Posidippus' Πορνοβοσκός
Atta's <i>Lucubratio</i>	Alexis' Παννυχίς ἢ Ἐριθοί; Eubulus' Hipparchus', and Callippus' Παννυχίς
Atta's <i>Socrus</i>	Apollodorus' Ἐκυρά

The catalogue here establishes that the authors of the *togata* may have been influenced by the repertoire of themes, situations, and social and professional characters that was widely developed in Greek Middle and New Comedy. On the basis of what one reads in the *togatae*, I have the strong impression that the playwrights of the *togata* continue to look at the Greek theatrical tradition of Middle and New Comedy, which exerted its influence upon the *togata*, and that at the same time they place emphasis on 'Roman' life in portraying their characters onstage. Hence, it is reasonable to think that characters like these could have been taken from the Greek Middle and New Comedy. The authors of the *togata* appropriated and reused these characters, inserting them within a 'Roman' context, making them native, and contributing to an enlargement of these characters for the Roman stage.

The thorough investigation of the titles and fragments of the *togata* depicting female and male roles, and the distinction between ostensible stereotypes and possible realities offer important insights into this little-studied subject. This analysis has provided the reader with an opportunity to better understand how the playwrights of the *togata* thought about and portrayed their characters onstage, with a focus on their supposed 'Roman'

characterisation. Given the limitation of evidence, any such effort is bound to be tentative and inconclusive. However, I have tried to provide a plausible reconstruction.

## Chapter III

### The Construction of the 'Roman' Identity of the *Togata*. Ancient Reception and Lexicon.

Apart from the elements discussed so far, which include settings, names, motifs, and characters, and refer to the 'Roman-ness' of the *togata*, are there any other indications of the 'Roman' identity construction of this dramatic genre? What did the 'Roman-ness' of the *togata* consist of according to ancient reception? How did ancient authors describe the *togata*? What specific features were associated with this supposedly 'Roman' literary genre? What else do the fragments show? In this chapter, I shall further investigate the construction of the 'Roman' identity of the *togata* by focussing on its ancient reception and on internal pieces of evidence, with particular attention to style and language. As I shall show, ancient sources describe the *togata*, and especially the playwright Afranius, as 'elegant', 'pure', and 'clear'. These terms evoke notions often associated with the Attic style of the fifth and fourth centuries BCE (in particular, the oratory of Lysias).<sup>1</sup> However, in the context of the reception of Republican literature, 'elegance', 'purity', and 'clarity' are often not merely considered to be derived from the imitation of the classical Attic style. Rather, these terms are used to describe linguistically uncorrupted mid Republican Romans,<sup>2</sup> who were portrayed as naturally speaking in an 'elegant', 'pure', and 'clear'

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<sup>1</sup> The classical Attic style was a rhetorical model of Atticism, that "in its practical form began as a Roman movement" (Usher 1974: 11), favouring the use of a pure Latin along with a simple and elegant style. More cautious in the definition of Atticism as a movement is Wisse in Abbenes, Slings, and Sluiter 1995: 70, "when I call Atticism a 'movement', that is only because I know no better term". He then adds "it is, however, a movement in the sense of a fashion or a trend, based on a set of only more or less coherent ideas". Cf. also Narducci 1997: 125, discussing the 'Roman-ness' of such phenomenon in the c.50s BCE, and (at 126) highlighting how Atticism was "prettamente romano nella misura in cui, reagendo nei confronti degli *standards* da tempo affermatasi nell'oratoria nazionale, si serviva di tali acquisizioni per proporre un nuovo modello di eloquenza". See also Dihle in Schmitz and Wiater 2011: 47-60, in particular at 52. Cf. also Hintzen in Schmitz and Wiater 2011: 129-130.

<sup>2</sup> For studies on language and identity in ancient world(s), see, for instance, Dench 2005: 298-361, with an analysis of e.g. Cicero, Varro, Catullus, and Josephus, whose works allow us to understand the linguistic consciousness of the Graeco-Roman world; on the invention of the Latin language and the claim to *Latinitas*, see Bloomer 1997: 1-17 (cf. also Oniga 1997: 49-64); on the 'Roman-ness' of the Latin language, Adams 2003b: 184-205; on the synergy between language and reality in the classical Roman world, with a focus on e.g. Lucilius, Varro, and Posidonius, see Pezzini and Taylor 2019.

way. That the *togata*, in particular the playwright Afranius, is described in a similar manner as the Romans of the second century BCE is thus noteworthy. Indeed, it has the potential to reveal another feature of this theatrical genre, according to what ancient sources suggest, which one may take as related to the construction of the 'Roman' identity itself of the *togata*. To the same extent, in the second part of the chapter, I shall investigate the identity construction of the *togata* focussing on the lexicon it attests. Scrutiny of the remaining *togatae* suggests that Titinius, Afranius, and Atta were in fact 'elegant' playwrights. The *elegantia* of their *togatae* consists of a series of lexical features which the authors of the *togata* seem to have used to make their *togatae* Roman. In other words, as I shall show, when it comes to the lexicon attested in the *togatae*, it seems that the identity of this dramatic genre relies on the coinage of terms, thus revealing a characteristic attested in other Roman authors of the mid Republic; meanwhile, it relies on privileging Latin words over Greek words as well as leaving behind the extravagant lexical features of Plautus.

### Chapter III – Part I

#### The Reception of the *Togata*

As I shall highlight in the following sections, the terms used by ancient sources in order to describe the *togata* (1) have a strong rhetorical flavour,<sup>3</sup> (2) are often used in association with the classical Attic style (i.e. Lysias) alongside its related constructs,<sup>4</sup> and (3) seem to be connected with the idea that the Romans of the mid Republic, whose Latin is described as free from linguistic corruption, were said to speak naturally in an 'elegant', 'clear', and 'pure' way. That is to say, as I shall explore below,<sup>5</sup> ancient sources attribute to the *togata*

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<sup>3</sup> By which I mean a terminology used to describe mostly Roman orators, as attested in rhetorical works of the first century BCE, and/or used in other works in which there are allusions to rhetorical features (for instance mid Republican comedies, in particular Terence – see below).

<sup>4</sup> On the ambivalence of Romans towards Greek rhetoric, see e.g. Culpepper Stroup in Dominik and Hall 2007: 28-33; Eckert in Gray, Balbo, Marshall, and Steel 2018: 19-32. Cf. also Kennedy 1972: 38-60, 60-71, and 71-80.

<sup>5</sup> See III.1.3.

features which one also finds in the description of mid Republican Romans, thus revealing a literary construct that mirrors and helps shaping a wider ideological discourse about Roman cultural identity and its transformation over time.

### III.1.1 The Perception of the *Togata*: Terms with Rhetorical Flavour

Here, I analyse ancient writers who described the theatrical genre of the *togata*, especially the author of *togatae* Afranius, by using terminology with a strong rhetorical tone.<sup>6</sup>

#### III.1.1.1 Afranius and *lepos*

Velleius (Vell. 1.17.1)<sup>7</sup> describes Afranius by using the term *lepos*:<sup>8</sup>

*Nam nisi aspera ac rudia repetas et inuenti laudanda nomine, in Accio circaque eum Romana tragoedia est; dulcesque Latini leporis facetiae per Caecilium Terentiumque et Afranium subpari aetate nituerunt.*<sup>9</sup>

After mentioning Accius and Roman tragedy, Velleius refers to Afranius, Caecilius, and Terence. The three playwrights are said to represent *dulcesque Latini leporis facetiae*. This is the only occurrence of the word *lepos* in Velleius, but the term clearly has a strong rhetorical pedigree in Roman literature. Out of 46 attestations in Cicero,<sup>10</sup> the word *lepos* is attested in a rhetorical context 27 times: 20 in the *de Oratore*,<sup>11</sup> six in the *Brutus*,<sup>12</sup> and once in the *Orator*.<sup>13</sup> In the *de Oratore*, the term *lepos* is used, for instance, in the context of a discussion about the choice and the arrangement of words (*de Orat.* 1.17), *accedat eodem oportet lepos quidam facetiaeque et eruditio libero digna celeritasque et breuitas et respondendi et lacessendi*

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<sup>6</sup> For a general introduction to Roman oratory, Cavarzere 2000; Pernot 2000.

<sup>7</sup> I mention the passage at I.1.1, where I discuss the *togatae* authors' chronology.

<sup>8</sup> *OLD* s.u. *lepos* [1] "charm, grace, attractiveness"; [2] "charm or cleverness of language, wit, humour".

<sup>9</sup> See transl. at I.1.1.

<sup>10</sup> Cf. e.g. Cic. *Tusc.* 5.55, and *Off.* 1.98, 1.108.

<sup>11</sup> See Cic. *de Orat.* 1.17, 1.27, 1.159, 1.213, 1.243, 2.98, 2.219, 2.220, 2.225, 2.227, 2.230, 2.252, 2.270, 2.272, 2.340, 3.29, 3.67, 3.138, 3.181, 3.206.

<sup>12</sup> See Cic. *Brut.* 140, 143, 177, 203, 238, 240.

<sup>13</sup> See Cic. *Orat.* 96.



*subtili uenustate atque urbanitate coniuncta*,<sup>14</sup> and is presented as a typical characteristic of an orator (Cic. *de Orat.* 1.213). Furthermore, *lepos* is used to describe Roman orators: for example, in Cic. *Brut.* 143, the term is linked to L. Crassus, alongside a discussion related to the *elegantia* of his Latin.<sup>15</sup> Yet, Cicero uses *lepos* in the description of C. Iulius (Cic. *Brut.* 177),<sup>16</sup> Crassus (Cic. *Brut.* 203), and Caesar (Cic. *de Orat.* 2.98).<sup>17</sup> It is thus relevant to note that most of these mid Republican Roman orators are described with *lepos*, which is said to be a distinctive Roman feature, a quality also perceived in Afranius by Velleius.

### III.1.1.2 Afranius and *Facundia*

*Facundia* indicates the “ability to speak (or write) fluently or eloquently” (*OLD s.u. facundia*),<sup>18</sup> and is also a term employed to describe Afranius, as we read in Ausonius (*Ep.* 75):<sup>19</sup>

*quam toga facundi scaenis agitauit Afrani.*<sup>20</sup>

Ausonius uses the adjective *facundus* only here;<sup>21</sup> the term (along with the derivative *facundia*) does not appear in the works of Cicero and Caesar. In any case, *facundus* merits consideration, as it is very often used in relation to eminent Roman men. Ovid offers examples of the connection between the quality of being *facundus* and elite Romans.<sup>22</sup>

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<sup>14</sup> Transl. from May and Wisse 2001: 61, “In addition, it is essential to possess a certain esprit and humor, the culture that befits a gentleman, and an ability to be quick and concise in rebuttal as well as attack, combined with refinement, grace, and urbanity”.

<sup>15</sup> See Douglas 1966: 115; Marchese 2011: 332. On *elegantia*, see my analysis below at III.1.2.3.

<sup>16</sup> On this passage, Douglas 1966: 135-136; Marchese 2011: 341-342.

<sup>17</sup> That convention of describing the Roman orators with *lepos* is also found in Cic. *Rep.* 2.1, in which Cato’s oratory is presented with a series of laudatory expressions: Scipio praised Cato’s *usus*, his *modus in dicendo* alongside his *lepos*. On this, cf. Zetzel 1995: 158.

<sup>18</sup> Cf. Var. *L.* 6.52, with de Melo 2019: 855.

<sup>19</sup> I follow the numeration of the epigram of Green 1991 and Kay 2001.

<sup>20</sup> Transl. from Lehmann in Page and Rubin 2010: 50, “which the toga of Afranius, eloquent on the stage, stirred up”.

<sup>21</sup> The noun *facundia* is instead attested in Aus. *Ep.* 1.9-10, and in *Mos.* 383 and 403. Especially in *Mos.* 383, *facundia* is linked to the *Latia lingua*. On this, see e.g. Ternes 1972: 88.

<sup>22</sup> See Cotta Maximus in Ov. *Pont.* 1.2.67-68, Messalla Coruinus in Ov. *Pont.* 2.3.75-76, Valerius Messalla Messalinus in Ov. *Trist.* 4.4.5-6.

Sallust uses *facundia* in his works in reference to the Greeks,<sup>23</sup> and in relation to mid Republican Romans: for instance, Memmius' *facundia* is described as *clara* and *pollens* (*Jug.* 30.4 *sed quoniam ea tempestate Romae Memmi facundia clara pollensque fuit*);<sup>24</sup> Sulla is mentioned because of his *facundia* (*Jug.* 102.4 *itaque Sulla, quoniam facundiae, non aetati a Manlio concessum*).<sup>25</sup>

Ovid and Sallust aside, indications of the rhetorical connotation of *facundia* are already found in the *palliatae*, in particular those of Terence.<sup>26</sup> In *Ter. Hau.* 11-15 (*oratorem esse uoluit me, non prologum. / uostrum iudicium fecit, me actorem dedit, / sic hic actor tantum poterit a facundia / quantum ille potuit cogitare commode / qui orationem hanc scripsit quam dicturu' sum?*),<sup>27</sup> the term *facundia* is associated with an old actor, who is acting as an *orator*, and is capable of defending Terence from malicious people (Luscius Lanuvinus and others).<sup>28</sup> *Facundia* enables the actor to be fluent in his speech, that is to say, to be an *orator* and not just a mere prologue-speaker.<sup>29</sup> This scenario most commonly occurs in the Terentian prologues,<sup>30</sup> which “regularly engage in literary-critical debate and polemic”,<sup>31</sup> and have a

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<sup>23</sup> See *Sal. Cat.* 53.3. Cf. also *Sal. Jug.* 63.3, in which *facundia* is associated with the Greeks, in a context which implies a rhetorical connotation.

<sup>24</sup> Transl. from Rolfe revis. by Ramsey 2013: 233, “and since the eloquence of Memmius was famous and potent in Rome at that time”; on the expression *ea tempestate*, cf. Paul 1984: 97.

<sup>25</sup> Transl. from Rolfe revis. by Ramsey 2013: 395, “and so Sulla, to whom Manlius yielded, not because of his years, but because of his eloquence”; on Sulla's *facundia*, see Paul 1984: 245. Also of interest is the attestation of *facundia* in the *Historiae* (fr. 33 R.). Sallust refers to *canina facundia*, an expression of a certain Appius (see Ramsey 2015: 419; La Penna and Funari 2015: 121-122): *canina, ut ait Appius, facundia excercebatur* (transl. from Ramsey 2015: 419, “He cultivated a snarling eloquence, as Appius called it”). The meaning of the fragment has been debated by scholars: indeed, it is not clear who the holder of *facundia* is (cf. Ramsey 2015: 419) or if *canina facundia* might itself be the subject of the sentence (on this, La Penna and Funari 2015: 122).

<sup>26</sup> In Plautus, the term *facundus* (not *facundia* – we only find *facunditas* in *Pl. Truc.* 494) is attested; however, it seems to me that it does not have a strong rhetorical meaning, as we read e.g. in *Pl. Cap.* 965, a joke pronounced by Hegio to Stalagmus who asks the former to tell him what he is proposing (*satis facundu's. sed iam fieri dicta compendi uolo* – transl. from de Melo 2011: 609, “You're quite eloquent. But I want you to save your words”), and in *Pl. Merc.* 35-36, where the quality of being *facundus* in speech is linked to love (*quia nullus umquam amator adeo est callide / facundus quae in rem sint suam ut possit loqui* – transl. from de Melo 2011: 19, “because no lover has ever been so clever at speaking that he could say the things that benefit him”).

<sup>27</sup> Transl. from Barsby 2001: 181, “the playwright wanted me as an advocate, not as a prologue speaker. He has turned this into a court, with me to act on his behalf. I only hope that the eloquence of the actor can do justice to the aptness of the arguments which the writer of this speech has contrived to put together”.

<sup>28</sup> Cf. Brothers 1988: 11-14.

<sup>29</sup> On this, Brothers 1988: 162.

<sup>30</sup> The Terentian prologues are different from the Plautine ones: on the Terentian prologues, see e.g. Goldberg 1986: 31-60; Gilula 1989: 95-106; Sharrock 2009: 68-95; Bianco in Petrone 2020: 219-223; on the

(fictional) rhetorical setting, with Terence presenting himself as an orator, and similarly appears in the second prologue of *Hecyra* (Ter. *Hec.* 9 *orator ad uos uenio ornatu prologi*).<sup>32</sup> Thus, the Terentian piece of evidence proves that the term *facundia* had already acquired a strong rhetorical flavour by the mid Republic.<sup>33</sup>

### III.1.2 The Perception of the *Togata*: Rhetorical Terms and the Idealised Attic Style

Here, I analyse the *testimonia* describing the authors of the *togata* (above all, Afranius) and their style by using terms that have a strong rhetorical flavour, and are often employed in relation with (implicit) praise of the idealised Attic style of the fifth and fourth centuries BCE. According to what one reads in ancient sources, there is thus a sort of connection between the terms used to describe the dramatic genre of the *togata* and the Classical Attic rhetoric.

#### III.1.2.1 Afranius and the Imitation of Titius and his Attic Style

I begin with Cicero *Brut.* 167:<sup>34</sup>

*Eiusdem fere temporis fuit eques Romanus C. Titius, qui meo iudicio eo peruenisse uidetur quo potuit fere Latinus orator sine Graecis litteris et sine multo usu peruenire. Huius orationes tantum argutiarum tantum exemplorum tantum urbanitatis habent, ut paene Attico stilo scriptae esse uideantur. Easdem argutias in tragoedias satis ille quidem acute sed parum tragice*

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Plautine prologues, stimulating pages are found in Duckworth 1952: 211-218; see also de Melo 2011: lv-lviii; Petrone in Petrone 2009: 123-131; Petrone in Petrone 2020: 125-130.

<sup>31</sup> Feeney 2016: 167.

<sup>32</sup> Transl. from Barsby 2001: 149, "I come to you as an advocate in the guise of a prologue".

<sup>33</sup> The word *facundia* is also found in Hor. *Ars* 40; on this, Brink 1971: 126, "the word was suitable for H.'s purpose since it must still have had an archaic or poetic tinge in his time". In the Horatian passage, however, as Brink argues, *facundia* would not have had a rhetorical meaning.

<sup>34</sup> That Cicero was particularly attracted to Afranius' *togatae* is testified by the quotation of Afranius' lines: see Cic. *Tusc.* 4.45 (on the passage, Dougan and Henry 1934: 150-151), Cic. *Tusc.* 4.55 (on this, Dougan and Henry 1934: 164-165); cf. also Cic. *Att.* 16.2.3.

*transtulit. Quem studebat imitari L. Afranius poeta, homo perargutus, in fabulis quidem etiam, ut scitis, disertus.*<sup>35</sup>

In this passage,<sup>36</sup> Cicero stresses that the oratorical capacity of Afranius was modelled on Titius. Afranius' ability to be *disertus*, "dexterous or skilled in speaking (or writing)",<sup>37</sup> and *perargutus*, "having a very lively wit",<sup>38</sup> is a consequence of the imitation of the *orator* Titius and his style, described as *paene Atticum*. The adjectives *disertus* and (*per-*)*argutus* have a rhetorical flavour, as seen through a comparative analysis of Cicero's *Brutus* and other Ciceronian works,<sup>39</sup> and traces of this rhetorical flavour are found in the *palliata*.<sup>40</sup> Furthermore, these adjectives (especially *disertus*) are also used to describe the classical Attic eloquence, as attested in the works of Cicero in particular.<sup>41</sup>

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<sup>35</sup> See transl. at I.1.1.

<sup>36</sup> I quote it at I.1.1 discussing the chronology of Afranius, along with that of Titinius and Atta.

<sup>37</sup> OLD s.u. *disertus* [1].

<sup>38</sup> OLD s.u. *perargutus* [2].

<sup>39</sup> *Disertus* has a technical connotation in Cicero, with 58 out of 122 attestations in rhetorical works: 30 times in *de Oratore* (e.g. Cic. *de Orat.* 1.36 and 1.215), 25 times in the *Brutus* (e.g. Cic. *Brut.* 81 and 205), and three times in the *Orator* (e.g. Cic. *Orat.* 13). In *Brut.* 55, *disertus* is used, for instance, in reference to Appius Claudius, who is *disertus* because of his ability to convince the senators not to accept Pyrrhus' condition (on the passage, Douglas 1966: 44; Marchese 2011: 277-278). In Cic. *Brut.* 77, *disertus* refers to Scipio Aemilianus (on Scipio, see e.g. Clackson in Clackson 2011: 240-241; cf. also Astin 1967; Kennedy 1972: 60-62; on the Scipionic circle, see e.g. Umbrico 2010; Hanchey in Augoustakis and Traill 2013: 113-131). With regard to *perargutus*, this term in Cicero is only attested in the aforementioned passage. However, the adjective *argutus* is found in Cicero: 9 out of 24 occurrences of the term appear in rhetorical works, i.e. five times in the *Brutus* (e.g. Cic. *Brut.* 65 and 247), twice in the *Orator* (i.e. Cic. *Orat.* 42 and 98), once in the *de Oratore* (i.e. 2.268), and once in *Opt. Gen.* (5). For instance, in Cic. *Brut.* 247, Memmius, a man of the Roman *nobilitas* and Lucretius' *de Rerum Natura*'s dedicatee (on this, Marchese 2011: 363), is described as *argutus orator*.

<sup>40</sup> Before Cicero, *disertus* already has a kind of rhetorical connotation, as apparent in Plautus, at *Am.* 578-579, *satin hoc plane, satin diserte, / ere, nunc uideor tibi locutus / esse?* (transl. from de Melo 2011: 67, "don't you think now that I've said this clearly enough and eloquently, master?"), and in Terence, at *Eu.* 1011 *at etiam primo callidum et disertum credidi hominem* (transl. from Barsby 2001: 431, "yet once I even believed you a clever capable sort of a fellow"). To the same extent as *disertus*, *argutus* could already have a kind of rhetorical connotation in Plautus (no attestation of the adjective is found in Terence), as we read in *Merc.* 629, *de istac re argutus es, ut par pari respondeas* (transl. from de Melo 2011: 81, "you're witty in that matter, managing to give me tit for tat").

<sup>41</sup> The adjective *disertus* connotes the Athenians (*diserti homines Athenienses* in Cic. *de Orat.* 1.85), and above all Lysias (labelled as *disertissimus orator* in Cic. *de Orat.* 1.231). The adjective *argutus* does not connote the classical Attic eloquence, as rather does its derivative *argutiae*, which is in fact found in reference to Hyperides (see Cic. *Orat.* 110, *argutiis et acumine Hyperidi*).

That Afranius imitated Titius is not presented as just Cicero's opinion, as indicated by *ut scitis*.<sup>42</sup> This characteristic is perceived as native: Titius does not know Greek (*sine Graecis litteris*); nevertheless, he is naturally characterised by a sort of Attic style, according to what Cicero claims. Because of the very importance of the passage in relation to the perception of the language of the mid Republican Romans, I shall return to this below,<sup>43</sup> further highlighting the connection between the ways in which the *togata* (and in this case Afranius) is perceived and the Romans of the mid Republic.

### III.1.2.2 Afranius and the Classical Attic Grace perceived in his *togatae*

There is another important source related to the way in which Afranius is perceived in antiquity, which may help us to further comprehend the reception of his theatrical works. This is Quintilian (*Inst.* 10.1.100), who reports as follows:

*adeo ut mihi sermo ipse Romanus non recipere uideatur illam solis concessam Atticis uenerem, cum eam ne Graeci quidem in alio genere linguae suae obtinuerint. Togatis excellit Afranius; utinam non inquinasset argumenta puerorum foedis amoribus mores suos fassus.*<sup>44</sup>

The passage is inserted within a discussion involving dramatic genres. Quintilian discusses (*Inst.* 10.97-98) the writers of tragedies, who are *clarissimi grauitate sententiarum, uerborum pondere, auctoritate personarum*,<sup>45</sup> and the authors of comedies (*Inst.* 10.99), *licet Varro Musas, Aeli Stilonis sententia, Plautino dicat sermone locuturas fuisse si Latine loqui uellent, licet Caecilium ueteres laudibus ferant, licet Terenti scripta ad Scipionem Africanum referantur*.<sup>46</sup> Quintilian affirms that the Latin language cannot acquire Attic grace, which characterised the Athenians. He also makes an important contrast between the Attic

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<sup>42</sup> Cf. Bianco 2010: 21; more recently, Petrone 2021: 551.

<sup>43</sup> See III.1.3.

<sup>44</sup> See transl. at I.2.4. On the interpretation of this passage, especially regarding the possible relation between Afranius and pederasty, see Rallo 2021b: 223 n. 51.

<sup>45</sup> Transl. from Russell 2001: 305, "the most distinguished of the ancients for seriousness of thought, weightiness of expression, and the dignity of their characters".

