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The Sacra Idulia in Ovid's Fasti

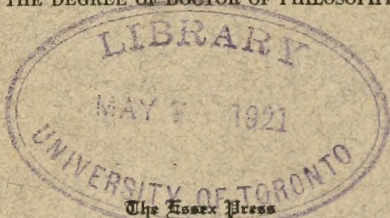
A Study of Ovid's Credibility in
Regard to the Place and the
Victim of this Sacrifice

BY

HORACE WETHERILL WRIGHT

A THESIS

PRESENTED TO THE FACULTY OF THE GRADUATE SCHOOL IN
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY



NEWARK, NEW JERSEY

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The Essex Press
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I am happy in having this opportunity gratefully to acknowledge the valuable suggestions and kindly criticism and proof-reading of Professors J. C. Rolfe, W. B. McDaniel, R. G. Kent, Assistant Professors G. D. Hadzsits and H. B. Van Deventer, and Doctors T. A. Buenger and E. H. Heffner of the University of Pennsylvania; also the helpful suggestions and kindly reading and criticism of the first chapter given by Professor Kirby F. Smith of Johns Hopkins University, who was Acting Director of the School of Classical Studies of the American Academy in Rome during my Fellowship in that Institution.

H. W. W.

PREFACE

The passages in Ovid's *Fasti* which relate to the *sacra Idulia* give rise to three problems, namely, the place of sacrifice, the sex of the victim, and the age of the victim. The scope of this thesis is confined to the first two problems. The third is so intimately related to a study of the *iuuenci* offered Jupiter on January 1, that it has seemed best to reserve it for a future article, in which the investigation will be directed as much to cattle as to sheep and will, therefore, involve a close study of other sacrifices besides the *sacra Idulia*.

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THE SCENE OF THE *SACRA IDULIA*.

One of the most interesting sacrifices mentioned in Ovid's *Fasti*, and one which presents some of the knottiest problems, is that of the *ovis Idulis*,¹ or sheep sacrificed on the Ides of every month to Jupiter by the Flamen Dialis.² Where was this ceremony performed? Ovid (*Fasti* I 587-88) says,

"Idibus in magni castus Iovis aede sacerdos
Semimaris flammis viscera libat ovis."

According to him, then, the burnt offering was made in an *aedes* of Jupiter. Before turning to the question of what *aedes* is meant, it will be of interest to discuss on what part of the sacred premises the Romans were accustomed to slay a victim and burn its *exta*, the portion offered to the god; in other words, whether Ovid's phrase *in aede* be ritualistically correct.

The Latin *in* with the ablative covers the meaning of both "in" and "on" in English. Now while mention is made again and again in the *Acta Fratrum Arvalium* of the *immolatio* or slaying of victims *in Capitolio*,³ the phrase means "on" the Capitoline, rather than in the temple of the Triad; for we have a passage⁴ "in Capitolio . . in tem[p]lo Iovis optimi maximi? fratres Arvales] Iov[i] o(ptimo) m(aximo) bovem marem immolarunt," where the distinction is clearly drawn between the hill and the temple. Moreover, the words *in templo* are extraordinary, for in turning over page after page of the *Acta* we continually read of sacrifice to Jupiter *in Capitolio*, but here only is the temple distinctly specified. Even more illuminating is the immolation "in templo novo divo Aug(usto)" of a *bos mas*,⁵ for on another page we

¹ *Fasti* I, 56; Macro. I, 15, 16; Paul. 104, 17.

² Macro. I, 15, 16; *F.* I, 587-88.

³ Henzen, *Act. Fr. Arv.*, p. XXXVI, p. XLIII et al. The parenthesis indicates the filling out of an abbreviation, and the bracket a break in the original inscription.

⁴ Henzen, *Act. Fr. Arv.*, p. CXXII.

⁵ Henzen, *Act. Fr. Arv.*, p. LXIX.

meet with the sacrifice to Divus Augustus *ad templum novum*⁶ and again the words, "an[te templum novum divo Augusto bovem] marem et div[ae Augustae vaccam i]mmolavit."⁷

At once the question arises, what is meant by *templum*. The author in Smith's *Dictionary of Antiquities*⁸ in discussing Augustus' use of the two words *templum* and *aedes* in the *Monumentum Ancyranum* 19, 20, and 21, makes the following observation:

"It seems to us a truer view that the use of *templum* for *aedes* was coming in before the end of the Republic, and that Augustus in speaking by name of pre-existing temples, uses the term which originally described them, but in those which he has just built uses the term now in vogue."

Vitruvius throws some light on the word, in III, 4, 4:

"Gradus in fronte constituendi ita sunt uti sint semper in pares. Namque cum dextro pede primus gradus ascendatur, item in summo templo primus erit ponendus."

This is translated by Morris Hicky Morgan as follows:

"The steps in front must be arranged so that there shall always be an odd number of them; for thus the right foot, with which one mounts the first step, will also be the first to reach the level of the temple itself."

The writer of the article on *templum* in Daremberg et Saglio's *Dictionnaire des antiquités grecques et romaines*⁹ thus comments on the passage:

"Un passage de cet auteur semblerait même montrer que ce terme, en architecture religieuse, indiquait seulement l'aire sur laquelle s'élevaient les murs et les colonnes de l'édifice; la surface supérieure du *podium* est pour lui le *summun templum*."

This view seems correct, namely, that Vitruvius means by *summun templum* the upper surface of the *podium*, the area on which the walls and colonnade rested, and upon which one stepped on reaching the head of the stairway. *Templum* would then be identical with *podium*. This is a strict interpretation of the passage, but, by a natural extension, *templum* would include not only the *summun templum* or upper surface, but the walls

⁶ *Act. Fr. Arv.*, p. XLVIII, a. 39.

⁷ *Act. Fr. Arv.*, p. LXIII, a. 57.

⁸ Vol. II, p. 773.

⁹ p. 107.

and colonnade which surrounded it, and any sacrifice performed *in templo* would probably have been offered in the cella or in the portico. In buildings of the Maison Carrée type, however, a strict interpretation of the word *templum* would include also the steps cut in the *podium* and leading to the upper surface.¹⁰

Varro¹¹ and Granius Licinianus, quoted by Macrobius,¹² tell of the immolation of victims "in" the Regia, and in the foundations of a temple excavated at Alatri are traces of an altar in the pronaos.¹³ The mere fact, however, that the preposition *in* is employed only in rare instances would indicate that the place of sacrifice was unusual, and especially is this seen in the contrast above noted in the *Acta Fratrum Arvalium* between *in templo* and *in Capitolio*. In the three sacrifices to Augustus we have *in*, *ad*, and *ante templum novum*. *Ad* and *ante* appear to mean about the same thing, and must be references to immolation outside the *templum* proper and in front of the steps leading up the *podium* to the portico. One more passage from the *Acta Fratrum Arvalium* must be quoted: "in Capitolio ante cellam Iunonis reg(inae)...fratres Arvales convenerunt et immolaverunt...I(ovi) o(ptimo) m(aximo) b(ovem) m(arem) a(uratum), Iunoni reg(inae) b(ovem) f(eminam) a (uratam), Minervae b(ovem) f(eminam) a(uratum)."¹⁴ Here, whether *ante cellam Iunonis reginae* implies in the portico, on the steps of the *podium*, or in front of the steps, it is alike definitely stated that the sacrifice was not inside the cella.

¹⁰ See Mau-Kelsey, *Pompeii*, pp. 49, 64, 131; Overbeck-Mau *Pompeii*, pp. 69, 70, 115, 116; Huelsen-Carter *Roman Forum*, pp. 90, 149; H. B. Walters *The Art of the Romans*, plate IX. For steps outside the *podium* and merely attached to it compare Mau-Kelsey, pp. 86, 173; Overbeck-Mau, 96; etc. Can it be possible that the references recording a sacrifice *in templo* refer to such offering at an altar on the steps and naturally included, according to the stricter interpretation of Vitruvius, in the *templum*? The architecture of the Regia (for the immolation of victims *in regia* see notes 11 and 12) and the fact that at Alatri the traces discovered of an altar were in the pronaos (cf. n. 13), would be against such a view, as is also the construction of those temples whose steps are outside the *podium* and whose altars stand in front of the steps.

¹¹ *L. L.* VI, 12.

¹² Macrobius, I, 16, 30.

¹³ *Röm. Mitt.* IV, 144; VI, 350.

¹⁴ *Act. Fr. Arv.*, p. CXCVII, a. 213.

The very construction, however, of a Roman temple, standing as it did on a lofty *podium* and reached by a flight of steps, constitutes a natural obstacle to the immolation of larger animals either in the cella or in the portico. Roman reliefs¹⁵ and the miniatures of the *Codex Vaticanus* 3225 of Vergil, a manuscript in rustic capitals,¹⁶ represent the victim as being slain, or about to be slain, at an altar in front of the temple, and at Pompeii there still exists a number of such altars, placed either in front of the steps or on one of the lower rounds,¹⁷ while altars of this nature have not been discovered either in the portico or in the cella.

But Ovid's passage does not discuss the slaying of the victim. It merely says that the *exta* (*viscera*) were burned in the *aedes* of great Jupiter.¹⁸ Did the slaying, then, take place outside and the burning of the *exta* within? In such of the reliefs as portray the actual killing of the animal the act is not being performed on the altar but beside it. True, the victim here shown is a bull, but there is no reason to suppose that the procedure was otherwise in the case of sheep or swine.¹⁹ Furthermore, the miniature in a Vatican MS. of Vergil which shows an altar on one of the lowest steps of the podium, displays a fire burning on the altar.²⁰ The altars outside cella and por-

¹⁵ Relief in the Conservatori of Marcus Aurelius sacrificing before the temple of Jupiter Optimus Maximus (see Brunn-Bruckmann, plate 269); relief on an altar in front of the temple of Vespasian at Pompeii (see Mau-Kelsey, p. 107); Clarac, *Musée de Sculpture*, plates 218, 310; reliefs on the columns of Trajan and Marcus Aurelius (see Cichorius, plates 10, 38, 62, 63, 66, 72, 76, and Petersen-v. Domaszewski-Calderini, plates 13A, 38B). The relief on the silver cup from Boscoreale in the cabinet of Baron Edmund Rothschild (see *Monum. Piot.* V, plates 34-36).

¹⁶ Published in Rome, Officina Danesi, Via di Bagni 1899, illustrations 13, 18, 22 (all three giving the altar at the foot of the steps), and 31 (giving the altar on the bottom rounds).

¹⁷ See Mau-Kelsey, pp. 64, 83, 86, 108, 125, 166, 167, 171; Overbeck-Mau, pp. 71, 95, 111, 115, 117; cf. also the altar on a lower round of the steps of the temple in a miniature of a Vatican MS. of Vergil (see Daremberg et Saglio, figure 409, p. 348 under *ara*).

¹⁸ I, 587-8.

¹⁹ Cf. Arist. *Peace*, 1017 sqq., and the picture in Daremberg et Saglio under *ara*, fig. 417, p. 349.

²⁰ Daremberg et Saglio under *ara*, fig. 409, p. 348. Unfortunately they fail to give the number of the MS.

tico, therefore, cannot be explained on any theory that they were used for the slaying of the victims. The *exta* must have been burned upon them. Reisch, the author of the article on altars in Pauly-Wissowa's *Realencyclopädie*, when noting that in the Greek ritual there are but isolated examples of animal sacrifices in the temples, makes the practical observation that it would have been damaging to the cult images and the costly votive offerings, had fat and flesh been regularly burned in the poorly ventilated cella.²¹ The same criticism would apply to Roman worship.

The conclusion is, therefore, that the usual custom in animal sacrifices was to slay the victim and burn its *exta* outside the cella and portico of the temple, and, if Ovid's words in *Iovis aede* refer to cella or portico, the ceremony of the Ides was either different in this regard from the usual practise²² or the poet has not represented it correctly. Metrical reasons demand *in aede* rather than *ad aedem*. Let us see now whether the poet has informed us correctly.²³

I.

To what temple of Jupiter does Ovid refer when he says in *magni Iovis aede*? The thought at once arises of the great temple of Jupiter Optimus Maximus on the Capitoline, seat of the most important cult of Jupiter in the Roman world, yet the epithet *magni*, though applied to this divinity in *Ex Ponto*, IV, 9, 29-32, proves nothing, for the poet elsewhere confers it on Jupiter as a mere epithet.²⁴ Now, as will presently be pointed out, the

²¹ Under *Altar*, p. 1650.

²² But cf. in *regia* Varro *L. L.*, VI, 12 and Macrob. I, 16, 30.

²³ In any case, whether Ovid's expression be true or untrue of this particular ceremony, we have seen that instances do exist of the performance of sacrifice in *templo*, on one occasion even in the temple of Jupiter Optimus Maximus. Ovid's words, therefore, seem to me a noteworthy bit of evidence in support of those references which reveal sacrifice in *aede* on certain occasions. It is doubtful if even his carelessness and poetic license would have misrepresented one of the most conspicuous and widely recognized customs of Roman ritual, had he not been aware that the rule allowed occasional exceptions.

²⁴ *Tristia* III, I, 33-38, describing the house of Caesar on the Palatine:

"Singula dum miror, video fulgentibus armis

Conspicuos postes tectaque digna deo.

'Et Iovis haec 'dixi 'domus est'? Quod ut esse putarem,

Augurium menti querna corona dabat.

