

Blame the Author, or the Scribe? (Pliny, *Ep.* 10.4.3)

In 10.4, one of his preproconsular letters to Trajan, Pliny asks the emperor to grant senatorial status to his childhood friend Voconius Romanus. The man's mother had attempted to qualify him for the Senate by giving him enough property to meet the legal minimum, but botched the technicalities. After advice from Pliny, she did it right, transferring sufficient property and completing other unspecified legal formalities (10.4.3):¹

Nam fundos emancipavit, et cetera quae in emancipatione implenda solent
exigi consummavit.

3 nam I : nam et α

Near the end of his page-long note on *fundos emancipavit*, Sherwin-White writes “Pliny here uses the less technical word, *emancipavit*, usually confined to the freeing of sons from *patria potestas*, instead of the correct *mancipavit*, used in VII. 18. 2.” Did he? Who is more likely to have used the incorrect word? Rome's most distinguished lawyer, writing to the emperor on a legal point, or some tired scribe, ignorant of Roman law, who knew that *emancipare* is a word, but did not know or had forgotten that *mancipare* is, too?² It seems preferable to me to emend both words and write *mancipavit* . . . *mancipatione* here.

Scribes confuse the two in 4.2.2, perhaps with more excuse. There Pliny puns on the two words:

Hunc Regulus emancipavit, ut heres matris existeret; mancipatum (ita
vulgo ex moribus hominis loquebantur) foeda et insolita parentibus
indulgentiae simulatione captabat.

mancipatum β : emancipatum αγ

Two of the three manuscript families assimilate *mancipatum* to the preceding *emancipavit*, and some scholars prefer that.³ Something similar to what I propose happened at Catullus 46.1, *iam ver egelidos refert tepores*, where all of the earliest manuscripts read *vere*

¹ Text and variants are quoted from Mynors' Oxford Classical Text (1963).

² Until I checked the *Oxford English Dictionary*, I was unaware that ‘mancipate’ is an English word – most often used in scholarly works and translations of ancient jurists – though I have known and used ‘emancipate’ for decades.

³ Family β, our only source for Book X, is the only one that gets it right in 4.2.2.

gelidos. Scribes did not recognize the rare word *egelidos*, and so misdivided to make two familiar words in defiance of sense and (if they took *vere* as an ablative, not an adverb) meter.