<sup>46</sup> Transl. from Russell 2001: 307, "True, Varro (quoting the view of Aelius Stilo) held that the Muses would have talked like Plautus if they had chosen to speak Latin; true, older critics extol Caecilius; true, Terence's works are attributed to Scipio Africanus (...)".

dialect and other Greek dialects, saying indeed that the Greeks failed to achieve the Attic grace in the variety of dialects of their language. Quintilian adds to this that only Afranius was skilled enough in his *togatae* to achieve that Attic grace Quintilian considered the best in Classical rhetoric.<sup>47</sup> Quintilian does not specifically note that Afranius imitates an Attic orator. The Attic grace is thus perceived as a natural and distinctive characteristic of the author of *togatae*. Because of the importance of this passage in reference to the way in which the Romans of the mid Republic are perceived to speak, I shall further focus on this below along with the previous passage of Cicero on Afranius and his imitation of Titius and his style almost Attic.<sup>48</sup>

### III.1.2.3 *Togata and Elegantia*

One feature ancient sources perceived in the *togatae* is *elegantia*, a semantically complex term which here I understand in the sense of ‘word-choice’.<sup>49</sup> The term was employed to characterise Afranius, along with Terence,<sup>50</sup> his supposed Latin model (see Afran. *tog.* 25-28 and 29 R.<sup>3</sup>),<sup>51</sup> and is a characteristic which, more generally, was attributed to comic poets, as one reads in the work of Quintilian.<sup>52</sup>

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<sup>47</sup> Cf. e.g. Quint. *Inst.* 12.10.16-39, esp. 12.10.20. On the Attic grace mentioned in the passage, see also Petrone 2021: 552.

<sup>48</sup> See III.1.3.

<sup>49</sup> OLD *s.u. elegantia* [4] “skill or good taste in the choice of words, presentation of ideas, etc., neatness, felicity; also a specimen of this quality”; OLD *s.u. elegans* [4] “(of speakers or writers, their style, works, etc.) apt or skilful in choice of words, presentation of ideas or sim., neat, felicitous, etc.”.

<sup>50</sup> Cf. Cic. *Att.* 7.3.10, *Terentium, cuius fabellae proper elegantiam sermonis* (see also the praise made by Caesar on Terence, described as *puri sermonis amator* – Caes. *carm.* fr. 1 K.). Terence, beyond *elegantia*, was equally praised by Cicero for rhetorical and stylistic features (cf. e.g. Cic. *Brut.* 83, 105, 247, and 250). On the praise of language and style of Terence by Cicero and other authors, see e.g. Müller in Augoustakis and Traill 2013: 366-370; on the reception of Terence, Cupaiuolo in Audano 2015: 159-181.

<sup>51</sup> On this, see I.3.1.3.

<sup>52</sup> Quint. *Inst.* 1.8.8-9, *Multum autem ueteres etiam Latini conferunt, quamquam plerique plus ingenio quam arte ualuerunt, in primis copiam uerborum: quorum in tragoediis grauitas, in comoediis elegantia et quidam uelut atticismos inueniri potest* (transl. from Russell 2001: 203, “The old Latin poets also, though most of them were stronger in natural talent than in art, can make an important contribution, especially in richness of vocabulary; in their tragedies one can find dignity, in their comedies elegance and a kind of Attic quality”). This passage is noteworthy: indeed, Quintilian testifies to how *ueteres Latini* enriched vocabulary, clarifying

Apuleius (*Apol.* 12.6), for instance, reporting a fragment of Afranius, specifies that the playwright has left such a line *pereleganter*:

*Quapropter, etsi pereleganter*<sup>53</sup> *Afranius hoc scriptum relinquat: "amabit sapiens, cupient ceteri", tamen si uerum uelis, Aemiliane, uel si haec intellegere unquam potes, non tam amat sapiens quam recordatur.*<sup>54</sup>

Macrobius in *Saturnalia* (6.4.12) uses the adverb *eleganter* referring to Vergil and making a parallelism with Afranius:

*"deductum" pro "tenui et subtili" eleganter positum est: sic autem et Afranius in Virgine (...).*<sup>55</sup>

By describing *deductum* as *eleganter positum* (in *Ecl.* 6), Macrobius means that the word is 'well chosen', revealing then the etymological sense of the term.<sup>56</sup>

One may also quote again Fronto's testimony to Atta's specialisation in *muliebribus* (*uerbis*):

*Nam praeter hos partim scriptorum animaduertas particulatim elegantes, Nouium et Pomponium et id genus in uerbis rusticanis et iocularibus ac ridiculariis, Attam in muliebribus, Sisennam in lasciuis, Lucilium in cuiusque artis ac negotii propriis.*<sup>57</sup>

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that in tragedies one finds *grauitas*, in comedies *elegantia*, thus suggesting that these features belonged to Latins from the very beginning.

<sup>53</sup> *Etsi pereleganter* is Krüger's conjecture, adopted by many editors.

<sup>54</sup> Transl. from Jones 2017: 41, "For these reasons, though Afranius has left this well-turned line, 'Love is for the wise man, desire is for the rest', still, if you want the truth, Aemilianus, or if you are ever able to understand such things, the wise man does not so much love as he recollects".

<sup>55</sup> Transl. from Kaster 2011: 77, "'fine-spun' [*deductum*] for 'thin and delicate' is a nice usage, but Afranius uses it too, in his *Maiden* (...)".

<sup>56</sup> The use of *eleganter* is relevant in Macrobius because it is used to describe Romans. Vergil, for example, is described as writing *eleganter*, as reported in *Macr. Sat.* 3.2.12, *has tot interpretationis ambages quam paucis uerbis docta elegantia Maronis expressit* (transl. from Kaster 2011: 13, "how economically, how learnedly, how neatly Maro conveyed all these interpretive obscurities!"); Liuius, likewise, is described in these terms, as we read in *Macr. Sat.* 2.5.6, *eleganter illa rescripsit: "et hi mecum senes fient"* (transl. from Kaster 2011: 363, "she nicely wrote back, 'These young men will grow old with me, too'").

<sup>57</sup> See transl. at II.1.

Nouius, Pomponius, Atta, Sisenna, and Lucilius are said to be *elegantes*. The passage is reported by the *ThLL* (V, 2, 334, 46-49) for its (basic) etymological meaning along with other passages.<sup>58</sup> The term *elegantes* then denotes ‘word-choice’ in the sense of the usage of appropriate terms for the characters, as in the case of Atta and his specialisation *in muliebribus*.<sup>59</sup>

Apart from the reference to Afranius’ and Atta’s *elegantia*, there is also an external piece of evidence on the perception of *elegantia* in the *togata*. Iulius Victor, in *Ars Rhet.* p. 447 H., notes:

*multum ad sermonis elegantiam conferent comoediae ueteres et togatae et tabernariae et Atellanae fabulae et mimofabulae, multum etiam epistulae ueteres, in primis Tullianae.*<sup>60</sup>

The author links *togatae* with *comoediae* and other theatrical forms of entertainment in which it is possible to perceive *elegantia*. The connection between *togatae* and ancient comedies (= *palliatae*), *tabernariae*, and *Atellanae fabulae* along with *mimus* and *epistulae ueteres*, especially those of Cicero, is defined by *sermonis elegantia*, with the sense of ‘word-choice’.

Ancient sources thus associate the *togata* and (some of) its authors with *elegantia*, a term which has a strong rhetorical meaning, as attested since the *Rhetorica ad Herennium*.<sup>61</sup> Indeed, the first definition of *elegantia* is in *Rhet. Her.* 4.17:<sup>62</sup> *elegantia est quae facit ut locus unus quisque pure et aperte dici uideatur. Haec tribuitur in Latinitatem et*

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<sup>58</sup> See e.g. Cic. *Inu.* 1.61, *Brut.* 35 and 63, Quint. *Inst.* 10.1.78.

<sup>59</sup> On this, further discussion is at II.1.

<sup>60</sup> See transl. at I.2.4.

<sup>61</sup> For a reconstruction of the authorship and dating of the *Rhetorica ad Herennium*, see Hilder in Gray, Balbo, Marshall, and Steel 2018: 213 n. 1.

<sup>62</sup> *Elegantia* is treated as a technical term, as suggested by the reference to *compositio* and *dignitas*. *Compositio* is described as (*Rhet. Her.* 4.18.1-2) *uerborum constructio, quae facit omnes partes orationis aequabiliter perpolitae* (transl. from Caplan 1954: 270, “artistic Composition consists in an arrangement of words which gives uniform finish to the discourse in every part” – on the *compositio* as corresponding to the Greek σύνθεσις, Calboli 1969: 305 n. 61). *Dignitas* is described as (*Rhet. Her.* 4.18.30-31) *quae reddit ornatam orationem uarietate distinguens* (transl. from Caplan 1954: 274, “to confer distinction upon style is to render it ornate, embellishing it by variety” – on the *dignitas* as corresponding to the Greek κατασκευή, Calboli 1969: 309 n. 69). On this, see also Krostenko 2001: 123.



*explanationem. Latinitas est quae sermonem purum conseruat, ab omni uitio remotum.*<sup>63</sup> Here, *elegantia* is the quality which, as Garcea has highlighted, “allows an orator to express himself with that purity which is a feature of *Latinitas*”.<sup>64</sup> The rhetorical connotation of *elegantia* is also illustrated by Cicero’s practice: 16 of 33 occurrences of the term appear in rhetorical works,<sup>65</sup> that is to say, seven times in the *Brutus*,<sup>66</sup> six times in the *de Oratore*,<sup>67</sup> once in the *Partitiones Oratoriae* (*Part.* 21), once in the *Orator* (*Orat.* 79), and once in the *de Optimo Genere Oratorum* (*Opt. Gen.* 4).<sup>68</sup> In the *de Oratore* (*Cic. de Orat.* 3.37-55) Cicero presents the four merits of style and treatment of the most essential of these, that is to say, correct pronunciation and clarity of expression. Cicero discusses *elegantia* in *de Orat.* 3.39, a passage in which the term “refers more narrowly to ‘propriety’ or ‘fastidiousness’ in word choice”:<sup>69</sup> *sed omnis loquendi elegantia, quamquam expolitur scientia litterarum, tamen augetur legendis oratoribus et poetis. sunt enim illi ueteres, qui ornare nondum poterant ea quae dicebant, omnes prope praeclare locuti; quorum sermone assuefacti qui erunt, ne cupientes quidem poterunt loqui nisi Latine.*<sup>70</sup> However, Cicero’s aim is not to further deal with *elegantia*, a term characterising several orators, above all Caesar.<sup>71</sup> That Cicero does not consider

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<sup>63</sup> Transl. from Caplan 1954: 269, “taste makes each and every topic seem to be expressed with purity and perspicuity. The subheads under Taste are Correct Latin and Clarity. It is Correct Latinity which keeps the language pure, and free of any fault”.

<sup>64</sup> Garcea 2012: 50. Latinity, in particular, is “one grammatical virtue” (Lausberg 1998: 216). Cf. Kramer 1998: 65-66. On *Latinitas*, see also Opelt 1969: 21-37; Zetzel 2018: 52-54 and 83-84.

<sup>65</sup> 17 of 33 occurrences appear in other works, such as e.g. *De Finibus* and *Ep. ad Atticum*. The term *elegans* is likewise attested in Cicero’s rhetorical works: 20 times in the *Brutus* (i.e. 35, 63, 78, 86, 95, 130, 133, 135, 140, 148, 194, 223, 239, 252, 259, 272, 283, 285, 292, 303), 10 times in the *Orator* (i.e. 13, 25, 28, 30, 81, 83, 127, 134, 153, 159), and 5 times in the *de Oratore* (i.e. 1.170, 2.241, 3.169, 3.171, 3.187).

<sup>66</sup> See *Cic. Brut.* 89, 143, 153, 163, 211, 261, 265.

<sup>67</sup> See *Cic. de Orat.* 1.5, 1.50, 2.28, 2.98, 3.39, 3.141.

<sup>68</sup> On this, see also Garcea 2012: 70.

<sup>69</sup> Mankin 2011: 129. See also Garcea 2012: 61. Cf. Michel 1994: 118, about *elegantia* in the *de Oratore* which “liée à l’urbanitas et au decorum, dans lequel elle s’accorde volontiers à la dignitas”.

<sup>70</sup> Transl. from May and Wisse 2001: 235, “still every aspect of refined diction, though it can be polished by a knowledge of grammar, can nonetheless be developed by reading the orators and the poets. For almost all of the ancients, though they were not yet able to impart distinction to what they said, expressed themselves very well, and people who have become accustomed to their language cannot fail to speak anything but correct Latin, even if they should try”. On this passage, Leeman, Pinkster, and Wisse 1996: 184-185; Mankin 2011: 129-130; Garcea 2012: 51-53.

<sup>71</sup> See e.g. *Cic. Brut.* 261 (with Garcea 2012: 109-110); *Cic. Brut.* 252 (with Marchese 2011: 365). Cicero considers *elegantia* as peripheral to oratorical excellence. For this, as Pezzini in Grillo and Krebs 2018: 186 highlights, “orators who referred to *elegantia* and its attributes (correctness and lucidity) as the guidelines of their oratorical style are implicitly reprimanded”. That is to say, while Cicero does not consider *elegantia*

*elegantia* of primary importance can be related to the nature he attributed to this term. Indeed, Cicero considers *elegantia* a characteristic of the Attic style and crucial in the dispute between Asianists and Atticists, which occurred in the first century BCE.<sup>72</sup> This is exemplified in his discussions in the *Orator*<sup>73</sup> and *Brutus*.<sup>74</sup> That Cicero uses the term *elegantia* in association with the Attic style is found, for instance, in Cic. *Brut.* 35, a passage in which Lysias is labelled *subtilis scriptor atque elegans*.<sup>75</sup> This provides the reader with an opportunity to grasp a characteristic of the Attic orator who was a model for Calvus, whose main aim was to be an Attic orator (Cic. *Brut.* 284).<sup>76</sup> Furthermore, Cicero employs *elegantia* in reference to the classical Attic genre in *Brut.* 285: *sin autem ieiunitatem et siccitatem et inopiam, dummodo sit polita, dum urbana, dum elegans, in Attico genere ponit, hoc recte dumtaxat*.<sup>77</sup>

The aforementioned passages use *elegantia* as a term with strong rhetorical connotations, a term which was often used in reference to an idealised feature of the Attic orators (above all, Lysias). In particular, I have highlighted the native *elegantia* of the *togata*, and its implicit association with the idealised Attic style of the fifth and fourth century BCE. More importantly for my argument, the notion that *elegantia* is a term with such a connotation is already attested in the mid Republic, that is to say, with the *palliata* of Terence, where we find the first Attic connotation of this rhetorical term. Indeed, in Ter. *Eu.* 1093, Gnatho

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important for defining the quality of an orator, Caesar conversely considers *elegantia* in the *De Analogia* a kind of milestone of his eloquence (cf. also Garcea 2012: 110, quoting at n. 97 the position of other scholars), and responds to Cicero's criticism of it, insisting on the significance of knowing how to speak and write Latin well.

<sup>72</sup> See Pezzini 2018: 187 n. 71; on this controversy in Cicero's rhetorical works, see also Gotoff 1979: 18-32; cf. also Norden 1898, Wilamowitz-Möllendorff 1900: 1-52, and Wisse 1995: 65-82.

<sup>73</sup> In the *Orator* we find a broad discussion about Asian and Atticist styles alongside the middle one: for a general overview, see Cic. *Orat.* 20-21 with Kroll 1958: 31-33, and Kaster 2020: 174; for a focus on Atticists, *Orat.* 28-30 with Kroll 1958: 38-39, and Kaster 2020: 176-177; on Attic orators, cf. also *Orat.* 76-83 with Kroll 1958: 78-84, and Kaster 2020: 190-193 (new Attics are blamed by Cicero for instance in *Orat.* 90 – on this, cf. Kroll 1958: 89, and Kaster 2020: 194); on the middle style, see *Orat.* 91-92 with Kroll 1958: 90-91, and Kaster 2020: 194-195; on the orator of the Asianic style, cf. e.g. *Orat.* 97 with Kroll 1958: 94, and Kaster 2020: 196.

<sup>74</sup> For instance, Cic. *Brut.* 51; Cic. *Brut.* 63-68 (with a focus on Cato's oratory). On the controversy between Asianism and Atticism in the *Brutus*, see Conte 1994: 188; Narducci 1997: 114-124; Marchese 2011: 34-36.

<sup>75</sup> On this, Douglas 1966: 25.

<sup>76</sup> On the passage, Douglas 1966: 210; Marchese 2011: 376-377.

<sup>77</sup> Transl. from Kaster 2020: 150, "but if he counts as Attic a meager and dry and impoverished style, provided it's polished and elegant and refined, he's right to a degree".

refers to the Attic elegance (*dixin ego in hoc esse uobis Atticam elegantiam?*).<sup>78</sup> The character wonders about the *Atticam elegantiam*, that is, the Attic refinement.<sup>79</sup>

### III.1.2.4 Titinius' *clarae togatae*

Concerning the ancient reception of the *togata*, there is also an external piece of evidence related to the *togatae* of Titinius. Quinctus Serenus, who lived approximately during the second and third century CE, reports (*Lib. Med.* 58.1038):<sup>80</sup>

*Alia praecepit Titini sententia necti,  
qui ueteri claras expressit more togatas.*<sup>81</sup>

The use of the adjective *clarus* in association with the *togatae* of Titinius may be somehow related to the idea of 'clarity' in a rhetorical sense. Though *clarus* does not have a rhetorical meaning in Republican literature (see *OLD s.u. clarus* [1] to [8]), the adverb *clare* (*OLD s.u. clare* [3] "clearly to the mind, lucidly") appears to express the idea of 'clarity', and this is already attested in Terence, *An.* 754, in which Davos the slave asks Mysis the maid *male dicis? undest? dic clare*.<sup>82</sup> As with *clare*, the adverb of the compound of *clarus*, i.e. *praeclare* (and not the adjective *praeclarus*)<sup>83</sup> is the recipient of such an idea of 'clarity', as one reads in the above *de Orat.* 3.39. Ancient orators and poets are said to have expressed themselves *praeclare*, "very clearly, very plainly" (*OLD s.u. praeclare* [1]), a quality that does not need further explanation (cf. *Cic. de Orat.* 3.48-49). Furthermore, clarity is understood as an Attic

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<sup>78</sup> Transl. from Barsby 2001: 443, "Didn't I tell you that he had real Attic charm?"

<sup>79</sup> On this, see also Barsby 1999: 289.

<sup>80</sup> I follow the numeration of lines in Aste 2018.

<sup>81</sup> See transl. at I.2.4.

<sup>82</sup> Transl. from Barsby 2001: 137, "abusing me, are you? Where does it come from? Tell me straight". In Plautus, *clare* means 'loudly' (see e.g. *Pl. Am.* 300 and *Cas.* 1017).

<sup>83</sup> See *OLD s.u. praeclarus* [1], [2], and [3].

characteristic, that is a correlative of the Greek *sapheneia*.<sup>84</sup> The latter was often considered an attribute of pure Attic style,<sup>85</sup> and imitated by Cicero's *Attici*.<sup>86</sup>

### III.1.2.5 *Togata* and *Urbanitas*

As a final example of the ancient reception of the *togata*, one may quote Fronto, who, in *Ant.* 2.2 (= 106.13 van den Hout), reports:

*Vel graues ex orationibus ueterum sententias arriperetis uel dulces ex poematis uel ex historia splendidas uel comes ex comoediis uel urbanas ex togatis uel ex Atellanis lepidas et facetas.*<sup>87</sup>

The passage highlights the use of *sententiae* in several genres. While in comedies (= *palliatae*) *sententiae* are characterised by *comitas*,<sup>88</sup> in the *togatae* they are defined by *urbanitas*,<sup>89</sup> that is to say, they are *urbanae*, an adjective which, as van den Hout has noted, could mean 'witty'.<sup>90</sup> However, I would argue that the adjective is likely to assume a more specific connotation, directly referring to Rome, as suggested by its etymology,<sup>91</sup> and even having a rhetorical tone, as found in Cicero, with nine out of 25 attestations of the term *urbanitas* located in his rhetorical works:<sup>92</sup> five in the *Brutus*,<sup>93</sup> and four in the *de Oratore*.<sup>94</sup>

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<sup>84</sup> Cf. Vatri 2017: 103, on *sapheneia* as "the state of having a clear 'vision' (a clear knowledge or understanding) of the entities evoked by the text".

<sup>85</sup> *Sapheneia* is one of those rhetorical categories which Dionysius attributed to the style of Lysias, as we read in *Lys.* 4. As noted by Usher 1974: 29, Aristotle considered *sapheneia* "a primary requirement of oratory" (see *Rhet.* 3.2.1, with Halliwell 1993: 50-69).

<sup>86</sup> Garcea 2012: 119.

<sup>87</sup> See transl. at I.2.4.

<sup>88</sup> *Comes ex comedis*, "a paronomasia or perhaps an etymological figure", as noted by van den Hout 1999: 262.

<sup>89</sup> Ussani 1969: 398. On *urbanitas* as "an abstract idea", Ramage 1973: 55. On *urbanus* and *urbanitas*, cf. also Saint-Denis 1939: 5-25; Krostenko 2001. Further remarks are found in Flobert in Dangel 1994: 69-76; Adams 2003b: 194-197.

<sup>90</sup> van den Hout 1999: 262, in contrast with Haines 1919: 305 (see above), who translated the term as 'courtly'.

<sup>91</sup> See Ramage 1973: 52, "*urbanus* occurs (...) to refer to what is citified, sophisticated, or urbane, and (...), to comprehend the wide variety of ingredients which were blended together in this Roman sophistication". Cf. *OLD s.u. urbanitas* [1] b. "(directly assoc. w. *urbs*) the condition of living in a city (in quotes., Rome)".

<sup>92</sup> On the usage of *urbanitas* in other Ciceronian works, especially e.g. *Cic. Fam.* 3.8.3 and 6.3.103, see Ussani 1969: 383. With regard to *urbanus*, it is attested 15 times in the *de Oratore* (see e.g. *de Orat.* 2.269 and 3.43), eight times in the *Brutus* (see e.g. *Brut.* 170 and 285), three in the *Orator* (see e.g. *Orat.* 141), and twice in *orat. deperd.* (14.22 and 15.24). *Urbanus* is also attested in Plautus, e.g. *Pl. Merc.* 714, 717 and 718, and *Most.* 15, and only once in Terence (*Ter. Ad.* 42).

As a case study, I suggest an analysis of *urbanitas* as seen in the *Brutus*. After reviewing provincial oratory, Cicero turns on Brutus stating that many orators he had previously mentioned lacked *urbanitas*. The discussion follows in Cic. *Brut.* 171, *Et Brutus: Quid est, inquit, iste tandem urbanitas color? Nescio inquam; tantum esse quondam scio.*<sup>95</sup> Though the meaning of *urbanitas* is difficult to define precisely, it is easy to recognise, especially when Brutus comes to Gallia.<sup>96</sup> Cicero uses the expression *sapere uernaculo* to differentiate between Rome's orators and others. He also highlights how the Roman (= city of Rome) pronunciation of Latin is superior to others.<sup>97</sup> Moreover, *urbanitas* is used in association with the Attic style, as attested in the above Cic. *Brut.* 285. In the passage, *urbanus* and *elegans* are associated with the Attic genre. Hence, *urbanus* (alongside *elegans*) refers to both a feature of the Roman orators and of the Attic ones, though—as Cicero reports later—it is necessary to differentiate between the latter orators, as the Attic genre *nec enim est unum genus*. It is then interesting to stress the analogy between Attic and the city of Athens in particular as the model and centrepiece for the Greek language, and Rome as that for Latin.

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<sup>93</sup> See Cic. *Brut.* 143, 167, 170, 171, 177.

<sup>94</sup> See Cic. *de Orat.* 1.18, 1.159, 2.231, 3.161.

<sup>95</sup> Transl. from Kaster 2020: 106, “Well, then, what do you mean by that ‘tinge’?” “I can’t say, I just know there’s something there”.

<sup>96</sup> Cic. *Brut.* 171, *id tu, Brute, iam intelleges, cum in Galliam ueneris; audies tu quidem etiam uerba quaedam non trita Romae, sed haec mutari dediscique possunt; illud est maius quod in uocibus nostrorum oratorum retinnit quiddam et resonat urbanius. nec hoc in oratoribus modo apparet, sed etiam in ceteris* (transl. from Kaster 2020: 106, “you’ll understand it when you’ve reached Gaul. You’ll hear certain words not much used in Rome, but that sort of thing can be changed and unlearned; what’s more important is the way our orators’ voices ring with a certain city-bred resonance – and not just orators, but everyone else”). On this passage, Dench 2005: 298-302; Adams 2007: 133-135.

<sup>97</sup> Cf. Chahoud in Oniga and Vatteroni 2007: 49-50; Adams 2007: 134. Also of interest is Cic. *de Orat.* 3.44, a passage related to the distinctiveness of the pronunciation of the Romans who are from the city of Rome (on this, see Leeman, Pinkster, and Wisse 1996: 190-191; Adams 2003b: 193; Mankin 2011: 134). That *urbanitas* is meant as rhetorical is equally testified by Cic. *de Orat.* 1.18, in which the word is attested among features characterising the scope of oratory. Cicero remarks how an orator should possess, for instance, *lepos* (see discussion at III.1.1.1), *celeritas*, and *urbanitas* (on this, Leeman and Pinkster 1981: 53-55).