Cuius ut accepi dominum, 'non fallimur', inquam,

'Et magni verum est hanc Iovis esse domum'."

Fasti V, 40, of the Gigantomachia: "magnum bello sollicitare Iovem."

priest who performed the sacrifice on the Ides was the Flamen Dialis,²⁵ and it seems to me that W. Warde Fowler²⁶ is justified in his assumption that this priest had no special connection with the temple of Optimus Maximus, which was under the charge of an *aedituus*. Professor Fowler is arguing from the absence of all evidence to connect the Flamen with this cult and from his extreme antiquity in Latin religious history.²⁷ The two great festivals of Jupiter at which he is known to have officiated, namely, the *auspicatio vindemiae* and the *sacra Idulia*, were celebrated to Jupiter the great Indo-European sky-god, in whose control of the weather lay the possibility of a successful vintage;²⁸ to whom all Ides, the period of the full moon, were sacred;²⁹ and who is hailed by the Salii in their hymn as Lucetius, the giver or source of light.³⁰ The cult of Optimus Maximus, on the other hand, did not arrive in Rome until late in the history of the kingship, was of Etruscan origin, and was distinctly political, a character which it always preserved.³¹ Professor Fowler³² seems inclined to reject the Flamen Dialis as the officiating priest on the Ides,³³ and at any rate continues to place the seat of this sacrifice on the Capitolium.

²⁵ Macrobius I, 15, 16: "quam (ovem Idulem) hoc nomine vocant Tusci et omnibus Idibus Iovi immolatur a flamine"; Ov. *Fasti* I, 587-8, "castus . . . sacerdos".

²⁶ *R. E. R. P.*, p. 239 and n. 41.

²⁷ *R. E. R. P.*, pp. 128 and 239. The origin of his office is ascribed to Numa by Ennius ap. Varro, *L. L.*, VII, 45 and Liv. I, 20, 1-2.

²⁸ Fowler, *R. F.*, pp. 85-8.

²⁹ Macrobius I, 15, 15: "Iure hic dies Iovis fiducia vocatur, cuius lux non finitur cum solis occasu, sed splendorem diei et noctem continuat inlustrante luna, quod semper in plenilunio, id est medio mense, fieri solet"; 18: "Ut autem Idus omnes Iovi ita Kalendas Iunoni tributas et Varronis et pontificalis adfirmat auctoritas."

³⁰ Macrobius I, 15, 14: "Nam cum Iovem accipiamus lucis auctorem, unde et Lucetium Salii in carminibus canunt"; Wissowa, p. 114 and notes 2 and 3. Fowler, *R. E. R. P.*, p. 129.

³¹ Fowler, *R. E. R. P.*, pp. 129, 237-9; Dionys. III, 69; IV, 59; Liv. I, 38, 7; Plut. *Poplicola* XIII; XIV.

³² *R. E. R. P.*, p. 239, n. 41 and n. 38 to p. 129.

³³ He cites the use of *Sacerdotes* by Festus, p. 290 ("eo itinere utantur sacerdotes idulium sacrorum conficiendorum causa") and does not appear to consider *castus sacerdos* (*F. I.* 587) a reference to the Flamen. Cf. what he says (n. 38 to p. 129) on Hor. *C.* III, 30, 8: "dum Capitolium scandet cum tacita virgine pontifex". There is no reason to suppose that this last passage refers to the sacrifice on the Ides.

As both Ovid³⁴ and Macrobius,³⁵ however, tell us that it was offered to Jupiter, and Macrobius says *a flamine*, it appears obviously impossible that any other flamen or priest of any sort than that of Jupiter can be intended, especially as Ovid's epithet *castus sacerdos* expressly fits the character of the Flamen Dialis. I fully agree then with Professor Fowler in his hypothesis that the Flamen Dialis, because of his extreme antiquity in Latin religious history and his superintendence over the rites of the primitive Indo-European sky-god, can have had no special connection with Optimus Maximus, because this Jupiter was political and a late importation from Etruria. It is thus impossible for the *sacra Idulia* to have been offered both at this temple and by this priest. I cannot, however, reject the priest, for the passages above noted from Ovid and Macrobius are too conclusive in support of his connection with the *sacra Idulia*. I must, therefore, reject the temple, for the words *in magni Iovis aede* are by no means a certain reference to the *aedes* of the great political god, any more than to one of the other Jupiter cults in Rome.³⁶

³⁴ *Fasti* I, 56; 587-8.

³⁵ I, 15, 16 (see n. 25 above).

³⁶ I cannot see how the Etruscan etymology which Macrobius gives for the words "Ides" and *ovis Idulis* can be used as an argument against the genuinely Latin origin of the Roman festival. Even if his etymology be correct, there is no reason to doubt that the worship of the sky-god on the day of the full moon can easily have antedated any name that later crept into the calendar for that day. Macrobius, I, 15, 14: *Iduum porro nomen a Tuscis, apud quos is dies Itis vocatur, sumptum est. Item autem illi interpretantur Iovis fiduciam, nam cum Iovem accipiamus lucis auctorem . . . iure hic dies Iovis fiducia vocatur, cuius lux non finitur cum solis occasu, sed splendorem diei et noctem continuat illustrante luna; . . . diem igitur qui vel nocturnis caret tenebris Iovis fiduciam Tusco nomine vocaverunt; unde et omnes Idus Iovis ferias observandas sanxit antiquitas*"; and I, 15, 16: *"quam (ovem Idulem) hoc nomine vocant Tusci"*. A parallel rite may well have existed among the Etruscans, but it seems very improbable that the word "Ides" was derived from the Etruscan. Varro (*L. L.*, VI, 28), says: *"Idus ab eo quod Tusci itus vel potius quod Sabini idus dicunt"*. Corssen (*Über die Sprache der Etrusker*, Vol. II, pp. 237-238), gives a number of corresponding roots from the Indo-Germanic languages, all containing the idea of brightness or heavenly light. Cf. Walde (*Lateinisches etymologisches Wörterbuch*, p. 375).

II.

We must now consider two passages of vital importance in determining the scene of the sacrifice. Festus (p. 290, Müller's edition) and Varro (*L. L.*, V, 47) both say that the procession of priests passed along the *Sacra Via* in this festival. Festus' words are:

"Sacram viam quidam appellatam esse existimant..quod eo itinere utantur sacerdotes idulium sacrorum conficiendorum causa. itaque ne eatenus quidem, ut vulgus opinatur, sacra appellanda est a regia ad domum Regis sacrificuli, sed etiam a Regis domo ad sacellum Streniae, et rursus a regia usque in arcem." "Some persons believe that the Sacred Way is so called because the priests use that street in performing the *sacra Idulia*. Therefore, it must be named *Sacra*, not only, as is commonly supposed, from the Regia to the house of the *Rex Sacrificulus*, but likewise from the house of the *Rex* to the shrine of Strenia, and back from the Regia all the way to the Arx."

The use of *itaque*, meaning "therefore," as well as the statement which it introduces, show that Festus means that the procession passed along the entire length of the *Sacra Via* and that thus the name should be applied to the whole street from the *sacellum* of Strenia near the Colosseum and the Carinae, which lay south of the modern Via Cavour along the Via dei Serpenti, as far as the Arx.³⁷ Varro says:

"Carinae postea cerionia, quod hinc oritur caput sacrae viae ab Streniae sacello quae pertinet in arce(m) qua sacra quotquot mensibus feruntur in arcem et per quam augures ex arce profecti solent inaugurare."

"Carinae afterwards *cerionia* (the spelling is corrupt), because at this point the Sacred Way begins, from the shrine of Strenia,

³⁷ See Jordan I, 3, pp. 258-259, 262-263, and maps; Kiepert and Huelsen, *Forma Urbis Romae Antiquae*, 2nd. ed. maps.

and extends to the Arx. By the Sacred Way *sacra* are carried every month to the Arx and along it the augurs, having started from the Arx, are accustomed to take omens."

Against this last quotation it may be argued that the words "*sacra quotquot mensibus feruntur in arcem*" are indefinite, and might apply to some other *sacra* than the *Idulia*, but we know of no other monthly festival which included a procession along the Sacred Way to the Arx, and Festus' passage expressly states that this procession took place on the Ides. The offering must then have been made at some point along the Sacred Way, if not on the Arx itself, on which the Sacred Way terminated.

III.

But Ovid's words are *in Iovis aede*, and no temple of Jupiter is known to have stood on the Arx. O. Gilbert (*Geschichte und Topographie der Stadt Rom*, pp. 236-237) conjectured that the *aedes* was that of Jupiter Stator on the *summa sacra via*³⁸ and near the arch of Titus. The same objections, however, apply to this cult as to that of Optimus Maximus. Jupiter Stator was not the sky-god but a military Jupiter, and his temple was vowed in the third Samnite war and dedicated shortly afterward, long after that of the great god of the Capitol.³⁹ The passages in the first book of Livy (I, 12) and Ovid (*Fasti* VI, 793), which represent this temple as vowed by Romulus, appear to be purely literary tradition, for the promise is that of a *templum*,⁴⁰ and none could have been erected before 294 B. C. or the consul would not have made the vow when his army was retreating before the Samnites. Livy attempts to reconcile his later account with the earlier by stating in Book X (37, 14-16), that Romulus had vowed only a *fanum*,⁴¹ but the contradiction none the less

³⁸ Jordan I, 3, pp. 20-23.

³⁹ Liv. X, 36, 11; Wiss., p. 122, and notes 8 and 9.

⁴⁰ Liv. I, 12: "Hic ego tibi templum Statori Iovi, quod monumentum sit posteris tua praesenti ope servatam urbem esse, voveo".

⁴¹ "In ea pugna Iovis Statoris aedem votam, ut Romulus ante voverat; sed fanum tantum, id est locus templo effatus (sacratus), fuerat. Ceterum hoc demum anno, ut aedem etiam fieri senatus iuberet, bis eiusdem voti damnata re publica, in religionem venit".

remains, and the application of the title *Optimus Maximus* to Jupiter Stator in Livy's first passage⁴² is still further proof of the careless and purely literary character of Livy's account. There is as good reason, therefore, to reject the Stator temple as the scene of the *sacra Idulia* as that of Jupiter *Optimus Maximus*; for the Stator cult was still later, and for this reason, and also because of its military character, was no more the cult of the primitive sky-god than was that of *Optimus Maximus*, nor could it have been in the hands of so ancient a religious personage as the *Flamen Dialis*.⁴³

IV.

Now there was another religious edifice on the *Sacra Via*, against which the objections above mentioned do not hold good. The *Regia*⁴⁴ goes back to the hoary beginnings of a community about the Forum valley on the adjacent hills, and was, as the name implies, first the house of the king.⁴⁵ Tradition describes it as the abode of Numa, or at least the place where he discharged his priestly functions.⁴⁶ Later on it became the central point of the activities of the college of pontifices and the official headquarters of the *Pontifex Maximus*, upon whom most of the religious functions of the king devolved after the fall of

⁴² I, 12: "Haec precatus, velut si sensisset auditas preces, 'hinc', inquit, 'Romani, Iuppiter optimus maximus resistere atque iterare pugnam iubet.'"

⁴³ The article on Jupiter in Daremberg et Saglio (p. 711) states that the *quindecimviri sacris faciundis* had charge of the cult of Jupiter Stator: "Le culte de Jupiter Stator était célébré sous la surveillance des Quindecimvirs". The value of the statement is unhappily weakened by the absence of any reference to substantiate it. If it be so, however, it furnishes weighty additional testimony against the Stator temple as the scene of the *sacra Idulia*; for these priests were of later origin than the other Roman sacerdotal colleges (see Wiss., p. 534), had charge of the Sibylline Books (Wiss., p. 536), and probably a superintendence over foreign rites whose importation these oracles had directed, and did not include any flamen among their number (Wiss., pp. 542-3).

⁴⁴ Jordan I, 2, pp. 302-4; Wiss., p. 502.

⁴⁵ Festus, p. 279: "Regia domus ubi rex habitat." Cf. Wiss., p. 502, and Jordan I, 2, pp. 423-9.

⁴⁶ Solin. I, 21; Plut. *Numa* XIV; Tac. *Ann.* XV, 41.

the monarchy.⁴⁷ Here at the appropriate festivals offerings were made to certain of the oldest Roman divinities,⁴⁸ and here on all Nundinae or market days, says Granius Licinianus,⁴⁹ the Flaminica Dialis sacrificed a ram to Jupiter himself. This sacrifice by the wife of the Flamen Dialis on the market-days is comparable to that by her husband on the Ides; and the Regia alone, therefore, of any sacred edifice yet known along the Sacra Via or at its terminus can be conceived of as the scene of the *sacra Idulia*.

But Varro says that the *sacra* of the Ides were carried to the Arx.⁵⁰ His words are "*sacra quotquot mensibus feruntur in arcem.*" This statement from such an authority as Varro would at once settle the question of the scene of the sacrifice, were it not for Ovid's words in *magni Iovis aede*, for, as mentioned above, no *aedes* of Jupiter is known to have stood on the Arx. Ovid, however, does not speak of the *immolatio*, but only mentions the burning of the *exta*.