### III.1.3 Mid Republican Romans and Their Native Way of Speaking: Assessments from Ancient Sources

This section further investigates the importance of the terminology ancient writers used regarding the *togata*. But to what end? Why should one consider it important that this kind of discourse is associated with the *togata*? That the authors of the *togata* (in particular Afranius) are described as ‘elegant’ and ‘clear’ as are the Romans of the mid Republic, who are said to speak naturally in a way that calls to mind the classical Attic manner, not through any linguistic corruption, deserves attention. It seems that there is a relationship between the ways in which the *testimonia* perceived the genre of the *togata* and the Romans themselves of the second century BCE. The core of this relationship is hence the description of features which are said to intrinsically belong to the Romans of that period.

I begin by again considering Cic. *Brut.* 167.<sup>98</sup> Titius, a Roman of the mid Republic, is said not to know Greek (*sine Graecis litteris*). Cicero suggests that Titius naturally had a style similar to the Attic (*ut paene Attico stilo*), and that Afranius was accustomed to imitating Titius (*quem studebat imitari*). Cicero does not make any statement about the fact that the style of the Roman *orator* Titius is ‘almost Attic’ due to a sort of imitation of an Attic orator, who would have influenced him. Rather, the characteristic is perceived as native. In this respect, one can give emphasis to the relationship between Titius and Afranius: the author of *togatae* is said to imitate Titius and possibly his almost Attic style.

While in the passage of Cicero the almost Attic style belongs to Afranius owing to his imitation of Titius, which is already an interesting clue as to how a Roman of the mid Republic is perceived, in an important passage of Quintilian (*Inst.* 10.1.100)<sup>99</sup> Afranius is portrayed as possessing a sort of Attic grace, a feature understood as natural. Such a characteristic made Afranius excellent in his *togatae*. Compared to Cicero, Quintilian does not refer to a feature of Afranius’ style as dependent on mere imitation of a Roman orator. The Attic grace is thus presented as a naturally distinctive characteristic belonging to

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<sup>98</sup> See transl. at I.1.1, and discussion at III.1.2.1.

<sup>99</sup> See transl. at I.2.4, and discussion at III.1.2.2.

Afranius. This element allows me to point out an immediate link between the perception of Afranius and the perception of the mid Republican Romans. Like Afranius, the Romans of the mid Republic are regarded as naturally possessing characteristics which are frequently associated with the classical Attic style, without any sort of imitation. This association is, for instance, remarked upon by Cicero (Cic. *Brut.* 67-68) in reference to Cato's time.<sup>100</sup> In other words, the idealisation of the language of classical Athens is used to develop an analogical but specifically Roman discourse, that is, the idealisation of the language of the mid Republic:

*sed ea in nostris inscitia est, quod hi ipsi, qui in Graecis antiquitate delectantur eaque subtilitate, quam Atticam appellant, hanc in Catone ne nouerunt quidem. Hyperidae uolunt esse et Lysiae. Laudo: sed cur nolunt Catones? Attico genere dicendi se gaudere dicunt. sapienter id quidem; atque utinam imitarentur nec ossa solum, sed etiam sanguinem! Gratum est tamen, quod uolunt. cur igitur Lysias et Hyperides amatur, cum penitus ignoretur Cato? antiquior est huius sermo et quaedam horridiora uerba. Ita enim tum loquebantur.*<sup>101</sup>

The new Attic *orators* aim to imitate Lysias and Hyperides. However, they do not take into consideration Cato and his archaic language,<sup>102</sup> where, according to Cicero, it is already possible to find features similar to the classical Attic style, but without imitations of the Greeks. In other words, Cato is said not to have imitated Lysias and Hyperides. He is presented as an example of “the native Latin rhetoric that strove for its own effects rather than merely to adopt the models of the Greek rhetorical system”.<sup>103</sup> Here, the Romans are described as having their own Roman models and stylistic masters (i.e. Cato). For this reason, they do not need to emulate those of the Greeks. Moreover, Cato's manner of

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<sup>100</sup> The opinion on Cato in the *Brutus* is complicated: on this, cf. Goldberg 1986: 46.

<sup>101</sup> Transl. from Kaster 2020: 69-70, “but our contemporaries’ ignorance lies precisely in the fact that the very people who delight in the Greeks’ old-fashioned style and in the precision that they call ‘Attic’ do not even recognize the same quality in Cato. They want to be speakers like Hyperides and Lysias: good for them – but why not Cato? They say that they revel in the Attic style, and sensibly, to be sure – I only wish that they would imitate not just its bare bones but its red blood as well! Still, I’m glad that their intentions are sound: why then are Lysias and Hyperides favored when Cato is completely ignored? His discourse is rather old-fashioned, and some of his vocabulary is fairly uncouth: that’s the way they spoke then”.

<sup>102</sup> See Marchese 2011: 288-289. Cf. also Moatti 2015: 93; Sciarrino in Dominik and Hall 2007: 55.

<sup>103</sup> Dominik in MacDonald 2017: 162.

speaking is presented as typical of the period in which he lived (*ita enim tum loquebantur*). This raises an important point: namely, how did the ancient authors depict the style of speech used by the Romans of the mid Republican period?

I start with a passage from Macrobius, who intends *elegantia* to be a native feature of the Romans, as we read in the preface of his *Saturnalia* (12): *si in nostro sermone **natiua Romani oris elegantia** desideretur*.<sup>104</sup> That the Romans are those of the city of Rome, and not those living in Roman provinces, is suggested by Macrobius himself at 11 of his preface. Macrobius states that he was born under a different sky (*sub alio...caelo*), thus indicating that he was not a native of the city of Rome. Adams has rightly pointed out that since Macrobius is concerned about the possible reaction of readers to his command of Latin, he is thinking of correct written Latin.<sup>105</sup>

That the Romans were used to speaking naturally in an 'elegant' manner is also suggested by Cic. *Brut.* 252. In particular, Caesar is mentioned because his way of speaking is *elegans*,<sup>106</sup> a skill presented as a kind of family heritage: *illum omnium fere oratorum Latine loqui elegantissime; nec id solum domestica consuetudine (...)*.<sup>107</sup> Caesar speaks in this way because of *domestica consuetudo*, an expression which "refers to those linguistic habits retained in the aristocratic Roman dynasties without contamination of their expressive purity by external elements".<sup>108</sup> In other words, the natural 'elegant' way of speaking is described as something Caesar inherited from his Roman ancestors.<sup>109</sup>

Mid Republican Roman women are likewise said to speak with *elegantia*, passed on within a family lineage. In Cic. *Brut.* 211, *auditus est nobis Laeliae C. f. saepe sermo: ergo illam patris*

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<sup>104</sup> Transl. from Kaster 2011: 9, "should my discourse lack the native elegance of the Roman tongue".

<sup>105</sup> Adams 2007: 199-200.

<sup>106</sup> Quint. *Inst.* 10.1.114 also refers to the *elegantia* of Caesar, however with a different approach to it in comparison with Cicero (see Garcea 2012: 110).

<sup>107</sup> Transl. from Kaster 2020: 137, "that he speaks the most refined Latin of virtually most orators, and not just from hearing it at home (...)".

<sup>108</sup> Garcea 2012: 80-81.

<sup>109</sup> On the impact family had on the way of speaking, cf. also Cic. *Brut.* 210, here quoted in the transl. from Kaster 2020: 119, "yet some thought Curio stood third in that generation, perhaps because his diction was rather fine and he didn't speak Latin badly – thanks to his experience at home, I suppose, for he knew absolutely nothing of literature, but it matters quite a bit whom one hears daily at home, with whom one speaks from boyhood, and how fathers, attendants, and mothers speak".



*elegantia tictam uidimus (...)*,<sup>110</sup> Cicero refers to the *elegantia* of Laelia, who is said to derive it from her father's *elegantia*.<sup>111</sup> Laelia echoes the natural way in which her Roman ancestors spoke. Moreover, in Cic. *de Orat.* 3.45, *equidem cum audio socrum meam Laeliam – facilius enim mulieres incorruptam antiquitatem conseruant, (...) sono ipso uocis ita recto et simplici est ut nihil ostentationis aut imitationis afferre uideatur; ex quo sic locutum eius patrem iudico, sic maiores; (...)*,<sup>112</sup> Cicero focusses on how the language spoken by ancestors has had an influence on the way women speak, and he “sees women as the custodians of original pronunciation, who do not risk contaminating it by circulating outside the family”.<sup>113</sup> He highlights the naturalness of speaking in this style, a consequence of a process of imitation (*nihil...imitationis afferre uideatur*),<sup>114</sup> which even reminds him of Plautus or Naevius (*sed eam sic audio, ut Plautum mihi aut Naeuium uidear audire*).<sup>115</sup> As in the previous Ciceronian text, this passage refers to how mid Republican Roman women speak, in reference to their ancestors (*sic maiores*).<sup>116</sup> Speaking in an ‘elegant’ manner is allegedly a feature of mid Republican Roman orators (above all Caesar) and women, a characteristic which belongs, more generally, to each Roman, as

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<sup>110</sup> Transl. from Kaster 2020: 120, “I’ve often heard Laelia, Gaius’ daughter, and saw that she was imbued with her father’s refinement (...)”.

<sup>111</sup> See also Quint. *Inst.* 1.1.6.

<sup>112</sup> Transl. from May and Wisse 2001: 237, “I must say that when I hear my mother-in-law, Laelia, speaking – for the old pronunciation is more easily preserved intact by women (...) the actual sound of her voice is so straightforward and unaffected that there is obviously nothing ostentatious or inauthentic to it. From this I conclude that this was the way her father used to speak, as well as her ancestors (...)”.

<sup>113</sup> Garcea 2012: 64-65. See also Willi 2003: 165 n. 27; Dutsch 2008: 201.

<sup>114</sup> On this, cf. also Maltby 1985: 119, “Cicero’s remarks about Crassus’ mother-in-law in the *de Oratore* suggest that in real life the speech of women was more conservative than that of men, and this conservatism may have led them to avoid new foreign importations”.

<sup>115</sup> Transl. from May and Wisse 2001: 237, “anyway, when I hear her speaking, I seem to be hearing Plautus or Naevius”.

<sup>116</sup> The reference to the naturalness of female speech permits a broader discussion of the subject, and I consider a passage of Plato, *Cra.* 418b-c. Even though it is difficult to see how the passage of Cicero could be related to the passage of Plato, in any case it makes an interesting cross-cultural comparison to consider them together. Indeed, in *Cra.* 418b-c, Plato explains how the ancients used the letter ι and δ, in comparison with the moderns who, according to the philosopher, replace these letters with ε / η and ζ, respectively (on this, cf. Ademollo 2011: 230; on such phonological features, Sommerstein 2009: 34-36). This linguistic characteristic is evidenced in the speech of women, “the promoters of an iotacistic pronunciation” (Willi 2003: 162), who conserve the pronunciation typical of ancients: καὶ οὐχ ἥκιστα αἱ γυναῖκες, αἵπερ μάλιστα τὴν ἀρχαίαν φωνὴν σῶζουσι (transl. from Willi 2003: 162, “especially the women, who best preserve the ancient pronunciation”).

Cicero reports (Cic. *Brut.* 261): *itaque cum ad hanc elegantiam uerborum Latinorum – quae, etiam si orator non sis et sis ingenuus ciuis Romanus, tamen necessaria est.*<sup>117</sup>

In addition to *elegantia*, ‘clarity’ is said to connote the native Roman way of speaking. As we read in the *testimonia*, this characteristic is not a mere imitation of the corresponding Attic one. Rather, it is likely to belong to the Romans of the mid Republic, an inheritance of their Roman ancestors (see again Cic. *de Orat.* 3.39). Indeed, *ueteres* (poets and orators), as discussed above in this chapter,<sup>118</sup> are said to speak in a clear way (*praeclare locuti*).<sup>119</sup> Moreover, ‘purity’ of language was likewise considered a spontaneous Roman feature in the age of the Scipios,<sup>120</sup> as attested, for example, in the discussion of Cicero’s *Brutus*, which mentions mid Republican Roman orators whose Latin was ‘pure’, for instance Scribonius Curio (*Brut.* 213 *puro sermone*), Aurelius Cotta (*Brut.* 202 *dicebat pure ac solute*), and above all Caesar (*Brut.* 261 *pura et incorrupta consuetudine*).<sup>121</sup>

The conclusions to be drawn are threefold. First, ancient sources used terms with rhetorical flavour with reference to the *togata* and its Roman playwrights. Second, a rhetorically charged vocabulary, often used in order to call to mind features of classical Attic eloquence, is employed to describe the playwrights of the *togata* (in particular Afranius). Third, and finally: the terms which ancient writers used in their descriptions of the *togata* seem to be related to the idea of the language and style of the Romans of the mid Republic as ‘elegant’, ‘clear’, and ‘pure’. As shown above, ancient authors regarded this manner of speaking as naturally belonging to the Romans of the second century BCE, not because of a mere imitation of the Attic style, but because this was their native, natural manner of speaking in the viewpoint of the ancient sources discussed in my analysis. That the *togata* is involved in this discourse is thus noteworthy: the authors of the *togata* are Roman; because of their Roman origin, they – especially Afranius – are described with the

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<sup>117</sup> Transl. from Kaster 2020: 140-141, “when he joins to this refined Latin diction – something indispensable even if you’re a freeborn Roman citizen, not an orator”.

<sup>118</sup> See III.1.2.4.

<sup>119</sup> Cf. also Cic. *de Orat.* 3.48-49, with Garcea 2012: 69-76.

<sup>120</sup> Cf. Garcea 2012: 98-102, discussing both primary sources and secondary literature on the subject.

<sup>121</sup> Further discussion is found in Garcea 2012: 53-60.

typical idealised traits attributed to the Romans of the mid Republic. It seems that there is then a strong connection between the *togata* and the Romans of the mid Republican period.

Further questions arise now: how reliable are the characteristics of ‘elegance’, ‘clarity’, and ‘purity’ ancient writers perceived in reference to the *togata*? What kind of relationship can be discerned between the perception of the *togata* by the *testimonia* and the extant fragments of the *togata* when it comes to the identity construction of this theatrical genre? Ancient sources inform the reader of how they perceived the authors of the *togata*, identifying them (in particular Afranius) with characteristics of the Romans during the mid Republican period. *Testimonia* then tell the reader about the identity of the *togata* according to their point of view. But what do internal pieces of evidence from the *togata* reveal? Namely, what did the authors of the *togata* possibly do to make their theatrical works Roman, as regards language and style?

### Chapter III – Part II

#### The Lexicon of the *Togata* and its ‘Roman-ness’

In the second part of this chapter, I shall analyse the language of the *togata*, focussing on internal pieces of evidence from the *togata*, in search of linguistic elements which may be related to the identity construction of this dramatic genre. In doing so, I shall focus on the lexicon of the *togata*, rather than morphology and syntax.<sup>122</sup> As discussed in the first part of the chapter,<sup>123</sup> *elegantia* means ‘word-choice’, and is used by *testimonia* to describe the authors of the *togata* (especially Afranius) and, more generally, mid Republican Romans

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<sup>122</sup> On the language of the *togata*, Pasquazi Bagnolini 1977; Moreschini Quattordio 1980: 191-242; Guardì 1981: 145-165; Minarini 1997: 34-55; Karakasis 2005: 204-233. Bibliography on the language of the *togata* remains underdeveloped, especially in comparison with the secondary literature on the language of the *palliata*. On the latter, see e.g. Duckworth 1952: 331-360; Karakasis 2005; Fraenkel 2007: 5-16 and 17-44 (with comparisons between Plautus and the language of New Comedy); de Melo 2011: lxix-lxxxv; de Melo in Clackson 2011: 321-343; Karakasis in Fontaine and Scafuro 2014: 555-579; Barrios-Lech 2016; Karakasis in Dinter 2019: 151-170.

<sup>123</sup> See III.1.2.3.

who are said to be free from linguistic corruption. It is thus worth looking at what the remaining fragments and titles of the *togata* may reveal about the type of ‘word-choice’ ancient sources perceived in the *togata*. Furthermore, I do not focus on morphology because of the complex and often problematic ways these forms have been transmitted, nor on syntax because there is no significant section of syntax (especially verbal)<sup>124</sup> in the lines of the *togata*. In fact, the *togatae* survive in fragments, ranging in length from one word to five lines (only Afran. *tog.* 378-382 R.<sup>3</sup>).<sup>125</sup> For these reasons, I shall only investigate the *togata* lexicon and its characteristics.

Scholars often argue that the Plautine *palliata* influenced the dramatic genre of the *togata* from a lexical and more generally linguistic point of view.<sup>126</sup> In this way, they have deeply influenced our understanding of the *togata*, making us consider it a linguistic imitation of the Plautine *palliata*. In other words, the *togata* would be Roman in the sense of reproducing the language and style used by Plautus in his comedies. Although this view cannot be discarded *in toto*, I shall illustrate that the overall lexically Plautine patina of the *togatae* is less significant than normally believed. Even if, as analysed in the previous chapters, there are some connections between the *togata* and the *palliata* of Plautus, namely, the playwrights of the *togata* followed Plautus thematically, the same cannot be said in relation to the lexicon of the extant *togatae*. On the basis of internal pieces of evidence from the *togata*, the playwrights seem not to have significantly followed Plautus on lexical grounds, and thus the lexicon attested in the fragments of the *togata* cannot be considered merely Plautine. For instance, the coinage of terms, which I shall explore in the

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<sup>124</sup> On this, some analysis is found in Karakasis 2005: 209-210 (for Afranius), and 226 (for Titinius).

<sup>125</sup> I quote and translate this fragment at II.1.2.

<sup>126</sup> See e.g. Leo 1913: 382-383; Pasquazi Bagnolini 1977: 70-71 comes to the conclusion that “in Afranio risultano più evidenti legami con la lingua plautina che con quella terenziana”; Guardì 1981: 145 focusses on the language attested in the *togatae* of Titinius, who would have lived in a period close to Plautus (though, as discussed at I.1.1, it is not possible to establish precise dates), “è naturale quindi che la sua lingua fosse la stessa della *fabula palliata* e in particolare risentisse l’influenza di quella di Plauto” (on this, see also Vereecke 1971: 156-185); Minarini 1997: 53, “Titinio è più vicino a Plauto di quanto non lo sia Afranio”, and then adds to this “Afranio (...) per lessico e per stile ricorda piuttosto il Sarsinate. Ciò è vero (...) per i numerosi plautinismi che si contano nei suoi frammenti (...)”. More generally, see Haffter 1934: 143 and n. 1, about the fact that the language of comic and tragic poets until Accius has points of contact with Plautus.

following sections, at first could be considered an exclusively Plautine feature, given the large number of terms the author of *palliatae* coined. However, it has to be said that the coinage of terms was widespread amongst several Roman authors of the mid Republic (thus not exclusively in Plautus), where one finds, as I shall show, a considerable amount of terms that enriched the Roman language. In this way, the authors of the *togata* appear to have operated like other contemporary Roman authors. At the same time, as I shall show in the following sections, the authors of *togatae* seem to emphasise the Roman flavour of their *togatae* by avoiding specific lexical features attested in the works of other authors of the mid Republic, namely the usage of Graecisms and Plautine terms and typical expressions.

### Methodological Remarks

As already remarked upon in the introduction to the thesis,<sup>127</sup> working on fragments is not a straightforward task, since one can never have a full view of theatrical works like the *togatae*. As far as a linguistic discussion is concerned, the fragments of *togatae* are generally quoted by grammarians and lexicographers, and more rarely by earlier authors, such as Cicero and Apuleius.<sup>128</sup> The terms we read in these fragments naturally tended to catch grammarians' and lexicographers' interests for different reasons, and they are cited as difficult to understand or obsolete. As de Melo has pointed out, any linguistic analysis focussing on specific terms quoted by grammarians and lexicographers is bound to be problematic.<sup>129</sup> Rather, one should consider with more attention all those terms which are found in fragments explicitly quoted for another term, which, instead, held the attention of grammarians and lexicographers. Following de Melo's method, I shall only briefly explore the terms transmitted as oddities by *testimonia* (including these lexical items in my

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<sup>127</sup> See section 8.

<sup>128</sup> See above in this chapter, and more specifically the Appendix to the thesis. Cf. Welsh 2010b: 257. Mandatory reading on questions of textual transmission is Kaster 1988; see also Deufert 2002, in particular at 1. Relevant secondary literature on the subject is quoted in I.1.1.

<sup>129</sup> See de Melo 2014: 450, "paradoxically, fragments quoted by grammarians are generally not very helpful for reconstructing linguistic features, while fragments quoted by men of letters are often of little use for broad literary questions". Cf. also de Melo 2010: 91-93.

statistical figures),<sup>130</sup> and I shall focus on those terms found in fragments cited for another term. Furthermore, as already stated in the introduction above,<sup>131</sup> this analysis takes into account Hine's method on lexical items.

### III.2.1 *Hapax Legomena and Primum Dicta*<sup>132</sup>

A notable feature of the lexicon of the *togatae* is the apparent quantity of *hapax legomena* and *primum dicta*, which emerges as considerable even after taking into account the methodological problems discussed above. What is at issue are the different ways in which such lexical enrichment is effected – namely, intentional or accidental.

Lexical enrichment could be understood to have been intentional when playwrights of the *togata* consciously chose to introduce new terms to enrich the Roman language: they would have been motivated, like other authors of that period, by a sort of linguistic nationalism, a wish to create a literary language,<sup>133</sup> a process implicated with cultural and political power.<sup>134</sup> By contrast, lexical enrichment could be understood to have been accidental when there was no such conscious ambition in creating new lexical items.

Critical distinction between intentional and accidental enrichment is difficult; full consideration would require analysis of details in texts by other mid Republican Roman authors, where lexical enrichment is likewise attested. For instance, Ennius and Cato were praised for creating terms and enriching Roman language by Horace.<sup>135</sup> Plautus coined terms for humorous and stylistic effect, terms which are comic formations, often created

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<sup>130</sup> See throughout this part of the chapter.

<sup>131</sup> See section 8.

<sup>132</sup> This section of the chapter (along with III.2.2 below) is a revised and extended version of Rallo in De Poli, Rallo, and Zimmermann 2021: 291-305.

<sup>133</sup> On this, see also I.1.3. What one may also highlight is that Titinius, Afranius and Atta operated as similarly as the first writers of Roman literature. On the latter point, see e.g. Adams and Mayer 1999: 2, "what the first writers of Latin poetry had above all to do was to develop the resources of their language, and so far as possible create the impression of a poetic medium out of what lay to hand".

<sup>134</sup> Cf. Feeney 2016: 76-77 on the authors of mid Republican Roman literature, "the poets are keying into the momentum built up by a sharp shift toward a standardization of the Latin language, a process that acquired particular impetus from the moment of Rome's establishment of hegemony over the other Latin states (...)".

<sup>135</sup> See Hor. *Ars* 53-58. Horace is aware of the enrichment of the Latin language provided by Roman authors, and uses the verb *ditare*, "to enrich" (*OLD s.u. ditō*); cf. also Hor. *Ep.* 2.2.119-121.

according to irregular word-formation patterns.<sup>136</sup> Very similar to the Plautine creation of terms is that of Lucilius, as Pezzini has shown.<sup>137</sup> Terence also invented terms; however, his approach was different from Plautus, in that the terms he chose to employ in his *palliatae* were often created according to regular word-formation patterns, and were mostly sophisticated and abstract.<sup>138</sup> This approach was very similar to the style utilised by philosophical writers, for example Lucretius,<sup>139</sup> and also Cicero, who created new terms which sought to emphasise the superiority of Latin as a language when compared to Greek.<sup>140</sup>

The question about lexical enrichment – intentional or accidental? – remains open, and I argue that one cannot come to an overall conclusion one way or the other. In any case, what is interesting to note is that in (some of) the texts attributed to the authors of mid Republican literature there is strong evidence to prove the attestation of lexical enrichment, and the authors of the *togata* (in particular Titinius and Afranius, as I shall show here) were likely to have been fond of linguistic experimentation, a feature which may be linked to the relationship with Greek models.<sup>141</sup> That is to say, these authors were enriching Roman language to emphasise the lexical originality of their texts, which in fact were not only a reproduction of theatrical and cultural themes attested elsewhere, but also an original linguistic vehicle.

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<sup>136</sup> On different ways new words can be created, Pezzini in Adams, Chahoud, and Pezzini 2022 (forthcoming). On Latin word-formation, see e.g. Adams 1995: 519-541; Langslow 2000: 269-376; Fruyt in Clackson 2011: 157-175; Adams 2013: 528-581.

<sup>137</sup> On this, see Pezzini in Breed, Keitel, and Wallace 2018: 175-177.

<sup>138</sup> On this, see Pezzini 2022 (forthcoming). See also e.g. Conte 1987: 80.

<sup>139</sup> On this, see Rallo 2021: 293 n. 8.

<sup>140</sup> On this, see Rallo 2021: 293 n. 9. On the usage of Greek words in Cicero's letters, see Adams 2003a: 308-347, discussing code-switching, and providing examples at e.g. 323-325, 333-334, and 340.

<sup>141</sup> On this, cf. e.g. Dench 2005: 305; Wallace-Hadrill 2008: 277; more recently, Feeney 2016: 81, "it is a perspective formed by the process of interlinguistic traffic, which creates boundaries by appearing to transgress them: the idea of *Latinitas*, 'proper use of Latin', is modeled upon the Greek concept of *Hellenismos*, 'proper use of Greek'".

In the following sections, I shall analyse such terminology, discussing *hapax legomena*<sup>142</sup> and *primum dicta*<sup>143</sup> in the *togatae*,<sup>144</sup> as well as what can be considered Roman in such a tendency to include recherché vocabulary.

### III.2.1.1 *Hapax Legomena*

I begin with *hapax legomena*, differentiating—according to the method stated above—those quoted by grammarians and lexicographers (i.e. 9 in Titinius and 18 in Afranius),<sup>145</sup> and those found in fragments transmitted because of other terms which held the attention of grammarians and lexicographers. In Titinius, the examples of the latter type are (10):

<i>Hapax Legomenon</i>	attested in:	transmitted for:
<i>fartacula</i>	Titin. <i>tog.</i> 90 R. <sup>3</sup>	<i>lactis</i> – Prisc. 6.2.213 K. and Non. 521 L.
<i>formaster</i>	Titin. <i>tog.</i> 165-166 R. <sup>3</sup>	<i>obstrudulentum</i> – Fest. 208 L.
<i>inlauta</i>	Titin. <i>tog.</i> 1 R. <sup>3</sup>	<i>inauratae</i> – Char. 262 B.
<i>iurisperita</i> <sup>146</sup>	Titinius' <i>togata</i> title	<i>numquamne omnes hodie</i> – Schol. Verg. A. 2.670 and <i>commode</i> – Char. 255 B.
<i>luculentaster</i>	Titin. <i>tog.</i> 165-166 R. <sup>3</sup>	<i>obstrudulentum</i> – Fest. 208 L.

<sup>142</sup> See III.2.1.1.

<sup>143</sup> See III.2.1.2.

<sup>144</sup> In my analysis, I also take into account those terms which are conjectured by e.g. Palmerius, Bothe, and Ribbeck, and not only those forms attested in the manuscripts.

<sup>145</sup> In Titinius, 9 *hapax legomena* (or 10, if one also considers *Ferentinatis* in Titin. *tog.* 85 R.<sup>3</sup>) are quoted by grammarians and lexicographers: *aptra* (in Titin. *tog.* 186 R.<sup>3</sup>), *camensis* (in Titin. *tog.* 184 R.<sup>3</sup>), *exuibrisso* (in Titin. *tog.* 169/70 R.<sup>3</sup>), *lotiolentus* (in Titin. *tog.* 137 R.<sup>3</sup>), *moracia* (in Titin. *tog.* 185 R.<sup>3</sup>), *obstrudulentus* (in Titin. *tog.* 165-166 R.<sup>3</sup>), *pedicosus* (in Titin. *tog.* 176/7 R.<sup>3</sup>), *semitatim* (in Titin. *tog.* 14 R.<sup>3</sup>), and *subcubo* (in Titin. *tog.* 91-92 R.<sup>3</sup>); in Afranius, 18, i.e. *bibo* (in Afran. *tog.* 404-405 R.<sup>3</sup>), *cuccuru* (in Afran. *tog.* 22 R.<sup>3</sup>), *extro* (in Afran. *tog.* 5 R.<sup>3</sup>), *flagrio* (in Afran. *tog.* 391 R.<sup>3</sup>), *fluctuatim* (in Afran. *tog.* 236-237 R.<sup>3</sup>), *frigo* (in Afran. *tog.* 245-247 R.<sup>3</sup>), *molucrum* (in Afran. *tog.* 336-338 R.<sup>3</sup>), *mustricula* (in Afran. *tog.* 419 R.<sup>3</sup>), *perpalaestricos* (in Afran. *tog.* 154 R.<sup>3</sup>), *perditim* (in Afran. *tog.* 353 R.<sup>3</sup>), *perspicace* (in Afran. *tog.* 59-60 R.<sup>3</sup>), *possestrix* (in Afran. *tog.* 204 R.<sup>3</sup>), *protenis* (in Afran. *tog.* 107-108 R.<sup>3</sup>), *restrictim* (in Afran. *tog.* 332-333 R.<sup>3</sup>), *saniter* (in Afran. *tog.* 219-220 R.<sup>3</sup>), *spattaro* (in Afran. *tog.* 4<sup>1</sup> R.<sup>3</sup>), *spisso* (in Afran. *tog.* 210-211 R.<sup>3</sup>), and *surde* (in Afran. *tog.* 348 R.<sup>3</sup>).

<sup>146</sup> It is *hapax legomenon* in the sense that, as a feminine form, it is only attested here; for its masculine form see Gel. 4.2.13, 6.4.1, and 14.2.1.



<i>obunctula</i> <sup>147</sup>	Titin. <i>tog.</i> 138-139 R. <sup>3</sup>	<i>tunica</i> – Non. 860 L.
<i>pilatrix</i>	Titin. <i>tog.</i> 76-77 R. <sup>3</sup>	<i>euallo</i> – Non. 145 L.
<i>rapula</i>	Titin. <i>tog.</i> 163-164 R. <sup>3</sup>	<i>lentem</i> – Non. 309 L.
<i>syntheticus</i> <sup>148</sup>	Titin. <i>tog.</i> 167-168 R. <sup>3</sup>	<i>tunica</i> – Non. 860 L.
<i>Volsce</i>	Titin. <i>tog.</i> 104 R. <sup>3</sup>	<i>obscum</i> – Fest. 204 L. and Paul. ex Fest. 205 L.

With regard to Afranius, the *hapax legomena* attested in fragments quoted for another term are (8):

<i>Hapax Legomenon</i>	attested in:	transmitted for:
<i>delaboro</i>	Afran. <i>tog.</i> 10-11 R. <sup>3</sup>	<i>statim</i> – Non. 630 L.
<i>expeiuro</i>	Afran. <i>tog.</i> 192 R. <sup>3</sup>	<i>excreare</i> – Non. 759 L.
<i>incipidioris</i>	Afran. <i>tog.</i> 360-362 R. <sup>3</sup>	<i>accusatiuus numeri singularis</i> – Non. 796 L.
<i>inscitula</i> <sup>149</sup>	Afran. <i>tog.</i> 386-387 R. <sup>3</sup>	<i>uestispica</i> – Non. 18 L.
<i>morigeratio</i>	Afran. <i>tog.</i> 378-382 R. <sup>3</sup>	<i>aetas mala</i> – Non. 4 L.
<i>Neapolitis</i>	Afran. <i>tog.</i> 136 R. <sup>3</sup>	<i>habere</i> – Non. 497 L.
<i>plemen</i> <sup>150</sup>	Afran. <i>tog.</i> 218 R. <sup>3</sup>	<i>panus</i> – Non. 218 L.
<i>scriblitarius</i>	Afran. <i>tog.</i> 161-162 R. <sup>3</sup>	<i>lucuns</i> – Non. 190 L.

To provide a possible frequency of these *hapax legomena*, I consider both the frequency of *hapax legomena* found in fragments quoted by grammarians and lexicographers because of another term within the fragments themselves which addressed their attention, and the overall frequency of *hapax legomena*, i.e. the aforementioned category in addition to those terms explicitly mentioned by the *testimonia*. From a statistical point of view, this approach

<sup>147</sup> This form was conjectured by Junius (see Ribbeck 1898: 180). The manuscripts read *obuntula*.

<sup>148</sup> This form, whose reading is problematic (on this, cf. Guardi 1981: 150; Minarini 1997: 42), was conjectured by Palmerius (see Ribbeck 1898: 185).

<sup>149</sup> On the term and other readings, Pasquazi Bagnolini 1977: 17-18.

<sup>150</sup> Bue conjectured the form *plemen* (the manuscripts read *plenam*), and Ribbeck 1898: 227 accepted it in his critical edition.

is reasonable. Indeed, if one only considers those forms which held the grammarians and lexicographers' attention, the statistical figures that result would not be significant: indeed, they would consist exclusively of a part of the total amount of these terms. That is to say, the eventual method chosen would be merely based on the frequency of those terms which grammarians and lexicographers were interested in, thus excluding other terms which would remain hidden. For this reason, one must opt for a frequency which will be approximately located between the frequency of *hapax legomena* preserved in fragments that were quoted in the *testimonia* for unrelated reasons and the overall frequency including both categories of *hapax legomena*.

In Titinius, out of 1018 words<sup>151</sup> 10 *hapax legomena* are attested in fragments quoted for another term which was of interest to grammarians and lexicographers, i.e. 1 out of 101.8 terms. By considering the general amount of *hapax legomena* in Titinius' *togatae*, 19 *hapax legomena* are attested (i.e. 9 quoted by the grammarians and lexicographers, and 10 found in fragments transmitted for another reason), which means 1 out of c. 53.58 terms. The approximate frequency is thus roughly located between 1 out of every c. 53.58 and 1 out of every 101.8 terms.

In Afranius, out of 2402 words 8 *hapax legomena* are found in lines transmitted for another term attested in the same fragment, i.e. 1 out of 300.25 terms. Considering the overall amount of *hapax legomena*, one counts 26 *hapax legomena* (i.e. 18 quoted by grammarians and lexicographers, and 8 found in fragments quoted for another reason), that is to say, 1 out of 92.38 terms. The frequency of such *hapax legomena* is approximately between 1 out of 92.38 and 1 out of 300.25 terms.

Such frequencies are noteworthy and can be compared to the number of *hapax legomena* attested in the works of other mid Republican Roman authors, such as Plautus and Lucilius, but not Terence. While in the comedies of Plautus 1 *hapax legomenon* is attested every 380 words (c. 430 out of c. 165.000 words), and in the *satura* of Lucilius 1 *hapax*

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<sup>151</sup> In counting the terms of the remaining *togatae* attributed to Titinius, Afranius, and Atta, I also consider the titles of *togatae*.

*legomenon* is attested every 120 words (c. 18 out of 2.260 words), in the comedies of Terence the frequency is very low, with c. 1 *hapax legomenon* out of every 2000 words.<sup>152</sup> The quantity of these *hapax legomena* reveals the linguistic plurality attested in the *togatae* of Titinius and Afranius, a plurality which thus engages in what is attested in authors like Plautus and Lucilius. Titinius and Afranius, on the basis of what one reads in the extant fragments and titles, contributed to enriching the language of mid Republican Roman literature.

Apart from the quantity of the *hapax legomena* attested in the *togatae*, it is also interesting to focus on the ‘quality’ of these terms, that is to say, their semantics and word-formation patterns.<sup>153</sup> This analysis will give me the possibility to further investigate the lexicon of the *togata* trying to distinguish those terms referring to new concepts, i.e. terms which likely suggest a new idea for that historical and cultural period, and terms which have a flavour of productivity, i.e. “the possibility of creating a new word”,<sup>154</sup> and which then are productive. The focus of the following analysis will be centred upon the context where these terms are attested, if, for instance, they are comic formations to create phonic effects (e.g. the repetition of a letter or a syllable in an emphatic line), and their word-formation, if it is regular or irregular. In doing so, I build on Pezzini’s investigation of the language of the *palliata* of Terence and Plautus.<sup>155</sup>

Concerning the ‘quality’ of *hapax legomena* found in Titinius, note the following examples:

- *fartacula* (“a small dish of stuffing” – OLD s.u. *fartacula*) is a diminutive from *fartum*, based on regular derivational word-formation.<sup>156</sup> The term has thus a productive flavour being a diminutive, which in fact indicates a little stuffing.

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<sup>152</sup> See Pezzini 2018: 176; for a detailed list of *hapax legomena* in the *palliatae* of Plautus and Terence, Traina 1977: 77-104; on the creation of terms in the *palliatae* of Plautus, cf. also e.g. Danese 1985: 79-99.

<sup>153</sup> On word-formation, the different ways in which a word is created (e.g. affixational and non-affixational processes and morpheme compositions), the usage of ‘complex words’, see Plag 2003: *passim*. Though Plag’s research concerns linguistic phenomena typical of the English language, I find his study rich in ideas which may be applied to the lexical analysis of a corpus of ancient texts (and in my specific case of the *togata*).

<sup>154</sup> Plag 2003: 64. Concerning the productivity of a word, in particular, see Plag 2003: 55-85.

<sup>155</sup> Pezzini 2022 (forthcoming).

<sup>156</sup> On *fartacula*, cf. Guardì 1981: 148; Minarini 1997: 39-40.

- *formaster* (“a kind of pastry” – OLD s.u. *formaster*) is a term possibly coined because of *luculentaster* attested in the same line for emphatic reasons; it is perhaps formed by *forma* + *-aster* (see OLD ad loc.).<sup>157</sup> Like the previous term, it has also a productive ring, as it is suggested to me by its word-formation (see also ThLL s.u. *formaster* VI 1, 1088, 61-66).
- *inlauta* (“unwashed, unclean, dirty” – OLD s.u. *illotus/illautus/illutus*) is possibly coined because of the term *inauratae* attested in the same fragment, and thus to create alliteration (*in-...in-*).<sup>158</sup> For this reason, it may be considered a term with a productive tone.
- *iurisperita* is a compound meaning ‘female expert of law’.<sup>159</sup> A term like this refers to a new concept. The presence of a *iurisperitus* (i.e. male expert of law) was already typical of Roman society: since the beginning of Roman history, experts in law have always been male gendered. That one finds now an expert in law whose gender is female is likely a new concept, with women described with features considered traditionally male.
- *luculentaster* (“a kind of confection” – OLD s.u. *luculentaster*) is a comic formation (OLD ad loc., “a comic conflation of *lucuns* and *luculentus* + *-aster*”),<sup>160</sup> thus a term having a productive flavour, as its origins suggests.
- *obunctula* (< *obunctus*, “smeared with ointment or perfume” – OLD s.u. *obunctus*) was probably coined because of the word *togula*, and thus for a stylistic reason;<sup>161</sup> the diminutive is construed on regular derivational formation, as suggested by the suffix *-ula* added to first-class adjective. The term, which then has a productive

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<sup>157</sup> On this, Guardì 1981: 148; Minarini 1997: 36-37.

<sup>158</sup> See also Minarini 1997: 41. On the usage of the prefix *in-* in the *palliata* of Plautus for the creation of *hapax legomena*, see Traina 1977: 139. The usage of this prefix in Plautus may be related to a kind of “tensione tragica altisonante” (Bianco 2007: 159-160), that is, a tragic element employed by Plautus, especially in the *Rudens*.

<sup>159</sup> On this female character, see analysis at II.1.7.

<sup>160</sup> See also Guardì 1981: 148; Minarini 1997: 36-37.

<sup>161</sup> See Minarini 1997: 38-39, “si tratta inoltre di un tipico contagio del diminutivo, un procedimento frequente in poesia, usatissimo nella commedia di Plauto”, quoting (at n. 27) further secondary literature.

tone, was perhaps coined for indicating flattering speech, as we read in *ThLL s.u. obunctulus* IX 2, 326, 15-17, (*bene*) *unctus* (*per blandiloquium*).

- *pilatrix* (“a female pilferer” – *OLD s.u. pilatrix*) is attested within a line where there are several liquids (*pilatricem palli, euallauero pulchre*),<sup>162</sup> and it is based on a regular derivational formation (*pilo* + *-trix*). A term like *pilatrix* is more nuanced than the previous ones: while its composition suggests an immediate productive ring, it may likewise indicate a new concept, that is, a woman *quae furtum facit* (*ThLL s.u. pilatrix*, X 1, 2136, 67-69), and alluding to a negative female feature.
- *rapula* (“a small turnip” – *OLD s.u. rapula*) is another term attested within a marked context of liquids,<sup>163</sup> which is regularly formed (*rapa* + *-ula*). As with the previous diminutives analysed here, *rapula* appears to me to have a productive flavour for the above same reasons.
- *syntheticus* (“(of disease) wasting; (masch. as sb.) one suffering from a wasting disease” – *OLD s.u. syntheticus*) is *hapax* and could derive from *synthesis*, a dress the Romans used at banquets.<sup>164</sup> As with *pilatrix*, the term may either suggest a productive tone or allude to a new concept; the item has then the potential to refer to a cultural aspect, namely, a typical dress of the Romans.
- *Volsce* (“in the Volscian language” – *OLD s.u. Volsce*) is an adverb based on regular derivational morphology (*Volscus,-a,-um* + *-e*), and used to make ridiculous the way people from local areas presumably spoke.<sup>165</sup> *Volsce* is both a productive term and an allusion to a new concept too, and one cannot thus discern the two possible aspects of the term. Indeed, while its very morphology shows its productivity, it refers to a local culture, that is, of Volsian people, thus referring to the name of a people of central Italy subjugated by the Romans.

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<sup>162</sup> On this, see also Minarini 1997: 41.

<sup>163</sup> On this, see Minarini 1997: 39.

<sup>164</sup> Guardì 1981: 150.

<sup>165</sup> See Minarini 1997: 42.

With regard to the *hapax legomena* found in the extant works of Afranius, consider the following items:

- *delaboro* (“to work hard” – OLD s.u. *delaboro*) is a verb construed regularly (*de-* + *laboro*).<sup>166</sup> The very morphological construction of the term shows its productivity.
- *expeiuro* (“to swear falsely” – OLD s.u. *expeiuro*) was possibly coined for the sound *ex-* attested in the following lexical item within the same line (*expeiurabant, execrabant*);<sup>167</sup> it consists of regular derivational formation *ex-* + *peiuro* (*peiero*).<sup>168</sup> As observed regarding some lexical items found in Titinius’ *togatae*, a term like this has a productive tone; however, it likewise may refer to a new concept, as suggested to me by *ThLL ad loc.* (V 2, 1629, 52-54), with the form *expeiurabant* meaning *per ius decipere*.
- *incupidioris* (i.e. *ualde cupidus*): the presence of *in-* as an intensifying prefix may testify to the productivity of the term here, for which there was a paleographical debate, as suggested to me by *ThLL s.u. incupidus* (VII 1080, 7).<sup>169</sup>
- *inscitula*, diminutive of *inscitus*, *-a, -um*, is attested within a kind of, as Minarini has noted, “diminutivo continuato”, i.e. *inscitulam / ancillulam*;<sup>170</sup> the term is construed on regular derivational word-formation (*inscitus* + *-ulus*), thus having a productive flavour.
- *morigeratio* (“indulgence, compliance” – OLD s.u. *morigeratio*) is a noun composed of *morigeror* + *-tio* (verbal root + suffix). As with some of the previous lexical items analysed in this section, a term like *morigeratio* has a double flavour, namely, a productive one and indicating a new concept for the behaviour of a woman being *morigera* (on this, see *ThLL s.u. morigeratio*, VIII 1490, 8-12, with the aforementioned term denoting *actio morigerandi*).

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<sup>166</sup> See Pasquazi Bagnolini 1977: 10.

<sup>167</sup> Minarini 1997: 46 reflects on *expeiuro* and *exsecro*, “una coppia asindetica allitterante e omeoteleutica”.

<sup>168</sup> See also Pasquazi Bagnolini 1977: 10.

<sup>169</sup> See also Pasquazi Bagnolini 1977: 9-10, who discusses the term *incupidioris*, its meaning, and the fragment where the term is attested.

<sup>170</sup> Minarini 1997: 47.

- *Neapolitis* (“of or belonging to Naples”).<sup>171</sup> It very likely refers to a new concept, indicating Naples, a Greek city located in southern Italian peninsula, then perhaps stressing a cultural differentiation with Rome. However, no more can be said on such lexical (and cultural) usage owing to the lack of further internal pieces of evidence.
- *plemen* (“impregnation” – OLD s.u. *plemen*) is a term attested in a line with alliteration of *p-* (*plemen papulam panum*); it derives from *pleo* + *-men* through regular derivational word-formation, and thus being a productive word which one may consider distinctively ‘poetic’, perhaps metrically convenient (*-men*), as Hine has remarked elsewhere.<sup>172</sup>
- *scriblitarius* (“one who makes *scribilitae*” – OLD s.u. *scrib(i)litarius*) is a comic term, as suggested by the suffix *-arius*, almost entirely absent in tragedy;<sup>173</sup> despite this fact, the term is also a regular form, derived by *scrib(i)lita* + *-arius*, and marks a possible more specialised new male character for the stage, as previously discussed in the Thesis.<sup>174</sup> Hence, it would be reasonable to consider the term here either a productive or connotating a new concept.

From a quantitative point of view, these *hapax legomena* are more similar, above all, to the *hapax legomena* attested in authors such as Plautus and Lucilius, as I have shown above in this section; from a qualitative point of view, these forms rely on regular derivational word-formation, mostly attested in the *palliatae* of Terence, and are likewise attested within stylistically marked phonic contexts, namely lines where there are particular phonic features. These *hapax legomena* then testify to the Roman flavour the authors of the *togata* gave to their dramatic representations.

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<sup>171</sup> On the term, see Pasquazi Bagnolini 1977: 5.

<sup>172</sup> Hine 2005: 218-219, and n. 22 quoting further secondary literature.

<sup>173</sup> On the suffix *-arius*, Arias Abellán in Kircher-Durand 2002: 161-184.

<sup>174</sup> See II.2.3.

Apart from the presence of *hapax legomena* in the *togatae*, in what follows I explore another feature of the language of the *togata*, showing its authors' fondness for lexical experimentalism evident in the number of *primum dicta*.

### III.2.1.2 *Primum dicta*

Apart from *primum dicta* attested in the *togatae* attributed to Titinius (i.e. 16),<sup>175</sup> Afranius (i.e. 29),<sup>176</sup> and Atta (i.e. 1)<sup>177</sup> which are expressly quoted by grammarians and lexicographers, the lines and titles of the *togata* reveal *primum dicta* in fragments which are cited for another term attested in the same fragment and which caught the attention of grammarians and lexicographers.

With regard to Titinius, the terms attested in fragments quoted for unrelated reasons are (15):

<i>Primum Dictum</i>	attested in:	transmitted for:
<i>acia</i>	Titin. <i>tog.</i> 4-5 R. <sup>3</sup>	<i>phrygio</i> – Non. 6 L.
<i>amictus</i>	Titin. <i>tog.</i> 117-118 R. <sup>3</sup>	<i>itum</i> – Non. 177 L.
<i>auolo</i>	Titin. <i>tog.</i> 124-125 and 126 R. <sup>3</sup>	<i>catapulta</i> – Non. 886 L. and <i>quo</i> – Char. 279 B.
<i>cerebellum</i>	Titin. <i>tog.</i> 90 R. <sup>3</sup>	<i>lactis</i> – Prisc. 6.2.213 K. and Non. 521 L.
<i>clausa</i>	Titin. <i>tog.</i> 60-61 R. <sup>3</sup>	<i>rure</i> – Char. 180 B.

<sup>175</sup> *Ancillor* (in Titin. *tog.* 70/72 R.<sup>3</sup>), *benigniter* (in Titin. *tog.* 49 R.<sup>3</sup>), *desuesco* (in Titin. *tog.* 45-46 R.<sup>3</sup>), *euallo* (in Titin. *tog.* 76-77 R.<sup>3</sup>), *euero* (in Titin. *tog.* 36 R.<sup>3</sup>), *itus* (in Titin. *tog.* 117-118 R.<sup>3</sup>), *nobilito* (in Titin. *tog.* 69 R.<sup>3</sup>), *Obsce* (in Titin. *tog.* 104 R.<sup>3</sup>), *pauciens* (in Titin. *tog.* 39/40 and 41<sup>1</sup>-42 R.<sup>3</sup>), *rictus* (in Titin. *tog.* 172<sup>1</sup> R.<sup>3</sup>), *seueriter* (in Titin. *tog.* 67-68 R.<sup>3</sup>), *solox* (in Titin. *tog.* 3 R.<sup>3</sup>), *succrotillus* (in Titin. *tog.* 171 R.<sup>3</sup>), *sucerdæ* (in Titin. *tog.* 178 R.<sup>3</sup>), *tentipellium* (in Titin. *tog.* 173-174 R.<sup>3</sup>), *trua* (in Titin. *tog.* 127-128 R.<sup>3</sup>).