Can it be, then, that the victim was led in procession along the Sacra Via to the Arx and there slain, but its *exta* afterwards carried back to the Regia and offered in a chapel of Jupiter in that building? We know of two parallels which might justify such a theory. The first is that of the dog and sheep of the Robigalia, which were slain in Rome in the morning and whose *exta* were later offered to Robigus in the grove of that deity at the fifth milestone on the Via Claudia, whither they had been borne in solemn procession.⁵¹ The second example is connected with the Regia itself: the tail of the horse sacrificed to Mars in the Campus Martius on the Ides of October was carried with all possible speed to the Regia and the blood allowed to drip on its hearth.⁵² Mars indeed appears to have held a very prominent position in the cults

⁴⁷ Wiss., p. 502; Huelsen-Carter, *The Roman Forum*, p. 193.

⁴⁸ To Ops Consiva in her own chapel in the Regia (CIL. I², p. 327; Varro, *L. L.* VI, 21); to Juno on the Kalends by the Regina sacrorum (Macrob. I, 15, 19); to Janus on the Agonium by the Rex sacrorum (Varro, *L. L.* VI, 12); etc.

⁴⁹ Ap. Macrob. I, 16, 30: "Flaminica omnibus nundinis in regia Iovi arietem soleat immolare".

⁵⁰ *L. L.* V, 47 (see above).

⁵¹ Ov. *F.* IV, 907-36; Fasti Praenestini on Apr. 25 (CIL. I², p. 316); Fowler, *R. F.*, p. 89.

⁵² Festus, p. 178; Fowler, *R. F.*, pp. 241-2.

of the Regia. It was here that his sacred spears were kept,⁵³ and Jordan even goes so far as to assume that he was the protecting deity of the place.⁵⁴ However this may be, Ovid's expression in *magni Iovis aede* is a curious term in view of the nature of the building and the variety of divinities there worshipped, and perhaps we have already sufficient reason for concluding that the Regia had nothing whatever to do with the *sacra Idulia*. But before convicting Ovid of making so gross an error as saying that the offering was burned at an *aedes*, if the entire ceremony really took place out-of-doors, I should like to present an elaborate mass of testimony based on two lines of the *Fasti* themselves. In II, 69-70, Ovid is discussing sacrifices made on February 1 at three places. The lines are:

"Ad penetrale Numae Capitolinumque Tonantem
Inque Iovis summa caeditur arce bidens."

I shall first enter into a rather lengthy discussion to prove *penetrale Numae* equal to "Regia."

V.

H. Peter in his edition of the *Fasti*⁵⁵ understands *penetrale Numae* as a reference to the Atrium Vestae in its restricted sense, the building utilized as the dwelling of the Vestals; for he interprets *Fasti* VI, 263-4, as meaning that Numa lived in the *Domus Vestalium* and not in the Regia. The words are:

"Hic locus exiguus qui sustinet atria Vestae
Tunc erat intonsi regia magna Numae."

Regia he takes in the general sense of "palace."

There is reason to believe, however, that the Romans employed the terms *Atrium Vestae* and *Regia* interchangeably, and even that the two were at the outset parts of one and the same building. Let us examine the evidence set forth by Dr. Esther Boise Van Deman in her monograph, *The Atrium Vestae*.

The architectural history of the Atrium of the Republic "extends from the early republican or even the regal period to that

⁵³ Gell. IV, 6; Wiss., p. 502 and n. 5.

⁵⁴ I, 2, pp. 424-5.

⁵⁵ Notes on II, 69 and VI, 257 sqq.; also critical note on VI, 263 sqq.

of the early empire." This earlier Atrium was wholly destroyed in the fire of Nero, to whom the first rebuilding dating entirely from the imperial period is due. True, "many of the walls were restored more than once before their final destruction and new walls were added," but the level, orientation, and essential features of the republican Atrium remained the same down to Nero's day.⁵⁶ The centre of this republican structure lying below the level of Nero was a square court corresponding to the atrium of a private house. Portions of the walls of this court have been preserved. From it the term *atrium* spread to the entire building, and within it stood the *aedes Vestae*, just as the shrine of the goddess had its place in every private atrium.⁵⁷ According to a recent article by Dr. Van Deman, *Methods of Determining the Date of Roman Concrete Monuments* (*American Journal of Archaeology*, Vol. XVI, p. 393), the extant foundations and podium of the *aedes Vestae* not only antedate Nero but fall in the Augustan period between 14 and 12 B. C. Both these and the walls of the central court thus appear to be the very masonry existing in Ovid's day, and a glance at plan A of her *Atrium Vestae* shows us the *aedes* half surrounded by the court. In the earliest period, then, we may rest assured, the *aedes* was completely surrounded by the court, and stood probably in its northwest corner. That the *Domus publica*, or residence of the Pontifex Maximus, was structurally a part of the Atrium, we are informed by Dio Cassius, (LIV, 27), who, in relating how Augustus when Pontifex removed to the Palatine, says:

«τὴν μὲντοι τοῦ βασιλέως τῶν ἱερῶν (sc. ἀκρίαν)
ταῖς ἑπὶ παρθένοις ἔδωκεν ἐπεὶ δὴ ὁμότοιχος ταῖς
οἰκήσεσιν αὐτῶν ἦν»,

"but he gave the house of the Rex sacrorum to the Vestal Virgins, since it was joined to their dwelling by a party-wall."

Dio has confused the names Rex sacrorum and Pontifex Maximus, but this does not impair the value of his testimony that the house was ὁμότοιχος.⁵⁸ Dr. Van Deman believes that certain remains immediately to the east of the republican court belong to the *Domus publica*.⁵⁹ At any rate the passage in Dio is conclusive, and since we have seen that even in Ovid's own time the Atrium

⁵⁶ *The Atrium Vestae*, pp. 4-5, 9-10, 15.

⁵⁷ *The Atrium Vestae*, pp. 4-5, 9-10.

⁵⁸ Wiss., pp. 502-503, n. 7.

⁵⁹ *The Atrium Vestae*, p. 13.

Vestae proper, or *Domus Vestalium*, and the *Domus publica* were parts of one building, while the *aedes Vestae* virtually made up a third part of the same, what is more natural than to infer that the fourth factor in the group, the Regia, was also in the beginning structurally united with the rest? Such is the opinion of Dr. Van Deman,⁶⁰ who states in a foot-note that the road now separating the temple from the later Regia is not original.⁶¹ She continues:

"With the gradual breaking up of the simple cult of which the king's house had been the centre, and the growing independence of the various priesthoods among which the several religious functions of the king had been divided, the necessity arose for the assignment to them of distinct official residences. At this time it is probable that the parts of the Atrium became independent; for during the later Republic and the early Empire, in place of a single complex structure bearing one name, there were recognized four separate parts with as many distinct names, two of which were, however, those applied earlier to the whole structure."⁶²

This indiscriminate application of the terms *Regia* and *Atrium Vestae* seems to be attested by several passages. First of all Livy (XXVI, 27, 3) says in describing a conflagration in the Forum:

"Conprehensae lautumiae forumque piscatorium et *atrium regium*. Aedis Vestae vix defensa est," and again (XXVII, 11, 16):

"Locaverunt inde reficienda quae circa forum incendio consumpta erant, septem tabernas, macellum, *atrium regium*."

This blending of the two names is curious. Cicero, writing to Atticus⁶³ of the latter's interview with Caesar, then Pontifex Maximus, says: "Visum te aiunt in regia." The reference is evidently to Atticus' performance of the morning *salutatio*, which was made at the residence, not office, of the person receiving the call. In Caesar's case this would be at the *Domus publica*, which Cicero here designates under the general term *Regia* for the whole building. A third passage is that of Ovid above quoted, which Peter construes so differently:

⁶⁰ *The Atrium Vestae*, p. 9.

⁶¹ *The Atrium Vestae*, p. 9, n. 2.

⁶² *The Atrium Vestae*, p. 11.

⁶³ *Ad. Att.* X, 3a.

"Hic locus exiguus qui sustinet atria Vestae
Tunc erat intonsi regia magna Numae."⁶⁴

Dr. Van Deman⁶⁵ cites this as a particularly illuminating example of the identity of the two names.

If this is so, perhaps *Tristia* III, 1, 29-30, is to be understood in the same way:

"Hic locus est Vestae, qui Pallada servat et ignem,
Haec fuit antiqui regia parva Numae."

"This place is Vesta's... This is the little Regia which once belonged to ancient Numa."

But, if *regia* and *locus*, that is *Atrium*, are not here used interchangeably, then the only remaining conclusion is that *regia* is employed in its restricted sense and refers to the building proper of that name. In that case, even if Ovid did mean by *Fasti* VI, 262-4, that the *Domus Vestalium* was Numa's palace, as Peter supposes, yet the passage from the *Tristia* would contradict the poet, and commit him by his own statement to the current view supported by Solinus and Plutarch, which gives that honor to Regia.⁶⁶

We have seen that the Regia and the Atrium were probably in the beginning structurally united; or, at least, that the Romans of the classical period appear to make use of either name indifferently; but even were this view incorrect, *regia* in *Tristia* III, 1, 29-30, cannot refer to any one part of the temenos of Vesta except the edifice to which the term "Regia" was technically applied. Therefore, since Ovid, like Solinus and Plutarch,⁶⁷ couples the Regia with Numa's name, *penetræ Numae* in *Fasti* II, 69, should be taken as a reference to that building and not to the *Domus Vestalium*.

⁶⁴ *F.* VI, 263-4.

⁶⁵ *The Atrium Vestae*, p. 10, n. 4.

⁶⁶ Solin. I, 21: "propter aedem Vestae in Regia, quae adhuc, ita appellatur"; Plut. *Numa* XIV: «ἐδείματο πλεσίον τοῦ τῆς Ἑστίας ἱεροῦ τὴν καλουμένην Ῥηγίαν οἰόντι βασιλείων οἴκημα».

⁶⁷ Cf. Tac. *Ann.* XV, 41, "Numaeque Regia et delubrum Vestae," or are these words a further illustration of the interchanging of the two terms?

VI.

But why this elaborate digression to prove *penetrable Numae* identical with "Regia"? The lines are:

"Ad penetrable Numae Capitolinumque Tonantem

Inque Iovis summa caeditur arce bidens,"⁶⁸

that is, on the first of February, the date assigned in the poem, a *bidens* was slain in sacrifice at each of three places, the Regia, the temple of Jupiter Tonans on the Capitolium, and *in arce*. Let us first determine the meaning of *arx* in this passage.

Correct technical usage would confine the application of the word *arx* in Roman topography to the fortified northern spur of the Capitoline Hill. Both poets and historians, however, when writing of the Capitoline, frequently employ it more loosely. H. Peter in his notes on *Fasti* II, 70, is of the opinion that *Iovis summa arce*" means the temple of Jupiter Optimus Maximus.⁶⁹ I can find but one parallel for this interpretation. It will be noted in a moment. *Arx* is sometimes employed in reference to a building, but only where the idea of a stronghold or castle is more plainly implied than in the present instance.⁷⁰ It is really the Latin equivalent of ἀκρόπολις and in instances where it is used of an actual building the derived meaning is almost invariably dependent on the original thought of the lofty and easily defended situation which the structure occupies. The parallel to Peter's interpretation of *Fasti*, II, 70, is *arce Iovis* in *Fasti* VI, 18, which, because of the connection with 33-34, I take with Peter

⁶⁸ *F. II*, 69-70.

⁶⁹ See especially critical note in his edition.

⁷⁰ *Liv. II*, 7, 6, "alto . . . loco arcem inexpugnabile fore" of the house of Poplicola on the Velia; *Tac. Ann. XIV*, 31, "templum divo Claudio constitutum quasi arx aeternae dominationis"; *Agric.* 45: "intra Albanam arcem sententia Messalini strepebat," of the imperial villa (cf. *Octavia*, "receptus arce"); *Hor. S. II*, 6, 16: "ubi me in montes et in arcem ex urbe removi"; etc.

to signify the Optimus Maximus temple,⁷¹ though the *Thesaurus* understands it of Jupiter's heavenly abode as in such passages as *Fasti* I, 85, "Iuppiter arce sua totum cum spectat in orbem." The expression *arx Iovis* or its equivalent, *arx Tonantis*, where *Tonantis* is a mere epithet equal to *Iovis*⁷² occurs in other passages of Ovid. In *Fasti* VI, 349-350, we have:

"Nomine quam pretio celebratior arce Tonantis,
Dicam, Pistoris quid velit ara Iovis."

For these lines there is absolutely no proof that *arce Tonantis* means either the temple or the portion of the hill to which *Capitolium* was applied rather than the *Arx* in its true sense of the northern spur of the Capitoline Hill, since nothing is known of this altar to Jupiter Pistor.⁷³ *Arce Iovis* in *Fasti* IV, 635, the scene of part of the sacrifice of the Fordicidia, is equally indefinite, and can as easily refer to the true *Arx*. Tibullus (II, 5, 25) furnishes a further example of the expression:

"Sed tunc pascebant herbosa Palatia vaccae,
Et stabant humiles in Iovis arce casae,"

where there is no thought of the temple, or apparently of either summit in particular, but the idea is merely that of the Capitoline Hill in a general sense as compared with the Palatine. But Peter in his note on *Fasti* II, 69-70⁷⁴ cites Livy (XXVIII, 39, 15) as evidence of the use of *arx* in the sense of *Capitolium*. The words "Iovi Optimo Maximo praesidi Capitolineae arcis" do not compel this narrow interpretation, however. They are indefinite and appear to me to be employed rather of the hill as a whole.