<sup>176</sup> *Adsestris* (in Afran. *tog.* 181 R.<sup>3</sup>), *blatero* (in Afran. *tog.* 13 R.<sup>3</sup> and 194-195 R.<sup>3</sup>), *calautica* (in Afran. *tog.* 37 R.<sup>3</sup>), *comptus* (in Afran. *tog.* 428 R.<sup>3</sup>), *criminosus* (in Afran. *tog.* 282-283 R.<sup>3</sup>), *cumba* (in Afran. *tog.* 138-139 R.<sup>3</sup>), *degulo* (in Afran. *tog.* 18 R.<sup>3</sup>), *edulia* (in Afran. *tog.* 258-259 R.<sup>3</sup>), *ieiento* (in Afran. *tog.* 43 R.<sup>3</sup> and 433 R.<sup>3</sup>), *largitus* (in Afran. *tog.* 212-213 R.<sup>3</sup>), *lente* (in Afran. *tog.* 38 and 87 R.<sup>3</sup>), *lucuntulus* (in Afran. *tog.* 162 R.<sup>3</sup>), *obbrutesco* (in Afran. *tog.* 418 R.<sup>3</sup>), *occulto* (in Afran. *tog.* 294-295 R.<sup>3</sup>), *officiose* (in Afran. *tog.* 287 R.<sup>3</sup>), *paratio* (in Afran. *tog.* 268 R.<sup>3</sup>), *petiolus* (in Afran. *tog.* 155 R.<sup>3</sup>), *petulcus* (in Afran. *tog.* 188 R.<sup>3</sup>), *plagula* (in Afran. *tog.* 412-413 R.<sup>3</sup>), *praeclauium* (in Afran. *tog.* 179-180 and 229 R.<sup>3</sup>), *pudenter* (in Afran. *tog.* 80 R.<sup>3</sup>), *senecio* (in Afran. *tog.* 276 R.<sup>3</sup>), *senticosus* (in Afran. *tog.* 1 R.<sup>3</sup>), *sequius* (in Afran. *tog.* 293 R.<sup>3</sup>), *spurcitia* (in Afran. *tog.* 52-54 and 164 R.<sup>3</sup>), *taxea* (in Afran. *tog.* 284 R.<sup>3</sup>), *tenebrio* (in Afran. *tog.* 109 R.<sup>3</sup>), *tumultuose* (in Afran. *tog.* 375 R.<sup>3</sup>), *uafer* (in Afran. *tog.* 47-49 R.<sup>3</sup>).

<sup>177</sup> *Planipes* (in Atta *tog.* 1 R.<sup>3</sup>).



<i>eluella</i>	Titin. <i>tog.</i> 163-164 R. <sup>3</sup>	<i>lentem</i> – Non. 309 L.
<i>extorris</i>	Titin. <i>tog.</i> 76-77 R. <sup>3</sup>	<i>euallo</i> – Non. 145 L.
<i>fimbriatus</i>	Titin. <i>tog.</i> 112-113 R. <sup>3</sup>	<i>frontem</i> – Non. 301 L.
<i>gestus</i>	Titin. <i>tog.</i> 117-118 R. <sup>3</sup>	<i>itum</i> – Non. 177 L.
<i>hermaphroditus</i>	Titin. <i>tog.</i> 112 R. <sup>3</sup>	<i>frontem</i> – Non. 301 L.
<i>intrita</i>	Titin. <i>tog.</i> 37-38 R. <sup>3</sup>	<i>comest</i> – Non. 114 L.
<i>maialis</i>	Titin. <i>tog.</i> 32-33 R. <sup>3</sup>	<i>fuam</i> – Non. 159 L.
<i>psaltria</i>	(Titinius' <i>togata</i> title – <i>Psaltria siue Ferentinatis</i> )	e.g. <i>subcubonem</i> – Non. 332 L.
<i>ruga</i>	Titin. <i>tog.</i> 173-174 R. <sup>3</sup>	<i>tentipellium</i> – Fest. 500 L.
<i>togula</i> <sup>178</sup>	Titin. <i>tog.</i> 138-139 R. <sup>3</sup>	<i>tunica</i> – Non. 860 L.

With regard to Afranius, these *primum dicta* are (23):

<i>Primum Dictum</i>	attested in:	transmitted for:
<i>confoueo</i>	Afran. <i>tog.</i> 143-144 R. <sup>3</sup>	<i>operari</i> – Non. 841 L.
<i>conquisite</i>	Afran. <i>tog.</i> 258-259 R. <sup>3</sup>	<i>edulia</i> – Non. 41 L.
<i>consultor</i>	Afran. <i>tog.</i> 332-333 R. <sup>3</sup>	<i>restrictim</i> – Non. 830 L.
<i>corneolus</i>	Afran. <i>tog.</i> 224-225 R. <sup>3</sup>	<i>bacillum</i> – Non. 109 L.
<i>deditio</i>	Afranius' <i>togata</i> title	<i>sagum</i> – Char. 134 B.
<i>delenimentum</i>	Afran. <i>tog.</i> 378-382 R. <sup>3</sup>	<i>aetas mala</i> – Non. 4 L.
<i>dominica</i>	Afran. <i>tog.</i> 282-283 R. <sup>3</sup>	<i>gannire</i> – Non. 722 L.
<i>emancipatus</i>	Afranius' <i>togata</i> title	e.g. <i>nudiustertius</i> – Char. 269 B.
<i>firmamentum</i>	Afran. <i>tog.</i> 241-242 R. <sup>3</sup>	<i>lustra</i> – Non. 524 L.
<i>fulica</i>	Afran. <i>tog.</i> 264 R. <sup>3</sup>	<i>mactare malo</i> – Non. 540 L.
<i>inbecillitas</i>	Afran. <i>tog.</i> 291-292 R. <sup>3</sup>	<i>setius</i> – Char. 284 B.
<i>monile</i>	Afran. <i>tog.</i> 204 R. <sup>3</sup>	<i>possestrix</i> – Non. 220 L.

<sup>178</sup> The form *togula* was conjectured by Junius; *cogula*, instead, is the form attested in the manuscripts (see Ribbeck 1898: 180).

<i>naucula</i> <sup>179</sup>	Afran. <i>tog.</i> 137 R. <sup>3</sup>	<i>appellere</i> – Non. 356 L.
<i>perfalsus</i>	Afran. <i>tog.</i> 320 R. <sup>3</sup>	<i>numero</i> – Fest. 174 L.
<i>perpauper</i>	Afran. <i>tog.</i> 159-160 R. <sup>3</sup>	<i>dicere</i> – Non. 432 L.
<i>piscatoria</i>	Afran. <i>tog.</i> 138-139 R. <sup>3</sup>	<i>cumba</i> – Non. 859 L.
<i>purgamentum</i>	Afranius' <i>togata</i> title	<i>superbiter</i> – Non. 828 L.
<i>sagatus</i>	Afran. <i>tog.</i> 283 R. <sup>3</sup>	<i>taxea</i> – Isid. <i>Orig.</i> 20.2.24 L.
<i>soleatus</i>	Afran. <i>tog.</i> 104-106 R. <sup>3</sup>	<i>gelus</i> – Non. 306 L.
<i>syrma</i>	Afran. <i>tog.</i> 64 R. <sup>3</sup>	<i>uerruncent</i> – Non. 272 L.
<i>uiuax</i>	Afran. <i>tog.</i> 251 R. <sup>3</sup>	<i>duriter</i> – Non. 823 L.
<i>uociferatio</i>	Afran. <i>tog.</i> 394 R. <sup>3</sup>	<i>feruitur</i> – Non. 809 L.
<i>uopiscus</i>	Afranius' <i>togata</i> title	e.g. <i>necessum</i> – Char. 270 B.

In Atta, these terms (3) are:

<i>Primum Dictum</i>	attested in:	transmitted for:
<i>gratulatio</i>	Atta's <i>togata</i> title	<i>ueretur illam rem</i> – Non. 797 L.
<i>suborior</i>	Atta <i>tog.</i> 10-11 R. <sup>3</sup>	<i>sinus</i> – Schol. Veron. B. 7.33 and Seru. <i>Ibidem</i>
<i>supplicatio</i>	Atta's <i>togata</i> title	<i>nux graeca</i> – Macr. <i>Sat.</i> 3.18.8

Regarding the possible frequency of *primum dicta* in Titinius, out of 1018 words 15 *primum dicta* are attested in fragments quoted for another term which held the attention of grammarians and lexicographers, i.e. 1 out of c. 67.87 terms. The overall amount is 31 *primum dicta* (16 quoted by grammarians and lexicographers, and 15 not), which means 1 out of c. 32.84 terms. The 'real' rate of frequency of such *primum dicta* thus approximately lies between 1 out of c. 32.84 and 1 out of c. 67.87 terms.

<sup>179</sup> On this, see Ribbeck 1898: 215, *numeros perspexit Hermannus ultimam tamen uocem nauculam pronuntiarum iubens.*

In Afranius, out of 2402 words 23 *primum dicta* (attested in lines transmitted for another reason) are found, i.e. 1 out of 104.43 terms. The overall amount is 52 *primum dicta* (29 openly quoted by grammarians and lexicographers, and 23 not), which means 1 out of c. 46.19 terms. As a result, the approximate frequency is roughly between 1 out of c. 46.19 and 1 out of 104.43 terms.

In Atta, out 138 words 3 *primum dicta* are found in fragments quoted for another term, i.e. 1 out of 46 terms. In total, we find 4 *primum dicta* (1 explicitly quoted and 3 not), i.e. 1 out of 34.5. As a result, the rate of these *primum dicta* approximately lies between 1 out of 34.5 and 1 out of 46 terms.

As with *hapax legomena*, the usage of *primum dicta* in the *togatae* may be considered Roman because the amount of these *primum dicta* is close to that attested in other mid Republican Roman authors (e.g. Plautus),<sup>180</sup> and because the imagery employed by these authors is similar to that of other mid Republican authors (especially Terence). For this latter point, I shall build again on Pezzini's investigation of the language of the *palliata* of Terence and Plautus. For each one, I shall also highlight the attestation of these terms in the works of other authors, that is to say, comic, mainly 'technical', poetry, informal registers, archaising,<sup>181</sup> and/or late authors. This will also help us to figure out the impact terms 'attested for the first time' in the *togata* have had on other authors and the specialisation these terms subsequently acquired, used not only in poetry but also in prose. This is interesting to highlight, as it suggests how the terms attested 'for the first time' in the *togata* cannot be considered merely 'poetic' owing to their 'first' attestation in poetic texts;<sup>182</sup> rather, one should consider the context where these terms are attested after their attestation in the genre of the *togata*.

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<sup>180</sup> 822 *primum dicta* in the *palliatae* of Plautus and 141 *primum dicta* in the *palliatae* of Terence. On this, Pezzini 2022 (forthcoming).

<sup>181</sup> By technical authors, I mean, for instance, Pliny, Celsus, and Columella; by poetry authors, I mean, for example, Vergil and Lucan; by informal registers' authors, I mean, for instance, Cicero's letters, satirists, and Petronius; by archaising writers, I mean, for example, Fronto, Gellius, and Apuleius.

<sup>182</sup> On 'poetic' words in prose (with a focus on Seneca's texts), see again Hine 2005: *passim*.

Regarding the 'quality' of these terms in Titinius, one notes:

- *acia* ("a thread or yarn" – OLD s.u. *acia*) is attested in an emphatic line (*acus aciasque*); after Titinius, the term is only used by Cels. 5.26.23, Petr. 76.11 and Marc. Med. 2.20.
- *amictus* ("a way of dressing, garb" – OLD s.u. *amictus* [3]) derives from *amicio* (verbal root) + *-tus* (suffix); it is then found in e.g. Cicero (e.g. *Brut.* 224), Quintilian (e.g. *Inst.* 11.3.137), and also later writers (e.g. Auson. 152.3).
- *auolo* ("to fly away, fly off" – OLD s.u. *auolo* [1]) is based on regular derivational formation (*ab-* + *uolo*); other attestations appear in e.g. Acc. *trag.* 390 R.<sup>3</sup>, Apul. *Met.* 5.23, and also in Late Antiquity (e.g. Amm. 17.16 and Vulg. *cant.* 6.4).
- *cerebellum* ("the brain" – OLD s.u. *cerebellum*) is diminutive (*cerebrum* + *-ulum*) coined in assimilation to the term close to it (*farticulam cerebellum*); the term is also attested in a few other authors, e.g. Cels. 2.18.8, 3.22.11, and in later authors, as e.g. Marc. Med. 8.32.
- *clausa* ("an enclosed space" – OLD s.u. *clausa*) is a technical term;<sup>183</sup> it is found only in *Moretum* 5, probably Coripp. *Ioh.* 7.175, and medieval authors.
- *eluella* ("a pot-herb" – OLD s.u. *eluella/heluella*) is a term attested in Titinius for the first time, and then only in Cic. *Fam.* 7.26.2.
- *extorris* ("driven from one's country, home, etc., exiled, banished" – OLD s.u. *extorris*) is compound (*ex-* + *terra* + *-is*); it is then attested in e.g. Acc. *trag.* 333 R.<sup>3</sup>, Gel. 2.12.1, and especially amongst late antique writers (*ThLL* V 2047, 82-84, 2048, 1-84).
- *fimbriatus* ("having a fringe of hair" – OLD s.u. *fimbriatus* [b]) is a term employed to reinforce repetition in an emphatic line (*fimbriatum frontem*) and is based on regular formation (*fimbriae* + *-atus*); the term is found in *Itin. Alex.* 6, Plin. e.g. *Nat.* 17.67, and Apul. *Apol.* 8.28.
- *gestus* ("movement of the limbs, etc., bodily action" – OLD s.u. *gestus* [1]) is a term composed by verbal root (*gero*) + suffix (*-tus*); it is attested in Ter. *Ph.* 890, and other

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<sup>183</sup> Guardì 1981: 153.

authors, such as Quintilian (e.g. *Inst.* 9.3.100), Lucretius (e.g. 4.6.7), Valerius Maximus (V. Max. 6.2.9) and Ammianus (Amm. 14.2.17).

- *hermaphroditus* (“a hermaphrodite” – OLD s.u. *hermaphroditus* [2]) is both *primum dictum* and Greek-derived term;<sup>184</sup> other attestations of the term are, for example, in Plin. *Nat.* 7.34 and 11.262, and also in Iustin. *dig.* 1.5.10.<sup>185</sup>
- *intrita* (“a paste, mash; esp. one made with flour as a food” – OLD s.u. *intrita*) is a term which is used in technical contexts related to medicine, e.g. Cels. 3.6.10, Plin. *Nat.* 9.32, and Col. 12.40.
- *maialis* (“a gelded boar, barrow-pig” – OLD s.u. *maialis*) is a term defining an animal,<sup>186</sup> perhaps derived from *Maia* + *-alis*; it is then attested in Varro (*R.* 2.4.21, 2.7.15, and 2.9.1), Pomponius’ *atellana* title, and Cic. *Pis.* 19.
- *psaltria*<sup>187</sup> is attested in Terence (see e.g. Ter. *Ad.* 388 and 405), and then in a few other authors, as, for instance, Cic. *Sest.* 116, Plin. *Nat.* 35.141, and Iuv. 6.337.
- *ruga* (“a crease in the skin, face, etc., a wrinkle” – OLD s.u. *ruga* [2a]); it is then found in other authors, as e.g. Cic. *Sen.* 72, Var. *R.* 1.2.26, and Apul. *Apol.* 16.
- *togula* (“a toga” – OLD s.u. *togula*) is diminutive coined in assimilation to the term close to it (*togula obunctula*): it is composed by *toga* + and *-ula*;<sup>188</sup> it is attested in Cic. *Pis.* 55, *Att.* 1.18.6, Mart. 4.66.3, 6.50.2, and 9.100.5.

Concerning the ‘quality’ of *primum dicta* attested in Afranius, one highlights:

- *confoueo* (“to care for, tend” – OLD s.u. *confoueo*) is a prefixed verb (*con-* + *foueo*); it is found in Apul. *Met.* 8.7, and re-used by Christian and late writers (cf. *ThLL* IV 252, 4-71).

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<sup>184</sup> See III.2.2.

<sup>185</sup> For uses with a capital letter, thus alluding to the mythological figure, see e.g. Ov. *Met.* 4.381 and Mart. 6.68.9.

<sup>186</sup> Guardì 1981: 155; Guardì 1985: 119.

<sup>187</sup> On this, see also III.2.2.

<sup>188</sup> On this, see also Minarini 1997: 38.

- *conquisite* (“painstakingly, carefully” – OLD *s.u. conquisite*) is a term created to reinforce the alliteration of *c-* (*commercatis conquisite*); the term is only attested in *Rhet. Her.* 2.31.50, and *Gel.* 3.10.16.
- *consultor* (*ThLL* IV 594, 9-68, a. *is qui alicui consilium dat, suadet, fauet*) is a noun which consists of a verbal root (*consulo*) + suffix (*-tor*); other attestations are, for example, in *Cic. Mur.* 22, *Tac. Ann.* 4.24, and also in late writers (e.g. *Prud. apoth.* 452).
- *corneolus* (“made of cornel-wood” – OLD *s.u. corneolus*) is a term derived from *corneus* + *-olus*, and construed regularly; it is then attested in *Cic. N.D.* 2.144, *Petr.* 43.
- *editio* (“the surrender, capitulation” – OLD *s.u. editio*) consists of *dedo* + *-tio*; other attestations are from Cicero onwards (see *ThLL* V 264, 58-84, and V 265, 1-84).
- *delenimentum* (“an ingratiating action, quality, etc., blandishment, enticement” – OLD *s.u. delenimentum* [1]) is suffixed deverbally from *delenio* + *-mentum*; it is attested in Laberius, Sallustius, Livy, and in late writers (see *ThLL* V 432, 20-42).
- *dominica* (“of or belonging to a master (mistress) or owner” – OLD *s.u. dominicus*) is a term attested within a stylistically emphatic context (*didici dominicam*); it is then found in Varro (*R.* 2.10.10), Seneca (*Ep.* 47.8), Petronius (28.7, 31.2), Apuleius (*Met.* 7.16), and used in Late Antiquity (cf. *Gai. Inst.* 3.167, *Papin. dig.* 26.7.37), especially among Christian authors (in the sense of *dies dominica*).
- *emancipatus* is a term which, as attested in the *ThLL* V, 2, 442, has a juridical sense for the first time in Afranius. It is based on *ex-* + *-mancipo*; after Afranius, it is attested from Cicero onwards, and it is especially found in Late Antiquity (see e.g. *Gaius Inst.* 2.135, and 2.136).
- *firmamentum* (“that which upholds or supports, a prop, mainstay” – OLD *s.u. firmamentum* [2b]) is attested within an emphatic line (*firmamentum familiae*), and is a suffixed deverbally from *firmitas* + *-mentum*; other attestations are in Cicero, Seneca, and later writers, especially Christian authors, as e.g. Tertullian and Ambrogius (*ThLL* IV 804, 31-84, IV 805, 1-84, and IV 806, 1-46).

- *fulica* (“a water-fowl, prob. the coot; also, an unidentified sea-bird” – *OLD s.u. fulica*);<sup>189</sup> it is then attested in Verg. *G.* 1.363, Ov. *Met.* 8.625, Plin. *Nat.* 11.122, and in Late Antiquity (see e.g. Ambr. *hex.* 5.18.61, Cassiod. *in psalm.* 103.17, and Isid. *Orig.* 12.7.53).
- *inbecillitas* (see *ThLL* VII, 1, 414 [2]) is a comic formation, derived from *imbecillus* + *-tas*, and attested within an emphatic line (*ingeni inbecillitas*); it is found in *Rhet. Her.* 2.7, Cicero (e.g. *Brut.* 202), Seneca (e.g. *Con.* 2.7.4), and then attested in Late Antiquity (e.g. Sulp. *Seu. chron.* 1.53.4 and Lact. *opif.* 3.11).
- *monile* (“a necklace, ornamental collar (worn by women or boys)” – *OLD s.u. monile* [1]); it is then attested amongst authors of several periods (e.g. Cic. *Ver.* 4.39, Ov. *Met.* 5.52, Plin. *Nat.* 37.44) (*ThLL* VIII 1416, 72-84, VIII 1417, 1-84, VIII 1418, 1-84, and VIII 1419, 1-4).
- *naucula* (“a small ship, boat” – *OLD s.u. naucula*) is found in an emphatic line (*nostram nauculam*), and is a regular derivational term (*nauis* + *-cula*); it is also attested in e.g. Cic. *de Orat.* 1.174 and V. Max. 1.1.5.
- *perfalsus* (“completely false or untrue” – *OLD s.u. perfalsus*) is a prefixed term, formed by *per-* and *+falsus*; it is then only found in Boethius (*in herm. com. sec.* 1.1 p. 41.19, and *in herm. com. sec.* 2.4, p. 87.21).
- *perpauper* (“very poor, very hard up” – *OLD s.u. perpauper*): as the previous term, this is also a prefixed one (*per-* + *pauper*);<sup>190</sup> after Afranius, it is attested only in Cic. *Att.* 6.3.5.
- *piscatoria* (“of or concerned with the catching and sale of fish” – *OLD s.u. piscatorius*): the adjective derives from *piscor*+ *-torius*; it is found in e.g. Liv. 25.23.6, and Plin. *Nat.* 16.172. It was then re-used especially amongst Christian authors, as e.g. Eust. *Basil. hex.* 8.7.7 and Petr. Chrys. *serm.* 47.3.
- *purgamentum* (see *ThLL* X, 2, 2675, on its meaning [b.] *ad homines abiectos, despectos, improbos sim.*): this is a suffixed deverbial noun (*purgo*+ *-mentum*); other attestations

<sup>189</sup> On this term, see Pasquazi Bagnolini 1977: 24.

<sup>190</sup> On the usage of *per-* here, and in the above *perfalsus*, Pasquazi Bagnolini 1977: 16; see also Minarini 1997: 46, quoting (n. 65) further secondary literature on the subject.

are found in e.g. Var. *L.* 6.13, Plin. *Nat.* 8.192, and in Late Antiquity, especially amongst Christian authors (*ThLL* X 2675, 19-75, X 2676, 1-75, and X 2677, 1-20).

- *sagatus* = *saginatus*, as reported by *OLD ad loc.* (“to fatten for eating” – *OLD s.u. sagino*); it is found in e.g. Cic. *Phil.* 14.2, and Mart. 6.11.8.
- *soleatus* (“wearing *soleae*, sandaled” – *OLD s.u. soleatus* and *soliatius*) is a compound (*solea* + *-atus*); it is first attested in Afranius, then in e.g. Cic. *Ver.* 5.86, and Petr. 27.2.
- *syrma*,<sup>191</sup> after Afranius, is found in other authors, such as e.g. Juv. 8.229 and 15.30, and Apul. *Apol.* 13.
- *uiuax* (“having the power of going on living, tenacious of life, long-lived” – *OLD s.u. uiuax* [1]) is composed by *uiuo* + *-ax*, found in alliteration with *uetus* (*uiuax uetus*); other attestations are in Ovid (e.g. *Met.* 14.104) and Apuleius (e.g. *Met.* 9.24).
- *uociferatio* (“a loud outcry, clamour, shout, roar, etc.” – *OLD s.u. uociferatio*) consists of *uociferor* + *-tio*; it is attested only in a few authors, as e.g. Cic. *Clu.* 30, and Petr. 14.5.
- *uopiscus* (“a twin surviving in the womb after the death of the other by miscarriage or premature birth” – *OLD s.u. uopiscus*); it is then attested in a few other authors, as e.g. Var. *R.* 1.7.10, Plin. *Nat.* 7.47, and Tac. *Hist.* 1.77.

In Atta, one finds:

- *gratulatio* (“thanksgiving” – *OLD s.u. gratulatio* [1]): the term is based on regular derivational formation (verbal root *gratulor* + *-tio*); after this attestation, the term is found from Cicero onward until Late Antiquity (*ThLL* VI 2248, 16-84).
- *suborior* (“(of liquid) to spring up, well up” – *OLD s.u. suborior* [1]) is a verb attested in a stylistically emphatic context (*suboriri seditiosus*). It is composed by *sub* + *-orior*, and thus has a regular formation; it is then found in e.g. Sen. *Dial.* 11.12.3.
- *supplicatio* (“the offering of propitiation to a deity or an instance of it” – *OLD s.u. supplicatio*) is composed by *supplico* and *-tio*; after Atta, the term is found in different authors (see e.g. Caes. *Gal.* 2.35.4, and Cic. *Catil.* 3.15.2).

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<sup>191</sup> See below, III.2.2.



As I have shown above in this section, the quantity of these terms links the authors of *togatae* to Plautus and other mid Republican Roman authors. The ‘quality’ of these terms makes the authors of *togatae* closer to Terence, as testified by the employment of terms with regular derivational word-formation (and then with a productive flavour), though *ad hoc* coinages are likewise found. It would have been helpful to provide, as with the quantity of these terms, statistical figures related to their ‘quality’. However, this is not possible owing to the fact one can never know whether a term (see e.g. the aforementioned *togula* in Titinius and *naucula* in Afranius) is attested in a line because of a regular formation or because of the context of the emphatic line itself, which somehow drove the authors to create this term. My analysis also shows that *primum dicta* in the fragments and titles of the *togata* are then attested in several authors, a sign of how such coinage was appreciated and re-used in different works of several periods. Furthermore, the very fact that these terms attested in the *togatae* were later attested in texts of a different genre (especially in prose authors, as analysed in this section) suggests that their ‘first’ attestation in the *togatae* does not necessarily have a strong poetic ring; namely, it is not enough to consider them exclusively poetic.<sup>192</sup>

Apart from the usage of *hapax legomena* and *primum dicta* in the *togata*, there are other lexical features which deserve to be highlighted, and which further help us to comprehend the identity of the *togata*. An effort of identity construction of the *togata* could be also identified in the preference for Latin words over Greek words, as well as in the avoidance of extravagant lexical features typical of the *palliatae* of Plautus, as I shall note in the following sections.

### III.2.2 Graecisms

Here, I show how very few Graecisms are attested in the theatrical genre of the *togata*, a fact that seemingly indicates that the authors of the *togata* operated differently than some other mid Republican Roman authors and avoided Graecisms in their *togatae*.

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<sup>192</sup> On this, see again Hine 2005: *passim*.

Greek-derived terms in mid Republican authors such as Plautus and Terence (along with Lucilius)<sup>193</sup> have been extensively studied by scholars, especially in the last few decades.<sup>194</sup> Maltby analysed these terms in the *palliatae* by differentiating Greek words naturalised in Latin alongside monetary and technical terms, and Greek words whose usage was the result of deliberate linguistic choice by the playwrights. Maltby applied his analysis to Terentian and Plautine *palliatae* characters by counting the number of Greek-derived terms in their speeches, and revealing that these Graecisms are prevalently attested in the jokes pronounced by slaves and, more generally, low-status characters. This method, however, cannot be applied to the scanty fragments of the *togata*. Indeed, it is difficult (if not impossible) to make a statement on *togata* characters whose speech abounds with Greek-derived terms. Without providing details about the characters using these words in their speech, I investigate the Greek-derived terms within the remains of the *togata* to discern to what extent their usage may be comparable to those of other mid Republican Roman authors, also analysing the semantics of these Graecisms and the possible reasons which drove the authors of the *togata* to use these terms. By following Maltby's categories, I only consider terms of Greek origin those which are likely to have retained a 'foreign' ring, thereby excluding, for instance, terms naturalised in Latin by the *togata* playwrights' time (namely, that were presumably no longer felt as foreign borrowings),<sup>195</sup> and technical terms (that is to say, terms for which it is difficult to find a synonym).<sup>196</sup>

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<sup>193</sup> See Hor. S. 1.10.20 and Lucil. 181-188 M. (with Adams 2003a: 326-327; see Pezzini 2018: 178-179 for an analysis of amount of Graecisms along with their semantic nature in Lucilius; Chahoud 2004: 1-46; Chahoud 2007: 51-54).

<sup>194</sup> See e.g. Maltby 1985: 110-123, discussing at 110-111 previous scholars' studies on the subject (e.g. Hough, Oksala and Leo). On the usage of Greek words and words of Greek origin in Plautus, see e.g. Zagagi 2012: 19-36; de Melo 2011: lxxvi-lxxxiii; Manuwald 2020: 155-158; cf. also Shipp 1953: 105-112; Shipp 1955: 139-152. For the usage of Graecisms in Terence, with a focus on the lexical and syntactic levels, Karakasis 2005: 83-89; see also Caston in Frangoulidis, Harrison, and Manuwald 2016: 435-452, esp. 445-450 discussing the use of the Greek in Lucilius and in Terence.

<sup>195</sup> *Aranea* (in Titin. *tog.* 36 R.<sup>3</sup> and in Afran. *tog.* 410-411 R.<sup>3</sup>), *balineum* (in Afran. *tog.* 187<sup>1</sup> R.<sup>3</sup>) (see Maltby 1985: 113), *ecastor* (in Titin. *tog.* 59 R.<sup>3</sup> and 157 R.<sup>3</sup>), *edepol* (in Titin. *tog.* 48, 79 R.<sup>3</sup>, and 111 R.<sup>3</sup>, and in Afran. *tog.* 103 and 383-385 R.<sup>3</sup>) (see Maltby 1985: 115-116), *epistula* (title of Afranius' *togata*) (see Maltby 1985: 113), *gubernator* (in Titin. *tog.* 127-128 R.<sup>3</sup>) (Guardì 1981: 158; Minarini 1997: 44; see also Maltby 1985: 114 on *gubernatrix*, and 115 on *guberno*), *hercle* (in Titin. *tog.* 32-33, 105, and 107-108 R.<sup>3</sup>) (see Maltby 1985: 115), *lacrima* (in Afran. *tog.* 212-213, 214, and 322 R.<sup>3</sup>) (see Maltby 1985: 113), *mecastor* (in Titin. *tog.* 74-75 R.<sup>3</sup>),

Setting aside Greek-derived terms quoted by the sources (3 in Titinius and 5 in Afranius),<sup>197</sup> in Titinius 4 Graecisms are found in fragments of *togatae* quoted for other terms:

Graecism	attested in:	transmitted for:
<i>eu</i> <sup>198</sup>	Titin. <i>tog.</i> 59 R. <sup>3</sup>	<i>ibus</i> – Non. 781 L.
<i>hermaphroditus</i> <sup>199</sup>	Titin. <i>tog.</i> 112-113 R. <sup>3</sup>	<i>frontem</i> – Non. 301 L.
<i>obsonium</i> <sup>200</sup>	Titin. <i>tog.</i> 88-89 R. <sup>3</sup>	<i>graue</i> – Non. 491 L.
<i>syntheticus</i> <sup>201</sup>	Titin. <i>tog.</i> 167-168 R. <sup>3</sup>	<i>tunica</i> – Non. 860 L.

Likewise, in Afranius 4 Graecisms are attested:

Graecism	attested in:	transmitted for:
<i>apage</i> <sup>202</sup>	Afran. <i>tog.</i> 383-385 R. <sup>3</sup>	<i>primores</i> – Non. 691 L.
<i>pompa</i> <sup>203</sup>	Afranius' <i>togata</i> title	<i>fluctuatim</i> – Non. 160 L. and <i>clienta</i> – Char. 127 B.
<i>scriblitarius</i> <sup>204</sup>	Afran. <i>tog.</i> 161-162 R. <sup>3</sup>	<i>lucuns</i> – Non. 190 L.

*purpura* (in Titin. *tog.* 2 and 3 R.<sup>3</sup>, and in Afran. *tog.* 179-180 R.<sup>3</sup>) (Guardì 1981: 155), *purpurissum* (in Afran. *tog.* 231 R.<sup>3</sup>).

<sup>196</sup> *Anchora* (in Afran. *tog.* 138-139 R.<sup>3</sup>), *architecton* (in Titin. *tog.* 129 R.<sup>3</sup>) (Guardì 1981: 155-156), *catapulta* (in Titin. *tog.* 124-125 R.<sup>3</sup>) (Guardì 1981: 158), *concha* (in Afran. *tog.* 142 R.<sup>3</sup>), *echinus* (in Afran. *tog.* 142 R.<sup>3</sup>), *ostrea* (in Afran. *tog.* 142 R.<sup>3</sup>), *parasitus* (in Titin. *tog.* 45-46, 47, and 99-100 R.<sup>3</sup>, and in Afran. *tog.* 366-368 R.<sup>3</sup>) (Guardì 1981: 159; Maltby 1985: 117), *poema* (in Afran. *tog.* 271 R.<sup>3</sup>), *scenica* (in Afran. *tog.* 100-101 R.<sup>3</sup>) (Maltby 1985: 117), *stacta* (in Afran. *tog.* 178 R.<sup>3</sup>) (Pasquazi Bagnolini 1977: 36), *supparus* (in Titin. *tog.* 35<sup>1</sup> R.<sup>3</sup> and Afran. *tog.* 123 R.<sup>3</sup>, though its etymology is uncertain: see Guardì 1981: 159), *tympanum* (in Afran. *tog.* 217 R.<sup>3</sup>).

<sup>197</sup> With regard to Titinius, 3 Graecisms are expressly quoted by grammarians and lexicographers, i.e. *cumatilis* (in Titin. *tog.* 114-115 R.<sup>3</sup>) (see Guardì 1981: 159); *exuibrisso* (in Titin. *tog.* 169/70 R.<sup>3</sup>) (see Guardì 1981: 149); *phrygio* (in Titin. *tog.* 4-5 R.<sup>3</sup>) (see Guardì 1981: 155). With regard to Afranius, 5, i.e. *caries* (in Afran. *tog.* 250 R.<sup>3</sup>) (see Pasquazi Bagnolini 1977: 36-37); *cumba* (in Afran. *tog.* 138-139 R.<sup>3</sup>) (cf. Pasquazi Bagnolini 1977: 72); *molucrum* (in Afran. *tog.* 336-338 R.<sup>3</sup>) (see Pasquazi Bagnolini 1977: 35-36); *perpalaestricos* (in Afran. *tog.* 154 R.<sup>3</sup>) (cf. Pasquazi Bagnolini 1977: 16-17; Minarini 1997: 46); *senecio* (in Afran. *tog.* 276 R.<sup>3</sup>) (see Pasquazi Bagnolini 1977: 8).

<sup>198</sup> See Maltby 1985: 118.

<sup>199</sup> See Guardì 1981: 154.

<sup>200</sup> See Guardì 1981: 159; Maltby 1985: 118.

<sup>201</sup> On this term, see also III.2.1.1.

<sup>202</sup> See Maltby 1985: 118; de Melo 2011: lxix.

<sup>203</sup> See Maltby 1985: 118.

<sup>204</sup> See Pasquazi-Bagnolini 1977: 5-6; Moreschini Quattordio 1980: 231.

<i>syrma</i> <sup>205</sup>	Afran. <i>tog.</i> 64 R. <sup>3</sup>	<i>uerruncent</i> – Non. 262 L.
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There are apparently no Graecisms attested in the fragments of Atta's *togatae*, but this is probably of no significance, since only 138 words of his *togatae* are transmitted.

With regard to the frequency of these Graecisms: in Titinius, out of 1018 words 4 Graecisms not openly quoted by the *testimonia* are attested, i.e. 1 Graecism out of every 254.5 terms. The overall frequency of these Graecisms in Titinius is 7 (3 quoted by ancient sources and 4 not), which means 1 out of c. 145.43 terms. 'Real' frequency of Graecisms approximately lies between 1 out of 145.43 and 1 out of 254.5 terms, according to the statistical method explained above.

Regarding Afranius, out of 2402 words 4 Graecisms not quoted by the *testimonia* are attested, i.e. 1 Graecism out of every 600.5 terms. The overall frequency of these Graecisms in Afranius is 9 (5 explicitly quoted and 4 not), that is 1 out of c. 266.89 terms. 'Real' frequency is roughly between 1 out of 266.89 and 1 out of 600.5 terms.

Such an amount of Greek-derived terms attested in the *togatae* cannot be comparable, for instance, to other mid Republican Roman authors, including especially Plautus (1 Graecism out of 10.88 words is attested) or Lucilius,<sup>206</sup> but also an author like Terence, in whose comedies the number of Graecisms is much lower than that of Plautus (1 out of 25.03 words).<sup>207</sup> My analysis thus shows how Titinius and Afranius apparently preferred Latin terms over Greek borrowings, which are in fact proportionally very few.

Also of interest is the semantics of these few Graecisms, which seem to be linked to peculiar aspects of the *pergraecari*,<sup>208</sup> and then connote a cultural dimension. As a case

<sup>205</sup> Pasquazi Bagnolini 1977: 40-41; cf. also Bianco 2007: 33-34.

<sup>206</sup> Pezzini 2018: 178-179.

<sup>207</sup> On this frequency, Maltby 1985: 113. About the low number of Graecisms in the *palliatae* of Terence, Maltby 1985: 123.

<sup>208</sup> On this, see I.3.4.1.

study, I analyse Titinius' *hermaphroditus*.<sup>209</sup> The attitude of this character, who was central to the plot of this *togata* (i.e. *Setina*),<sup>210</sup> and who appears with a particular haircut, *Titin. tog. 112-113 R.*<sup>3</sup> . . . . *quasi hermaphroditus fimbriatum frontem / Gestas*,<sup>211</sup> and behaves in a distinctive way, *Titin. tog. 117-118 R.*<sup>3</sup> *itum gestum amictum / Qui uidebant eius*,<sup>212</sup> may be associated with a stereotypical Greek characterisation, perhaps testifying to the tendency of the Romans to consider some 'vices' specifically Greek. As Adams has correctly highlighted, "various terms referring to passive homosexuality are borrowings from Greek (...), with the implication that effeminacy was distinctively Greek".<sup>213</sup> Following Adams' observations, I would suggest that the term *hermaphroditus* alludes to the effeminacy of this character. Thus, this *togata* might have represented onstage the difference between traditional Romans and more effeminate men, whose characteristics are assimilated with those of the Greeks, representing a motif attested in the *palliata*, as one can see through a reading of Plautus and Terence.<sup>214</sup> A term like *hermaphroditus* is then interesting to highlight: it refers to a new concept for Roman culture. Again, as stressed above in the analysis of *hapax legomena*, such linguistic usage also has a strong cultural flavour and has the potential to refer to how the 'Roman' *togata* fits well into a broader cultural context, with Roman and Greek features expressed as if culturally different.

In the *togatae*, terms of Greek origin are scarce in comparison with what is attested in Plautus, Lucilius, and Terence. This disparity provides an insight as to how the authors of *togatae* aimed to stress the identity of their theatrical performances not being anchored to the lexical choices of other authors of the mid Republic. In the fragments of the *togata*,

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<sup>209</sup> It is improbable to me that this name was that of a person and that this should be indicated with a capital letter: see López López 1983: 230 n. 3 "hemos preferido (...) interpretar *Hermaphroditus* como nombre propio". However, she does not add anything more to the reasoning, and I am thus sceptical about her suggestion.

<sup>210</sup> See de Melo 2014: 459. On this *togata*, see also I.3.2.1.

<sup>211</sup> Transl.: "...you bear a forehead fringed like a hermaphrodite".

<sup>212</sup> Transl.: "those who saw his style of walking, his bodily action, his garb".

<sup>213</sup> Adams 2003a: 405. See also Adams 2003b: 203. On Greek homosexuality, mandatory reading is Dover 1978.

<sup>214</sup> With regard to Plautus, see *Pl. Men.* 143-182 (i.e. the *palla* scene), and 196-202, in which Peniculus implies that Menaechmus is effeminate; cf. also Chalinus who is dressed as a bride in the *Casina* (e.g. *Pl. Cas.* 759-854, 875-959). With regard to Terence, we find allusions to effeminacy in the *Eunuchus*: Chaerea is embarrassed about the likelihood of being recognised as effeminate because of the eunuch's clothing.

there is hence evidence for some sort of linguistic filtering and avoidance of Greek-derived terms. Furthermore, these few Graecisms define specific semantic spheres, stereotyping Greek motifs, and then differentiating between Roman and Greek features onstage.

### III.2.3 Rare Plautine Terms

Apart from the very rare usage of Greek-derived terms in the fragments, from a lexical point of view the identity construction of the *togata* is also manifested through the rare use of Plautine terms and expressions which one finds in the lines of the *togata*. This section thus analyses the presence of rare Plautine terms in the *togata*, by which I mean terms only attested in the *palliata* of Plautus.

Closer analysis of the fragments reveals that Plautine terms expressly quoted by the *testimonia* are 1 in Titinius and 3 in Afranius.<sup>215</sup> More interestingly, there is only one Plautine term found in a fragment quoted because of another term which caught *testimonia*'s attention, i.e. *meretricie* in *Atta tog.* 3 R.<sup>3</sup> *Quam meretricie*<sup>216</sup> *em lupantur nostro ornatu per uias.*<sup>217</sup> Indeed, *meretricie* is attested in a fragment quoted by Nonius for the form *lupari* (Non. 193 L.). The adverb *meretricie* is only attested in Pl. *Mil.* 872, a joke Palaestrio makes while describing the *lepida forma* of a woman (*quam digne ornata incedit, hau meretricie*).<sup>218</sup> No other Latin author uses *meretricie*.<sup>219</sup>

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<sup>215</sup> With regard to Titinius, *scratta* (in *Titin. tog.* 74-75 R.<sup>3</sup>) is a rare form, attested once in Pl. *Neru.* fr. 7 (quoted by Gel. 3.3.6). By transmitting the fragment for the term *scratta*, Festus provides us with a definition thereof, in relation to the women to whom the word generally refers (Fest. 448 L.). Before Festus, the word is attested in Var. *L.* 7.65. However, in Varro, *scratta* is difficult to read, and its meaning is not straightforward to understand, as the other words attested in the passage (on this, de Melo 2019: 976-978). With regard to Afranius, *ipsissimus* (in *Afran. tog.* 432 R.<sup>3</sup>) is only attested in Pl. *Trin.* 988. The term is explained in relation to Plautus, as reported by Pomp. 5.153 K.; *remeligo* (in *Afran. tog.* 277 R.<sup>3</sup>) is only attested in Pl. *Cas.* 804. Festus transmits the fragment because of the term itself (Fest. 344 L.); *uestispica* (in *Afran. tog.* 386-387 R.<sup>3</sup>) is first attested in Pl. *Trin.* 252 (*uestipica/uestispica*) (de Melo 2013: 144 prints *uestipica*). Varro, in *L.* 7.12, gives an explanation of the term (see also *Men.* 384); Nonius (Non. 18 L.) transmits the fragment because of this word.

<sup>216</sup> *Meretricie* was conjectured by Bue, as Ribbeck 1898: 189 notes in his critical edition.

<sup>217</sup> For further remarks on this fragment, see II.1.

<sup>218</sup> Transl. from de Melo 2011: 233, "How worthily dressed up she comes along, not in the style of a prostitute!".

The presence of rare Plautine terms in the *togatae* is thus very low, and remains so even if one includes under the label Plautine all those terms attested in the *togata* which are first found in Plautus and then in other authors. I allude to comic, mainly technical, poetry, and informal registers', archaising, and/or late authors I have mentioned when discussing *primum dicta* in the *togata*.<sup>220</sup> In the case of late authors, the attestation of Plautine terms can be considered a 'revival', that is, as Pezzini has pointed out, "the occurrence of the word in late sources (...) due to literary imitation by late authors of the language of Plautus (...)",<sup>221</sup> or 're-coinage', that is, "the recurrence of a comic word in late Latin, without implying continuity in use since early Latin".<sup>222</sup>

Few Plautine terms are quoted by lexicographers and grammarians, i.e. 6 in Titinius:

Titinius	Source	Attestation in Plautus	Attestation in other authors
<i>architecton</i> ( <i>tog.</i> 129 R. <sup>3</sup> )	Char. 156 B.	<i>Most.</i> 760 and <i>Poen.</i> 1110	Varro ( <i>Men.</i> 249), Solinus (32.41), and <i>Itin. Alex.</i> 20.
<i>blanditer</i> ( <i>tog.</i> 56-57 R. <sup>3</sup> )	Non. 820 L. and Prisc. 15.3.70 K.	<i>As.</i> 222 and <i>Ps.</i> 1290	Claud. Mam. <i>anim.</i> p. 184.12, and Alc. Avit. <i>hom.</i> 20, p. 133.30.
<i>cumatilis</i> ( <i>tog.</i> 114-115 R. <sup>3</sup> )	Non. 879 L.	<i>Ep.</i> 233	Comm. <i>instr.</i> 1.10.3.
<i>grassor</i> ( <i>tog.</i> 140-141 R. <sup>3</sup> )	Non. 494 L.	<i>Bac.</i> 1138, <i>Poen.</i> 514, and <i>Rud.</i> 251	Comic (Nou. <i>atell.</i> 72 and 73-74 R. <sup>3</sup> ), technical (e.g. Plin. <i>Nat.</i> 2.193), archaising (e.g. Apul. <i>Met.</i> 7.7 and 8.16), informal register (e.g. Petr. 117.3), and late writers (see e.g. Lact. <i>inst.</i> 5.9.5).
<i>praefiscini</i> ( <i>tog.</i>	Char. 274 B.	<i>As.</i> 491 and <i>Rud.</i> 461	Petr. 73.6, Apul. <i>Fl.</i>

<sup>219</sup> See Panayotakis 2010: 219-220 on the MS reading *meretricis* as a gloss for *meretricie* (Lab. *mim.* 21 P.).

<sup>220</sup> See III.2.1.2.

<sup>221</sup> On this definition, Pezzini in Adams and Vincent 2016: 18-19.

<sup>222</sup> Pezzini 2016: 21.

109/110 R. <sup>3</sup> )			16.45, and Gel. 10.24.8, who explains the oscillation between the final <i>-e</i> and <i>-i</i> in the adverb.
<i>tuburcinor</i> ( <i>tog.</i> 83 R. <sup>3</sup> )	Non. 263 L.	<i>Pers.</i> 122	Turpil. <i>com.</i> 2 R. <sup>3</sup> , and Apul. <i>Met.</i> 6.25.

and 14 in Afranius:

Afranius	Source	Attestation in Plautus	Attestation in other authors
<i>deamo</i> ( <i>tog.</i> 356-357 R. <sup>3</sup> )	Non. 138 L.	<i>Ep.</i> 219, <i>Poen.</i> 894, <i>Truc.</i> 703, and <i>Neru.</i> fr. 6	Ter. <i>Hau.</i> 825, Laber. <i>mim.</i> 25 P., and Apul. <i>Pl.</i> 2.14 and 2.16. <sup>223</sup>
<i>diluculum</i> ( <i>tog.</i> 69-70 R. <sup>3</sup> )	Char. 280 B.	<i>Am.</i> 737 and 743	Cic. <i>S. Rosc.</i> 19.5 and <i>Att.</i> 16.13.1, Suet. <i>Vit.</i> 15.2.8, archaising writers, such as e.g. Apul. <i>Met.</i> 3.25, and Christian authors, as e.g. Ambr. <i>in psalm.</i> 36.66, and Vulg. <i>Iob.</i> 41.9.
<i>gannio</i> ( <i>tog.</i> 282-283 R. <sup>3</sup> )	Non. 722 L.	<i>fab. Inc. Frag.</i> 3	Lucil. 7.285M., Ter. <i>Ad.</i> 556, Catul. 83.4, Apul. <i>Met.</i> 5.28, Iuuen. <i>Sat.</i> 6.64, and Suet. <i>Prat.</i> 161.8, and Cassian. <i>de inc. Dom. c. Nest.</i> 3.6.6.
<i>grassor</i> ( <i>tog.</i> 135 R. <sup>3</sup> )	Non. 494 L.	See above	See above
<i>ilicet</i> ( <i>tog.</i> 215 R. <sup>3</sup> )	Char. 261 B.	<i>Am.</i> 338, <i>Capt.</i> 469, <i>Cist.</i> 685, <i>Curc.</i> 186, <i>Ep.</i> 685, <i>Most.</i> 847, <i>St.</i> 394, and <i>Truc.</i> 592	Ter. <i>Hau.</i> 974, <i>Eu.</i> 54 and 347, <i>Ph.</i> 208, <i>Ad.</i> 791. It is also attested in epic poets, esp. Vergil in

<sup>223</sup> On the usage of the verb in Laberius, along with other Latin authors, cf. Panayotakis 2010: 239-240.



			<i>Aeneid</i> (see e.g. A. 2.424) quoted by Seruius as an archaic form, and in late antique authors, such as e.g. Paul. Nol. <i>carm.</i> 19.504 and Mart. Cap. 4.424.
<i>impendio</i> (tog. 350-352 R. <sup>3</sup> )	Char. 263 B.	<i>Aul.</i> 18	Ter. <i>Eu.</i> 587, a few authors, as e.g. Cic. <i>Att.</i> 10.4.9, Gel. 11.8.4, Apul. <i>Met.</i> 10.4, and late writers (see e.g. Symm. <i>epist.</i> 3.34 and Amm. 26.6.7).
<i>intrico</i> (tog. 113 R. <sup>3</sup> )	Non. 13 L.	<i>Pers. arg.</i> I 5 and 457	Cic. <i>Fat. Fr.</i> 1.3, Ps.-Varro <i>sent.</i> 51, and late authors, as e.g. Tertull. <i>adu. Val.</i> 14 p. 194.1.
<i>morigera</i> (tog. 372-374 R. <sup>3</sup> )	Non. 699 L.	15 times, e.g. Pl. <i>Am.</i> 842, <i>Cap.</i> 966, and <i>Cas.</i> 897	Rarely in other playwrights (once in Naeu. <i>pall.</i> 91 R. <sup>3</sup> , and Ter. <i>An.</i> 294), poetry, and archaising writers (twice in Lucretius, i.e. 4.1281 and 5.803; three times in Apuleius, i.e. <i>Apol.</i> 14.18, 74.28, and 2.5.17, and once in Calpurnius Flaccus, i.e. <i>dec.</i> 24), and late Latin authors (see e.g. Firm. <i>math.</i> 3.6.9).
<i>mulierosus</i> (tog. 371 R. <sup>3</sup> )	Non. 41 L.	<i>Poen.</i> 1303	Cic. <i>Fat.</i> 10.4 and 10.14, Nig. <i>Figul. gram.</i> 4.4 (quoted by Gel. 4.9.2 and

			4.9.12), Petr. 39.10.
<i>nutrico</i> (tog. 401 R. <sup>3</sup> )	Non. 767 L.	<i>Merc.</i> 509 and <i>Mil.</i> 715	Cicero (Cic. <i>N.D.</i> 2.86), Varro (e.g. <i>R.</i> 1.23.5 and 2.4.19), then in archaising authors (e.g. Petr. 77.2, and Apul. <i>Apol.</i> 18.13).
<i>partio</i> (tog. 346-347 R. <sup>3</sup> )	Non. 321 L.	<i>Truc.</i> 195	Varro <i>R.</i> 3.9.4, Gel. 3.16.9, 10.2.1, and 12.1.20, and only once in Late Antiquity (Iulian. <i>Epit. in psalm.</i> 62.11).
<i>praefiscine</i> (tog. 36 R. <sup>3</sup> )	Char. 274 B.	See above	See above
<i>praemature</i> (tog. 335 R. <sup>3</sup> )	Gel. 10.11.8 and Macr. 6.8.13	<i>Most.</i> 500	It is attested in Late Antiquity (e.g. Ulp. <i>dig.</i> 36.1.23, and Ambr. <i>obit. Valent.</i> 16).
<i>purpurissum</i> (tog. 231 R. <sup>3</sup> )	Non. 322 L.	<i>Most.</i> 261	It is found in Nou. <i>atell.</i> 83 R. <sup>3</sup> , six times in Pliny (see e.g. <i>Nat.</i> 35.30), once in Fronto (Fro. <i>Orat.</i> 13.2), once in Seruius Hon. (Verg. <i>A.</i> 1.720), and in other authors (e.g. Hier. <i>Epist.</i> 38.3.2).