⁷¹ *F.* VI, 17-18:

"Ex illis fuit una, sui germana mariti,
Haec erat (agnovi), quae stat in arce Iovis".

F. VI, 33-34:

"Si torus in pretio est, dicor matrona Tonantis,
Iunctaque Tarpeio sunt mea templa Iovi".

⁷² *Fasti* VI, 33-4; 349; IV, 585; *Heroid.* IX, 7; *Metam.* II, 466; *Hor. Epod.* II, 29; *Statius Silvae* IV, 4, 58; *Achil.* I, 1-2; *Martial* V, 55; V, 72; VII, 60, 1-2; etc.

⁷³ Cf. Jordan I, 2, p. 50: "Unsicher bleibt der Standort des Altars des Jupiter Pistor", and n. 51. "Das die von Ovid, Lactantius (I, 20, 33), erwähnte *ara Iovis Pistoris* auf dem Capitol stand . . . ist unerweislich". Preller (I, p. 194), while placing it on the Capitol says (n. 5): "Das die *ara Iovis Pistoris* auf dem Capitol gestanden ist nicht bezeugt und folgt nicht nothwendig aus Ovid".

⁷⁴ See n. 69 above.

If, however, they be taken in a restricted sense at all, *Capitolinae arcis* points naturally to the actual citadel, especially with the word "defender," *praesidi*, on which the genitive depends. Likewise the same expression in Livy VI, 20, 9, because of the co-ordinate use of *Capitolium atque arcem* in the same passage, can refer only to the hill in general:

"Identidem Capitolium spectans Iovem deosque alios devocasse ad auxilium fortunarum suarum precatusque esse, ut quam mentem sibi Capitolinam arcem protegenti ad salutem populi Romani dedissent, eam populo Romano in suo discrimine darent; et orasse singulos universosque, ut Capitolium atque arcem inuentes, ut ad deos immortales versi de se iudicarent."

The same is true of the passage in Tacitus *Hist.* III, 71, too long to quote. Any siege or storming of the Capitoline Hill would naturally involve both spurs, so *Capitolina arx* is likely to be nothing more than a general term for the entire mount. In Livy's account of Tarpeia's treason and the battle over the Sabine women, *arx* certainly means the entire hill, unless it refer to the true Arx alone, for we even find the words "*quod inter Palatinum Capitolinumque collem campi*" (I, 11-12), the distinction being, as in Tibullus II, 5, between the Palatine and Capitoline Hills. Ovid himself affords one of the most striking examples of the use of the word meaning the hill in general, where Mars in addressing an assemblage of the gods speaks of their abodes *in arce*, that is, their temples, which lay on both spurs (*Fasti* VI, 367). Compare with this Livy (VI, 16, 2), "Iuppiter Optime Maxime Iunoque regina ac Minerva ceterique dii deaeque qui Capitolium arcemque incolitis." One other passage in Ovid (*Tristia* IV, 2, 55-56), besides that already mentioned (*Fasti* VI, 18), may be a reference to the Capitolium alone, though it would appear to mean the hill and not the building. The lines are descriptive of the offering at a triumph, and are as follows:

"Inde petes arcem et delubra faventia votis;
Et dabitur merito laurea vota Iovi."

It is Jupiter Optimus Maximus, of course, whose temple is referred to in *delubra*. Even in these lines, however, I do not see why *arcem* cannot be applied vaguely to the Capitoline as a whole, though the thought of the southern spur is certainly more prominent. Now there are two other passages in the *Fasti* in

which the same adjective modifies *arx* as in II, 70. The first of these (I, 257-264) treats of Tarpeia's treason with the words (261-262), "*Sabinos ad summae tacitos duxerit arcis iter,*" which seem to me certainly to refer, like Livy I, 11-12, if not to the true Arx, at least to the Hill in general. That *summae* is here partitive, meaning "the top of the Arx," is shown by comparing it with Livy I, 22, which speaks of the battle between the Romans and the Sabines as taking place *in infima arce*, "at the bottom of the Arx," as described in I, 12. *Summae arcis* cannot, then, here refer to the temple. In the second of these two Ovidian passages *arx* is used unmistakably of the northern spur of the Hill, the words being (VI, 183), "*arce in summa Iunoni templa Monetatae facta,*" for the temple of Juno Moneta is well known to have stood on the Arx. In view of these parallels I think there can be no doubt whatever that *in Iovis summa arce* of II, 70, cannot refer to the temple, but rather means the top of the hill.

Since in *Fasti* II, 69-70, we have sacrifices at three places, the Regia (*penetrabile Numae*), the temple of Jupiter Tonans, which stood on the summit of the Capitolium near the temple of Optimus Maximus, and thirdly, on top of the *arx* of Jupiter, *Iovis summa arce* cannot here refer to the hill as a whole or to the Capitolium proper, for the Capitolium has already been mentioned in the second place. Therefore the last place cannot well be other than the true Arx. The Arx was, like the Capitolium, sacred to Jupiter, for it was here that the augurs performed their function of interpreting his will⁷⁵ and of sacrificing with secret rites;⁷⁶ and the augurs were *interpretes Iovis Optimi Maximi*.⁷⁷ The *sacra Non-*

⁷⁵ Liv. I, 18, 6-10; Varro *L. L.* V, 47.

⁷⁶ Paul., p. 16 (under *Arcani*), "sive a genere sacrificii, quod in arce fit ab auguribus, adeo remotum a notitia vulgari, ut ne litteris quidem mandetur, sed per memoriam successorum celebretur".

⁷⁷ Cic. *de Leg.* II, 20. The title Optimus Maximus in this connection may seem to associate that cult with the Arx. All that is probably meant, however, is that with the advent of the cult of Optimus Maximus as the supreme deity of the state, the augurs, whose science was consulted before commencing any act of political importance, became associated with this greatest of the Jupiters, but continued to function on the same hill-top where they had always interpreted the signs of the weather-god. Varro (*L. L.* V, 52), tells of another *auguraculum* on the Quirinal, doubtless overshadowed after the establishing of the Etruscan dynasty, by that on the Arx.

alia were held on the Arx,⁷⁸ and we know furthermore that the worship of Jupiter on hill-tops was a primitive custom in Rome, as in the rest of Italy.⁷⁹ Moreover, this Jupiter, who was worshipped out of doors on hill-tops in the primitive religion and whose will was interpreted by the augurs, was the great Aryan weather-god, and the offering on the Arx was unquestionably to him. Jupiter Tonans too was a weather-god. Therefore, since we have sacrifices on February 1 on both Arx and Capitolium to Jupiter in his aspect of a weather-deity, the sacrifice in the Regia on that day must have been to the weather-Jupiter, just as was the ram offered there by the Flaminica Dialis on the Nundinae.

We have seen, then, that on February 1 a *bidens* was immolated to the Jupiter of the weather at the Regia, at the Tonans Temple, and on the Arx. This implies that the entire ceremony took place at each of the three places, and the victim could not have been slain on the Arx and its *exta* brought down to the Regia to be burned. There is absolutely no necessity, therefore, for reading any such action into the ceremony of the *sacra Idulia*, and the conclusion must be that the Regia played no part in the festival of the Ides, but that when Varro says "*sacra quotquot mensibus feruntur in arcem*" (*L. L.* V, 47, see above) he means that the *sacra Idulia* were carried to the Arx, and that there the victim was slain and its *exta* burned.

VII.

How, then, could Ovid have made such a mistake as to say that the *exta* was given to the flames in *magni Iovis aede*, when no *aedes* of Jupiter is known to have stood on the Arx? The answer is not hard to find. It is extremely probable that Ovid, however often he might have seen the procession pass along the Sacra Via, never witnessed the sacrifice, for the celebration was a survival from the oldest Roman religious history, and, we may infer, was attended solely by the priests. The leading sources,⁸⁰ however,

⁷⁸ Varro *L. L.* VI, 28.

⁷⁹ Wiss., p. 116 and n. 5; Fowler, *R. F.*, pp. 228-9; *R. E. R. P.*, p. 129 and n. 41.

⁸⁰ I shall deal with this question more fully in a subsequent article.

which Ovid consulted on questions of Roman religion in his *Fasti* were Varro's writings⁸¹ and a lost book of *Fasti* by Verrius Flaccus, of which fragments have been preserved in its epitome, the *Fasti Praenestini*, and in such passages of Festus' and Paulus' abridgments of the *de Verborum Significatu* as show their derivation from a calendar of festivals.⁸² The *de Verborum Significatu* itself was not published in time to be a source for Ovid, whose poem, except for the few passages revised at Tomi, must have been written between the publication of Verrius' *Fasti*, 4-6 A. D.,

⁸¹ See Peter's Edition, p. 16; Schanz, *Geschichte der römischen Litteratur*, 2 I, p. 314; Franke, *De Ovidii Fastorum Fontibus Capita Tria* (diss. Halle, 1909), pp. 51-52. Merkel, critical notes to his edition.

⁸² Schanz 2 I, p. 313: "Für Ovid war ein Handbuch notwendig, in dem nach dem Kalender die Feste ätiologisch behandelt waren; denn die Annahme, dass sich Ovid erst den Stoff zusammensuchte, ist ganz unwahrscheinlich. Wie durch Combination geschlossen wird, verfasste der berühmte Grammatiker, Verrius Flaccus, ein solches Handbuch, und aus diesem gelehrten Werk ist, wie Mommsen (*CIL. I²*, p. 285), (p. 313, p. 314), zu erweisen versucht hat, der praenestischen Steinkalender, den Sueton mit Verrius Flaccus in Beziehung bringt, nur ein Auszug. Dieses Handbuch benutzte aber Verrius Flaccus auch in seiner Schrift, *de verborum significatu*; cf. Winther, *De Fastis Verrii Flacci ab Ovidio adhibitis*, p. 42; Franke, p. 32. Aus der Uebereinstimmung zwischen Ovid und Verrius Flaccus schloss Winther dass das kalendarische Handbuch des Verrius Flaccus, soweit die römischen Sagen in Betracht kamen, die einzige Quelle sei. Gegen diese Hypothese nahmen Stellung H. Peter, *Ausg. 1^a* p. 16 Anm. 2; H. Willers, p. 39; M. Rabenhorst, p. 70; H. Willemsen, p. 32; P. Wessner, *Berl. philol. Wochenschrift* 1910 Sp. 680. Unrichtig ist in der Wintherschen Hypothese das Einquellenprinzip outriert worden; treffend Wissowa, p. 271, 'Iusto plura huic fonti tribuit nimiusque fuit in aliis auctoribus excludendis; qui ut Varronem nisi intercedente Verrio ab Ovidio adhibitum esse injuria negavit.' Aber wenn wir einerseits das Einquellenprinzip verwerfen, so muss andererseits doch daran festgehalten werden, dass die Grundlage der ovidischen Dichtung ein Handbuch bildete und dass dieses höchst wahrscheinlich von Verrius Flaccus herrührte". See particularly the able treatment of this subject by Karl Franke, *De Ovidii Fastorum Fontibus Capita Tria*, Halle, 1909, too long to be quoted here, in which he points out that a passage in Festus like that on the Quinquatrus, p. 254, where the words "Minervae autem dicatum eum diem existimant, quod eo die aedis eius in Aventino consecrata est", are appended to an explanation of the word Quinquatrus, adds nothing to the explanation of the word and betrays itself as having been transferred from a calendar, pp. 29-32.

and his own banishment in the year 9.⁸³ As the passage from

⁸³ If Festus, p. 347a25, "ubi nunc est aedis Concordiae inter Capitolium et Forum", is copied from Verrius without interpolation and refers to the temple after its restoration in A. D. 10, or one year after Ovid's banishment, we have here sufficient evidence that the *de Verborum Significatu* was published too late for Ovid's use. R. Merkel, in the Prolegomena to his edition of the *Fasti*, p. XCV, not only uses this reference as an argument, but makes capital of the fact that Festus seven times draws on Ateius Capito in matters of pontifical law, who was probably born about the year 34 B. C. and died in 22 A. D.; (see Tac. *Ann.*, III, 75, Frontinus *Aq.* 102. Teuffel and Schwabe *Hist. of Roman Literature*, Warr's translation, I, 265, and Schanz 2 I, p. 532), for, if Verrius drew on him, how could the *de Verborum Significatu* have been written until Ateius had become old and mature enough to publish a learned work? Ateius wrote two hundred and sixty-one books on human and divine law, and if he followed Varro's order of writing those on human law first, it would place the date of his work on pontifical law so much later. Suetonius (*de Grammaticis et Rhetoribus* 17) says of Verrius Flaccus: "Decessit aetatis exactae sub Tiberio". Schanz 2 I, p. 506, says: "Wahrscheinlich fällt das Werk (*de Verborum Significatu*) in die Regierungszeit des Tiberius". "When Ovid began the *Fasti* cannot be definitely determined," says Schanz, 2 I, p. 308, who adds: "at any rate after the love poems were finished. The 4th book falls in the period following the conflagration on the Palatine because of which a restoration of the temple of Magna Mater by Augustus became necessary", in the year 3 A. D. (See *Fasti* IV, 348). "The nature of the work prevented its being composed in a continuous chain". Peter, in the introduction to his edition, pp. 10-11, says that at any rate the composition fell some time after Augustus' restoration of the Julian Kalender in 8 B. C., and Book IV after 3 A. D. In a footnote, however (n. 4), he asserts that the question has in the main been solved by Merkel's industry and acumen. Merkel believes that Ovid began his work in the year 755 A. U. C. (p. XCIV and CCLV). He was banished in 9 A. D., and seems to have done little with the poem after that date, beyond revising Book I. It is, therefore, highly improbable that the *de Verborum Significatu* was written before his banishment. On the other hand Franke, pp. 4-5, shows convincing evidence that Verrius' *Fasti* were written between A. U. C. 757 and 759. As Ovid undoubtedly used these as a source (see n. 82, quotation from Schanz) and we have seen above that for another reason Ovid's 4th book must have been written after 3 A. D. or 756, surely it seems safe to conjecture that his poem, except its revised portions, was composed in the four or five years between the completion of Verrius' *Fasti* and his own banishment. I am indebted to Professor Kirby Flower Smith for the suggestion that the publication of Verrius' book would naturally stimulate Ovid to a similar essay in the field of poetry.

Festus above quoted,⁸⁴ relating to the Arx and the *sacra Idulia*, is an explanation of the name Sacra Via and the mention of the day and festival is incomplete and subordinate, it cannot well have been transferred from Verrius' work on the calendar; but although notes in the *Praenestini* pertaining to the Ides have been lost, the poet must either have read a note in Verrius' book of *Fasti* to the effect that on the Ides a sheep was offered to Jupiter on the Arx, or else he derived his information from Varro and read perhaps something to this effect: *Idibus flamen Dialis in arce Iovi vervecem immolat*. At any rate, being a poet and storyteller rather than a scholar, he seems undoubtedly to have bestowed but a superficial reading on his learned authority, and seeing the word *arx*, to have understood it in the loose, general application to the entire hill, so often given it,⁸⁵ the thought of the Capitolium and temple of Jupiter Optimus Maximus, however, being more prominent in his mind, as in his own lines from *Tristia* (IV, 2, 55-56), already quoted.⁸⁶ He has thus made the mistake of assigning to the great political Jupiter of the Capitoline temple a sacrifice made out of doors on the Arx to the primitive weather-god, and has even gone so far as to record the offering as taking place *in aede*, when we know that sacrifices in the cella or the portico were extremely rare and that the usual custom in temple cults was to burn the *exta* on an altar on or before the steps of the podium.

⁸⁴ p. 290 (Müller's edition).

⁸⁵ See above: Tibullus II, 5, 25; Ov. *F.* VI, 367; Liv. I, 12, 22; XXVIII, 39, 15.

⁸⁶ See above, and cf. also n. 71.

THE SEX OF THE *OVIS IDULIS*.

My first chapter dealt with the question of the place of the sacrifice, the conclusion being that, through a misunderstanding of his source, Ovid has fallen into a statement that is decidedly incorrect. The present task is to examine his two remarks concerning the sex of the victim and their credibility in the light of what is further known about this sacrifice and about Roman sacrificial ritual as a whole. Ovid's two passages are *Fasti*¹ I, 56:

"Idibus alba Iovi grandior agna cadit",
and I, 587-588:

"Idibus in magni castus Iovis aede sacerdos

Semimaris flammis viscera libat ovis,"

which are apparently at variance in that *agna* would seem to represent the female, while *semimas ovis* is unmistakably not the female but the *vervex*. Is this inconsistency real or only on the surface?

Before a closer scrutiny of the problems in this individual ceremony, it will be well to review the general prescriptions of Roman pontifical law in their bearing on the victim of the Ides, confining attention to the ritual of the Roman State, to the exclusion of *sacra privata* and *Graecus ritus*, whose practices were materially different from the purely Roman customs surviving from Rome's prehistoric beginnings.²

Our trustworthy sources for this study are inscriptions and the works of Roman writers on pontifical law, in so far as fragments of those works have survived to us, and, to a greater or less degree, other Greek and Roman scholars and antiquarians.

¹ Hereafter to be cited as *F*.

² Wiss., p. 420, and n. 3 to p. 420. C. Krause, *De Romanorum Hostiis Quaestiones Selectae*. Krause's thesis, though containing serious errors, is the most convenient handbook for a study of Roman sacrificial victims, and is frequently referred to by Wissowa.

The poets are unreliable on questions of ritual,³ unless, as appears to be true in the case of the *sacra Idulia*, they are corroborated by scholarly prose writers,⁴ but they often afford valuable testimony where the proof turns partly on questions of language or of style. This is especially true of Ovid himself.⁵

As is well known, Roman pontifical law laid down the rules of ritualistic observance with an almost painful exactness and devotion to detail.⁶ One of its fundamental principles was that male animals should be offered to male deities, female to female.⁷

There are three striking exceptions⁸ to this rule in the prose

³ Krause, pp. 22-23 and n. 1.

⁴ The problem of the present chapter is that Ovid *F. I.*, 588 calls the victim of the Ides a *vervex*, yet in *I.*, 56 says *grandior agna*, while the feminine form *agna* is supported by Paulus, p. 104, and by Macrobius *I.*, 15, 16; see p. 4 below.

⁵ See Chapter I. Here I showed that the *sacra Idulia* must have taken place on the northern spur of the Capitoline Hill, technically known as the *Arx*, but that Ovid and other writers loosely employ the term *arx* of the hill as a whole, sometimes the thought of the Capitolium, or southern spur, being more prominent in their minds; that Ovid, then, when he read in his source that the sacrifice took place *in arce*, understood the phrase as a reference to the hill in general but more particularly to the Capitolium, and so incorrectly recorded that the sacrifice took place in the great temple of Jupiter Optimus Maximus, which stood on that spur.

⁶ Cic. *de Leg.* II, 29: "Nam illud ex institutis pontificum et haruspicum non mutandum est, quibus hostiis immolandum cui maioribus, cui lactentibus, cui maribus, cui feminis." Ateius Capito ap. Macrobius III, 10, 4. Wiss. p. 413.

⁷ Wiss., p. 413. Krause, pp. 19-20, and the list of sacrifices on p. 31 sqq.

⁸ An apparent exception that would apply equally to all sacrifices is the passage of Servius, *ad Aen.* VIII, 641: "In omnibus sacris feminini generis plus valent victimae. Denique si per marem litare non possent succidanea dabatur femina; si autem per feminam non litassent succidanea adhiberi non poterat," which has been refuted by Krause, pp. 30-31. Krause quotes Livy XLI, 15: "Alter consul curam adiecit, qui, quod caput iecinori defuisset, tribus bubus perlittasse negavit; senatus maioribus hostiis usque ad litationem sacrificari iussit". Wissowa throws the weight of his authority against Servius, and cites Krause in a footnote, pp. 415-416 and notes 7 and 8.

writers, however, which I expect to prove to be only apparent:⁹ the sacrifice of a *capra* to Vediovis (Gell. V, 12, 12); of an *agna* to Jupiter at the *auspicatio vindemiae* (Varro *L. L.* VI. 16);¹⁰ and of the *ovis Idulis* to Jupiter. As the proof for my position on the first two is bound up with that for my position on the third, which is the real subject of the present dissertation, I shall proceed at once to a discussion of the *ovis Idulis*.

Four places have survived in Roman literature that pertain to the victim of the Ides, namely, those of Ovid, above quoted, and two prose passages, one in Paulus Diaconus¹¹ and one in Macrobius.¹² Paulus says:

"Idulis ovis dicebatur quae omnibus Idibus Iovi mactabatur".

The words in Macrobius are:

"Sunt qui aestiment Idus ab ove Iduli dictas, quam hoc nomine vocant Tusci et omnibus Idibus Iovi immolatur a flamine".

Let it be noted that the relative pronoun modifying *ovis* in both instances is feminine. Therefore, these two passages, with that of Varro just cited on the *agna* of the *auspicatio vindemiae*, taken in connection with *grandior agna* in *Fasti* I, 56, would seem to constitute rather a strong argument in favor of the offering of female victims to Jupiter, especially of a female sheep on the Ides.

⁹ Krause, p. 20 sqq., contends that these exceptions are merely apparent, but his arguments are in the main superficial, and he does not seem to me to offer convincing proof. He fails to produce any testimony that the *agna* of the *auspicatio vindemiae* was male, except (p. 15) to draw the inference from Paulus, p. 6, that *agna* was of common gender and to conclude (p. 22) in contradiction of this hypothesis that Varro (*L. L.* VI, 16) had made a mistake. As regards the *ovis Idulis* (pp. 11-12), he makes the assertion that ancient and modern writers wrongly agree that it was female, and thus leaves out of account Ovid's positive statement that the victim was a *vervex*, which Krause quotes but otherwise ignores; he is chiefly concerned with proving that the animal was the *aries* rather than the *vervex* or castrated male. Altogether there is need of a thorough investigation to establish the nature of this sacrifice.

¹⁰ "Nam aliquot locis vindemiae primum ab sacerdotibus publice fiebant, ut Romae etiam nunc; nam flamen Dialis auspicatur vindemiam et ut iussit vinum legere *agna* Iovi facit, inter cuius exta caesa et proiecta flamen † porus vinum legit."

¹¹ p. 104.

¹² I, 15, 16.

But it can hardly be poetic license or carelessness that caused Ovid in I, 588, to say that the animal was *semimas*, or castrated. *Aгна*, as will be seen later, is an ordinary term which Ovid might easily have written for stylistic reasons. *Semimas ovis*, on the contrary, is an unusual expression, and the poet is going out of his way to employ it. But *vervex* stands in the *Acta Fratrum Arvalium*¹³ as the only one of the sheep kind to be offered to Jupiter, while Janus on the other hand receives each time an *aries*¹⁴ and the goddesses *oves*. So detailed a statement of pontifical ritual, therefore, as *semimas ovis* Ovid would scarcely have written, had not the word *vervex* stood before him in the source which he used. Thus this line of Ovid is corroborated by the *Acta Fratrum Arvalium*, our most authoritative epigraphic source on sacrifices in ancient Rome, and this combined testimony is arrayed against the apparent evidence of Ovid's line on the *agna*, Varro's *vindemia* passage and what Paulus and Macrobius write about the *ovis Idulis*.

Modern scholarship has failed to reach a definite conclusion regarding the sex of this victim. While Klausen (*Aeneas und die Penaten*, p. 930) says "*agna opima*," and Aust (*Die Religion der Römer*, p. 168) "*ein männliches Schaf*," Samter says merely "*ein Schaf*,"¹⁵ C. Julian in Daremberg et Saglio¹⁶ "*un mouton*," and Wissowa¹⁷ "*ein weisses Schaf (ovis Idulis)*," while elsewhere he is quite explicit, that at the Agonium, for example, the sacrifice was "*ein Widder*" and at the *suovetaurilia* a "*Schafbock*."¹⁸

There are several passages in the surviving literature which point to a common gender for *ovis* like *bos*, that is, that the modifiers were either masculine or feminine adjectives and pronouns, according to the sex of the particular animal under consideration.¹⁹ They are as follows: Festus (p. 286):

¹³ Henzen, pp. CLXXXVI and CCXIV.

¹⁴ Cf. *F.* I, 318 and 333-34; Varro *L. L.* VI. 12.

¹⁵ In *Paul.-Wiss.*, Vol. VI, p. 2491.

¹⁶ Vol. II., p. 1162.

¹⁷ p. 114 of *Religion und Kultus der Römer*.

¹⁸ pp. 103 and 142.

¹⁹ *F.* IV, 631: "*Forda ferens bos est, fecundaque dicta ferendo*"; *Act. Fr. Arv.*, p. CLXXXVIII *bovem feminam*; et al. Cato *Origines*, 103: "*Trini boves*"; *Ov. F.*, III, 732, "*Deque triumphato viscera tosta bove*"; et al.

"Etiam in commentariis sacrorum pontificalium frequenter est *hic ovis* et haec agnus ac porcus, quae non ut vitia, sed ut antiquam consuetudinem testantia debemus accipere,"

and Gellius (XI, 1, 4) quoting Varro:

"Quando nunc quoque a magistratibus populi Romani more maiorum multa dicitur vel minima vel suprema, observari solet, ut oves genere virili appellentur; atque ita M. Varro verba haec legitima, quibus minima multa diceretur, concepit: 'M. Terentio, quando citatus neque respondit neque excusatus est, ego ei *unum ovem* multam dico.' Ac nisi eo genere diceretur negaverunt iustam videri multam."

Again Paulus (p. 195) says:

"Ovem masculino genere dixerunt, ut ovibus duobus non duabus."

From these examples it will be seen that the use of *ovis* as a common gender noun suggests that the excerpts from Paulus (p. 104), *ovis quae*, and from Macrobius (I, 15, 16), *ovis quam*, refer to female victims. But I shall show that the *ovis Idulis* was a male, and hence the common gender theory does not furnish the correct explanation of these two prose passages.

Equally suggestive with this study of nouns of common gender is a study of the gender of pronouns with nouns of unquestionable gender. I find no examples of feminine relatives modifying masculine nouns and but one reliable instance of the opposite process.²⁰ There is also, however, a passage in Varro's *de Lingua Latina*,²¹ in which the manuscripts give the reading *quorum* after a feminine antecedent, though the vulgate and two earlier editors²² print *quarum*. This antecedent, it should be stated, is *haec*, plural of the demonstrative; not the neuter plural, however, but an old form of the feminine.²³ In spite of the fact that it contains certain serious corruptions, the passage may throw light on the two prose references²⁴ to the *ovis Idulis*, and shall, therefore be quoted:

²⁰ Pompeii *Commentum*, p. 249 (Keil V, p. 206): "Quis tu es mulier qui me hoc nuncupasti nomine".