Apart from these terms, very few Plautine terms are attested in lines cited by ancient authors for other terms which held their attention. Regarding Titinius, these terms are (2):

- *diffringo*: it is attested in Titin. *tog.* 30-31 R.<sup>3</sup>, a fragment transmitted for *postica* (Non. 320-321 L.), and *patibulum* (Non. 582 L.).<sup>224</sup> It is found in the *palliatae* of Plautus, always in an instance in which a part of the body is broken or about to be

<sup>224</sup> The form *diffringam* attested in the fragment was conjectured by Ribbeck 1898: 162; the manuscripts read *defringam*.

broken (i.e. *crura* in Pl. *As.* 474, *talos* in *Mil.* 156, *crura aut ceruices* in *Mil.* 722, and *lumpos* in *St.* 191). Thus, in the fragment of Titinius, the verb refers to a part of the body (*caput*) which presumably will be broken. It is found in *Nou. com.* 50 R.<sup>3</sup>, implying a broken body part (*digitos...diffregi meos*), *Apul. Met.* 9.30 (*fracto cardine*), and also in *Vitr.* 10.2.13, *Suet. Iul.* 37 and *Aug.* 17; later usage is in Ammianus Marcellinus (e.g. *Amm.* 19.2.7, and 20.7.13).

- ***praeterhac***: it is attested in the aforementioned *Titin. tog.* 30-31 R.<sup>3</sup>, quoted for the same reasons illustrated above.<sup>225</sup> It is a rare Plautine term, attested five times in Plautus (i.e. *Pl. Men.* 112 and 725, *Most.* 75, *Rud.* 1117, *St.* 345), and once in Terence (*Ter. Ph.* 800).

With regard to Afranius, these terms are (2):

- ***interibi***: it is attested in *Afran. tog.* 138-139 R.<sup>3</sup>, a fragment quoted for *cumba* (*Non.* 859 L.). The term is used in Plautus (i.e. *Pl. As.* 891, *Cap.* 951 and 953, *Mil.* 104, *Pers.* 165, *Poen.* 617, *Ps.* 573<sup>a</sup>, *Rud.* 1224, and *St.* 371), and is then attested in Apuleius (*Apol.* 73.4), and Gellius (9.2.6).
- ***stacta***: it is attested in *Afran. tog.* 178 R.<sup>3</sup>, a fragment quoted for *olat* (*Non.* 214 L.). This is a rare Plautine term (only found in *Curc.* 100, *Most.* 309, and *Truc.* 476); it is then attested in other authors, specifically poets (e.g. *Lucret.* 2.847), and technical writers (e.g. *Plin. Nat.* 12.68 and 13.17, and *Larg.* 52).

Concerning the possible statistical figures related to the usage of rare Plautine terms in the *togatae*, one notes that in Titinius, out of 1018 words, 2 rare Plautine terms (then attested in other authors) are found in fragments quoted for another term, i.e. 1 out of 509 terms. The overall amount is 8 Plautinisms (6 quoted by the *testimonia*, and 2 not), that is to say, 1 out of 127.25 terms. 'Real' frequency is approximately between 1 out of 127.25 and 1 out of 509 terms. In Afranius, out of 2402 terms, 2 rare Plautine terms are found in fragments quoted

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<sup>225</sup> As Ribbeck 1898: 162 notes in his critical edition, the form *praeterhac* was conjectured by Müller; the manuscripts read *praeter has*. Daviault 1981: 97 and Guardì 1985: 40 print *praeter hanc* in their critical editions.

for another reason, that is to say, 1 out of 1201 terms; by considering the general amount of Plautinisms in Afranius' *togatae* (14 quoted by the *testimonia*, and 2 not) we reach the amount of 16, namely 1 out of 150.12 terms. The frequency will be approximately located between 1 out of 150.12 and 1 out of 1201 terms.

The Plautinisms listed here are indicative of how there is not a strong presence of a specifically Plautine lexicon in the remaining *togatae*. Extreme caution is thus required when dealing with the Plautine influence on the *togata* (from a lexical point of view),<sup>226</sup> and in light of my findings studies on the subject will require extensive revision.

The fragments of the *togata* also reveal a paucity of typical Plautine expressions, which are likewise missing in the *palliata* of Terence where, to assure the predominance of certain contents, there is “restrizione o censura del linguaggio”, as Conte has correctly singled out.<sup>227</sup> The authors of the *togata* would have used Plautine expressions only within marked contexts, such as one finds in the Terentian comedies.<sup>228</sup> I begin with the usage of violent expressions in the fragments: for instance, Titin. *tog.* 131-132 R.<sup>3</sup> *lassitudo / Conseruum, rediuiae flagri!*<sup>229</sup> and Afran. *tog.* 391 R.<sup>3</sup> *tu flagrionibus.*<sup>230</sup> These lines allude to slaves destined to *flagrum*, a term belonging to the sphere of slaves' punishment, of which several expressions are attested in Plautus and very occasionally in Terence.<sup>231</sup> Colourful expressions characterising Plautine scenes, with people insulting one to another, are also almost absent from the fragments of *togatae*. The only one attested is Titin. *tog.* 137 R.<sup>3</sup> *Lotiolente! – Flocci fiet. – Culi cultor!*<sup>232</sup> These insults are terms of abuse which “are probably directed to a *fullo*, who, like the procurer Ballio, reacts to the insulting words with

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<sup>226</sup> See above the introduction to this part of the chapter.

<sup>227</sup> Conte 1987: 80.

<sup>228</sup> An example is Ter. *Hau.* 533 (...) *fingeret fallacias*, in an allusion to a typical *seruus currens*.

<sup>229</sup> See transl. at II.2.2.

<sup>230</sup> See transl. at II.2.2.

<sup>231</sup> Lilja 1965 discusses linguistic aspects of terms of abuse in Roman comedy, with a variety of examples, investigating, for instance, pejorative nouns and adjectives (at 16-19 and 19-25 respectively), and terms of unknown meaning (at 40-45). Cf. also Petrone in Petrone 2009: 101-112, with a focus on slaves' punishment in Plautine *Epidicus*.

<sup>232</sup> See transl. at II.2.1. Cf. Daviault 1981: 130 n. 4; Guardi 1985: 156-157.

indifferent composure".<sup>233</sup> Expressions such as these were presumably inserted within a marked context, to the same extent as other Plautine expressions, for instance those in which a character gives orders to others.<sup>234</sup> These expressions are attested few times in Titinius<sup>235</sup> and very rarely in Afranius,<sup>236</sup> indicating how the authors of the *togata* were not merely imitators of the lexical choices of Plautus.

Likewise, in the extant fragments one may find a few lines alluding to bad breath: Titin. *tog.* 20 R.<sup>3</sup> *Interea fetida anima nasum oppugnat . . .*<sup>237</sup> and Afran. *tog.* 383-385 R.<sup>3</sup> *apage sis: / Diram tuam animam in naribus primoribus / Vix pertuli edepol.*<sup>238</sup> These expressions are typical in Plautus,<sup>239</sup> but not in Terence. In the *togata*, the lexicon referring to drinking and food spheres (see Titin. *tog.* 88-89 R.<sup>3</sup>, and Atta *tog.* 10-11 R.<sup>3</sup>) is also very uncommon, to the same extent as that of kisses, which are mostly attested in Plautus and almost absent from Terence.<sup>240</sup> With regard to kisses, the sole reference is Titin. *tog.* 155 R.<sup>3</sup> *Laudor quod osculaui priuignae caput,*<sup>241</sup> where someone refers to a kiss given to a step-daughter: hence, this reference does not have a sexual meaning. Expressions of endearment in the *togata* are also

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<sup>233</sup> Lilja 1965: 91. The scholar (at 90) makes mention of the *flagitatio* in the Plautine *Pseudolus* (360-367) (on this, see also Questa 2010: 64-66). The aforementioned fragment could portray a scene similar to what happened in the Italian tradition of the *Fescennini (uersus)*, which were, as Panayotakis 2019: 33 notes, "songs of an indecent or satirical nature circulating in oral or written form". Further secondary literature on *Fescennini (uersus)* is mentioned by Panayotakis 2019: 34 n. 6.

<sup>234</sup> See e.g. Plautus' *Pseudolus*, in particular at 133-135, with Ballio giving orders to his slaves, and also Pl. *Cas.* 144-146 (Cleostrata), Pl. *Truc.* 95-98 (Astaphium), Pl. *Mil.* 1-4 (Pyrgopolynices), and Pl. *St.* 347-349 (Pinacium). On the presence of commanding characters (both female and male) in Plautine *palliatae*, see e.g. Barrios-Lech 2016: 41-49.

<sup>235</sup> See Titin. *tog.* 22-23, 36, 45-46, 76-77, and 130 R.<sup>3</sup>

<sup>236</sup> See Afran. *tog.* 412-413 R.<sup>3</sup>

<sup>237</sup> Transl.: "In the meantime a foul-smelling breath assaults my nose". On this line, Daviault 1981: 100 n. 9; Guardi 1985: 115.

<sup>238</sup> Transl.: "Stay away: by Pollux, I barely endured your awful breath on the tip of my nose". On this, Daviault 1981: 241 n. 19.

<sup>239</sup> Cf. e.g. Pl. *As.* 894, and *Merc.* 574.

<sup>240</sup> See e.g. Traina 1974: 167-168; Traina 1977: 167-169; Conte 1987: 80.

<sup>241</sup> See transl. at II.1.7.

rare: *meae deliciae* (in Titin. *tog.* 93-94 R.<sup>3</sup>),<sup>242</sup> *Paula mea* (in Titin. *tog.* 109/110 R.<sup>3</sup>), *mi homo* (in Afran. *tog.* 103 R.<sup>3</sup>), *mea mater* and *mel meum* (in Afran. *tog.* 310-311 R.<sup>3</sup>).<sup>243</sup>

As with rare Plautine terms, there is minimal usage of specifically Plautine linguistic expressions in the *togata*. This invites us to re-think the relationship between the language of the *togata* and that attested in Plautus. Even though the Plautine impact on the *togata* cannot be denied, my previous analysis reveals how the linguistically Plautine flavour attributed to the *togata* is less substantial than that thus far taken for granted.

In the second part of this chapter, I have analysed the lexicon attested in the *togata* to further investigate the ‘Roman-ness’ of this dramatic genre. My analysis shows how the authors of the *togata* seem to have enhanced the Roman tone of their theatrical works with the coinage of terms, the rare use of Graecisms, and the rare use of Plautine terms and expressions. The playwrights of the *togata* hence appear to have been ‘elegant’ in the sense of employing the lexical choices of other mid Republican Roman authors while simultaneously operating in ways that highlighted their differences from those authors.

### Some Concluding Remarks

In the first part of this chapter, I have investigated the ancient reception of the *togata*. The *togata* as a genre and/or its Roman playwrights (above all Afranius) are described by *testimonia* using terms that have rhetorical flavour, are used to portray mostly Roman orators of the mid Republic, and are very often associated with the idealised Attic rhetoric of the fifth and fourth centuries BCE. More interestingly, this terminology is related to the idea itself that the linguistically uncorrupted Romans of the mid Republic were said to speak in a style considered to have been ‘elegant’, ‘pure’, and ‘clear’. In the second part of the chapter, I have investigated the possible ‘Roman-ness’ of the language of the *togata* by

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<sup>242</sup> As observed by Karakasis 2005: 229, “*Deliciae* is a common term of endearment in Plautus, never found in Terentian drama”.

<sup>243</sup> Cf. Karakasis 2005: 219, suggesting comparisons between this expression here and some Plautine passages.

focussing on the lexicon of its extant fragments and titles. As other Roman authors, the playwrights of the *togata* apparently enriched the mid Republican Roman language with the coinage of terms. Meanwhile, the authors of *togatæ* operate in ways that are distant from other mid Republican authors, as testified by the almost absence of Greek-derived words and the usage of rare Plautine terms and expressions. Hence, Titinius, Afranius, and Atta are 'elegant' authors owing to the fact that they have chosen carefully the terms used in their *togatæ* and written either similarly to or differently from other Roman authors.

This chapter thus offers a unique perspective on the *togata* in relation to the construction of its identity. The first part, in particular, may be used for future research on the relationship between theatre and oratory in the mid Republic. Above all, the supposed way in which the mid Republican Romans spoke, according to ancient sources, is for the first time in the scholarship highlighted here, as far as I know. Readers will also be able to employ the second part of this chapter to explore the lexical similarities and differences between what is attested in the fragments of the *togata* and what is attested in other mid Republican works. Indeed, it remains necessary for future scholarship to analyse the relationship between the lexicon of the *togata* and the lexicon of the *satira* of Lucilius, along with the lexicon of the *Atellana*, and then think more on the possible 'cross-fertilisation'<sup>244</sup> between such literary genres. Furthermore, the second part of the chapter suggests developing de Melo's method of working with lexicographers and grammarians, and their problematic ways of transmission, a method which should be applied to ancient texts of every kind.

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<sup>244</sup> On this concept, along with a discussion of Roman comic genres, see Panayotakis 2005: 130-147.

## Conclusions

This thesis has examined the construction of 'Roman' identity of the *togata* in relation to the construction of 'Roman' identity in the mid Republic, itself understood as Hellenised, 'aggressive', native/indigenous, and plural/multivalent.<sup>1</sup> Though the textual evidence from this dramatic genre is scarce, and, as I have already stressed throughout the thesis, many conclusions are bound to be tentative, the *togata* is an important source for the better understanding of one of the most significant periods of Roman history and literature, that is, the mid Republic, when the Romans started to develop Roman literature based on Greek literary models.<sup>2</sup> The *togata* appears to be involved in this process, embracing theatrical elements which are taken from Greek Middle and New Comedy and/or from their Roman adaptations (that is, the *palliatae*), and portraying onstage elements which are native. In this sense, the *togata* may be viewed as a hybrid genre, where tradition and innovation interact fruitfully with each other. On the one hand, the *togata*, to the same extent as other mid Republican Roman genres, appears to look at Greek literary models; on the other hand, the *togata* is an innovative literary genre: while taking elements from literary models, it portrays indigenous elements to make it look like a native genre.

I started my investigation with an analysis of the *togatae* authors' chronology and origin. As we saw in the first part of the first chapter,<sup>3</sup> Atta's death in 77 BCE aside, dates for the playwrights of the *togata* remain impossible to establish. On the basis of what we read in some of the extant fragments and/or what external pieces of evidence have suggested, it is possible to say with certainty that Titinius, Afranius, and Atta lived in the mid Republican period, and that they were participating in the production of mid Republican Roman literature.

Addressing further the issue of identity construction of the *togata*, in the first chapter, I also discussed the origin of the playwrights of *togatae*, who in all likelihood came from the city of Rome, and possibly belonged to the Roman nobility, as their names suggest, i.e.

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<sup>1</sup> Secondary literature on this subject is discussed in the introduction to the thesis, section 3.

<sup>2</sup> Further remarks on this are found in the introduction to the thesis, section 4.

<sup>3</sup> See I.1.1.



*Titinia gens* (for Titinius), *Afrania gens* (for Afranius), and *Quinctia gens* (for Atta). For the first time in mid Republican Roman literature, Roman authors were thus engaging in theatrical writing and not in other 'higher' literary genres (for example, historiography), as were other authors of Roman origin (for example, Fabius Pictor and Cato). Their very Roman origin is different from that of other authors of Roman literature who wrote for the stage, such as Liuius Andronicus, Naeuius, Plautus and Terence.

One of the most significant obstacles that I attempted to overcome in the thesis is the well-established scholarly view that *togata* exclusively means 'comedy in *toga*'. My taxonomic analysis reveals that, apart from a '(type of) comedy',<sup>4</sup> the term *togata* could denote a 'play' in general,<sup>5</sup> and a 'theatrical genre between comedy and tragedy'.<sup>6</sup> Moreover, there are several passages where the exact meaning of the term *togata* remains impossible for us to define.<sup>7</sup> My analysis invites scholars and students of Roman drama to look at the *togata* with more critical eyes, and urges them to re-interpret this dramatic genre from a different approach. That is to say, my research makes the *togata* engage in scholarly discussions on Roman literature from a fresh perspective, providing us with an opportunity to more accurately appreciate the complex system of mid Republican Roman drama. My investigation thus urges re-writing parts of Latin manuals which still lack elucidation on this issue, and stresses further the relationship between the theatrical genre of the *togata* (whatever it might mean) and the mid Republican period.

To better illustrate the 'Roman' identity construction of the *togata*, in the third part of the first chapter, I analysed settings, names, and topics attested in the titles and fragments of the *togata*. I highlighted how one may talk of the *togata* as a 'Roman' literary genre, though caution is needed when using this adjective here. Using in a narrow sense the adjective Roman (*qua* 'of the city of Rome') in relation to the *togata* is only partially correct. My analysis clarifies that in the fragments and titles of the *togata* there are more than elements

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<sup>4</sup> See I.2.2.

<sup>5</sup> See I.2.1.

<sup>6</sup> See I.2.3.

<sup>7</sup> See I.2.4.

which are specifically related to the city of Rome, as appears from the presence of festivals, onomastics, and topics which directly concern Rome.<sup>8</sup> The *togata* is ‘Roman’ because it also includes cultures, societies, ethnicities, and languages which were under the power of Rome in the mid Republican period. ‘Roman’ is thus a multivalent category which embraces several elements belonging to Latin,<sup>9</sup> Italian,<sup>10</sup> and Greek traditions.<sup>11</sup> However, in some cases, it is impossible to ascertain whether the treatment of a particular element exclusively refers to the city of Rome and/or to another tradition,<sup>12</sup> and one cannot then be sure if that cultural reference specifically regards a Roman element or also, for instance, its Greek concept.

There is evidence to prove the multicultural and multilingual flavour of the *togata*. However, textual pieces of evidence from the *togata* suggest a differentiation between Roman and non-Roman elements, and I construed these as referring to a hierarchical social pyramid onstage. In other words, even if this dramatic genre portrays onstage a multicultural and multilingual world, the social identity of Roman characters seems to be put on a different and superior level to the culture and language of people coming from local Latin and Italian areas.<sup>13</sup>

Investigating further the ‘Roman’ identity construction of the *togata*, in the second chapter, I focussed on the portrayal of female and male characters. Female and male stock characters attested from Middle and New Comedy onward, and found in the titles and fragments of the *togata* (for example, prostitutes, old women, slaves, and young men in love), prostitutes and slaves with Greek names,<sup>14</sup> dowered wives,<sup>15</sup> characters not attested elsewhere in Roman literature (in particular the *palliata*) are possible hints to how the authors of the *togata* construed the identity of their works. Titinius, Afranius, and Atta

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<sup>8</sup> See I.3.1.1, I.3.1.2, and I.3.1.3.

<sup>9</sup> See I.3.2.1, I.3.2.2, and I.3.2.3.

<sup>10</sup> See I.3.3.1, and I.3.3.2.

<sup>11</sup> See I.3.4.1.

<sup>12</sup> See e.g. *repudium* and *diuortium* mentioned at I.3.1.3.

<sup>13</sup> Cf., above all, Titin. *tog.* 104 R.<sup>3</sup> *Qui Obsce et Volsce fabulantur: nam Latine nesciunt*, discussed at I.3.3.2.

<sup>14</sup> See II.1.3, and II.2.2.

<sup>15</sup> See II.1.4.

seemingly appropriated and reused the Greek comic tradition of the fourth and third centuries BCE, portraying characters who are then found in the *palliatae*. They hence appear to be anchored in a consolidated comic tradition. Meanwhile, the authors of the *togata* do not seem to have mechanically reproduced what their predecessors and contemporary colleagues had done. They were also focussed on the portrayal of (allegedly) native characters to make their *togatae* more ‘Roman’ than other mid Republican literary genres, in the sense of portraying native elements which one does not find elsewhere.

The specific presences of female and male stock characters in the *togata* testify to how the authors of the *togata* may have looked to, and known somehow of, the comedies of their Greek predecessors: in this way, Greek literary models exerted their influence on the *togata*. Furthermore, this literary synergy is proudly recognised in the *togata*, as happens in Afranius (Afran. *tog.* 25-28 R.<sup>3</sup>).<sup>16</sup> Apart from this, the possible relationship between the authors of the *togata* and the authors of Middle and New Comedy may be confirmed by a comparison between titles of *togatae* and titles of Middle and New Comedy, as shown at the end of the second chapter. Titinius, Afranius, and Atta may well have known Middle and New Comedy, and they may have received some influence from its repertoire of themes, situations, and social and/or professional characters, often through the mediation of the *palliata*.

Regarding the characterisation of new characters onstage, I interpreted it as a sign of the originality of the authors of the *togata*, who were thus pioneers of a new manner in portraying their characters onstage. Characters such as maternal aunts (*matrterae*), step-children (*priuigna* and *priuignus*), and cousins (*consobrini*) are some of the female and male characters not attested and/or not fully developed in the *palliata*. Characters such as these deserve consideration, as they allude to a greater attention the authors of the *togata* paid to the Roman family—in other words the employment onstage of collateral relationships between family members—and society, in particular humble characters (see e.g. the *togata*

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<sup>16</sup> See introduction to the thesis, section 5, and also I.3.1.3.

*Fullonia* or *Fullones* by Titinius, and the *togata Cinerarius* by Afranius).<sup>17</sup> Such a presence may refer to the tendency of the authors of the *togata* to focus on domestic and daily life scenes onstage. They then aimed to make the literary genre of the *togata* closer to the ‘real’ life of that time: in this way, “the *togata* was probably the Roman dramatic form the came closest to being a ‘mirror of life’ on the basis of setting, personages and topics”.<sup>18</sup>

The second chapter also highlighted the importance that some of the playwrights of *togatae* (especially Titinius and Atta, but not Afranius) gave to the dramatic representation of female characters: this is suggested by an analysis of the extant titles of the *togatae* alluding to the presence of women, and by what one reads in the fragments in relation to female characters not attested or fully developed elsewhere. The stronger emphasis given to the onstage portrayal of women (and female matters in general) must have reduced, at least on the basis of the meagre fragments, the role of young and old men in the plots of the *togatae*, especially if one compares them with the *palliata* (of Plautus in particular) regarding the relationships between masters and slaves.

In the third chapter, I investigated the ancient perception of the *togata* and produced a lexical analysis of its transmitted fragments. As we saw in the first part of the chapter, ancient authors describe the *togata* and its playwrights by using terms often utilised to label Roman orators of the mid Republic (that is, *lepos* and *facundus*),<sup>19</sup> and the classical Attic genre (Lysias in particular) and its related constructs (for example, *elegantia*).<sup>20</sup> More interestingly, the usage of these terms in the description of the *togata* seems to be related to the idea that mid Republican Romans, who are said to be free from linguistic corruption, naturally spoke in ‘elegant’, ‘clear’, and ‘pure’ way, according to what ancient sources report. My analysis then cast light on the ways in which Romans of the second century BCE were perceived to speak, along with the authors of the *togata*. In particular, Afranius is described with characteristics which can be associated with the Attic style, though

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<sup>17</sup> On this, see also Guardì 1985: 16.

<sup>18</sup> Manuwald 2011: 159-160.

<sup>19</sup> See III.1.1.1, and III.1.1.2.

<sup>20</sup> See III.1.2.3.

without imitation of the latter.<sup>21</sup> In this way, one may consider such a description a further indication of the identity construction of the *togata*, in the sense that this theatrical genre is perceived to contain features considered indigenous.