²¹ V, 98.

²² Müller and Lindemann.

²³ See Müller's edition on the passage and Sommer *Laut und Formenlehre*, p. 423 in 2d ed.

²⁴ See preceding page, p. 35, and notes 11 and 12.

"Aries qui team dicebant ares, veteres nostri ariuga, hinc ariugas.²⁵ Haec sunt quorum in sacrificiis exta in olla non in veru coquantur, quas et Accius scribit et in pontificiis libris videmus."

The first thing to be noted here after the hardly explainable corruption *qui*, is the gender of *eam*, which, if it is really an accusative form of the demonstrative *is ea id*, refers to *aries*. The vulgate, followed by Müller, prints *quod eum*. In view of the corruption of the line, however, I shall not attempt an argument on this pronoun, but wish merely to direct attention to it. The point desired to emphasize particularly is that, although the word *ariuga* or *arviga* was bestowed a great part of the time on males, its gender is shown by the forms *haec* and *quas* to be feminine. The word *hostia*, though covering both male and female victims, is well known to have but one gender, feminine, and after a careful perusal of the surviving passages relating to *arviga*,²⁶ I can see no other meaning in the word than that it was a special kind of *hostia*, referring very frequently to the male, but properly modified at all times by the feminine of the pronoun. This *arviga* passage constitutes, as it were, a bridge over which we pass to the real solution of the problem confronting us in this chapter.

There is a class of animal names known as epicenes from the Greek ἐπίκοινος which have but one word form and one grammatical gender to denote both sexes, some words of this class being masculine, some feminine, as *hic passer*, *haec aquila*.²⁷

²⁵ The text followed is that of Goetz and Schoell. The most serious and unmistakable corruption is in *qui* and *eam*, for which Goetz and Schoell, though printing the reading of the best MS., offer the emendation *quidam*. The more recent MSS. and the *Thesaurus* give *arviga* rather than *ariuga*; Paul. (p. 100) *harviga*.

²⁶ Varro *L. L.*, V, 98: the part quoted above and "In hostiis eam dicunt ariugem quae cornua habeat"; Paul., p. 100; Velius Longus (Keil, VII, 73, 9) "Ar(v)iga quae est hostia."

²⁷ Lane, *Latin Grammar*, revised ed., paragraph 411, gives the following definition: "Epicenes have one ending and one grammatical gender, though applicable to animals of either sex. Thus *aquila*, eagle, is feminine, though it may denote a he-eagle as well as a she-eagle; *anates*, ducks, feminine, includes drakes." See also for definitions Diom., I, 276 (Keil, I, 301, 10); Charisius, II, 89 (Keil, I, 153, 15); Donatus (Keil, IV, 375, 22); etc., and cf. Neue-Wagener *Formenlehre*, I, p. 926 sqq.

One of the many good definitions is that of Charisius, I, 8 (Keil I, 17, 10):

"Adicitur...genus quod Graece ἐπίζωον dicitur, Latine promiscuum, ut haec mustela, aquila. Nam etsi mas sit mustela vel aquila, tamen feminino genere tantum dicitur. Item hic passer quamvis masculino genere proferatur, tamen etiam femininum genus significat."

Neue-Wagener²⁸ say "the names of most animals belong to this class, generally of the smaller animals, but especially those in which there is no occasion to differentiate the male from the female." A few animals of considerable size are epicene, however, for *volpes*, as will presently be seen, is decidedly so, and *panthera* is shown to be so by Cicero, by Pliny, by Phaedrus, and finally by Varro.²⁹ Furthermore a marked differentiation of sex is sometimes made, as, for example, in the expression *et mas et femina aquila*,³⁰ which does not indicate a different grammatical gender,³¹ and in Pliny's expression *volpis masculae*,³² where the form of the adjective *masculae* shows that the grammatical gender of *volpis* is feminine, but the adjective itself proves the animal to be unmistakably male. But the most common use of epicenes is in passages where the animal mentioned

²⁸ *Formenlehre*, I, p. 927 sqq. They furnish quite a long list (p. 927) of each gender, including among the feminines *panthera*, *volpes*, *bidens* (the sheep), *avis*, *anas*, *aquila*, *merula*, and *apis*.

²⁹ Pliny, *N. H.*, VIII, 62 and 63; Phaedrus, III, 2: "Panthera et Pastores", where nothing is implied as to the animal's sex. Cicero, *Epist. ad Fam.* VIII, 9, 3: "Fere litteris omnibus tibi de pantheris scripsi: turpe tibi erit Patiscum Curioni decem pantheras misisse, te non multis partibus plures; quas ipsas Curio mihi et alias Africanas decem donavit, ne putes illum tantum praedia rustica dare scire". For the Varro passage see p. 40 above.

³⁰ Varro, *L. L.*, VIII, 2, 7.

³¹ Neue-Wagener, I, p. 919. Priscian, V, 8, 42 (Keil, II, p. 169) states that in the earliest times *aquila* was of common gender; but in classical times, at least, we find no more epicene word in the language. It is quoted as a stock example of the epicene in all the definitions above quoted or cited (see note 27 and note 28). In Serv. *ad Aen.* I, 394, Interpol. Serv. *ad Ecl.*, VI, 42, Suet. *Aug.* 96, etc., it is an epicene with nothing implied as to sex.

³² *N. H.*, XXVIII, 166; for gender, also see Phaedrus.

may be either male or female, or in the case of a group, the reference may be to beasts of both sexes; in other words, where the reference to sex is wholly indefinite. This is best shown by a long passage from Varro (*L. L.* IX, 55 sqq.),³³ which it will be well to bear in mind throughout the remainder of this dissertation.

"Negant, cum omnis natura sit aut mas aut femina aut neutrum, (non) debuisset ex singulis vocibus ternas figuras vocabulorum fieri, ut albus, alba, album; nunc fieri in multis rebus binas, ut Metellus, Metella . . ., nonnulla singula, . . .; dici corvum, turdum, non dici corvam, turdam; contra dici pantheram, merulam, non dici patherum, merulum, . . . Ad h(a)ec dicimus omnis orationis, quamvis res naturae subsit, tamen si ea in usu(m) non pervenerit, eo non pervenire verba; ideo equus dicitur et equa: in usu enim horum discrimina; corvus et corva non, quod sine usu id quod dissimilis natura(e). Itaque quaedam al(i)ter olim ac nunc; nam et tum omnes mares et feminae dicebantur columbae, quod non erant in eo usu domestico quo nunc, (nunc) contra propter domesticos usus quod internovimus, appellatur mas columbus, femina columba."

These animal words are not discussed as nouns of common gender and of one declension, as *hic* or *haec corvus* and *turdus*, *hic* or *haec panthera* and *merula*. The evidence proves them unmistakably to be epicenes. First of all let us note the testimony of other passages on the animal names chosen. Varro himself says (*R. R.* III, 5, 6):

"Turdi, *qui* cum sint nomine mares, re vera feminae quoque sunt. Neque id non secutum ut esset in merulis, *quae* nomine feminino *mares* quoque sint."

Here, though omitting the designation epicene, he shows emphatically that such is the usage of the words *turdus* and *merula*. Again, *corvus* is defined by name as epicene (*promiscuus*) by Consentius (*Ars*, Keil V, 30):

"In promiscuis . . . sub uno articulo uterque sexus significatur. Nam cum dico masculino genere corvus, neque nomine neque articulo confusionem generis separare possum: tam enim femina quam masculus corvus masculino genere enuntiatur. Item

³³ Text of Goetz and Schoell; cf. with Servius' Commentary on Donatus, p. 1782 (Keil, IV, 408).

cum dico cornix, sexum nulla ratione discernere possum, quoniam, sive masculus sive femina sit, feminino genere cornicem appello. Nam in corvo femininum et in cornice masculinum genus intellegi necesse est."

That *panthera* too is epicene is perceived both by its use in the various passages above cited³⁴ and by its choice in the lines of the *de Lingua Latina* (IX, 55 sqq.) to accompany *corvus*, *turdus*, and *merula*. But Varro's own words prove that he is discussing epicenes, not nouns of common gender. It will be best to restate this portion of the passage in translation:

"We say that, although all language is based upon distinctions arising from conditions in the natural world, yet if these natural conditions are turned to no practical employment by man, such distinctions fail to be expressed in speech; therefore we have the words *equus* and *equa*, for there is a distinction in the way these two words are employed; on the contrary, we do not say *corvus* and *corva*, for a discrimination of sex is here of no practical benefit. For this reason certain words were formerly differently used from the manner of their employment to-day; at one time, for example, all pigeons, male and female, were called *columbae*, because they were not put to that domestic use to which they are now given over. Now, however, for domestic purposes, we make a distinction, calling the male pigeon *columbus*, the female, *columba*."

If Varro were here discussing common gender, *hic* and *haec corvus*, for instance, the natural condition of the bird, male or female, would be every whit as distinctly expressed by the pronoun as if the termination in *-a* had been employed to differentiate the female and that in *-us* had been confined to the male.

Since beyond doubt this passage of Varro is a discussion of epicenes, attention must once more be called to my statement made immediately before the passage was quoted, namely, that epicene names for animals commonly show that there is no definite thought of sex in the writer's mind. This is the whole point of Varro's definition; that man does not make a linguistic division based on the sex of animals, unless there is practical need of a distinction. The names of most

³⁴ See n. 29.

animals, therefore, are epicene, and the use of epicenes seldom offers any direct information concerning their sex. Varro, however, has neglected to mention that his rule of vagueness must admit of occasional exceptions, in which an epicene is proved to be of a sex directly opposite to that indicated by its grammatical gender. A step in this direction appears in the scholiast to Germanicus' *Aratea*, "Iovem in aquilam transfiguratum"³⁵ and in Apuleius' *Metamorphoses* III, 25, "non avem me sed asinum video." In both of these selections the bird is certainly a male, because in either case a male has been metamorphosed. Yet in all extant literature *aquila* and *avis* are of feminine gender.³⁶ The most perfect illustration of the employment of an epicene in unquestionable reference to the sex opposed to its grammatical gender is *volpis masculae* in Pliny (*N. H.* XXVIII, 166), which has already been noted. This development produces the purest epicene, and is the logical outcome of the more common usage in which the sex is not distinctly specified. It would seem possible only in the case of true epicenes, if such a term may be employed; that is, of words which have only one grammatical gender, like *volpes*, *merula*, *corvus*, *panthera*, *aquila*, and *avis*.³⁷

Now *aquila* has been shown to be a true and unquestionable epicene. Therefore, when we read in Varro (*L. L.* VIII, 2, 7) *et mas et femina aquila*, there is every reason to agree with Neue-Wagener,³⁸ that the expression does not indicate a difference of grammatical gender. It is not to be regarded, then, as identical with the similar epithets applied to *bos*, which has been seen to be of common gender, but *aquila mas* is in a class with *volpis masculae* of Pliny.³⁹ I likewise believe that this is the very manner in which *ovis mas* is employed by Varro (*L. L.* V, 98), "si cui ovi mari testiculi dempti et ideo vi natura versa,

³⁵ Breysig, p. 160.

³⁶ See *Thesaurus* and cf. note 28 and note 31.

³⁷ Later on it will be shown that certain words which are by no means true epicenes, are sometimes employed after the manner of epicenes, when nothing is implied as to their sex.

³⁸ See n. 31.

³⁹ See n. 32.

verbex declinatum," and by Ovid in the expression⁴⁰ *seminaris ovis*. In other words, it will presently be shown that the word *ovis* is epicene.

It will at once be objected that the passages of Gellius (XI, 1, 4) and Festus (p. 286), which record the words of Varro and Verrius respectively and have been quoted earlier in this work,⁴¹ show the gender of *ovis* to be common. It must be observed, however, that Varro so uses it only in an antiquated legal formula, and that Gellius and Festus mention the usage only to explain it, because in their day it was strange and unusual. Not only was this common gender for *ovis* a curiosity in classical Latin, but, if we remember Varro's rule illustrated by *columba*,⁴² I think I am justified in the conjecture that *ovis* began in the earliest times as a feminine epicene for the sheep kind without distinction of sex, just as it will be proven to be in historic times; that this usage persisted, but in the course of development in the still prehistoric Latin the usage in common gender, *hic* and *haec ovis*, arose in those cases where a differentiation of male and female was important, especially in religious ritual, where with the advent of animal sacrifices and the offering of male victims to male divinities and female to female, practical necessity compelled a distinction in sex to be observed. While in historic times, owing to the limitations of the Latin vocabulary, *ovis* was retained as the particular term for the ewe, and *aries* and *vervex* instead of *hic ovis* became the more common and conventional terms for "ram" and "wether," *ovis* remained (as it had always been) the general name for the sheep kind, like the English *sheep* and the German *Schaf*. So much for my conjecture. It will now be shown that in the classical period *ovis* was the generic term for sheep and that its gender was feminine.

Cicero says (*N. D.* II, 63):

"Quid enim oves aliud afferunt, nisi ut earum villis confectis atque contextis homines vestiantur"?

This is supplemented by Isidorus, *Origines* XII, 1, 8-9:

"Discretio est autem inter armenta et greges: nam armenta

⁴⁰ *F.* I, 588.

⁴¹ See pp. 36 and 37 above.

⁴² See p. 40 above.

equorum et boum sunt, greges vero caprarum et ovium . . .
 Apud veteres initio non tauri sed oves in sacrificio mactarentur.
 . . . Vervex . . . a viribus dictus, quod *ceteris ovibus* sit
 fortior."

Note especially the last words, "Vervex . . . *ceteris ovibus* sit fortior," which, taken in connection with the Cicero passage just quoted and with Columella VII, 4,⁴³ prove that the ancient flocks, like those of to-day,⁴⁴ were made up of both ewes and wethers, the latter being slaughtered while their flesh was still tender, but after they had yielded a goodly supply of wool. In these passages of Cicero and Isidorus, *ovis* can signify but one thing, the sheep kind as a whole. Isidorus moreover says in the same selection:

"Ex his (sc. *ovibus*) quasdam bidentes vocant, eas quae inter octo dentes duos altiores habent, quas maxime gentiles in sacrificium offerebant."

Here and also in the Cicero quotation (*earum*), the feminine gender of *ovis* as well as its general meaning is well illustrated. Further excellent examples are the Pseudo-Acron scholiast to Horace (C. III, 23, 14):

"Bidentes autem proprie dicuntur oves duos annos habentes, sic vocatae ab eminentioribus dentibus, qui circa duos annos nascuntur," and Servius (*ad Aen.* VI, 39):

"Bidentes autem, ut diximus supra (IV, 57) oves sunt circa bimatum, habentes duos dentes eminentiores; quae erant aptae sacrificiis."⁴⁵

⁴³ "Plures autem in eiusmodi gregibus, quam in hirtis, masculos enutrire oportet. Nam priusquam feminas inire possint mares castrati, cum bimatum expleverint, enecantur, et pelles eorum propter pulchritudinem lanae maiore pretio, quam alia vellera, mercantibus traduntur".

⁴⁴ *Farmers' Cyclopaedia*, abridged agricultural records from publications of U. S. Dept. of Agric. and Experiment Stations, Vol. I, p. 368: (On eastern Nevada sheep raising): "They (the sheep) usually reach the shearing grounds . . . about the first of April. The sheep are then separated into ewe bands and wether bands, the ewes and their lambs of the previous year having run together during the winter. . . Two crops of wool are also obtained from each lamb, as they are not usually sold until about two years old (Cf. Columella's *bimatum*), which differs from the practice in the Sierras". The *Encyclopedia Britannica* (1911 ed., article on Agriculture) I, p. 408, speaks of wether sheep above twelve and under twenty-four months old.

⁴⁵ Also Paul, p. 4; Gell. XVI, 6, 12. *Bidens* is recognized by Neue-Wagener as an epicene (I p. 927).

These last passages have to do with *bidentes*, which are seen to be sheep of an age sufficiently advanced to display a certain phenomenon in their teeth. This phenomenon, however, is not confined to the female, but appears equally in the male.

Ovis, therefore, is epicene, and, moreover, a true epicene, like *volpes*, *aquila*, *merula*, *avis*, *panthera*, *corvus*, and others.⁴⁶ It is epicene, because it has just been proved to be the generic term for sheep without thought of sex, to have only one grammatical gender, feminine,⁴⁷ and yet, as a true epicene, to be carried to its logical development, so that on a few occasions, such as we have encountered in Ovid,⁴⁸ and in Varro,⁴⁹ it is employed strictly of the male.

If we return, then, for one moment from the study of epicenes to our subject of the *sacra Idulia*, it will be recalled that Roman ritual required the sacrifice of male animals to male divinities and of female to female. The actual ritualistic custom is thus seen to be quite in accord with the words of Paulus and Macrobius,⁵⁰ who, although they apply the correct gender of the relative pronoun in writing "*Idulis ovis . . . quae*" and "*ab ove Iduli . . . quam*," do so with no more thought of sex than did Varro (*L. L.* V, 98) in writing "*Haec (sc. arvigae) sunt . . . quas*"; for *arviga*, though a *hostia* and of feminine gender, was often used of the ram.⁵¹ The sex of the *ovis Idulis* was male, therefore, as is to be expected in a sacrifice to Jupiter.

It remains to discuss Ovid's use of the feminine form *agna* in *Fasti* I, 56. This in itself would not offer serious difficulty, for had it suited his purpose, Ovid might not have hesitated to write *agna*, even if bearing definitely in mind the female significance of the termination in *-a*. Vergil in his famous line (*Aen.* VIII, 641).

⁴⁶ No matter that it often means the ewe, for we know that even so widely recognized an epicene as *avis* frequently refers to the female bird alone, e. g. Cic. *N. D.* II, 129: "*Gallinae avesque reliquae . . . quietum requirunt ad pariendum locum*"; Plin. *N. H.* X, 147: "*Ceterae aves semel anno (pariunt)*"; X, 165: "*nec alia (avis) plures (quam XX pullos parit)*".

⁴⁷ Except in a few legal survivals of prehistoric times.

⁴⁸ *F.* I, 588.

⁴⁹ *L. L.* V, 98.

⁵⁰ Paul. p. 104; Macrobius. I, 15, 16. See page 35 above.

⁵¹ See above p. 38.

"caesa iungebant foedera porca," may employ *porca* in this manner, inasmuch as the commentators mentioned as *quidam* by the interpolator of Servius, explain *porca* on the ground of euphony.⁵² Perhaps the *quidam* mentioned in the interpolation of Servius are Quintilian and Porphyrio, the commentator on Horace. The latter says:⁵³

"Adtende feminino genere agnam maluisse dicere quam agnum secundum illud Vergilianum: 'Et caesa iungebant foedera porca'; nescio quid enim quaedam eloquutiones per femininum genus gratiores fiunt."

Quintilian's words are (*Inst.* VIII, 3, 19):

"Quaedam non tam ratione quam sensu iudicantur; ut illud, 'caesa iungebant foedera porca,' fecit elegans fictio nominis; quod si fuisset porco, vile erat."

These three explanations of the feminine form in *-a* on the ground of euphony are good as far as they go,⁵⁴ but they hardly account for Varro's mention of the offering of an *agna* to Jupiter at the *auspiciq vindemiae* or for what Gellius writes of the sacrifice of a *capra* to Vediovis. Once more it becomes necessary to fall back on epicenes.

First of all it must be pointed out that there are certain words which, though not strictly of the epicene class, in that they admit both genders, are nevertheless often employed in the epicene manner described by Varro,⁵⁵ namely, in a vague, general sense referring to either or both sexes. Their gender is arbitrarily chosen, being sometimes masculine, sometimes feminine, but there is no thought of sex in the writer's mind.

⁵² Serv. Interpol. *ad Aen* VIII, 641: "Quidam 'porcam' euphoniae gratia dictam volunt".

⁵³ *C.* I, 4, 12.

⁵⁴ Servius himself (*ad Aen* VIII, 641), after recognizing that ritualistic observance called for *porco*, gropes about in a maze of explanations for the use of the feminine: "Falso autem ait 'porca': nam ad hoc genus sacrificii porcus adhibebatur. Ergo aut usurpavit genus pro genere ut 'timidi venient ad pocula dammae', cum has dammas dicamus, item supra (631) lupam cum artis sit 'hic' et 'haec' lupus. Aut certe illud ostendit, quia . . . " From this point on see note 8 above, which also notes the unreliability of this passage in questions of ritual.

⁵⁵ *L. L.* IX, 55. See above p. 40.

One word notably so employed is *canis*, which is ordinarily of common gender because the natural difference of sex is so often forced upon one's attention owing to the intimate association of dog and man. When employed with absolutely no thought, however, of male and female, the gender of *canis* is determined according to the writer's whim or preference. A few examples will suffice: Varro (*R. R.* II, 9, 6) in discussing the purchase of dogs uses the masculine gender:

"Magni interest ex semine esse canes eodem, quod *cognati* maxime inter se sunt praesidio," and again in treating of their food says (II, 9, 8): "Cibatus canis propior hominus . . . Diligenter ut habeat cibaria providendum. Fames enim *hos* ad quaerendum cibum ducet." Once more in regard to buying dogs he says (II, 9, 5):

"Videndum ne a venatoribus aut laniis canes emas, *alteri* quod ad pecus sequendum inertes; *alteri*, si viderint leporem aut cervum, quod eum potius quam oves sequentur. Quare a pastoribus *empta* melior, *quae* oves sequi consuevit, aut sine ulla consuetudine *quae* fuerit."

In this passage both genders are used, yet each time dogs are mentioned the reference must be to both sexes. Toward the close of the chapter Varro speaks of protecting the watchdogs with collars armed with nails,

"quod si lupus aliusve quis his vulneratus est, *reliquas* quoque *canes* facit, *quae* id non habent, ut sint in tuto."

In these words both sexes are referred to without doubt, and furthermore, there immediately follows a discussion of the number of dogs necessary for the flock, and we meet with the words:

"Villatico vero gregi in fundum satis esse duo, et id marem et feminam." If one may differentiate, then, between the word and the usage, one would say that *canis*, while not a true epicene, quite frequently receives that epicene usage, which Varro has described, namely, that in which there is no thought of sex.⁵⁶

Neue-Wagener present a small list of animal names with the double endings in *-us* and *-a*, which they say⁵⁷ are epicenes to the extent that they may be used in either form for the species in

⁵⁶ *L. L.* IX, 55. See above p. 40.

⁵⁷ I, pp. 927-930.

general without reference to sex, although grammatically those in *-us* are masculine and those in *-a* feminine. A good example of this is seen in Pliny (*N. H.* VIII, 141):

"*Lacertae* inimicissimum genus coelestis, negantur semestrem vitam excedere. *Lacerti* Arabiae cubitales, in Indiae vero Nysa monte XXIV in longitudinem pedum, colore *fulvi* aut *punicei*, aut *caerulei*," where, whether the termination be in *-ae* or in *-i*, the entire species is meant, including both sexes. Another word of this type is *simius*, *simia*, the latter being the commoner,⁵⁸ but *simius* appearing in Phaedrus' fable of the wolf, the fox, and the ape.⁵⁹

Varro⁶⁰ tells us that the word *columba* was originally an epicene, and that when the pigeon came into wide domestic use and man found it convenient to differentiate between the sexes, the masculine form, *columbus*, was introduced for the sake of distinction. We find, however, that in those instances where this word is employed indefinitely without sex distinction, the form in *-a* is usually retained.⁶¹ Sometimes, on the contrary, we meet with the masculine, *columbi*.⁶² Either form of this word can thus be given the epicene usage, although the form in *-a* was originally a true epicene.

If one will turn now to the word *agna*, and that with which it is closely associated, *porca*, attention must once more be called to my translation of Varro's definition⁶³ (p. 41 above), the point of which is that man does not make a linguistic division based on the animal's sex unless there is a practical need of such distinction. Much of the time there is a manifest need of distinguishing the sexes of *agnus* and *agna*, *porcus* and *porca*, as in the cases of *equus* and *equa*, *columbus* and *columba*, mentioned by

⁵⁸ Plin. VIII, 54, 215.

⁵⁹ Phaedr. I, 10.

⁶⁰ See n. 56.

⁶¹ Only one or two examples will be quoted here: Plin. X, 35: "*Columbae* et *turtures* octonis annis vivunt". Varro *R. R.* III, 2, 13: "*alterum* (sc. *genus pastionum*) *villaticum* in quo sunt *gallinae* ac *columbae* et *apes* et *cetera*", and 14; III, 5, 7: "*volucres* . . . *vernaculae* ut *gallinae* ac *columbae*".

⁶² Colum. VIII, 8, 1: "*palumbos columbosque cellares pinguissimos facere*"; and 10, 2: "*(Turdi) locum aequè munitum et apricum, quam columbi desiderant*".

⁶³ *R. R.* IX, 55.

Varro.⁶⁴ On the other hand, as in the case of *columba*, so the reference in *agnus* or *porcus* is often only generic, with absolutely no thought of sex. This was, we have seen, the original use of *columba*,⁶⁵ and it was retained in classical literature after the form *columbus* had come into use.⁶⁶ Although *agnus* and *porcus* are used so very frequently of the male alone, there are a number of passages in which they are employed in as epicene a manner as *columba* is known to have been, for example, Cicero *de Senec.* XVI, 56:

"Villa . . . abundat porco, haedo, agno, gallina,"

and Varro on several occasions:

R. R. II, 1, 20:

"Fere ad quattuor menses a mamma non disiunguntur agni, haedi tres, porci duo,"

R. R. II, 2, 15:

"Deinde matres cum grege pastum prodeunt, retinent agnos, ad quos cum reductae ad vesperum, aluntur lacte et rursus discernuntur,"

and II, 2, 17:

"Cum depulsi sunt agni a matribus diligentia adhibenda est ne desiderio senescant."

Agnus and *porcus* in all these selections must refer to lambs and pigs in general without thought of sex.

There survive also some interesting passages showing a common gender for *agnus* and *porcus* in the earlier times and in ritualistic survivals. The first of these (Festus, p. 286) has been already noticed in connection with the antiquated common gender usage of *ovis*,⁶⁷ but must be quoted here for present purposes:

"Etiam in commentariis sacrorum pontificalium frequenter est hic ovis et haec *agnus ac porcus*, quae non ut vitia sed ut antiquam consuetudinem testantia debemus accipere."