In the second part of the chapter, I focussed on the 'Roman-ness' of the *togata* through its lexicon. I analysed fragments and titles from a lexical point of view to further elucidate how the playwrights of the *togata* fabricated the identity of their theatrical representations. I showed how the authors of the *togata* apparently linked the lexicon of their works to that attested in those of other Roman authors. This is corroborated by the usage of *hapax legomena*<sup>22</sup> and *primum dicta*,<sup>23</sup> the use of which is very high in the extant *togatae*. Meanwhile, on the basis of internal pieces of evidence from the *togata*, the playwrights of the *togata* seem to avoid Greek borrowings,<sup>24</sup> and rare Plautine terms.<sup>25</sup> Therefore, when it comes to the lexicon attested in the surviving *togatae*, the identity of this theatrical genre lies in a kind of twist on tradition, as this lexicon is in fact imbued with traditional and innovative elements. My empirical approach made a distinction between, on the one hand, terms quoted by grammarians and lexicographers because of some particular interest in such forms and, on the other hand, terms found in fragments because of the quotation of other terms attested in the same fragments, which were the actual source of interest to the *testimonia*. This method provides the 'real' rate of *hapax legomena*, *primum dicta*, Graecisms, and rare Plautine terms attested in the *togata*, bringing to life all those terms which are not explicitly transmitted through the *testimonia*. Furthermore, I analysed these lexical items focussing on their word-formation to figure out their productivity and/or their allusion to new concept(s). I also considered their attestation in works of later authors (e.g. *primum dicta*), showing how these terms are mostly attested in prose and cannot then be considered wholly 'poetic'.

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<sup>21</sup> See Cic. *Brut.* 167, discussed at III.1.2.1, and Quint. *Inst.* 10.1.100, discussed at III.1.2.2; on either of them, see also III.1.3.

<sup>22</sup> See III.2.1.1.

<sup>23</sup> See III.2.1.2.

<sup>24</sup> See III.2.2.

<sup>25</sup> See III.2.3.

This thesis further advances our knowledge of the construction of 'Roman' identity in the mid Republic, suggesting a new understanding of the *togata* and original pathways for future research on philological problems connected with the transmission and the interpretation of a line, identity, mid Republican Roman culture, gender, and the Latin language.

The *togata* is hence a fascinating multicultural and multilingual kaleidoscope for understanding the construction of mid Republican 'Roman' identity, and the fragments of this theatrical genre keep its echo alive after more than two thousand years.

## Appendix

### The Quotation of the Fragments of the *Togata* in Ancient Sources

Here, I list the fragments of the *togata* quoted by the *testimonia*. I start with the source quoting the highest number of these fragments, and finish with the source transmitting the lowest number.

#### Titinius

Nonius quotes 78 fragments:

- Titin. *tog.* 4-5 (Non. 6 L.), 7-10 (Non. 887 L.), 11 (Non. 801 L.), 15-16 (Non. 114 L.), 17 (Non. 225 L.), 18-19 (Non. 474 L.), 20 (Non. 346 L.), 21 (Non. 753 L.), 22-23 (Non. 588 L.), 24-25 (Non. 653 L.), 26 (Non. 776 L.), 27 (Non. 140 L.), 28-29 (Non. 369 L.), 30-31 (Non. 320-321 and 582 L.), 32-33 (Non. 159 L.), 34-35 (Non. 332 L.), 36 (Non. 282 and 678 L.), 37-38 (Non. 114 L.), 39/40-41 (Non. 231 L.), 41<sup>1</sup>-42 (Non. 231 L.), 43-44 (Non. 653 L.), 45-46 (Non. 134 L.), 47 (Non. 794 L.), 48 (Non. 797 L.), 49 (Non. 820 L.), 51-52/53 (Non. 477 L.), 54 (Non. 628 L.), 55 (Non. 345 L.), 56-57 (Non. 388 and 820 L.), 58 (Non. 652 L.), 59 (Non. 781 L.), 65-66 (Non. 231 L.), 67-68 (Non. 820 L.), 69 (Non. 558 L.), 70/72 (Non. 100 and 427 L.), 76-77 (Non. 145 L.), 79 (Non. 597 L.), 80 (Non. 832 L.), 81/82 (Non. 426 L.), 83 (Non. 263 L.), 84 (Non. 448 L.), 86/87 (Non. 811 L.), 88-89 (Non. 491 L.), 90 (Non. 521 L.), 91-92 (Non. 332 L.), 93-94 (Non. 796 L.), 95-97 (Non. 815 L.), 98 (Non. 772 L.), 99-100 (Non. 425 L.), 101 (Non. 706 L.), 102 (Non. 139 and 426 L.), 103 (Non. 775 L.), 105 (Non. 209 L.), 106 (Non. 307 L.), 107-108 (Non. 473 L.), 112-113 (Non. 301 L.), 114-115 (Non. 879 L.), 117-118 (Non. 177 L.), 124-125 (Non. 886 L.), 127-128 (Non. 28, 124, 274, 376 and 807 L.), 134 (Non. 230 L.), 135-136 (Non. 134 L.), 137 (Non. 191 L.), 138-139 (Non. 860 L.), 140-141 (Non. 494 L.), 142-143 (Non. 321 L.), 144 (Non. 627 L.), 145-146 (Non. 562 L.), 147-148 (Non. 4 L.), 149 (Non. 794 L.), 150 (Non. 819 L.), 151 (Non. 748 L.), 152-153 (Non. 425 L.), 154 (Non. 521 L.), 155 (Non. 765 L.), 163-164 (Non. 309 L.), 167-168 (Non. 860 L.), 172<sup>1</sup> R.<sup>3</sup> (Non. 327 and 730 L.).

Charisius quotes 16 fragments:

- Titin. *tog.* 1 (Char. 262 B.), 2 (Char. 310 B.), 12 (Char. 258 B.), 13 (Char. 268 B.), 14 (Char. 282 B.), 60-61 (Char. 180 B.), 63-64 (Char. 255 B.), 78 (Char. 158 B.), 109/110 (Char. 274 B.), 111 (Char. 258 B.), 122-123 (Char. 276 B.), 126 (Char. 279 B.), 129 (Char. 156 B.), 130 (Char. 265 B.), 133 (Char. 275 B.), 160 R.<sup>3</sup> (Char. 69 and 175 B.).

Festus quotes 15 fragments:

- Titin. *tog.* 3 (Fest. 386 L.), 35<sup>1</sup> (Fest. 406 L.), 74-75 (Fest. 448 L.), 104 (Fest. 204 L.), 116 (Fest. 128 L.), 119 (Fest. 196 L.), 131-132 (Fest. 334 L.), 156 (Fest. 494 L.), 157 (Fest. 494 L.), 165-166 (Fest. 208 L.), 171 (Fest. 390 L.), 173-174 (Fest. 500 L.), 176-177 (Fest. 230 L.), 178 (Fest. 390 L.), 181-182 R.<sup>3</sup> (Fest. 214 L.).

Paulus ex Festo quotes 10 fragments:

- Titin. *tog.* 3 (Paul. ex Fest. 387 L.), 39/40-41 (Paul. ex Fest. 246 L.), 104 (Paul. ex Fest. 205 L.), 161-162 (Paul. ex Fest. 110 L.), 169-170 (Paul. ex Fest. 509 L.), 171 (Paul. ex Fest. 391 L.), 175 (Paul. ex Fest. 235 L.), 178 (Paul. ex Fest. 391 L.), 184 (Paul. ex Fest. 51 L.), 185 R.<sup>3</sup> (Paul. ex Fest. 123 L.).

Priscian quotes 8 fragments:

- Titin. *tog.* 6-7 (Prisc. 6.2.227 and 266 K.), 50 (Prisc. 10.2.529 K.), 56-57 (Prisc. 15.3.70 K.), 67-68 (Prisc. 15.3.70 K.), 85 (Prisc. 4.2.129 and 7.2.338 K.), 90 (Prisc. 6.2.213 K.), 95-97 (Prisc. 8.2.377 and 398 K.), 158-159 R.<sup>3</sup> (Prisc. 6.2.207 K.).

Seruius quotes 2 fragments:

- Titin. *tog.* 120-121 (Seru. A. 11.457 T.-H.), 179-180 R.<sup>3</sup> (Seru. A. 4.346 T.-H.).

Corpus Glossariorum Latinorum quotes 1 fragment:

- Titin. *tog.* 186 R.<sup>3</sup> (CGL II 18 34 G).



Scholiasta Veronensis quotes 1 fragment:

- Titin. *tog.* 62 R.<sup>3</sup> (Schol. Veron. in Verg. *A.* 2.670 T.-H.).

Porphiry quotes 1 fragment:

- Titin. *tog.* 183 R.<sup>3</sup> (Porph. ad Hor. *carm.* 2.6.10 M.).

### Afranius

Nonius quotes 182 fragments:

- Afran. *tog.* 2 (Non. 597 L.), 3 (Non. 392 L.), 4 (Non. 114 L.), 5 (Non. 149 L.), 6 (Non. 107 L.), 7 (Non. 159 L.), 10-11 (Non. 630 L.), 12 (Non. 824 L.), 13 (Non. 110 L.), 14 (Non. 223 L.), 17 (Non. 139 L.), 18 (Non. 177 L.), 20-21 (Non. 167 L.), 31 (Non. 797 L.), 32 (Non. 57 L.), 40-41 (Non. 179 L.), 42 (Non. 770 L.), 43 (Non. 182 L.), 45-46 (Non. 128 L.), 47-49 (Non. 29 L.), 50 (Non. 762 L.), 51 (Non. 819 L.), 52-54 (Non. 631 L.), 55-56 (Non. 124 L.), 57-58 (Non. 631 L.), 59-60 (Non. 826 and 829 L.), 61-63 (Non. 32 L.), 64 (Non. 272 L.), 65 (Non. 157 L.), 66 (Non. 257 L.), 67 (Non. 542 L.), 68 (Non. 183 L.), 83 (Non. 156 L.), 91 (Non. 126 L.), 99 (Non. 797 L.), 100-101 (Non. 832 L.), 104-106 (Non. 306 L.), 107-108 (Non. 598 L.), 109 (Non. 27 L.), 110/111 (Non. 145 L.), 113 (Non. 13 L.), 114-115 (Non. 327 L.), 116-117 (Non. 388 L.), 118-119 (Non. 397 L.), 120 (Non. 660 L.), 121 (Non. 660 L.), 122-123 (Non. 866 L.), 124-125 (Non. 773 L.), 127-128 (Non. 610 and 808 L.), 130 (Non. 429 L.), 133-134 (Non. 868 L.), 135 (Non. 494 L.), 136 (Non. 497 L.), 137 (Non. 357 L.), 138-139 (Non. 859 L.), 140-141 (Non. 841 L.), 142 (Non. 318 L.), 143-144 (Non. 841 L.), 145/146 (Non. 496 L.), 147-148 (Non. 345 L.), 149-150 (Non. 201 L.), 151-152 (Non. 800 L.), 153 (Non. 648 L.), 154 (Non. 226 L.), 155 (Non. 236 L.), 156-158 (Non. 476 L.), 159-160 (Non. 432 L.), 161-162 (Non. 190 L.), 163 (Non. 103 L.), 164 (Non. 631 L.), 165-167 (Non. 449 L.), 168-169 (Non. 482 L.), 170-172 (Non. 640 L.), 173 (Non. 798 L.), 174 (Non. 257 L.), 175-177 (Non. 257 L.), 178 (Non. 214 L.), 179-180 (Non. 89 L.), 181 (Non. 103 L.), 182 (Non. 867 L.), 183

(Non. 41 L.), 184 (Non. 765 L.), 185 (Non. 638 L.), 186 (Non. 699 L.), 187 (Non. 810 L.), 187<sup>1</sup> (Non. 873 L.), 189-191 (Non. 409 L.), 192 (Non. 759 L.), 194-195 (Non. 110 L.), 196-197 (Non. 628 L.), 198-199 (Non. 833 L.), 200 (Non. 413 L.), 201 (Non. 766 L.), 202 (Non. 477 L.), 203 (Non. 477 L.), 204 (Non. 220 L.), 206 (Non. 816 L.), 207-209 (Non. 180 L.), 210-211 (Non. 628 L.), 212-213 (Non. 827 L.), 214 (Non. 59 L.), 216-217 (Non. 409 L.), 218 (Non. 218 L.), 219-220 (Non. 829 L.), 221 (Non. 681 L.), 222 (Non. 136 L.), 223 (Non. 833 L.), 224-225 (Non. 109 L.), 226 (Non. 597 L.), 228 (Non. 569 L.), 229 (Non. 89 L.), 231 (Non. 322 L.), 236-237 (Non. 160 L.), 241-242 (Non. 524 L.), 243-244 (Non. 826 L.), 245-247 (Non. 480 L.), 248-249 (Non. 106 L.), 250 (Non. 31 L.), 251 (Non. 823 L.), 252 (Non. 657 L.), 253 (Non. 49 L.), 254-255 (Non. 181 L.), 256 (Non. 351 L.), 257 (Non. 318 L.), 258-259 (Non. 41 L.), 260-262 (Non. 699 L.), 263 (Non. 784 L.), 264 (Non. 540 L.), 265 (Non. 370 L.), 266-267 (Non. 5 L.), 268 (Non. 324 L.), 269 (Non. 807 L.), 270 (Non. 258 L.), 271 (Non. 791 L.), 272-273 (Non. 637 L.), 278 (Non. 106 L.), 279-280 (Non. 159 L.), 282-283 (Non. 722 L.), 285-286 (Non. 828 L.), 289-290 (Non. 827 L.), 301 (Non. 821 L.), 302-303 (Non. 797 L.), 306 (Non. 370 L.), 307 (Non. 178 L.), 308-309 (Non. 409 L.), 310-311 (Non. 409 L.), 315 (Non. 274 L.), 317-318 (Non. 9 L.), 319 (Non. 57 L.), 321 (Non. 835 L.), 322 (Non. 746 and 810 L.), 323 (Non. 567 L.), 324 (Non. 174 L.), 326 (Non. 255 L.), 327 (Non. 273 L.), 332-333 (Non. 830 L.), 342 (Non. 179 L.), 344 (Non. 128 L.), 345 (Non. 341 L.), 346-347 (Non. 221 L.), 354-355 (Non. 432 L.), 356-357 (Non. 138 L.), 358 (Non. 574 L.), 360-362 (Non. 796 L.), 363-364 (Non. 790 L.), 366-368 (Non. 351 and 532 L.), 371 (Non. 41 L.), 372-374 (Non. 699 and 849 L.), 376-377 (Non. 400 L.), 378-382 (Non. 4 L.), 383-385 (Non. 691 L.), 386-387 (Non. 18 L.), 388-389 (Non. 806 L.), 390 (Non. 799 L.), 391 (Non. 41 L.), 392 (Non. 58 L.), 393 (Non. 786 L.), 394 (Non. 809 L.), 398-399 (Non. 157 L.), 400 (Non. 214 L.), 401 (Non. 767 L.), 433 R.<sup>3</sup> (Non. 182 L.).

Charisius quotes 45 fragments:

- Afran. *tog.* 4<sup>1</sup> (Char. 314 B.), 22 (Char. 313 B.), 36 (Char. 274 B.), 38 (Char. 264 B.), 39 (Char. 266 B.), 44 (Char. 134 B.), 69-70 (Char. 269 and 280 B.), 71 (Char. 260 B.), 72-74

(Char. 275 B.), 75-76 (Char. 278 B.), 78 (Char. 268 B.), 79 (Char. 282 B.), 80 (Char. 276 B.), 81 (Char. 285 B.), 82 (Char. 280 B.), 84-86 (Char. 284 B.), 87 (Char. 264 B.), 88-89 (Char. 281 B.), 90 (Char. 256 B.), 95-96 (Char. 314 B.), 97-98 (Char. 314 B.), 102 (Char. 313 B.), 103 (Char. 314 B.), 215 (Char. 261 B.), 232-233 (Char. 152 B.), 234 (Char. 153 B.), 235 (Char. 152 B.), 238-239 (Char. 127 B.), 287 (Char. 272 B.), 291-292 (Char. 284 B.), 293 (Char. 284 B.), 294-295 (Char. 270 B.), 296-297 (Char. 277 B.), 316 (Char. 260 B.), 330-331 (Char. 138 B.), 348 (Char. 282 B.), 349 (Char. 288 B.), 350-352 (Char. 263 B.), 353 (Char. 278 B.), 359 (Char. 275 B.), 365 (Char. 146 and 267 B.), 375 (Char. 286 B.), 395-396 (Char. 270 B.), 397 (Char. 280 B.), 420 R.<sup>3</sup> (Char. 184 B.).

Festus quotes 30 fragments:

- Afran. *tog.* 1 (Fest. 454 L.), 15 (Fest. 426 L.), 35 (Fest. 500 L.), 92 (Fest. 196 L.), 93-94 (Fest. 344 L.), 112 (Fest. 484 L.), 122-123 (Fest. 406 L.), 126 (Fest. 390 L.), 129 (Fest. 306 L.), 131 (Fest. 338 L.), 132 (Fest. 388 L.), 188 (Fest. 226 L.), 218<sup>1</sup> (Fest. 154 L.), 240 (Fest. 452 L.), 260-262 (Fest. 256 L.), 277 (Fest. 344 L.), 281 (Fest. 500 L.), 284<sup>1</sup> (Fest. 352 L.), 288 (Fest. 350 L.), 312 (Fest. 174 L.), 320 (Fest. 174 L.), 336-338 (Fest. 124 L.), 343 (Fest. 394 L.), 392 (Fest. 500 L.), 402 (Fest. 486 L.), 406-407 (Fest. 486 L.), 410-411 (Fest. 492 L.), 423-424 (Fest. 346 L.), 425 (Fest. 388 L.), 426 R.<sup>3</sup> (Fest. 320 L.).

Priscian quotes 12 fragments:

- Afran. *tog.* 16 (Prisc. 10.2.499 K.), 20-21 (Prisc. 8.2.404 K.), 30 (Prisc. 5.2.171 K.), 77 (Prisc. 7.2.242 K.), 178 (Prisc. 8.2.444 K.), 193 (Prisc. 6.2.231 K.), 227 (Prisc. 10.2.516 K.), 230 (Prisc. 6.2.227 K.), 235<sup>1</sup> (Prisc. 3.2.98 K.), 276 (Prisc. 3.2.114 K.), 325 (Prisc. 6.2.227 and 266 K.), 328-329 R.<sup>3</sup> (Prisc. 5.2.170 and 6.2.261 K.).

Paulus ex Festo quotes 8 fragments:

- Afran. *tog.* 1 (Paul. ex Fest. 455 L.), 122-123 (Paul. ex Fest. 407 L.), 336-338 (Paul. ex Fest. 125 L.), 410-411 (Paul. ex Fest. 493 L.), 415 (Paul. ex Fest. 17 L.), 418 (Paul. ex Fest. 201 L.), 419 (Paul. ex Fest. 131 L.), 427 R.<sup>3</sup> (Paul. ex Fest. 35 L.).

Macrobius quotes 5 fragments:

- Afran. *tog.* 25-28 (Macr. 6.1.4 K.), 300 (Macr. 3.20.4 K.), 335 (Macr. 6.8.13 K.), 339-341 (Macr. 6.4.12 K.), 402-403 R.<sup>3</sup> (Macr. 6.5.6 K.).

Isidorus quotes 5 fragments:

- Afran. *tog.* 282-283 (Isid. *Diff.* 86 L.), 284 (Isid. *Orig.* 20.2.24 L.), 404-405 (Isid. *Orig.* 12.8.16 L.), 414 (Isid. *Orig.* 12.6.60 L.), 416 R.<sup>3</sup> (Isid. *Diff.* 500 and *Orig.* 10.246 L.).

Gellius quotes 4 fragments:

- Afran. *tog.* 33-34 (Gel. 15.13.3 M.), 298-299 (Gel. 13.8.3 M.), 335 (Gel. 10.11.8 M.), 417 R.<sup>3</sup> (Gel. 20.6.5 and 11 M.).

Seruius quotes 4 fragments:

- Afran. *tog.* 23-24 (Seru. A. 4.194 T.-H.), 221 (Seru. A. 4.194 T.-H.), 421 (Seru. A. 11.373 T.-H.), 422 R.<sup>3</sup> (Seru. B. 9.23 T.-H.).

Probus quotes 2 fragments:

- Afran. *tog.* 8-9 (Prob. B. 6.31 K.), 205 R.<sup>3</sup> (Prob. *De nom.* 4.209.21 K.).

Pompeius quotes 2 fragments:

- Afran. *tog.* 428-429 (Pomp. 5.311 K.), 432 R.<sup>3</sup> (Pomp. 5.153 K.).

Cicero quotes 2 fragments:

- Afran. *tog.* 304/305 (Cic. *Sest.* 118 M.), 408-409 R.<sup>3</sup> (Cic. *Tusc.* 4.20.45, and 25.55 G.; *Att.* 16.2.3 S.).

Ausonius quotes 2 fragments:

- Afran. *tog.* 334 (Aus. *Idyl.* 12.1), 431 R.<sup>3</sup> (Aus. *Idyl.* 17, *praef.*).

Anonymous Bernensis quotes 2 fragments:

- Afran. *tog.* 30 (Anon. Bern. 8.112 K.), 328/329 R.<sup>3</sup> (Anon. Bern. 8.103 K.).

Varro quotes 1 fragment:

- Afran. *tog.* 430 R.<sup>3</sup> (Var. *L.* 5.25).

Suetonius quotes 1 fragment:

- Afran. *tog.* 29 R.<sup>3</sup> (Suet. *Vita Terenti* 294 R.).

Alcuinus grammaticus quotes 1 fragment:

- Afran. *tog.* 30 R.<sup>3</sup> (Alcuin. 862 M.).

Scholiasta Bobiensis quotes 2 fragments:

- Afran. *tog.* 37 (Schol. Bobien. *Clod. et Cur.* 26 H.), 304/305 R.<sup>3</sup> (Schol. Bobien. *Sest.* 118 H.).

Scholiasta Lucani quotes 1 fragment:

- Afran. *tog.* 122-123 R.<sup>3</sup> (Schol. Luc. *Ph.* 2.364 U.).

Apuleius quotes 1 fragment:

- Afran. *tog.* 221 R.<sup>3</sup> (Apul. *Apol.* 12.6 J.).

Scholiasta Veronensis quotes 1 fragment:

- Afran. *tog.* 274-275 R.<sup>3</sup> (Schol. Veron. in Verg. *A.* 10.564 T.-H.).

Donatus quotes 1 fragment:

- Afran. *tog.* 313-314 R.<sup>3</sup> (Don. Ter. *Ad.* 3.4.34 W.).

Philargyrius quotes 1 fragment:

- Afran. *tog.* 315 R.<sup>3</sup> (Philarg. in G. 3.175).

Grammaticus Anonymous quotes 1 fragment:

- Afran. *tog.* 44 R.<sup>3</sup> (Gramm. Anonym. *de dubiis nominibus*, 5.591 K.).

Glossa Vetus quotes 1 fragment:

- Afran. *tog.* 404-405 R.<sup>3</sup> (Thes. Nou. Lat. *Class. Auc.* 8.67 M.).

Glossae Salomonis quotes 1 fragment:

- Afran. *tog.* 416 R.<sup>3</sup> (Gloss. Salom. S.).

### Atta

Nonius quotes 6 fragments:

- Atta *tog.* 3 (Non. 193 L.), 4/5 (Non. 202 L.), 6 (Non. 204 L.), 7 (Non. 797 L.), 8-9 (Non. 751 L.), 23-24 R.<sup>3</sup> (Non. 343 L.).

Seruius quotes 3 fragments:

- Atta *tog.* 10-11 (Seru. B. 7.33 T.-H.), 18 (Seru. G. 1.43 T.-H.), 19-20 R.<sup>3</sup> (Seru. G. 1.43 T.-H.).

Gellius quotes 2 fragments:

- Atta *tog.* 2 (Gel. 6.9.10 M.), 6 R.<sup>3</sup> (Gel. 6.9.8 M.).

Priscian quotes 2 fragments:

- Atta *tog.* 14 (Prisc. 7.2.342 K.), 17 R.<sup>3</sup> (Prisc. 8.2.433 K.).

Isidorus quotes 2 fragments:

- Atta *tog.* 12-13 (Isid. *Orig.* 6.9.2 L.), 21/22 R.<sup>3</sup> (Isid. *Nat.* 44.4 F.).

Macrobius quotes 1 fragment:

- Atta *tog.* 15/16 R.<sup>3</sup> (Macr. 3.18.8 K.).

Charisius quotes 1 fragment:

- *Atta tog.* 11<sup>1</sup> R.<sup>3</sup> (Char. 132 B.).

Diomedes quotes 1 fragment:

- *Atta tog.* 1 R.<sup>3</sup> (Diom. 3.1.490 K.).

Scholiasta Veronensis quotes 1 fragment:

- *Atta tog.* 10-11 R.<sup>3</sup> (Schol. Veron. in Verg. *B.* 7.33 T.-H.)

Glossa Vetus quotes 1 fragment:

- *Atta tog.* 12-13 R.<sup>3</sup> (Thes. Nou. Lat. *Class. Auc.* 6.578 M.).

These attributions are made on linguistic grounds, on literary grounds, and in some cases both on linguistic and literary grounds. With regard to the fragments of *togatae* attributed to Titinius, 116 of these attributions are made on linguistic grounds, 19 on literary grounds, and 4 both on linguistic and literary grounds. Regarding the lines of *togatae* attributed to Afranius, 349 of these attributions are made on linguistic grounds, 24 on literary grounds, and 38 both on linguistic and literary grounds. Concerning the fragments of *togatae* attributed to Atta, 17 of these attributions are made on linguistic grounds, and 5 both on linguistic and literary grounds.

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