Perhaps second in importance is Paulus (p. 6):

"Agnus ex Graeco ἀρνός deducitur, quod nomen apud maiores communis erat generis, sicut lupus."

⁶⁴ *R. R.* IX, 55.

⁶⁵ *R. R.* IX, 55.

⁶⁶ See n. 59.

⁶⁷ See p. 37 and p. 43 above.

If the epithets *mas* and *femina* are to be taken as indicative of common gender, which appears to be their most frequent usage, *porcus* is of common gender in Cato's *de Agricultura* CXXXIV. The selection is too long for quotation. Although pertaining to private ceremonial, it is highly ritualistic and most definite in recording the details of sacrifice and the formulae of prayer. In it *porcus femina* and *porca* are employed several times interchangeably.⁶⁸ Festus also says in reference to a law of Numa (p. 222):

"Si tanget (sc. pellex aram Iunonis) . . . agnum feminam caedito."

But most significant for the present argument are Festus' words on page 189, in which he seems to be drawing his authority from the pontifical books:

"Ianui Quirino agnum marem caedito."

This expression has its counterpart in the inscription recording the Ludi Saeculares of 17 B. C., now in the Terme Museum.⁶⁹ That section which relates to the sacrifice to the Moerae contains the words:

"uti huius]sacrifici acceptrices sitis VIII agnarum feminarum et VIII capraru[m] feminarum propri]arum inmolandarum; harum rerum ergo macte hac agna femina inmolanda estote fitote v[olente]s propitiae," etc.

The words *hac agna femina* exclude any other interpretation than that of common gender for *agna* in this passage, although it is the only surviving passage in which *agna* is so employed.⁷⁰

If now it be permissible to turn for a moment to poetry, a line of Ovid will be found of particular interest (*Fasti*, IV, 648):

⁶⁸ With this passage cf. Cicero *de Leg.* II, 22, 57.

⁶⁹ *C I L.* VI, 4², 32323.

⁷⁰ *Feminam agnam* quoted by Augustine from *Leviticus* (*Quaestionum in Heptateuchum Libri VII* in the *Corpus Scriptorum Ecclesiasticorum Latinorum*, Vienna 1895, 3, 3, p. 236) is a translation of the original Hebrew, not a Latin usage. As quoted by Augustine the passage reads: 'Offeret pro his quae deliquit domino, pro peccato quo peccavit feminam ab ovibus agnam', and with this cf. the translation made at London in 1580 from the Hebrew: "Itaque adducito reatum suum Jehove propter peccatum suum quo peccabit foeminam e grege ovem", and King James translation into English: "And he shall bring his trespass offering unto the Lord for his sin which he hath sinned, a female from the flock, a lamb". Augustine's comment is: "usitata locutione 'agnam feminam' dicit, quasi possit esse non femina".

"*Agnaque nascendo saepe necabat ovem.*"

While the form in *-a* may well be chosen by the poet for stylistic purposes, yet it refers as clearly to the male as to the ewe lamb and forms a striking counterpart to the epicene use of *agnus* and *porcus* in Cicero⁷¹ and Varro⁷² quoted above. Prose passages in which *agna* and *porca* are employed as epicenes are few, but that of Paulus (p. 235) is highly important:

"*Porci effigies inter militaria signa quantum locum obtinebat, quia confecto bello inter quos pax fieret, caesa porca foedus firmare solebant.*"

Porci effigies seems to be a clear reference to the boar, for Pliny⁷³ says that the *aper* held fifth place among the animals on military standards; *caesa porca* may be a reminiscence of Vergil⁷⁴; but in whatever way this passage is regarded, the thought

⁷¹ *de Senec.* XVI, 56; see p. 49 above.

⁷² *R. R.* II, 1, 20; II, 2, 15 and 17; see p. 49 above.

⁷³ *N. H.* X, 16.

⁷⁴ The theory of the slaughter of female animals to Jupiter in treaty-making (see Neue-Wagener I, p. 925-926) is not well supported by the existing evidence. *Porcus*, to be sure, was of common gender in early religious formulae, but that does not affect the sex of the pig slain in the conclusion of a treaty, for Livy, I, 24, 8, says: "Tum illo die, Iuppiter, populum Romanum sic ferito, ut ego hunc porcum hic hodie feriam (cf. IX, 5, 3; XXI, 45, 8; Cic. *de Invent.* II, 30, 91); also in Varro, *R. R.* II, 4, 9, the mention of this sacrifice in the same passage with that of a pig at the marriage ceremony in no wise proves the word feminine, for the wedding victim was chosen not because of its sex but because of some mysterious connection between the pig and the *puccunda muliebria*, as seen in the Greek use of χοῖρος in the comic poets (cf. Aristoph. *Ach.* 774) and the close relation between δέλεαρ and δελφύς (see L. Meyer, *Griech. Etym.* III, p. 256.) Varro's passage is: 'Initiis Cereris porci inmolantur, et . . . initiis pacis foedus cum feritur, porcus occiditur, et nuptiarum initio antiqui reges ac sublimes viri in Etruria in coniunctione nuptiali nova nupta et novus maritus primum porcum inmolant. Prisci quoque Latini etiam Graeci in Italia idem factitasse videntur. Nam et nostrae mulieres, maxime nutrices, naturam qua feminae sunt in virginibus appellant porcum, et graecae choeron, significantes esse dignum insigne nuptiarum'. The *porcus* of the wedding ceremony should be the male, as the deity who presided over the *confarreatio* was Jupiter (see Wiss. pp. 118-119). The *initia Cereris*, which Varro mentions, were undoubtedly the Eleusinian mysteries, and sacrifices at the Eleusinia were naturally celebrated according to Greek ritual. The pig had an intimate connection with Demeter, goddess of earth fertility (see Andrew Lang in *The Nineteenth Century*, Apr. 1887, p. 562), just as it had with the fertility of females. The whole thought, therefore, in these cases mentioned by Varro, is rather of the pig species, and although in at least two of the three sacrifices which he mentions the victim was actually male, he probably employed *porcus* as an epicene without thought of sex.

of sex seems decidedly weak, and I am disposed to see in it an epicene usage closely analogous to that of *lacertae*, *lacerti* in Pliny's account of the lizards.

Thus we see that *porcus* and *agnus* are used as epicenes;⁷⁵ that in the antiquated speech which survived in ritualistic formulas, *porcus* and *agnus* are used as possessing common gender;⁷⁶ that, therefore, *porcus* and *agnus* are used of both sexes interchangeably. *Porca* is also used as an epicene interchangeably with *porcus*.⁷⁷ *Agna* is an epicene in *Fasti*, IV, 648,⁷⁸ and is defined with remarkable precision in a ritualistic inscription,⁷⁹ as though there could be doubt about the sex. In the light, therefore, of Varro's plain statement that *columba* was used as an epicene, I believe that he so employed *agna* in his account of the sacrifice to Jupiter at the *auspicatio vindemiae*, and had in mind no thought of the animal's sex.⁸⁰ Since, therefore, we have seen that Roman pontifical law demanded the sacrifice of male victims to male divinities, there is no reason to doubt that the *agna* of the *auspicatio vindemiae* was a male.

The second apparent exception to the general rule of sacrifice⁸¹ has thus been shown to be nothing more than apparent. The first, an offering of a *capra* to Vediovis,⁸² is easily disposed of in the same manner. Cato, quoted by Varro,⁸³ employs the word as an epicene in speaking of the habits of wild goats. Varro himself goes further and uses *caprae* of wild and domestic goats alike, in a close connection with the epicene word *oves*:

⁷⁵ See notes 71 and 72.

⁷⁶ Festus, pp. 286, 222, and 189; Paul. p. 6; see pp. 49-50 above.

⁷⁷ Paul. p. 235 and see p. 51 above.

⁷⁸ Can *praecidaneae agna* defined by Festus (p. 223) be epicene? True it occurs in the same passage with the definition of *praecidanea porca*, which Festus says was an offering to Ceres, but the words, "*praecidanea agna vocabatur quae ante alias caedebatur*", do not seem to me to point to any single divinity. If this be true, the offering might be to a god as well as to a goddess, and *alias* could well mean *alias hostias*.

⁷⁹ See n. 69 above.

⁸⁰ See n. 10 above.

⁸¹ Cf. pp. 34-35 above and n. 10.

⁸² p. 35 above. Gellius says: "Eum deum (i. e. Vediovem) plerumque Apollinem esse dixerunt; immolaturque ritu humano capra eiusque animalis figmentum iuxta simulacrum stat". For Krause on this sacrifice, see his thesis, p. 21.

⁸³ R. R. II, 3, 3.

"In Originum libro Cato scribit haec: 'in Sauracti et Fisceello caprae ferae sunt, quae saliunt e saxo pedes plus sexagenos.' Oves enim quas pascimus ortae sunt ab ovibus feris: sic quas alimus (caprae) a capris feris ortae. . . . Quidam etiam dant operam ut ex insula Melia capras habeant, quod ibi maximi ac pulcherrimi existimantur fieri haedi."

Isidorus, likewise, so employs the word in a passage quoted before:⁸⁴

"Discretio est autem inter armenta et greges: nam armenta equorum et boum sunt, greges vero caprarum et ovium."

Finally, in the inscription recording the *Ludi Saeculares* of 17 B. C., *caprarum* is limited by *feminarum*, as though the noun were insufficient in itself to establish the sex, a treatment which is identical with that of *agnarum feminarum* in the same passage.⁸⁵

If we return from this long digression to prove that an epicene usage existed for *agna* and *capra* in prose, and glance once more at Ovid's line (*F.* I, 56):

"Idibus alba Iovi grandior agna cadit,"

it will be recalled that *agna* might have been written for stylistic purposes.⁸⁶ Now, however, the point has been reached where it will readily be perceived that the poet's use of *agna* rests on a more solid foundation than mere euphony.

The fact is that, while both Vergil⁸⁷ and Ovid doubtless selected the forms *porca* and *agna* with a metrical and stylistic purpose in view, yet their choice of the feminine form for animal names was in perfect accord with the epicene usage in prose discussed and practiced by Varro,⁸⁸ and so did no violence to established principles of the language. Without doubt, the two poets gave no thought whatever to the actual sex of the animal. There are many examples⁸⁹ in the poets of an epicene use of the forms terminating in *-a*, one of the most striking being Ovid's line above quoted (*F.* IV, 648):

"Agnaque nascendo saepe necabat ovem,"

but before closing it will be sufficient to call attention to one or

⁸⁴ *Orig.* XII, 1, 8; see pp. 43-44.

⁸⁵ See p. 50 above, and n. 69.

⁸⁶ See above pp. 45-46.

⁸⁷ *Aen.* VIII, 641; see pp. 45-46 above.

⁸⁸ *L. L.* IX, 55; see p. 40 above. *L. L.* VI, 16.

⁸⁹ Cf. *Virg. Ecl.* II, 21; *Stat. Theb.* VII, 397; et al.

two more passages which illustrate Ovid's use of the epicene. In the first of these, a true epicene, *ovis*, a common gender noun, *bos*, and a first and second declension noun with masculine termination for male and feminine for female, *caper* and *capella*, are employed as epicenes, for the poet is relating the origin of the sacrifice of the several animal kinds, irrespective of sex (*F.* I, 357-384):

"Rode, *caper*, vitem; tamen hinc, cum stabis ad aram,
In tua quod spargi cornua possit, erit."
Verba fides sequitur. Noxae tibi deditus hostis
Spargitur adfuso cornua, Bacche, mero.
Culpa sui nocuit, nocuit quoque culpa *capellae*:
Quid *bos*, quid *placidae* commeruistis *oves*?
Quid tuti superest, animam cum ponit in aris
Lanigerumque pecus ruricolaeque boves?"

In these lines, although there is some thought of the masculine in *caper* (l. 357), *caper* and *capella* (l. 361) are used interchangeably, and *capella* refers to the entire goat kind without sex distinction. This interchangeable use of *caper* and *capella* is also found in Ovid's long, aetiological account of the Lupercalia (*F.* II, 267-452), where *capella* in the earlier line (361: "Cornipedi Fauno caesa de more capella") is used as an epicene, but line 441 of the later story,

"*Italidas matres,*' inquit, '*sacer hircus inito,*'"

proves that Ovid knew the victim (*caper*,⁹⁰ *capella*) to be a male. The Lupercalia passages constitute a perfect parallel to those on the *sacra Idulia*.⁹¹

Thus we have seen that Ovid's two statements regarding the *ovis Idulis* are perfectly consistent, no matter whether he says *agna* or *semimas ovis*. It was the male, not the perfect male, but the *vervex*; for, as has been shown,⁹² the *Acta Fratrum Arvalium* prescribe the sacrifice of *verveces* to Jupiter, and Ateius Capito in his first book on sacrificial law (quoted by Macrobius III, 10) says: "Iovi tauro, verre, ariete immolari non licet." Moreover, Ovid would hardly have made so specialized a statement as *semimaris*, had he not read the word or its equivalent, *vervex*, in his source.

⁹⁰ "Ille caprum mactat".

⁹¹ *Capella* = *caper*: *agna* = *semimas ovis*.

⁹² See n. 13.



